

Prior to the commencement of the meeting, the Mayor will make the following declaration:

“I acknowledge the Tasmanian Aboriginal Community as the traditional custodians of the land on which we meet today, and pay respect to elders, past and present”.

The Mayor also to advise the Meeting and members of the public that Council Meetings, not including Closed Meeting, are audio-visually recorded and published to Council’s website.

**SPECIAL COUNCIL MEETING
WEDNESDAY 26 AUGUST 2020**

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BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE

COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL’S WEBSITE

1. APOLOGIES**2. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE**

(File No)

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council's adopted Code of Conduct, the Mayor requests Aldermen to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in the item on the Agenda.

3. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting (as no public attendance is possible due to COVID-19 restrictions these will be read out by the General Manager).

4. PLANNING AUTHORITY MATTER

In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following item:

**4.1 DRAFT CLARENCE LOCAL PROVISIONS SCHEDULE – SECTION 35F
REPORT, CONSIDERATION OF REPRESENTATIONS**
(File No AMEND-2020/006428)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to review the representations received following exhibition of the draft Clarence Local Provision Schedule (LPS) and provide recommendations to the Tasmanian Planning Commission (TPC) pursuant to Section 35F of the Land Use Planning and Approval Act 1993 (LUPAA).

RELATION TO PLANNING PROVISIONS

The LPS makes up the local component of the future Tasmanian Planning Scheme (TPS). When the Clarence LPS is ultimately approved by the TPC, the TPS will replace the current Clarence Interim Planning Scheme 2015 (CIPS2015).

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

CONSULTATION

The draft LPS was exhibited in accordance with the statutory requirements as directed by the TPC from 15 January 2020 – 17 March 2020 and is the subject of this report.

RECOMMENDATION:

- A. That in relation to the draft LPS, pursuant to Section 35F(2)(a) and (b) of the Land Use Planning and Approvals Act 1993, Council resolves to:
 - (i) provide the Tasmanian Planning Commission with a copy of each representation made before the end of the exhibition period;
 - (ii) provide the Tasmanian Planning Commission with a copy of each representation made after the end of the exhibition period;
 - (iii) treat all representations made after the end of the exhibition period referred to in (ii) above as valid submissions and consider them in conjunction with the other representations.
- B. That pursuant to Section 35F(2)(c) and (e) of the Land Use Planning and Approvals Act, Council resolves to endorse the attachment to this associated report “*Draft Clarence LPS Summary of Representations*” and associated recommendations and provide a copy to the Tasmanian Planning Commission.
- C. That Council resolves that it is satisfied that the draft LPS and associated recommendations outlined in the ‘Draft Clarence LPS Summary of Representations’ meets the LPS criteria prescribed at Section 34 of the Land Use Planning and Approvals Act 1993.

- D. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

- 1.1.** The Government's desire to develop the Tasmanian Planning Scheme (TPS) was given effect through amendments to LUPAA gazetted on 17 December 2015.

The TPS is made up of two components: the State Planning Provisions (SPP) and the Local Provisions Schedule (LPS) respectively.

The draft SPP were approved for exhibition on 9 March 2016 and exhibited for a 60-day period between 12 March and 18 May 2016. Following the exhibition period public hearings were held between July and October 2016.

On 22 February 2017, the Minister for Planning and Local Government finalised the SPP. The approved SPP include the administrative, zone and code provisions and the LPS's requirements incorporated in the TPS. The SPP are the operational provisions of the planning scheme and will apply consistently across the State. Councils cannot amend those provisions.

The LPS is the local component of the planning scheme, whereby councils apply the available SPP zones and codes to land and can also include localised provisions that substitute, modify or are in addition to specific SPP through:

- Local Area Objectives;
- Particular Purpose Zones;
- Specific Area Plans; or
- Site-specific Qualifications.

- 1.2.** At its Meeting on 7 May 2018, Council endorsed its draft LPS and the associated supporting report.
- 1.3.** Following Council's endorsement, the draft LPS and supporting report was provided to the TPC and a post lodgement conference held on 23 August 2018. Council officers worked with the TPC providing the required documentation, modified the draft LPS as directed and made the necessary changes to the supporting report.
- 1.4.** In a letter dated 9 December 2019, the TPC advised that it had finalised its review of the draft LPS and considered that it was in order, met the relevant criteria and directed that it be exhibited as required.
- 1.5.** To avoid exhibition over the Christmas/New Year period, the draft LPS and associated documentation was exhibited from 15 January 2020 until close of business on 17 March 2020. The representations received in response to this exhibition is the subject of this report.

2. STATUTORY IMPLICATIONS

- 2.1.** Although the SPP came into effect on 2 March 2017, as part of the TPS, they have no practical effect until an LPS is in effect in a municipal area.
- 2.2.** When the final Clarence LPS is ultimately approved by the TPC, the TPS will replace the current CIPS2015.
- 2.3.** The SPP and draft LPS are not applicable to the assessment of any proposal required to be determined under the current CIPS2015.

3. STATUTORY REQUIREMENTS

- 3.1.** Section 35F(1) of LUPAA specifies that within 60 days after the end of the exhibition of a draft LPS, the Planning Authority must provide the TPC with a report in relation to the draft LPS. In this instance, due to the number of representations received and Council's workshops and meeting cycle, the TPC has granted an extension of time until 2 September 2020.

3.2. Section 35F(2) of LUPAA specifies that the report must contain:

- “(a) a copy of each representation made under section 35E(1) in relation to the relevant exhibition documents in relation to the draft LPS before the end of the exhibition period in relation to the draft LPS, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and*
- (b) a copy of each representation, made under section 35E(1) in relation to the relevant exhibition documents in relation to the draft LPS after the end of the exhibition period in relation to the draft LPS, that the planning authority, in its discretion, includes in the report; and*
- (ba) a statement containing the planning authority's response to the matters referred to in an LPS criteria outstanding issues notice, if any, in relation to the draft LPS; and*
- (c) a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –*
 - (i) whether the planning authority is of the opinion that the draft LPS ought to be modified to take into account the representation; and*
 - (ii) the effect on the draft LPS as a whole of implementing the recommendation; and*
- (d) a statement as to whether it is satisfied that the draft LPS meets the LPS criteria; and*
- (e) the recommendations of the planning authority in relation to the draft LPS”.*

3.3. In relation to Section 35F(2)(d) - *a statement as to whether it is satisfied that the draft LPS meets the LPS criteria*, that criterion is prescribed at Section 34(2) and states:

- “(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*

- (e) 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) is consistent with 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 co-ordinated 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 Pipelines Act 2000”.*

4. NOTIFICATION, REFERRALS AND ENGAGEMENT

The draft LPS and associated documentation was exhibited from 15 January 2020 until close of business on 17 March 2020.

The notification was in accordance with the statutory requirements specified at Section 35C of LUPAA and the TPC’s direction notice. This comprised of:

- Notification in “The Mercury” (Saturday, 11 and 18 January 2020 being once before and once within 14 days after the commencement of exhibition);
- referral to State Agencies; and
- referral to all Councils within the Southern Region.

In addition to the statutory requirements, notification was:

- circulated in the Eastern Shore Sun (January and February 2020);
- referred to the Hobart Airport;
- included in Council’s Rates Newsletter;
- featured on Council’s Facebook page;
- featured on Council’s Website;

- featured and hosted on Council’s Have Your Say Website;
- the subject of a Council Media Release;
- circulated to all Council officers, working groups and Committees of Council; and
- referred to those persons on a Council mailing list comprised of people and organisations who had previously engaged with the development of the current CIPS2015 and/or those who had expressed a desire to be notified through this process.

5. REPORT IN DETAIL

Ninety-seven representations were received within the statutory timeframe. Following the closing of the exhibition period, a further seven late submissions were received (104 in total).

A full copy of the representations received is retained on file and were the subject of a Council Workshop on 13 July 2020.

Pursuant to Section 35F(2)(a) and (b) of LUPAA Council is required to provide copies of the representations (unredacted) to the TPC. It is recommended that all representations made after the end of the exhibition are treated as valid submissions and considered in conjunction with the other representations.

Attached to this report is a document called *Draft Clarence LPS – Summary of Representations*. The document summarises the nature of each representation and, pursuant to s.35F(c) of LUPAA, provides comments on the merits of each representation and a recommendation whether the draft LPS ought to be modified to take into account the issues raised. The comments against each representation include any relevant background and commentary about whether it is consistent with various statutory and strategic considerations, including compliance with the Regional Strategy as required under LUPAA. The report concludes with a general statement about the effect the recommendation would have on the draft LPS as a whole as required under s.35F(2)(c)(ii) of LUPAA.

It is recommended that Council endorse the attachment *Draft Clarence LPS – Summary of Representations* as its s.35F(2)(c) response.

It is considered that the draft LPS and associated recommendations outlined in the “Draft Clarence LPS Summary of Representations” meets the LPS Criteria prescribed at S.34 of LUPAA. Pursuant to S.35F(d) it is recommended that the Council advise the TPC to this effect.

6. STATE POLICIES AND ACT OBJECTIVES

As detailed in the attached supporting report it is considered that the draft LPS is consistent with the outcomes of the State Policies and consistent with the objectives of Schedule 1 of LUPAA. Where relevant the State Policies were considered in *Draft Clarence LPS – Summary of Representations* assessment and recommendations. It is considered that the recommendations are consistent with the State Policies.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

The approval of the TPS will change the statutory provisions applicable to development in Clarence.

The SPP do not have any Public Open Space (POS) standards applicable to subdivision assessment. Accordingly, the application of Council’s POS Policy, Tracks and Trails and Recreation Strategies (as they relate to subdivision) will rely on the provisions of the Local Government (Building and Miscellaneous Provisions) Act 1993 rather than LUPAA (through the Planning Scheme).

8. FINANCIAL IMPLICATIONS

Council made an allocation for the development of the Planning Scheme in the 2020-2021 Budget.

Future budgets will need to provide for ongoing development of the LPS through miscellaneous amendments and any new strategic projects.

9. CONCLUSION

The draft Clarence Local Provision Schedule (LPS) was exhibited from 15 January 2020 – 17 March 2020 during which 97 representations were received. Following the closing of the exhibition period a further seven late submissions were received (104 in total). This report and the attachment “Draft Clarence LPS – Summary of Representations” considers the representations received as well as several issues identified by officers and seeks Council’s endorsement as its response to the TPC pursuant to Section 35F of LUPAA.

In addition to this report, a full copy of each representation will be provided to the TPC as part of Council’s Section 35F response.

Attachments: 1. Draft Clarence LPS – Summary of Representations (108)
2. Revised Flood-Prone Hazard Areas Code Mapping (1)
3. Revised Natural Asset Code – Waterway and Coastal Protection Area Mapping (1)

Ross Lovell
MANAGER CITY PLANNING

Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

Draft Clarence LPS Summary of Representations

Attachment 1

Purpose

The purpose of this report is to review the representations following the exhibition of the Clarence Draft Local Provision Schedule (LPS) and provide recommendations to the Tasmanian Planning Commission (TPC) pursuant to section 35F of the Land Use Planning and Approval Act 1993 (LUPAA).

Abbreviations

AS	Acceptable Solution
CIPS2015	Clarence Interim Planning Scheme 2015
CPS2007	Clarence Planning Scheme 2007
EMPCA	Environmental Management and Pollution Control Act 1994
ESPS1963	Eastern Shore Planning Scheme 1963
ESA2PS1986	Eastern Shore Area 2 Planning Scheme 1986
The Guidelines	Guideline No.1 - LPS zone and code application (Issued by the TPC under Section 8A of LUPAA)
LDR	Low Density Residential
LGBMP	Local Government Building and Miscellaneous Provisions Act 1993
LPS	Local Provisions Schedule
LUPAA	Land Use Planning and Approvals Act 1993
PC	Performance Criteria
PPZ	Particular Purpose Zone
RMPAT	Resource Management and Planning Appeals Tribunal
RPDC	Resource Planning and Development Commission (predecessor to the TPC)
SAP	Specific Area Plan
SPP's	State Planning Provisions
SSQ's	Site-specific Qualifications
STRLUS	Southern Tasmanian Regional Land Use Strategy
TPC	Tasmanian Planning Commission
TPS	Tasmanian Planning Scheme
UGB	Urban Growth Boundary

Notes

Exhibition Period	15 January 2020 – COB 17 March 2020.
Late Representations	<p>Section 35F(2)(b) of LUPAA gives the planning authority discretion to include late representations in its s.35F report to the TPC.</p> <p>Clearly it would be too late once the s.35F report is finalised, but it is up to the planning authority to decide how to handle submissions received after COB 17 March. All late submissions received prior to 11 June 2020 have been identified as late submissions (as required) and included in the summary/recommendations below.</p>
LPS Supporting Report	Tasmanian Planning Scheme Clarence Local Provision Schedule Supporting Report - Updated 18 October 2019 (Modified to address matters raised by TPC Assessment Panel)
Transitioning provisions	<p>Anything that the Minister has declared is to be included (or excluded) in the draft LPS under Schedule 6 of LUPAA that must be included in the draft LPS. The only changes allowed to Transitioning provisions are the 'permitted alterations' under s.8C of LUPAA and limited to matters such as numbering, referencing, terminology that will give the provisions the same effect as in the CIPS2015 and not change the policy intent.</p> <p>Recommendations in response to representations relating to Transitioning provisions should be confined to those that are within the permitted alterations outlined above.</p>
Agricultural Mapping	<p>The State's LIST Map contains an overlay called the 'Land Potentially Suitable for Agriculture Zone'. This overlay is referred to in the Guidelines to assist with application of the Agricultural and Rural Zones. The map identifies land that is:</p> <ul style="list-style-type: none">• "Potentially Unconstrained" and would ordinarily be expected to be zoned Agriculture; and• "Potentially Constrained" and may require further consideration before applying the Agricultural zone and may be more suited to being zoned Rural. Considerations should include existing land use of the site and surrounding land, whether the site is isolated from other agricultural land, ownership and capacity to be used conjunction with other agricultural land, agriculture potential and any local analysis. Three classifications of "Potentially Constrained" land are identified (Criteria 2A, 2B & 3), each of which trigger considerations under the Guidelines.

Statutory Requirements:

The Primary purpose of this Summary of Representations is to enable Council to fulfil the requirements of S.35F of LUPAA, and specifically to consider the sections at S.35F(2)(c) & (d) and S34(2) below.

S.35F Report

- (1) A planning authority, within 60 days after the end of the exhibition period in relation to a draft LPS in relation to the municipal area of the planning authority or a longer period allowed by the Commission, must provide to the Commission a report in relation to the draft LPS.
- (2) The report by the planning authority in relation to the draft LPS is to contain –
 - (a) a copy of each representation made under [section 35E\(1\)](#) in relation to the relevant exhibition documents in relation to the draft LPS before the end of the exhibition period in relation to the draft LPS, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and
 - (b) a copy of each representation, made under [section 35E\(1\)](#) in relation to the relevant exhibition documents in relation to the draft LPS after the end of the exhibition period in relation to the draft LPS, that the planning authority, in its discretion, includes in the report; and
 - (ba) a statement containing the planning authority's response to the matters referred to in an LPS criteria outstanding issues notice, if any, in relation to the draft LPS; and
 - (c) a statement of the planning authority's opinion as to the merit of each representation included under [paragraph \(a\)](#) or [\(b\)](#) in the report, including, in particular, as to –
 - (i) whether the planning authority is of the opinion that the draft LPS ought to be modified to take into account the representation; and
 - (ii) the effect on the draft LPS as a whole of implementing the recommendation; and
 - (d) a statement as to whether it is satisfied that the draft LPS meets the LPS criteria; and
 - (e) the recommendations of the planning authority in relation to the draft LPS.
- (3) Without limiting the generality of [subsection \(2\)\(e\)](#) , the recommendations in relation to a draft LPS may include recommendations as to whether –
 - (a) a provision of the draft LPS is inconsistent with a provision of the SPPs; or
 - (b) the draft LPS should, or should not, apply a provision of the SPPs to an area of land; or
 - (c) the draft LPS should, or should not, contain a provision that an LPS is permitted under [section 32](#) to contain.

S.34(2) LPS Criteria

The LPS criteria to be met by a relevant planning instrument are that the instrument –

- (a) contains all the provisions that the SPPs 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 co-ordinated 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 Pipelines Act 2000](#).

Snapshot

To assist provide an overview of the requirements each representation has been summarised using the table below, and where required, explored in further detail.

Overview assessment	
Is the representation consistent with:	Yes/No/NA
the STRLUS	
State Policies	
the Guidelines	
TPC Drafting Instructions/Practice Notes	
Local Strategy/Policy	
a “like for like” conversion of the CIPS2015	
Natural Justice issues	
Does the representation relate to the drafting/content of the SPP’s?	
Does the merit of the representation warrant modification to the exhibited LPS?	

State Policies

- Reference to State Policies mean:
- 1. State Policy on the Protection of Agricultural land 2009
 - 2. State Coastal Policy 1996
 - 3. State Policy on Water Quality Management 1997

Natural Justice

Reference to **Natural Justice** is taken to mean procedural fairness and due process sufficient to ensure third party interests are not compromised. In this context they may be the owners of a subject property, adjoining owners, nearby owners or the community more generally.

“Yes” means that it is very likely that a particular outcome will be of public interest and may result in negative impacts for some people.

“No” means that it is unlikely that a particular outcome would impact third parties.

The issue of Natural Justice is relevant to this assessment as the TPC has historically not supported requests that have the potential to compromise the public interest without being subject to an exhibited process.

Summary of representations received during the exhibition period

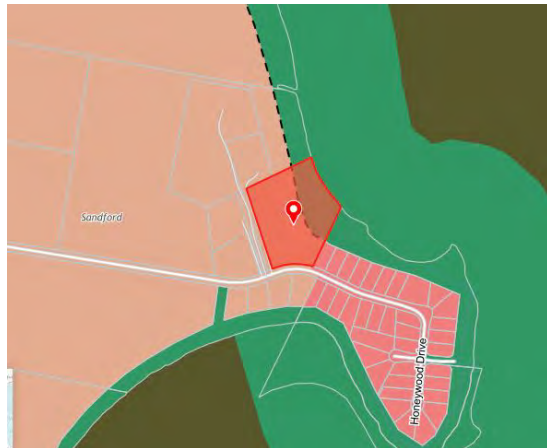
Rezoning/Strategic Requests																										
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rural Living Lot Size (Acton Park/Cambridge)																									
1, 46, 50, 55, 63, 86, 87, 95	<p>The representors (1, 46, 50, 55, 63, 86 & 95) submitted that parts of Acton Park and Cambridge ought to be changed from Rural Living Area B (2Ha min lot size) to Rural Living Area A (1Ha min lot size).</p> <p>Representor 87 wanted to subdivide their 2Ha lot.</p>	<p>Representor 1 was obo of 47 property owners in Acton Park and submitted that:</p> <ul style="list-style-type: none">there is little difference between 1 and 2Ha lot sizes in terms of land use.Acton Park is generally cleared, relatively flat and there are few (if any) constraints that would prevent 1Ha allotments.2Ha lot sizes do not recognise the existing settlement pattern which under earlier schemes provided for smaller lots.1Ha min lot sizes would increase density and maximise the use of existing services and infrastructure.1Ha min lot sizes would not impact threatened vegetation communities.The road network is capable of servicing any additional lots created.More than three quarters of the lots in Acton Park are already smaller than 2Ha and could not be further subdivided.The change would be minor as the Rural Living zone would remain, and the change would be limited to the conversion from Rural Living B to Rural Living A. <p>In addition to the above matters, other representors submitted that:</p> <ul style="list-style-type: none">The change would free up additional lots quickly without the need to provide additional infrastructure to address the current housing shortage.there is scope within the STRLUS to reduce the minimum Rural Living Zone lot size from 2Ha down to 1ha.Reducing lots would enable ageing residents to subdivide and maintain smaller holdings allowing them to stay in their homes and maintain an active, healthy semi-rural lifestyle.Reduced lots sizes would become more affordable for people to looking to move to the area.Increased densities would be more sustainable.Not allowing landowners to subdivide their land to 1Ha is not fair in terms of existing settlement patterns the government's desire for a "Fairer more efficient" planning system."It has been acknowledged to by the council in previous attempts to reduce the minimum lot size to 1ha, that no detailed local strategic analysis has been undertaken for the Acton Corridor. We wonder at what stage one might be undertaken, and if there is a possibility to do one to further inform the process of the LPS".Not all landowners would take up the option to subdivide so the change would be gradual and not significantly impact the existing character. <p>Representor 55 did not specifically request a 1Ha minimum lots size but was concerned that the Acton Park properties were unable to be subdivided and submitted that the "Owners of properties that I have spoken to all want to be able to rezone their land to Residential status thereby allowing them to subdivide".</p> <p>Representor 63 was submitted in response to both Acton Park and Cambridge.</p> <p>Representor 86 suggested Rural Living Zone did not reflect the description of the Acton Park settlement and suggested that a better description would be "Low Density Residential Zone" in the future.</p> <p>Representor 87 did not specifically request that the Acton Park Rural Living Zone be changed from Area B to Area A. Rather, they have a property 2.0Ha property at 32 Aspect Place with access to Alliance Drive that they wish to subdivide into 2 lots. They submit:</p> <ul style="list-style-type: none">they have no use for the rear portion of the landit would assist their retirement	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Much of Acton Park was rezoned from Reserved Urban to Rural Residential under the provisions of the ESA2PS1986 (Amendment 4/97) approved by the Resource Planning and Development Commission in May 1999 as part of the Acton Corridor series of Amendments. On 19 April 2000 the RPDC rejected an amendment (10/97) which proposed a changing the density rating from DR3 (1 lot per 2Ha) and DR4 (1 lot per 1Ha average with a 0.4Ha minimum) to DR9 (1 lot per 1Ha) for the entire Acton Corridor. The RPDC's decision stated that the amendment represented a broad scale increase in the density of the Rural Residential Zone which was inconsistent with the objective of the Acton District (District 16) and that no case was made for additional subdivisions in the area.</p> <p>The lot sizes prescribed in the Draft LPS's Rural Living Zone were direct translations of the CIPS2015 (which where translations from the previous CPS2007's Rural Residential Zone). The Draft LPS's Rural Living Zone</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																										
Is the representation consistent with:	Yes/No/NA																									
the STRLUS	Yes																									
State Policies	N/A																									
the Guidelines	No																									
TPC Drafting Instructions/Practice Notes	N/A																									
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Does the representation relate to the drafting/content of the SPP's?	No																									
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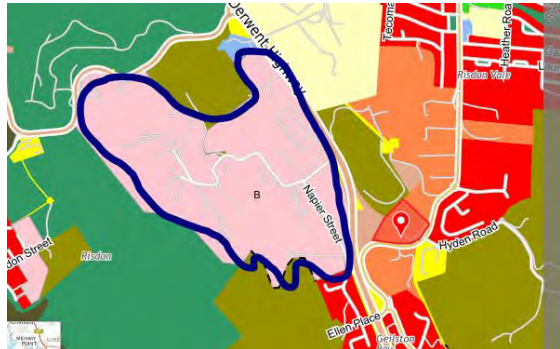
		<ul style="list-style-type: none"> would provide Council with extra rates There are other examples of smaller lots (down to 4000m2 in Shelomith Drive) Their daughter would like to purchase the lot. <p>Representor 95 wanted to subdivide their lot and apply the Rural Living Area A to the properties along Acton Road. The reasons submitted were consistent with the above motivated by declining health.</p>	<p>utilises Area B which specifies a minimum lot size of 2.0Ha except for Otago and Single Hill which is Area A with a minimum lot size of 1Ha. Otago is spatially separated from the other Rural Living areas in Clarence and was originally regulated/developed under a different planning scheme (ESPS1963). Single Hill has been subject to a complex planning history and the current 1.0Ha minimum lot size was supported by Council (and ultimately the TPC) on the basis that this standard reflected a previously approved subdivision over much of the land. Importantly, Single Hill is subject to a restrictive Development Plan Overlay providing a high degree of certainty through prescribed, road layout, a significant Public Open Space contribution, lot configuration and building envelopes.</p> <p>The STRLUS does not provide specific guidance on minimum lot sizes in the Rural Living Zone other than SRD 1.4 which states: <i>"Increase densities in Rural Living areas to an average of 1 dwelling per hectare, where site conditions allow"</i>.</p> <p>In this context:</p> <ul style="list-style-type: none"> Rural residential development is generally recognised as an inefficient use of land, resources and services and warrants careful consideration before providing for an expansion/intensification of it. No new Rural residential supply/demand analysis or associated strategy has been completed either in Clarence or across the Southern Region to address STRLUS or the RPDC's previous direction on the issue; Reduced lot sizes are not necessary to implement the STRLUS. Rural Living Zones are intended to be outside of the STRLUS UGB and the references providing for greenfield expansion, infill residential targets and providing for an aging population are directed at land within the UGB; Halving the minimum lots size in the zone is an effective Rezoning and in the absence of a supply/demand analysis, adopted Rural Living/Acton Corridor strategy would be premature; A reduced minimum lots size will have a significant impact on population density, will lead to a change in the rural setting/character, have servicing and amenity implications including increased costs compared to the lower costs of servicing urban 	
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			<p>households;</p> <ul style="list-style-type: none">• Experience is that not all residents in Rural Living areas support reduced minimum lot sizes but value the greater privacy and options of larger lot sizes. This raises natural justice concerns.• Recognising the existing subminimum sized lots (particularly throughout the Acton corridor) provide a range of lifestyle opportunities. Preventing further small lot fragmentation will continue to provide for the larger lifestyle lots (suitable for horses) thereby reducing pressure for the rezoning of more Rural Living land further afield.• Any potential reduction of lots sizes in the Acton Corridor could, if warranted, be pursued through a suitable Planning Scheme Amendment in the future following the development and adoption of a suitable strategy. This project would need to consider a range of tasks/ outcomes and including:<ul style="list-style-type: none">○ Review the demand/ supply for Rural Living land in the City○ Review the existing form of settlement – identifying whether the built form has produced good neighbourhood outcomes in terms of streetscape design, connectivity, community engagement, open space opportunities, lifestyle etc○ Review the capacity of infrastructure – roads, traffic management, the availability and need for reticulated services○ Physical constraints – land subject to inundation, effluent disposal etc○ The need for additional facilities and services to service the Acton Park community.○ Consider the appropriate density to produce good neighbourhood outcomes; efficient delivery of infrastructure and services; whether a critical mass can encourage certain facilities and services within the suburb or abutting villages○ Consider community expectations and preferences○ Consider the impact of changes since the Acton amendments; STRLUS; and settlement trends generally.○ Consider cost implications for the delivery of additional infrastructure.○ Recommendations for any changes to subdivision density and any suitable design standards – expressed in statutory and non-statutory approaches. <p>For the above reasons it is considered that the</p>	
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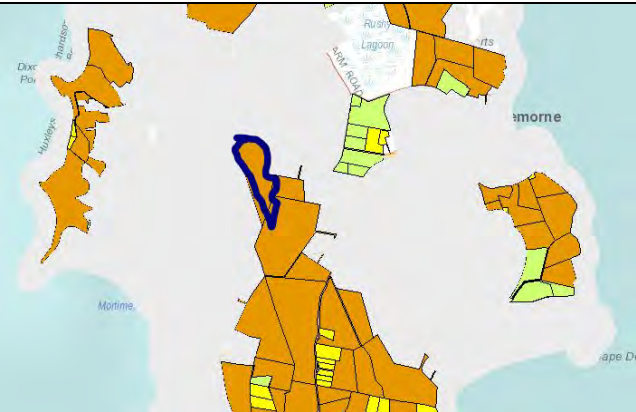
			representors concerns do not warrant change to the proposed minimum lot size in the Acton Corridor. However, Council should consider allocating finds in a future budget to undertake a Rural Living Strategy.																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Rural Living Lot Size (Otago)																									
61	Representation 61 submitted that the minimum lots size in the Rural Living parts of Otago (Area A 1.0Ha) be reduced to 3000-4000m2.	<p>Representor 61 requested that the minimum lot size in Otago be reduce to 3000-4000m2.</p> <p>To support this the representor submitted that:</p> <ul style="list-style-type: none">• These lots sizes will retain the rural ambience of the area;• Improved onsite wastewater treatment technology will ensure that wastewater can be effectively managed; and• Changing lifestyles have created a demand for smaller lots.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Under the draft LPS the Otago Rural Living Zone utilises Area A which specifies a minimum lot size of 1.0ha. This is unusual in Clarence (Single Hill being the other exception) and recognises that Otago is spatially separated from the other Rural Living areas and has a unique settlement pattern/character primarily because it was originally regulated/developed under a different planning scheme (ESPS 1963) to the other Rural Living areas.</p> <p>The representor did not specify whether the proposed reduced lot size should be via the application of an alternate zone or a change in the SPP Rural Living subdivision standards. However, the following is noted:</p> <ul style="list-style-type: none">• None of the SPP zone provisions provide for 3000-4000m2 lot sizes. The LDR Zone would be closest which provides for lots down to 1500m2 under the AS and 1200m2 through the PC.	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	Yes	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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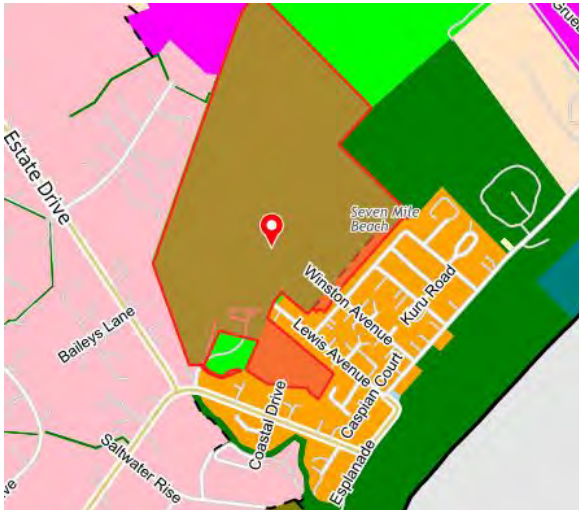
			<ul style="list-style-type: none">The LDR Zone is an urban zone and Otago is outside the STRLUS UGB. An urban expansion beyond the UGB is not only contrary to LUPAA but has broader implications for the strategic planning of Greater Hobart and is not supported.Experience is that not all residents in Rural Living areas support reduced minimum lot sizes but value the greater privacy and options of larger lot sizes. This raises natural justice concerns.Potential modifications to the SPP provisions are a matter for the TPC and not an issue that can be addressed through the assessment of the Draft LPS. Even so, the STRLUS does not provide specific guidance on minimum lot sizes in the Rural Living Zone other than SRD 1.4 which states: <i>“Increase densities in Rural Living areas to an average of 1 dwelling per hectare, where site conditions allow”</i>. Lot sizes of 3000-4000m2 are likely to result in average densities being below 1 dwelling per hectare.																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Rural Living Lot Size (Sandford/SAP area)																									
66	Representor 66 submitted that the area covered by the Sandford SAP ought to be changed from Rural Living Area B (2Ha min lot size) to Rural Living Area A (1Ha min lot size).	<p>It is submitted:</p> <ul style="list-style-type: none">The STRLUS at SRD 1.4 provides for Increase densities in Rural Living areas to an average of 1 dwelling per hectare, where site conditions allow.The subdivision within the SAP is nearly completed and increased density would open up more supply and reducing pressure for further greenfield expansion.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The comments relating to the Acton Park Rural Living submissions are equally relevant to Sandford Rural Living areas and specifically this representation.</p> <p>It is, however, noted that unlike Acton Park, Sandford is</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			not supplied with a reticulated water supply and likely to result in additional demand on carted services south of Lauderdale.																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rural Living Lot Size: 48 Honeywood Drive, Sandford																									
78	<div>Representor 78 submitted that the land at 48 Honeywood Drive, Sandford be changed from Rural Living Area B (2Ha min lot size) to Rural Living Area A (1Ha min lot size).</div> <div></div>	<div>It is requested that the land be rezoned Rural Living Area B to Rural Living Area A to allow for the subdivision of 2 x 1Ha lots and it is submitted:</div> <div><ul style="list-style-type: none">• This will fit in with the properties on both sides of the property.• Access will be from Honeywood Drive and basically diagonally divide the property in two.• I am willing to forego ownership rights to the high-water mark of my property to the council, providing this leaves me with the provision to subdivide into 2 lots.• <i>“Once subdivided the streetscape will improve. There are currently 4 driveway access from Honeywood Drive, this will change and the dangerous old fire prone trees could be cleared to allow for fencing. Which will benefit the area, the neighbours and be of benefit to the council”.</i></div>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No (RLZ 3)</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <div>The comments relating to the Acton Park Rural Living and Sandford SAP submissions are equally relevant to this representation.</div> <div>Additionally, a spot rezoning (or in this case change to the minimum lot size) is ad hoc and any strategic analysis ought to consider nearby land with similar characteristics.</div> <div>With respect to this site specifically, the site’s development potential/suitability is constrained, and it is noted that the entire site is subject to the following hazard codes:<ul style="list-style-type: none">• Bushfire• Inundation• Flood Prone• Natura AssetsAdditionally, approximately half of the site is subject to the Coastal Erosion Code.</div> <div>The Open Space Zoned portion of the lot is approximately 8000m2 or 40% of the 2.02Ha lot. The removal of this portion of land for transfer to Council as</div>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No (RLZ 3)	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<div>No modifications to the draft LPS required.</div> <div>The recommendation has no impact on implementing the draft LPS as a whole.</div>
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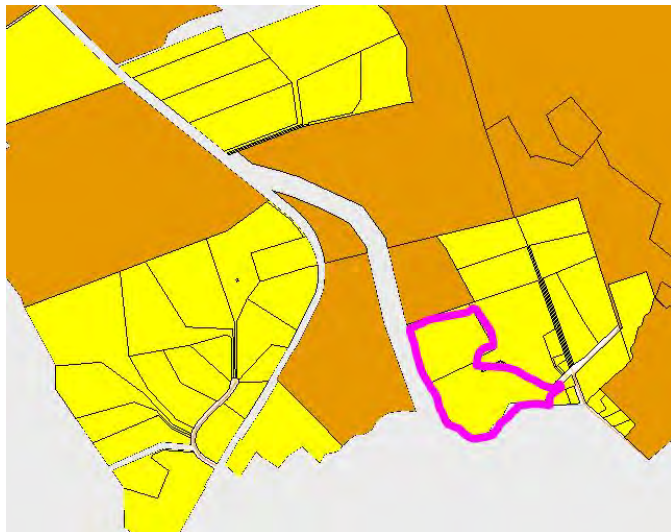
			<p>POS (as suggested) would leave a balance portion (~1.2Ha) too small to meet the AS or PC which can only be varied by a maximum of 20% i.e. down to a minimum of 8000m2 per lot.</p> <p>Accordingly, changing the site from Rural Living Area B to Rural Living Area A could not provide for the subdivision of 2 lots and Public Open Space as requested without further amendments to either the LPS or SPP’s.</p>																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Rural Living Lot Size (Geilston Bay/Risdon Vale)																									
71	<p>Representor 71 submitted that the area around Piper Road should be changed from Rural Living Area B (2Ha min lot size) to Rural Living Area A (1Ha min lot size).</p> 	<p>With focus on the area around Piper Road, Geilston Bay/Risdon Vale for context, it is submitted:</p> <ul style="list-style-type: none">There is no provision for areas/zones located between the General Residential and Urban Growth Zones. Under the current CIPS2015 and proposed draft LPS Rural Living Zone the minimum lot size is 2 ha, which should to be reduced to 1 Ha to allow for growth in the area without it being too dense. <i>“I don’t believe a zone like this already exists or is proposed for the LPS under the Clarence City Council.”</i> But it would enable further developemt int the loacale and supprt support existing and future infrastructure.<i>“Piper Road is currently zoned rural residential. However, it is directly between two General Residential zones and an urban growth zone (Risdon Vale, Olive Grove and Napier Street subdivision). The Napier Street subdivision is accessed from Piper Road. The Clarence Lifestyle Village is also on Piper Road but is zoned rural residential even though it is high density living, more so than the general living zoning nearby. Piper Road has views of the Risdon Prison Complex (currently under expansion), the local church, the Clarence Lifestyle Village and Risdon Vale. Public transport from this area is readily available at the East Derwent Highway intersection, and amenities such as town water are also available. It could be argued that this is not a rural residential zone due to these factors.”</i>Based on servicing standards and urban impacts including the need to upgrade East Derwent Highway intersection, proximity to transmission lines, highway noise and frequency of helicopters this area does not have a Rural Living feel.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The SPP’s Rural Living Area A prescribes a minimum lot size of 1Ha and would, if applied to the subject area, address the representors concerns.</p> <p>The comments relating to the Acton Park Rural Living submissions above are equally relevant to this representation.</p> <p>The low density rural residential lots in Risdon Vale</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			zoned Future Urban will eventually reduce the supply of larger lot lifestyle opportunities in the area. This issue will need to be considered as part of a future review of the STRLUS and specifically the strategic requirements of the UGB and Rural Living settlements.																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 30 Rushton Cl, Sandford																									
75	<div>Representation 75 requested that the land at 30 Rushton Cl, Sandford be rezoned from Rural to Rural Living.</div> <div></div>	<div>The representor owns 2 properties PID2071646 (CT 172388/1 & 2) with a combined area of 41.6Ha currently zoned Rural Resource under CIPS2015. The properties are proposed to be zoned Rural under the draft LPS and it is requested that the land be rezoned to Rural Living for the following reasons:</div> <div><ul style="list-style-type: none">property was purchased by in the early 2000's and subdivided into two lots for residential purposes. The proposal showed two house sites and the intent was to build on both.Discretionary Non-Agricultural uses in the (CIP2015) Rural Resource zone are subject to additional tests to ensure uses does not conflict or constrain agricultural uses on or adjoining the site. Similar considerations apply to the SPP Rural Zone.A combination of low rainfall, poor soil quality, undulating terrain, bushland, conservation values and skyline protection make the land unsuitable for agriculture. It is unlikely that the subject properties and adjoining lands will be used for that purpose. Properties further afield agist horses, but these tend to be open grassland and flat. For these reasons the most likely use on both sites would be to contain private residences, which is in character with the immediate surrounding area. Accordingly, any assessment relating to agricultural considerations appear to be irrelevant.The area has changed over the last 20 years and there is a move toward smaller residential allotments, which now totally surround the subject land.The application of the Rural zone impacts banking/loan consideration and ultimately reduces the value of the land.</div>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No (RLZ 3)</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <div>Whilst the representor requests the land to be rezoned to Rural Living, a specific lot size was not specified i.e. Area A, B, C or D. Despite the representor's submission, the land was not previously zoned for "residential purposes".</div> <div>The land has been identified as "Potentially Unconstrained" under the Land Potentially Suitable for Agriculture Zone overlay on the LIST (extract below) an on that basis would ordinarily be expected to be zoned Agriculture. Whereas land identified as being "Potentially Constrained" may be more suited to be zoned Rural. Despite the LIST mapping, in this instance it accepted that the land is constrained and more suited to being zoned Rural rather than Agriculture. Consistent with the representor's submission, this would also assist the case for considering future discretionary uses (including a Single Dwelling).</div>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No (RLZ 3)	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<div>No modifications to the draft LPS required.</div> <div>The recommendation has no impact on implementing the draft LPS as a whole.</div>
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			 <p>Additionally, an expansion of the Rural Living zone in this location raises the following issues:</p> <ul style="list-style-type: none"> • It would be inconsistent with the STRLUS. • A spot rezoning is ad hoc, and any strategic analysis ought to consider nearby land with similar characteristics. • Depending on the lot size applied (Area A-D) it would provide for further subdivision potential of the land and the comments relating to the Acton Park Rural Living Sandford SAP submissions above are equally relevant to this representation. • The utilisation of the Rural zone is a legitimate element of settlement strategy to ensure that there is a sustainable approach to urban settlements as well as Rural Living areas. 	
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation
	Coastal Settlement LDR zoning			
76	Representation 76 was from the State Emergency Services (SES) advising that it supported the application of the LDR Zone in the Clarence Coastal Settlements.	<p>The State Emergency Services (SES) advised that it supported the application of the LDR zone in:</p> <ul style="list-style-type: none"> • Seven Mile Beach • Cremorne • Sandford • Opossum Bay • Clifton Beach • South Arm and South Arm Beach. <p>They submit that it is an appropriate land use management strategy to manage current and forecast flooding and inundation events.</p>	Noted.	<p>No modifications to draft LPS required</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation
	Coastal Settlement LDR zoning (Cremorne)			
18, 20, 27, 28, 33, 79, 97	Representation 18, 20, 27, 28, 33, 79 & 97 supported the application of the LDR Zone in Cremorne and similar settlements.	<p>The application of the LDR Zone in Cremorne is supported as it reflects the views of the majority of residents, is consistent with the style of existing residential buildings, seaside village character and fragile coastal topography/vulnerability. Others specifically supported the rationale outlined at pages 57 & 58 of Council's LPS Supporting Report.</p> <p>This is also supported by the Guidelines which outlines that the purpose of the LDR Zone is: <i>"To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location and form of development"</i>.</p> <p>One representor submitted that <i>"history shows Cremorne has had strong opposition to two previous</i></p>	Noted.	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>

		<p>townhouse developments and one is again being proposed. These developments are unsuitable, and a precedent does not want to be set". And from another "By conversion to "Low Density Residential" zoning, we stand a chance of preventing inappropriate and dense 'multiple dwellings' in places like ours".</p> <p>Representation 79 was submitted by a planning consultant obo of the Cremorne Community Action Group. The representation provided:</p> <ul style="list-style-type: none">• A map identifying those residents who purportedly support the application of the LDR Zone (138 out of 259 properties).• An overview of the previous planning provisions applicable to Cremorne• Observations about built form/character• A comparison between the CIP2015 Village Zone, the SPP Village Zone and the SPP's LDR zone.• An assessment against the Guideline's zone application framework for the LDR & Village zones <p>The summary was that "the rezoning is supported by the majority of the Cremorne community (53%). The rezoning is consistent with the Zone Application Guidelines of the Local Provision Schedule (LPS) and the zone purposes for Low Density Residential Zone under the SPPs. As such, it is considered that the Low Density Residential Zone should be applied to the subject area."</p>																								
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Coastal Settlement LDR zoning (7 Mile Beach)																									
42	<p>Representation 42 is opposed to the application of the LDR Zone in Seven Mile Beach. More specifically, the land at 20 regal Court (owned by the Royal Hobart Golf Club) should be zoned "Village".</p> 	<p>It is submitted that:</p> <ul style="list-style-type: none">• The current Village zone under the CIPS21015 provides for a minimum lots size of 1000m2, this will be increased to a minimum of 1200m2 under the proposed LDR Zone. The change will reduce subdivision potential and in turn impact subdivision viability.• The lots 600m2 lots size provided for in the SPP Village Zone would be unlikely to be achieved on the subject land due to the capacity to manage stormwater and onsite wastewater. Due to these underlying constraints a more likely lot size of 1000m2 could be expected which reflects that provided for under the CIPS2015 Village Zone.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>Yes</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The LPS Supporting Report addresses this issue at p57 & 58 and notes that the conversion of the CIPS2015 "Village" zone to SPP "Village" zone would not be an appropriate conversion as it would result in a change from a residential to a mixed-use focus.</p> <p>Based on the Guidelines it is considered that the</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	Yes	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	Yes	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			<p>application of the LDR Zone is the most appropriate conversion given that Seven Mile Beach is</p> <ul style="list-style-type: none">• A residential un-serviced community;• almost entirely residential;• has few businesses; and• is constrained• in some cases, exposed to environmental hazards. <p>The representor’s concern appears to relate to lot size rather than the application of the LDR Zone, which is prescribed in the SPP’s and not an issue that can be addressed through the application of the LPS. Despite the minimum lots size, actually achievable lot size may be more in circumstances constrained by hazards or limitations such as the ability to facilitate onsite effluent disposal.</p> <p>Council has resolved to develop a structure plan for Seven Mile Beach and funding for the project will be considered as part of a future budget. That work will assist to establish the present values, development constraints and future direction of Seven Mile Beach.</p>																			
49	Representation 49 supported the application of the LDR Zone in Seven Mile Beach.	<p>The Representor supported the application of the LDR Zone in Seven Mile Beach and submitted that:</p> <ul style="list-style-type: none">• <i>“The area has experienced excessive subdivision and development in the past 10 years and that an area management plan is needed to address issues such as the environmental health of Acton Creek and how it is managed, water table contamination, traffic, and the desired future character of the area.”</i>• <i>“The character is being eroded significantly and a clear direction for the village needs to be set, as well as the zone change. As there are many small lots already subdivided in the area there are many sites where the use of the Building Envelope is not appropriate for side setbacks. Also, the plot ratio and double storey needs to be a Performance Solution or Discretionary given the older small block sizes as so much is site specific and design specific. There needs to be a restriction set on the boundary of the village, and further subdivision given its lack of sewer, many small lots, water table issues and increased traffic”</i>	<p>The application of the LDR in Seven Mile beach is supported by the representor and will assist to address the concerns raised.</p> <p>As detailed above, Council has resolved to develop a structure plan for Seven Mile Beach which will assist to establish the present values, development constraints and future direction of Seven Mile Beach.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>																		
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																		
	Rezoning: 56 & 76 Backhouse Lane, Cambridge																					
44	<p>Representation 44 is opposed to the application of the Agriculture zone on their land at 56 & 76 Backhouse Lane and seek a rezoning to Rural.</p> 	No supporting information provided.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>No</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	No	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			<table><tr><td></td><td></td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The land at 56 & 76 Backhouse Lane have been identified as “Potentially Constrained (Criteria 2A)” under the Land Potentially Suitable for Agriculture Zone overlay on the LIST (extract below).</p>  <p>Under the Guidelines, Criteria 2A requires consideration given to:</p> <ul style="list-style-type: none">• Existing uses,• proximity to other agricultural land,• ownership, a• the land’s agricultural potential and• Any local level mapping. <p>No information was provided to support the representation. It is however noted that:</p> <ul style="list-style-type: none">• The sites are 6.2Ha and 5.7Ha respectively and adjoining one another. Together, they have the capacity to operate as a 11.9Ha Site.• 76 Backhouse adjoins “Unconstrained” agricultural land to the north;• each of the properties are developed with Single Dwellings and associated outbuildings.• Ariel imagery indicates the properties are currently being used for agriculture purposes. <p>Based on the above the submission is not supported.</p>			Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	
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	Rezoning: 59 Hanslows Road, Cambridge									

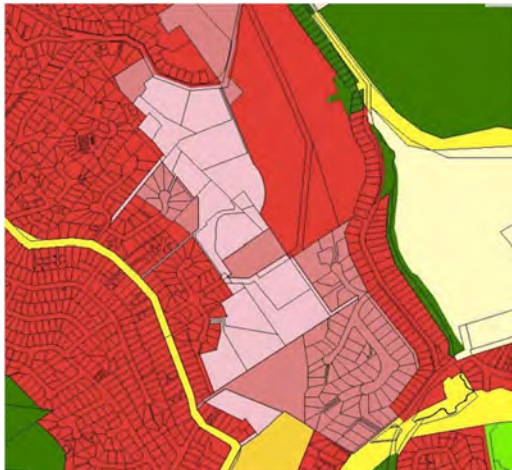

64	<p>Representor 64 is opposed to the application of the Agriculture Zone on their land at 59 Hanslows Road, Cambridge.</p> 	<p>The Representor is opposed to the application of the Agriculture Zone on their land at 59 Hanslows Road, Cambridge and submit that the land’s zoning under the CIPS2015 has prevented the sale of the land and that the land is unsuitable for agricultural use. They seek an appropriate zoning to enable the construction of a dwelling in the future.</p> <p>To support their case the submission was accompanied by an Agricultural Assessment by Complete Agricultural Consulting Services dated November 2018. The report concluded that <i>“The assessment reveals the allotment cannot support significant intensive agricultural operations.</i></p> <p><i>The productive capacity of the Class 5/6 land is minimal.”</i></p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>No (Conversion of Agricultural Land)</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The land at 59 Hanslows Road is a 2.77Ha vacant lot (CT 34241/4). While surrounded by similar sized and zoned properties it/they represent a localised anomaly within the zone. The representation follows extensive communication between Council and the representor.</p> <p>Under the CIPS2015’s Significant Agriculture Zone, the construction of a single dwelling is a discretionary use subject to the following qualification <i>“Only if a single dwelling necessary to support agricultural use on the property”</i>. Unless the qualification can be satisfied the use is prohibited and cannot be approved.</p> <p>Even so, and with knowledge of the above, an application for Visitor Accommodation (D-2017/577) in the form of what could otherwise be described as a 3-bedroom dwelling was submitted and approved by Council at its meeting on 5 February 2018. That proposal has not proceeded.</p> <p>Under the SPP’s residential use is discretionary in the Agriculture Zone and would be assessed against the Performance Criteria at Cl.21.3P4 which specifies that:</p> <p><i>“A Residential use listed as Discretionary must:</i></p> <p>.....</p> <p><i>(b) be located on a site that:</i></p> <p><i>(i) is not capable of supporting an agricultural use;</i></p> <p><i>(ii) is not capable of being included with other agricultural land (regardless of ownership) for</i></p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	No (Conversion of Agricultural Land)	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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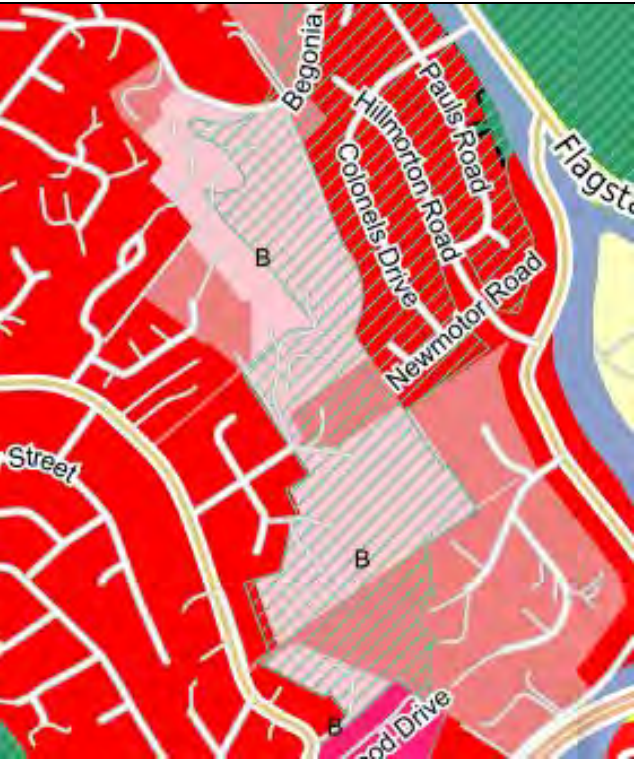
			<p><i>agricultural use; and</i> <i>(iii) does not confine or restrain agricultural use on adjoining properties."</i></p> <p>The land has been identified as "Potentially Constrained (Criteria 2A)" under the Land Potentially Suitable for Agriculture Zone overlay on the LIST. In this instance it accepted that the land is constrained, this would assist the case for considering discretionary uses (including a Single Dwelling).</p> <p>On the face of it, given the site's context in terms of lot size, surrounding development and agricultural assessment an application for a single dwelling under is likely to be able meet these tests.</p> <p>Given the above, it is considered that weight should be given to the strategic application of zones over spot rezoning that would otherwise lead to a checkboard application of zones and diluted strategy. In a broader context the Coal River Valley is Clarence's Agricultural region serviced by the water reuse scheme and its strategic significance should be recognised via the application of the Agricultural zone. Its primary purpose is not the construction of houses servicing Rural Living lifestyles; however, dwellings may be approved when the impact on Agricultural use and development is minimised.</p>																							
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2, 3, 10, 19, 31, 51	<p>Representors 2, 3 10, 19 & 51 submitted that the Rosny Hill Nature Recreation Area (12A Akuna Street ROSNY) should be rezoned from <i>Recreation</i> to <i>Open Space</i> as submitted by some or to Landscape Conservation by others (Rep 19 & 31).</p> 	<p>It is submitted that:</p> <ul style="list-style-type: none">• The Guidelines state (p5) that "the primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible."• Rosny Hill is in many ways a continuation of the Rosny Point foreshore reserve which has similar vegetation and is used similarly for a range of passive recreation uses. The purpose of the Open Space zone more closely reflects this than does that of the Recreation zone which provides for more intensive facilities and organised activities (including buildings).• The application of the Recreation zone is contrary to Zone Application Guideline RecZ 4 which states: "<i>The Recreation Zone should not be used for open space areas or land predominantly intended for passive recreation (see Open Space Zone).</i>"• Similarly, the Zone Application Guidelines for the Open Space Zone at OSZ1 and OSZ3 prescribes that the Open Space Zone should be applied to land (generally public) that provides or is intend to provide "<i>(a) passive recreational opportunities; or (b) natural or landscape amenity within an urban setting.</i>"• The zoning of Rosny Hill is inconsistent with other hill tops. Various submission referenced Gordons Hill, Natone Hill and Mornington Hill which are zone Open Space. Other hill tops are zoned Landscape Conservation.• Rosny Hill Nature Recreation Area appears to have been transitioned inappropriately from CPS 2007 to CIPS2015. <p>Other considerations:</p> <ul style="list-style-type: none">• Rosny Hill is a Nature Recreation Area under the Nature Conservation Act 2002. The	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No (but raises another matter that does)</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No (but raises another matter that does)	<p>Amend the Site-Specific Qualification table to include the land at 12A Akuna Street, Rosny (Rosny Hill) as detailed.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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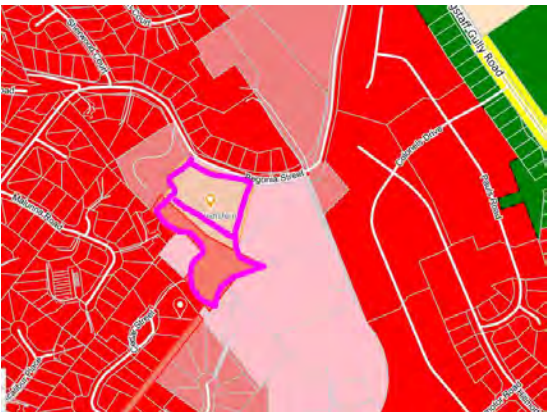
		<p>purposes of a Nature Recreation Area are 'Public recreation and education consistent with conserving the natural and cultural values of the area of land'.</p> <ul style="list-style-type: none"> • The management objectives for a Nature Recreation Area under the National Parks and Reserves Management Act 2002, include '(a) to conserve natural biological diversity' and '(e) to encourage tourism, recreational use and enjoyment consistent with the conservation of the Nature Recreation Area's natural and cultural values'. • The State Government lease to Clarence City Council requires that any commercial development '<i>must not be inconsistent with the management objectives of the Land</i>' and '<i>must have regard to the Rosny Hill Nature Recreation Area Management Strategy 2011 - 2021</i>'. This strategy document recognises the need to improve management of the reserve and improve visitor facilities whilst protecting and enhancing the natural values. 	<p>The zoning of Rosny Hill raises several matters that require context and further consideration.</p> <ul style="list-style-type: none"> • The conversion of the CPS2007 Recreation Zone to the CIP2015 Recreation Zone has been the subject of extensive correspondence (to some of the representors) and is not relevant to the zone applied to Rosny Hill under the Draft LPS. • Council approved a Permit (PDPLANPMTD-2019002428) for Public Facilities, Food Services and Visitor Accommodation on 12A Akuna Street, Rosny (Rosny Hill). While that application is currently the subject of an ongoing appeal, it demonstrates a commitment to the development of the site consistent with the intensity provided for under the CIPS2015 Recreation Zone. • The Rosny Hill Hotel Permit PDPLANPMTD-2019002428 could not have been approved under either of the SPP's Open Space or Recreation zones. Accordingly, without modification to the Draft LPS, the Rosny Hill Hotel Permit (PDPLANPMTD-2019002428) could not be amended to the extent that could normally, and reasonably, be envisaged. An alternative proposal could not be approved, and the proposal would need to be constructed before it could establish any non-conforming use rights. • Uniquely, Rosny Hill has a public road within the POS reservation providing a higher level of accessibility and intensity than the surrounding hill tops zoned Open Space. <p>For these reasons, is considered that under the Guidelines, the most applicable zone application framework is the Recreation Zone (as exhibited).</p> <p>However, under the SPP's, the Recreation zone does not provide for Visitor Accommodation beyond the qualification "<i>If for camping and caravan park or overnight camping area</i>" (as is also the case with Open Space Zone). Accordingly, based on Council's commitment to the development of Rosny Hill it is recommended that a new Site-Specific Qualification be incorporated into the LPS that provides:</p> <ol style="list-style-type: none"> 1. For the unqualified Visitor Accommodation Use Class as a discretionary use; and 2. A new use standard to applicable to Visitor Accommodation reflecting the considerations currently provided for in the CIPS2015 Recreation Zone. 	
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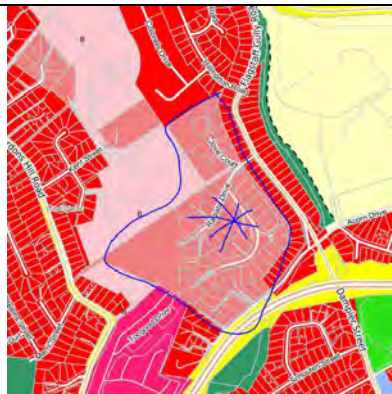
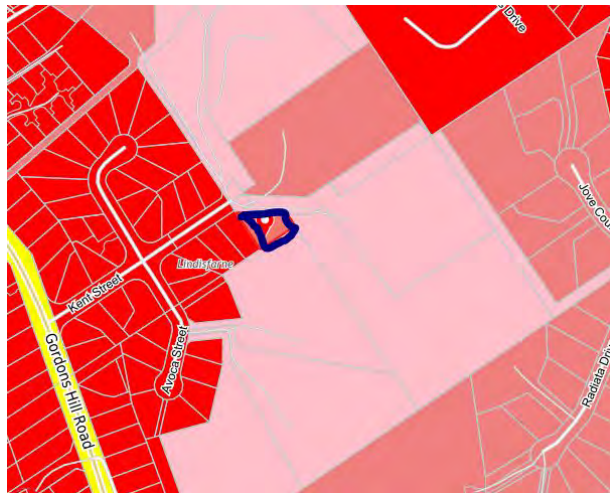
			<div>Accordingly, the Site-Specific Qualification table should be amended as follows:</div> <table><tr><td>Reference Number</td><td>CLA-23</td></tr><tr><td>Site Reference</td><td>12A Akuna Street, Rosny (Rosny Hill)</td></tr><tr><td>Folio of the Register</td><td>PID 5065882</td></tr><tr><td>Description (modification substation or addition)</td><td><div>An additional Discretionary use Class for this Site is: Visitor Accommodation with no qualification.</div><div>An additional use standard for this site is: Visitor Accommodation must complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support Permitted use or No Permit Required use.</div></td></tr><tr><td>Relevant Clause in SPP's</td><td>CI 23.2 and CI 23.3</td></tr></table> <div>It is considered that the modifications outlined above meet the S.32(4) tests on the basis that the controls reflect an approved development that will provide for significant social, economic and benefit to Clarence and the Southern region.</div> <div>The matters listed as “Other considerations” are not directly relevant to LUPAA or the zone application framework. They do, however, assist to establish the external regulatory constraints, development potential and future lease considerations.</div>	Reference Number	CLA-23	Site Reference	12A Akuna Street, Rosny (Rosny Hill)	Folio of the Register	PID 5065882	Description (modification substation or addition)	<div>An additional Discretionary use Class for this Site is: Visitor Accommodation with no qualification.</div> <div>An additional use standard for this site is: Visitor Accommodation must complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support Permitted use or No Permit Required use.</div>	Relevant Clause in SPP's	CI 23.2 and CI 23.3							
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	Rosny Hill (SAP)																			
10, 19	Representors 10 & 19 submitted that a Specific Area Plan should be developed for the Rosny Hill Nature Recreation Area.	<div>It is submitted that a SAP should be developed to:</div> <ul style="list-style-type: none">To provide for protection of natural vegetation including threatened flora and fauna species and habitats and allow passive recreational use.To facilitate visitor services development that is consistent with the protection of natural values, passive recreation, residential amenity and visual beauty as viewed from within and outside of Rosny Hill NRA.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like”</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like”	No	<div>No modifications to the draft LPS required.</div> <div>The recommendation has no impact on implementing the draft LPS as a whole.</div>
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	Rosny Hill (Natural Asset Code)																									
10	Representors 10 submitted that E27 Natural Assets Code does not adequately protect the Rosny Hill Nature Recreation Area.	It is submitted that the Biodiversity Protection Overlay Map and associated impact classifications fails to protect the endangered Thelymitra Bracteata Orchids which are listed with the DPIPWE Threatened Species Unit, forest vegetation and native grasses.	<table><tr><td colspan="2">Overview assessment</td></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>N/A</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The submission relates to the current CIPS2015 (E27 Natural Assets Code) and is not relevant to the draft LPS (C7.0 Natural Asset Code).</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	N/A	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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a “like for like” conversion of the CIPS2015	N/A																									
Natural Justice issues	N/A																									
Does the representation relate to the drafting/content of the SPP’s?	N/A																									
Does the merit of the representation warrant modification to the exhibited LPS?	No																									
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Rezoning: Lindisfarne Ridge/Flagstaff Gully																									

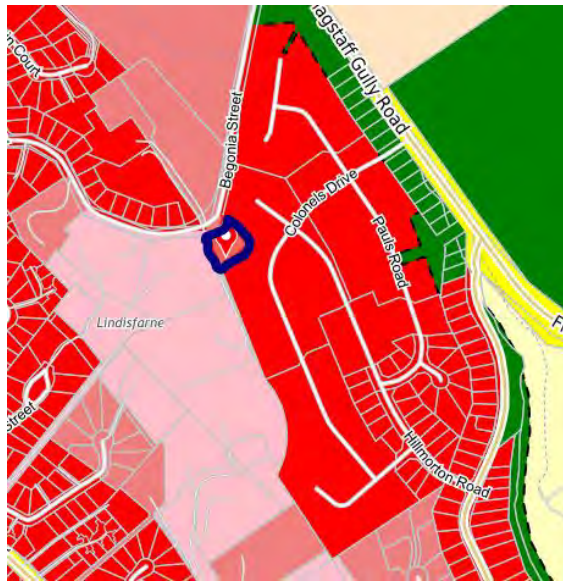


4, 48, 68, 83	<p>Representors 83 requests that the land Zoned Rural Living on the Lindisfarne Ridge be rezoned to LDR.</p> <p>Representors 48 and 68 supports other requests to rezone the Rural Living lots in the area to LDR.</p> <p>The concern raised in representation 4 is that the current zoning imposes unreasonable constraints on those lots in the Flagstaff Gully area.</p> 	<p>It is submitted at this zoning appears to be a direct translation from the Rural Residential zoning under the Clarence Planning Scheme 2007.</p> <p>It is requested that properties zoned Rural Living (Area B) on the Lindisfarne Ridge be rezoned to LDR for the following reasons:</p> <ul style="list-style-type: none">• This matter has been considered by Council and the TPC previously through the development of the CIPS2015. The outcome was that the TPC and Council had agreed to initiate a process to address what was determined at the hearings. Despite numerous enquiries nothing has progressed.• There is no obvious credible rationale for the subject land to be zoned Rural Living B.• All the lots have sizes more consistent with higher density zones, they are all subminimal and the whole area needs to be rezoned to LDR to reflect the existing lots.• The land is within the STRLUS UGB and is designated as an area for densification.• The subject land is part of suburbia, has access to all services, is close to both the Lindisfarne Activity Area and the Rosny Park Principal Activity Centre, and is within easy commuting distance of the Hobart CBD, with relatively easy access to public transport linking with both Rosny Park and the CBD. In a strategic planning sense therefore, this land ought not to remain underutilised.• Council have clearly adopted for an incremental approach to the conversion of this area over the years as evidenced by the rezoning of Jove Court, Radiata Drive, 13 Kent St from Rural Residential to Low Density Residential; and the rezoning of 166 Begonia St and parts of 162A Flagstaff Gully Road from LDR to General Residential. This approach has resulted in lots in the Rural Living Zone having sizes more consistent with higher density zones. The existing lots are all subminimal and this needs to be rectified to reflect the existing lots.• The subject land is not within a rural setting and is not consistent with the purpose of the Rural Living Zone.• The STRLUS identifies strategies supporting the need to rezone the land for high order purposes. Regional Policy 1.3(b) (vi) aims to “discourage the zoning of Rural Living adjacent to the Urban Growth Boundary or identified for future urban growth” and Regional Policy SRD 2.10 seeks to “Investigate the redevelopment to higher densities potential of rural residential areas close to the main urban extent of Greater Hobart”• The subject land’s purpose aligns with higher density (General Residential) zoning but given the limited road infrastructure and the configuration of properties, re-zoning to LDR is most appropriate.• There are errors in the Natural Asset Code mapping as it been applied where there is no remanent vegetation and conversely not applied in areas where it should. There is no consistency in the application of this overlay, and it should not be used as the rationale for zoning the land Rural Living. A report undertaken by North Barker in May 2014 observed “the condition of many of the trees is poor especially along the ridgeline. There is evidence of dieback, with a number of dead trees” and the “long term benefits to be derived by retaining the land as bushland is dependent on the outcome of the long-term management of the larger lots to the west and north. In isolation this land does not provide a particularly significant contribution to conservation of Eucalyptus amygdalina forest on sandstone”.• “It is possible that the Rural Living Zone has been applied to the subject land to protect the skyline from encroachment by buildings. This would also be a misconception: the subject land is not “skyline”; it is a plateau hidden visually behind Gordons Hill and is even at certain times in the shadow of the hill; the land on the eastern and south eastern sides already contain existing residential development that breaks the skyline; any future development of the subject land will be screened by this development and by Gordons Hill.” <p>The concern raised in representation 4 is that the current zoning imposes unreasonable constraints on planning decisions and is indicative of a broader problem of inconsistent and irrelevant zoning in the Flagstaff Gully area.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes (modified)</td></tr></table> <p>The subject properties are within the identified STRLUS UGB and approximately half are within a densification area as shown below.</p>  <p>While portions of the broader Lindisfarne ridge area are likely to be suitable for urban expansion, the STRLUS requires that Precinct Structure Plans be completed and incorporated into the Scheme through the application of SAP’s approved through the Rezoning process (p91 & 92). This work has not been undertaken.</p> <p>The majority of the subject area is subject to the Scheme’s Natural Asset Code’s Overlay Mapping as shown below. While detailed site assessment would be required, it is a strong indicator of the likelihood of important vegetation communities/habitat and an issue that should managed through Precinct Structure Plans.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes (modified)	<p>With the exception 16 Kent St which should be rezoned to General Residential, rezone the Rural Living lots on the Lindisfarne Ridge to Future Urban.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole. It will, however, result in an LPS that furthers the STRLUS more so than the exhibited draft.</p>
Overview assessment																										
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Does the merit of the representation warrant modification to the exhibited LPS?	Yes (modified)																									

			<div data-bbox="1938 69 2531 779"></div> <div data-bbox="1938 810 2570 1045"><p>Precinct Structure Plans can be developed through collaboration between owners and submitted to Council as an amendment proposal. Alternatively, subject to other work priorities and budget allocation, facilitated at a time that suits Council as its own initiative. This is the process followed in the Tranmere -Rokeby Peninsula Structure Plan.</p></div> <div data-bbox="1938 1077 2570 1661"><p>It is considered that this structure planning exercise is necessary to:</p><ul style="list-style-type: none">• Establish servicing capacity and requirements to service the future lots.• Establish broader road network capacity and impact on Begonia Street.• Guide the future access/connection to/through the ridge.• Guide the provision of POS and associated linkages.• Lot size and subdivision design to ensure suitable response to physical and neighbourhood design constraints/opportunities.<p>And notwithstanding the representor's submission to the contrary, it is important to:</p><ul style="list-style-type: none">• Establish the values of any remnant vegetation• And Visual impact on Skyline</div> <div data-bbox="1938 1692 2570 1829"><p>This exercise is particularly important given the number lots affected, and number of landowners required to work collaboratively in terms of staging and development/delivery of key services.</p></div> <div data-bbox="1938 1860 2570 1894"><p>For these reasons it is considered that is the application</p></div>	
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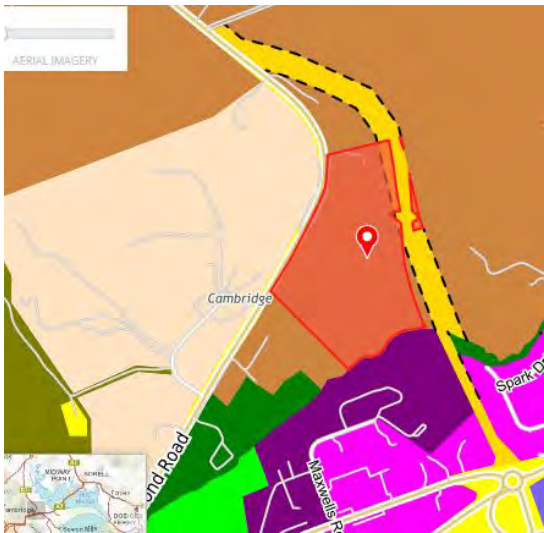
			<p>of the Future Urban Zone would go some way to addressing the representors concerns, recognising that the land is within the STRLUS UGB and should be developed for urban purposes upon the completion of an appropriate assessment of the subject land’s capabilities, constraints and the development of a suitable Precinct Structure Plan.</p> <p>This process and approach would facilitate public engagement and assist to determine the future urban form and associated densities.</p> <p>Any modification to the Natural Asset Code overlay mapping could be ground truthed as part of a broader assessment of the Lindisfarne Ridge area.</p> <p>The zoning 16 Kent St is discussed in further detail below.</p>																	
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																
	Rezoning: 1A Cedar St & 132 Begonia St, Lindisfarne																			
48, 68, 83	<p>Representation 48 requested at properties at 1A Cedar St & 132 Begonia St, Lindisfarne currently zoned Rural Living be rezoned to LDR.</p> <p>The request was supported by representor 68 and 83.</p> 	<p>It is submitted that:</p> <ul style="list-style-type: none">Both properties are sub-minimum size, being only 1Ha each.There is no rural or agricultural activity in the local area.The lots are inconsistent with purpose of the Rural Living Zone.The Guidelines state at RLZ 4 that the Rural Living Zone should not be applied to land that is suitable and targeted for future greenfield urban development.Both properties have access to full services, with ample frontage to Begonia St and to Cedar St. <p>It is also submitted that both sites are subject to the Natural Asset Code overlay mapping and request that it be removed from the properties on the basis that there are no remnant values and the site has not been ground truthed.</p>	<p>The Rural Living Zone is not an agricultural or rural activity zone. It is simply a low-density lifestyle zone implying some sort of ‘rural’ character.</p> <p>While the subject properties are within the identified STRLUS UGB, Spot rezoning is not strategic in nature and there are several other Rural Living zoned lots within the Lindisfarne Ridge Area that ought to be considered as part any strategic review/change as detailed above.</p> <p>As detailed above it is recommended to rezone the Rural Living lots on the Lindisfarne Ridge to Future Urban. This will include the land at 132 Begonia St and have no impact on the land at 1A Cedar St.</p> <p>Any modification to the Natural Asset Code overlay mapping could be ground truthed as part of a broader assessment of the Lindisfarne Ridge area.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>																
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																
	Rezoning: Lindisfarne/Flagstaff Gully																			
4, 83	<p>Representation 4 & 83 requested at the area between Lindisfarne and Flagstaff Gully currently zoned LDR be rezoned to General Residential.</p>	<p>It is submitted that the LDR provisions are restrictive and result in unreasonable development constraints including the ability for otherwise reasonable boundary adjustments between amenable neighbours. Specifically, boundaries cannot be adjusted where one property would be marginally less than 1,500m2.</p> <p>It is submitted that:</p> <ul style="list-style-type: none">The area is essentially ‘General Residential ’ in character and application of the ‘Low Density Residential’ zone and is inconsistent with the surrounding area.The subject area is within the STRLUS UGB.The change to Gen Res would not make a material difference, it is already residential and similar character to the surrounding Gen Res land.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No</td></tr><tr><td>a “like for like”</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No	a “like for like”	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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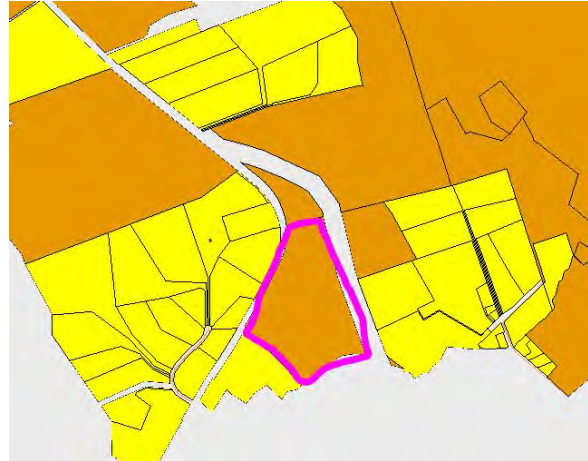
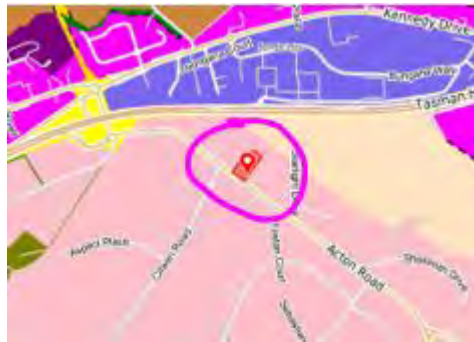
		The land is well serviced, located within proximity to public infrastructure, transport corridors and community services. Further it is not constrained by the Natural Assets Code and for this reason is more consistent with the purpose of the Gen Res zone than that of the LDR zone.	<table><tr><td>conversion of the CIPS2015</td><td></td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Two issues are raised:</p> <ol style="list-style-type: none">1. application of zones; and2. SPP controls. <p>With respect to the application of zones insufficient justification/information has been provided to warrant rezoning in terms of servicing and capacity/suitability to develop the land to higher densities. Additionally, there is no evidence that all of the respective landowners would support the request.</p> <p>With respect to the second matter, the SPP's LDR zone at Clause 10.6.1 provide for an AS of 1500m2 and a PC down to 1200m2. On that basis boundary adjustments resulting in lots "marginally" less than 1,500m2 will be possible and address the concern raised.</p>	conversion of the CIPS2015		Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	Yes	Does the merit of the representation warrant modification to the exhibited LPS?	No															
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Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 16 Kent Street, Lindisfarne																									
83	Representor 83 requested that the land at 16 Kent Street, Lindisfarne be rezoned from Rural Living to General Residential. 	No information/justification provided.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	Rezone the land at 16 Kent Street (CT 157324/1) from Rural Living to General Residential. The recommendation has no impact on implementing the draft LPS as a whole.
Overview assessment																										
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			<p>The land at 16 Kent Street is a vacant 970m2 lot at the eastern end of Kent St (CT 157324/1). It is within the STRLUS UGB and with an area identified for densification. It is not consistent with the Rural Living Zone and as resulted in issues for the development of the site.</p> <p>It is considered that given the lot's size, location and frontage it does not have the same requirement to be included in a structure planning excise as the remainder of the Lindisfarne Ridge area detailed above. Opportunity should be taken to zone the lot as part of this process, without creating precedent and facilitate anticipated residential development in a suitable location.</p> <p>The rezoning the lot is unlikely to result in Natural Justice issues on the basis that the lot already exists and given its, location, frontage and configuration it could have been reasonably anticipated that it would be developed for residential purposes.</p>																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 1C Robin Court, Lindisfarne (and surrounding LDR lots)																									
55	<p>Representor 55 requested that the property at 1C Robin Court Lindisfarne (and surrounding LDR lots) be rezoned from LDR to General Residential.</p> 	<p>The land at 1C Robin Court Lindisfarne (CT 176879/2) is an approximately 1.4Ha lot with direct frontage (approx. 110m) to Begonia St. The land is zoned LDR under the CIP2015 and is proposed to be translated on a “like for like” basis to LDR under the Draft LPS. The representor requests that the land be rezoned from LDR to General Residential and submits that the land:</p> <ul style="list-style-type: none">• is bordered by General Residential land to the west and south east.• is located 1.5km from the shopping area of Lindisfarne and approx. 5km from the Hobart CBD.• Is within the STRLUS UGB.• has a significant frontage to Begonia St which would allow for the creation of at least two new safe subdivision road intersections. This would enable a subdivision design that avoids internal cul-de-sacs and provides for inter connectivity within the road network and avoids new individual lot accesses on to Begonia Street.• Is generally gently sloping the average slope being approx. 1 in 6.• can be serviced with power, sewerage and water from Begonia Street,• is generally greater than 800m from the quarry. <p>The submission was supported by a natural values assessment by Enviro Dynamics dated 16th March 2020 concluding the vegetation is not significant, in relatively poor condition and does not require protection under draft LPS Natural Asset Codes.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The comments relating the Lindisfarne Ridge representations/rezoning requests above are relevant to this submission. Any potential to rezoning of this site and its surrounds ought to be considered as part of as a</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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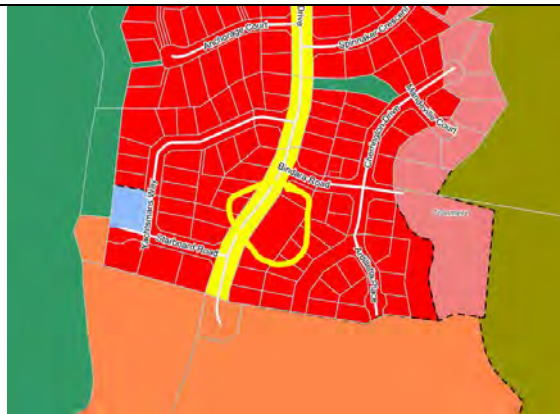
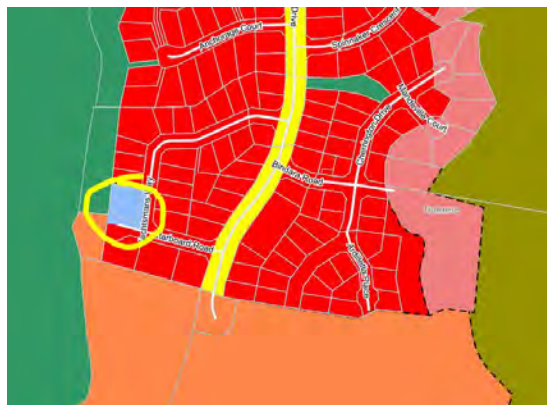
			detailed review of the area and development of a suitable Precinct Structure Plan.																					
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																				
	Rezoning: 164 Begonia St, Lindisfarne																							
68	<p>Representor 68 requested that the property at 164 Begonia St, Lindisfarne be rezoned from LDR to General Residential.</p> 	<p>The land at 164 Begonia St, Lindisfarne is a 2000m2 lot developed with a single dwelling and associated outbuildings. The representor requests that the land be rezoned from LDR to General Residential for the following reasons:</p> <ul style="list-style-type: none">It is within the STRLUS UGB and in an area marked for densification.The adjacent land to the east and the majority of Begonia St is zoned General Residential	<p>The comments relating the Lindisfarne Ridge representations/rezoning requests above are relevant to this submission. Any potential to rezoning of this site and its surrounds ought to be considered as part of as a detailed review of the area and development of a suitable Precinct Structure Plan.</p> <p>However, it is noted that while the subject property is within the STRLUS UGB, it is not within an identified densification area as shown below.</p> 	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole</p>																				
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																				
	Rezoning: Kadina Rd & Richmond Rd, Cambridge																							
8, 54	<p>Representation 8 & 54 requested that the proposed Rural Zone applied to the Kadina Road settlement in Cambridge be rezoned to Rural Living.</p> 	<p>It is submitted that:</p> <ul style="list-style-type: none">The zoning of Kadina Road is an exception to other similar settlements in Clarence such as Dulcot, Backhouse Lane, Acton Park and parts of Cambridge.The proposed Rural Zoning is a direct translation of the current Rural Resource – a zoning that was inappropriate when applied in the 1980s; andThe Rural Zone is not the most appropriate zone for the Kadina Road settlement in terms of zone purpose, permissible uses and prescribed lots size. The settlement does, however, reflect the Rural Living Zone purpose statements, permissible uses and prescribed lot sizes.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the	No	<p>Rezone the subject area from Rural to Rural Living as requested applying a minimum 2Ha lot size (Area B).</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																								
Is the representation consistent with:	Yes/No/NA																							
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			<table><tr><td>drafting/content of the SPP's?</td><td></td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>RLZ2 of the Guidelines specify that land not zoned Rural Living under an interim scheme should not be zoned RL under the LPS unless it is consistent with the STRLUS. In this instance the subject land, although zoned Rural Resource, is an existing low density rural residential settlement. While there is evidence of some lower order hobby farming, it is not used for rural purposes and given the settlement pattern, limited lot sizes and number of single dwellings it is unlikely that it could ever be used at the scale and intensity envisaged in the SPP's Rural Zone.</p> <p>Rezoning the subject area to Rural Living would be consistent with SRD 1.3a. of the STRLUS in that it recognises the existing settlement (regardless of current zoning) and consistent with SRD 1.3b. as only limited subdivision potential would be created by the rezoning.</p> <p>The area is comprised of the following 17 Properties: 46 Richmond Road: 7.67 Ha (2 titles) 2 Kadina Road: 2.44Ha 3 Kadina Road: 2.02Ha 4 Kadina Road: 3.78 Ha 4a Kadina Road:8.6Ha 5 Kadina Road: 3.32Ha 6 Kadina Road:2.1Ha 7 Kadina Road: 1.14Ha 8 Kadina Road: 5.43Ha 9 Kadina Road: 5.39Ha 11 Kadina Road:2.79Ha 12 Kadina Road: 1.01Ha 13 Kadina Road: 1.0Ha 14 Kadina Road:1.87Ha 174 Richmond Road: 3.1Ha 184 Richmond Road: 2.12Ha 210 Richmond Road: 5.46Ha</p> <p>Notwithstanding frontage/access and other considerations, based on lot size alone, applying a minimum lot size of 2Ha (Area B) the lots identified in red above could potentially be able to be subdivided and could result in a maximum of 6 additional lots. This is consistent with the considerations at RLZ3 of the Guidelines.</p> <p>The rezoning the subject area is unlikely to result in Natural Justice issues on the basis that it would provide for limited additional subdivision potential and the lots already represent a rural residential settlement.</p>	drafting/content of the SPP's?		Does the merit of the representation warrant modification to the exhibited LPS?	Yes	
drafting/content of the SPP's?								
Does the merit of the representation warrant modification to the exhibited LPS?	Yes							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation				
	Rezoning: 191 Richmond Rd, Cambridge							



54	<p>Representor 54 requested that the land at 191 Richmond Rd, Cambridge be rezoned from Agriculture to Rural Living.</p> 	<p>It is submitted that:</p> <ul style="list-style-type: none">• The construction of the new Cambridge Bypass Rd has severed the previous title and has now effectively removed the property from any significant Agricultural Production.• Rezoning the land to Rural Living would provide for the consolidation of residential land around the Township of Cambridge consistent with the land to west and south.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>No (State Policy on the Protection of Agricultural land 2009)</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The site has an irregular shape and is extensively covered with vineyards associated with Pembroke Vineyard.</p> <p>A heritage listed dwelling and former stable building is located adjacent to Richmond Road at the north-western corner of the site. A Part 5 Agreement is registered on the title providing the site with a water supply from the Coal River Valley Water Recycling Scheme.</p> <p>A subdivision permit was issued on the 19 February 2019 and 30 September 2019 to subdivide the property, which together, resulted in the creation of a new road lot and a lot to the east and west of the Cambridge Bypass Road corridor boundary.</p> <p>The land is not part of an established Rural Living settlement and rezoning it to Rural Living as requested is not necessary to implement the STRLUS and is contrary to SRD 1.3.</p> <p>The land is identified as “Potentially Unconstrained” under the Land Potentially Suitable for Agriculture Zone overlay on the LIST (extract below). Additionally, the land is zoned Significant Agricultural under the CIPS2015. Accordingly zoning the property anything other than Agriculture would be inconsistent with AZ1, AZ2 and AZ6 of the Guidelines.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	No (State Policy on the Protection of Agricultural land 2009)	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 1169 Acton Rd, Cambridge (RL-Commercial)																									
9	<p>Representation 9 requested that the proposed Rural Living Zone applied to the land at 1169 Acton Road be rezoned to “Commercial”.</p> 	<p>It appears that the submission is requesting that the site should be recognised as a local shopping/convenience activity centre.</p> <p>The representation was accompanied by a statement from a valuer (email dated 27 August 2019) and Traffic Impact Assessment (TIA) from Midson Traffic dated June 2019. The TIA was submitted to support a proposed shop and café lodged in 2019 which has not progressed.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No (Clarence Activity Centre strategy)</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The site has been developed with several commercial businesses over the past 25 years. Records indicate that the site had historically been used as a plant nursery.</p> <p>In addition to the nursery, under the previous ESA2PS1986, a development application D-2005/106 for a temporary shop was approved near the front boundary of the site. The permit was limited to a period of three years on the basis that the shop was a prohibited use</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No (Clarence Activity Centre strategy)	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			<p>under that scheme which also allowed for a temporary permit to be issued for a use that was otherwise prohibited.</p> <p>Upon the declaration of the CPS2007 a shop become a permissible use on the site. Through a new application, D-2008/29 a permit was issued approving relocating the (temporary) shop approved in D-2005/106 into the existing nursery building. The permit also provided for the temporary shop to be converted back to storage for the nursery.</p> <p>On 4 July 2011 the TPC approved a Section 43A application for a planning scheme amendment and subsequent development application (A-210/3 & D-2010/62) for an extension to the shop and a restaurant. The amendment introduced two limited site-specific qualifications in the CPS2007’s Table of Uses. The qualification relating to food services was ultimately reflected in the CIPS2015 limiting a restaurant to 12 patrons.</p> <p>The nurse use has ceased to operate for several years.</p> <p>The conversion to Local Business is inconsistent with the Guidelines. There have been no local studies identifying the need for a new activity centre in this location and the representation provided no evidence demonstrating that it is warranted.</p> <p>The SPP’s Rural Living zone provides for a limited range of commercial use classes including Food Services (qualified) and General Retail and Hire. Bulky Good Sales (which includes a plant nursery) is a prohibited use class. It is considered that the SPP’s Rural Living Use Table provides for an appropriate development intensity reflecting its low density rural residential setting.</p>																			
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																		
	Rezoning: 996 Oceana Drive, Tranmere																					
15	Representation 15 requests that the property at 996 Oceana Drive, Tranmere be rezoned from General Residential to Local Business.	On 14 March 2018 the TPC approved amendment A-2017/2 to the CIPS2015 which rezoned the land at 996 Oceana Drive, Tranmere from General Residential becoming effective 30 March 2018. At this time the draft LPS was being finalised for Council’s consideration and the version considered by Council at its meeting on 7 May 2018 had not been amended to reflect the approval of A-2017/2. This was an oversight that should be corrected.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>Yes</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>Yes</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	Yes	a “like for like” conversion of the CIPS2015	Yes	Natural Justice issues	No	<p>Rezone the land at 996 Oceana Drive, Tranmere from General Residential to Local Business.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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	Rezoning: 26 Yachtmans Way, Tranmere																									
15	<p>Representation 15 requests that the property at 26 Yachtmans Way, Tranmere be rezoned from Local Business to General Residential.</p> 	<p>The land at 26 Yachtmans Way, Tranmere is currently zoned 'Local Business' under the CIPS2015 and was converted on a "like for like" basis to 'Local Business' under the Draft LPs.</p> <p>The representor submits that the land was initially intended as part of a transport hub which included intensification of residential development in the immediate area, foreshore reserve and a jetty that is no longer proposed (or possible due to the presence of the spotted handfish). Also, despite a restaurant and residence being approved on the site, there has been little interest in the development/sale of the site.</p> <p>The Representor requests that the property at 26 Yachtmans Way, Tranmere be rezoned from Local Business to General and provided the following submission:</p> <p><i>"The site is ideally located for a 'General Residential' zoning and the loss of the 'Local Business' zoning is offset by the nearby 'Local Business' zone at 996 Oceana Drive. Accordingly, it is considered that the proposed alternate zoning to 'General Residential' is consistent with the TPC Guideline No.1 Local Provision Schedule (LPS): zone and code application, s3.4 "The primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible..."</i></p> <p><i>The proposed alternate zoning does not rely on any modification of the SPP to achieve the appropriate zoning of the land. No change is proposed to the transition to the overlays that affect the site.</i></p> <p><i>Accordingly, the proposed alternate zoning will maintain the Clarence draft LPS status as fully compliant with LPS criteria of section 34 of the Land Use Planning and Approvals Act 1993 (the Act)".</i></p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>The requested rezoning is supported for the following reasons:</p> <ul style="list-style-type: none">• The subject site is within the STRLUS UGB and the rezoning would represent the conversion	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<p>Rezone the land at 26 Yachtmans Way, Tranmere from Local Business to General Residential.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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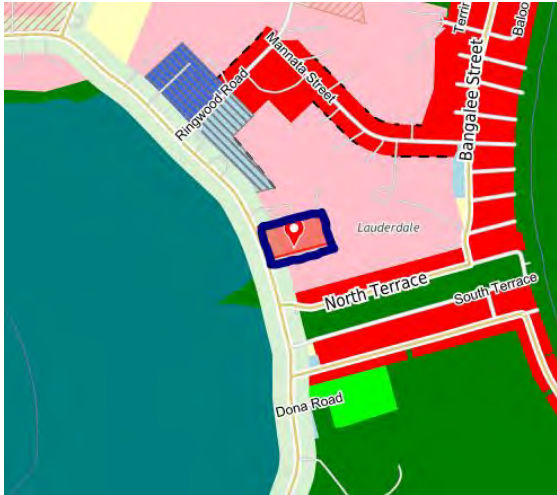
			<p>from one urban zone to another.</p> <ul style="list-style-type: none">• The subject lot and associated Local Business zoning was facilitated through the approval of a Section 43A application A-2010/12, SD-2010/63, D-2011/140. The zone was specifically approved to provide for a Restaurant, a Dwelling and Children’s Play Area. Despite the approval there has been little interest in pursuing the permit or alternative Local Business uses. Given the limited size of the lot (1286m2) it has limited potential as a stand alone Local Business site and the land at 996 Oceana Drive, Tranmere more adequately fulfils this role (Discussed above).• The surrounding lots are zone General Residential and rezoning the lot to same would not introduce any land use conflict.• The Tranmere Rokeby Peninsula Structure Plan provides opportunity to identify other, and potentially more appropriate, locations for active centres/local business nodes.• It is consistent with the LPS criteria specified at S.34 of LUPAA.																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Rezoning: 469 Rokeby Rd, Howrah																									
70	<p>Representation 70 requests that a portion of property at 469 Rokeby Rd, Howrah be rezoned from General Residential to Local Business.</p> <p>It is also requested that a portion of the adjoining road reservation be rezoned from Utilities to Local Business in preparation for future transfer/sale.</p> 	<p>The subject site is property at 469 Rokeby Rd, Howrah. It is an irregular shaped 6890m2 lot with a 116m frontage to Ploughman Road (CT -159207/1). It is located to the south side of Rokeby Road, developed with the Howrah Gardens shopping complex and accessed via a left in left out arrangement from Rokeby Road. A secondary 4.97m wide access connects the site to Savoy Place.</p> <p>The site is dual zoned General Residential Zone (36.5%), and Local Business Zone (63.6%) under the CIPS2015 which is reflected in the exhibited Draft LPS. It is also subject to the Stormwater Management and Parking and Access Codes.</p> <p>The Representor requests that the property at 469 Rokeby Rd, Howrah and that part of the adjoining road reservation be rezoned from General Residential to Local Business for the following reasons:</p> <ul style="list-style-type: none">• The site is developed with a grocery/convenience store, nursery, and retail (bottle shop) store. A single dwelling on the site is contained entirely within the Local Business Zone and is obscured by the commercial buildings resulting in a lack of street address and difficult access.• Removing the split, or dual, zoning would consolidate the entire site as Local Business reflecting the current use and zone currently applied to the majority of the site. This is consistent with the TPC’s Practice Note 7 Part 2.4.• The submission was accompanied by a letter from the State’s Parks and Wildlife Services Property Officer confirming that the Minister’s delegate has consented to the sale the road reservation adjoining the site.• The requested rezoning would not provide for an increased scale of the commercial development beyond that of a local centre and on that basis would be consistent with the STRLUS. <p>They representor provided an assessment against Schedule 1 (Part 1 and 2) of LUPAA and submit that it furthers these parts by:</p> <ul style="list-style-type: none">• providing certainty and clarity to those wishing to invest in the site and facilitate further economic development.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>Yes (split zones)</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>In addition to the reasons provided by the representor, the proposal is generally supported for the following reasons:</p> <ul style="list-style-type: none">• The site is within the STRLUS UGB and represents	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	Yes (split zones)	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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		<ul style="list-style-type: none">facilitating a potential boundary adjustment to remove the access from Savoy Place from the subject site title via a transfer to Clarence City Council (as a Public Accessway).Improving local business service/offer reducing the need for additional vehicular trips further afield.	<ul style="list-style-type: none">the conversion of one urban zone to another.The expansion of the Local Business zone will provide for the minor expansion of the complex but not escalate the scale beyond that of a local centre.In a broader context, the request represents a shift of the zoning boundary delineation rather than a “rezoning” as such. For this reason, the rezoning rationalises the site’s controls providing business certainty without introducing new land use conflict with the surrounding area.The potential transfer of the Public Accessway to Council cannot be facilitated through this process. However, it would provide opportunity (through a future boundary adjustment) to ensure commercial traffic could not enter/regress Savoy Place while enabling public pedestrian access to the complex. <p>Notwithstanding the above, it is noted that the rezoning was not exhibited and has the potential to result in the denial of natural justice normally afforded to adjoining/nearby properties. For this reason, it is appropriate that the request be publicly exhibited prior to any approval. This being the case the proposal should be considered through an application for a planning scheme amendment which may (through S.43A of LUPAA) incorporate any proposal involving transfer of the Accessway to Council.</p>																					
		o																						
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	Rezoning: Lauderdale Expansion																							
17	<p>Representation 17 is made obo 3 parties requesting the following properties be rezoned to Future Urban:</p> <ul style="list-style-type: none">4 & 6 Ringwood Rd26 & 53 Mannata St476 & 488 South Arm Rdand Lauderdale Rural Living area generally. 	<p>The representor requests that the following properties be rezoned to “Future Urban”:</p> <ul style="list-style-type: none">4 & 6 Ringwood Rd26 & 53 Mannata St476 & 488 South Arm Rdand Lauderdale Rural Living area generally. <p>It is submitted that the land is capable of being developed and that the “Future Urban” zone “<i>would be in keeping with guidelines, it is acknowledged that further work is required to be undertaken to provide for the orderly release of this land in the regional context</i>” (p14). Further, “<i>it is not necessary to undertake a “like for like” translation when information around land capability suggests a more appropriate zoning can be applied in the LPS such as the Future Urban zone</i>” (p15).</p> <p>The submission acknowledges that any rezoning of the “<i>Lauderdale area including our client’s sites, is dependent on the review of the STRLUS and the Urban Growth Boundary contained within it.</i>” (p7). However, despite this, it is submitted that a recent TPC decision relating to Draft Amendment PSA2018-3 and permit DAS-2018-15 to the Kingborough Planning Scheme 2015 (in December 2019), “<i>suggests less weight is afforded to the STRLUS than has previously been given and it formally demonstrates that little or no regard has been given to the STRLUS provision (SRD2.5) in such a way as it could be argued the STRLUS has been a useful document but is now in urgent need of review and should not be relied upon for future decision making</i>”. Further, “<i>This decision and comments in</i></p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>No (State Coastal Policy)</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No (Lauderdale Structure Plan & JMG Study)</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	No (State Coastal Policy)	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No (Lauderdale Structure Plan & JMG Study)	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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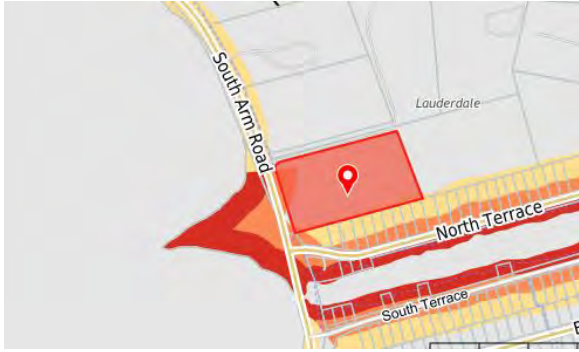
	<p>relation to the STRLUS, formally supports the arguments that the Strategy is in urgent need of review and as a broad policy document should not be a restriction to informed decision making” (p7).</p> <p>With respect to the UGB, it is submitted that the need for review is compounded by the fact that the baseline census data has changed since the original STRLUS residential analysis, demand has been strong and there is significant delay between approvals and built housing stock reaching the market. (p9).</p> <p>The submission queries the reasoning for the inclusion of large land areas such as the Police Academy at Rokeby and Retirement Village at Lauderdale in the UGB as a true indicator of land available for residential development.</p> <p>The representor claims that the Lauderdale Structure Plan (LSP) was informed by perceived capacity and land constraints that are now better understood and that opportunity should be taken to update the LSP. The review should be similar to that undertaken for the Tranmere/Rokeby Peninsula Structure Plan which is likely to result in a modification the STRLUS UGB. In the representors view <i>“the inclusion of the whole of the Point [Droughty Point] in the UGB when there are constraints to the development of most of this area in the foreseeable 20-30 years or beyond, will substantially affect the modelling of land available for residential development. In fact it is not as capable for future development and this is at the expense of land with greater capability being overlooked because it remains outside of the arbitrary UGB.” (p11)</i></p> <p>The representation included a copy of <i>The Lauderdale Urban Expansion – Feasibility Study</i> (dated October 2016, by JMG Pty Ltd). The representor submits that <i>“the information on which the feasibility report was based is critically out of date in terms of population projections, housing supply and demand statistics and the availability of nearby services” (p11).</i> To support this, the representor (GHD) provided a copy of their report <i>“Dourias, Stokley, Cowle, Kingston and Breaden Land Owners Group Lauderdale Investigations - Staging Plan Report”</i> by GHD October 2018 commissioned to investigate whether it was possible to develop their clients’ land independently of the other land owners, and if possible, an efficient method to develop the site. It is noted that the GHD report was commissioned to investigate the land at several, but not all, of the properties represented in this submission as well as several additional properties as detailed as follows:</p> <table><tr><td>Properties the subject of the GHD report dated October 2018:</td><td>Properties represented in Rep 17 (this submission)</td></tr><tr><td><ul style="list-style-type: none">• 4 & 6 Ringwood Road• 26 & 46 Manata St• 2 & 6 Bangalee St• 514 & 526 South Arm Rd</td><td><ul style="list-style-type: none">• 4 & 6 Ringwood Rd• 26 & 53 Mannata St• 476 & 488 South Arm Rd</td></tr></table> <p>It is submitted that:</p> <ul style="list-style-type: none">• The JMG report, underestimated land sale prices and did not take into account any future increases in land prices.• Construction costs were over estimated. Filling was assumed to cost \$20 cubic metre which could be substantially less at \$5 and the subdivision costs per lot was \$50,000 compared to	Properties the subject of the GHD report dated October 2018:	Properties represented in Rep 17 (this submission)	<ul style="list-style-type: none">• 4 & 6 Ringwood Road• 26 & 46 Manata St• 2 & 6 Bangalee St• 514 & 526 South Arm Rd 	<ul style="list-style-type: none">• 4 & 6 Ringwood Rd• 26 & 53 Mannata St• 476 & 488 South Arm Rd 	<table><tr><td>SPP's?</td><td></td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Feasibility Study</p> <p>Council is cognisant of pressure to rezone the subject area to provide for future growth. It has been the subject of many Council decisions including the development of the LPS, the CIPS2015 and the commissioning of JMG to undertake a Feasibility Study for the potential urban expansion of Lauderdale. The study was a detailed analysis that ultimately concluded that:</p> <ul style="list-style-type: none">○ The project can be engineered to work sustainably.○ Flora and fauna values exist on the site but are manageable.○ Cultural heritage values exist on the site but are not a constraint to development.○ The site is well serviced with both civil/social infrastructure and public open space.○ The maximum lot yield on the site is approximately 583 lots.○ There is an oversupply of residential zoned land within the STRLUS UGB based on current population predictions.○ The additional costs of importing and compacting fill, undergrounding major stormwater culverts, construction of highway intersections and areas of pressure sewerage result in the project being unfeasible at median lot acquisition/lot sales levels.○ The modelling represents the most efficient way to develop the site. Any departures from that model would increase the costs and thus decrease the feasibility further. <p>At its meeting on 1 May 2017 Council considered the JMG report and resolved not to pursue the expansion for the following reasons:</p> <ol style="list-style-type: none">1. The Study shows it would not be financially feasible to undertake the development.2. The development of the area would unreasonably impact on the amenity of the area.3. There are significant constraints to the development of the area, including the availability of suitable fill as well as long term regional traffic management implications.4. There are high risk and complex engineering solutions required to enable the development to occur and Council would be liable for significant and unredeemable costs, in the order of \$11,000,000, for infrastructure and management	SPP's?		Does the merit of the representation warrant modification to the exhibited LPS?	No
Properties the subject of the GHD report dated October 2018:	Properties represented in Rep 17 (this submission)									
<ul style="list-style-type: none">• 4 & 6 Ringwood Road• 26 & 46 Manata St• 2 & 6 Bangalee St• 514 & 526 South Arm Rd 	<ul style="list-style-type: none">• 4 & 6 Ringwood Rd• 26 & 53 Mannata St• 476 & 488 South Arm Rd 									
SPP's?										
Does the merit of the representation warrant modification to the exhibited LPS?	No									

		<p>\$30,000 (exclusive of Headworks and administrative costs) estimated by GHD. These factors would ensure a positive Net Present Value (NPV) investment and result in a viable project.</p> <ul style="list-style-type: none"> • Subdivision costs were based on an “all up front” outlay model and do not take into account that the costs incurred would be over the duration of the project through a normal staged approach. • Were the above concerns addressed, the project would have been “<i>quite feasible with a positive healthy NPV</i>” (p12). Notwithstanding decisions around project viability are the developers to make. <p>The submission acknowledges that Council’s concerns regarding the potential to recover the community costs of the provision of stormwater to the area are understandable, and while there is no Stormwater Code under the future TPS, with the appropriate zoning, Council has many options to investigate recovery of any perceived loss due to infrastructure provision in the Lauderdale expansion area. Other legislative mechanisms include:</p> <ul style="list-style-type: none"> • The Urban Drainage Act 2013 – which gives considerable scope to stormwater service providers (Councils) to deal with public and private stormwater infrastructure matters. • The Local Government Act 1993 – which gives the opportunity to levy stormwater charges which may include a catchment-based approach. • Local Headworks Policies - the Clarence City Council Headworks Levy Policy 2008 is noted as was a Brighton example. • Part Five of LUPAA – Meander Valley Council example provided for Infrastructure Provision (for the Hadspen area.) <p>The representation concludes that the land at 4 and 6 Ringwood Road, 53 and 26 Mannata Streets, and 476 and 488 South Arm Road and the wider Lauderdale area (p17) should be zoned Future Urban Zone under the Clarence LPS.</p>	<p>costs alone.</p> <p>5. There is no adequate strategic land use planning justification for modifying the Lauderdale Structure Plan or the Southern Tasmanian Regional Land Use Strategy.</p> <p>Consultation The JMG Feasibility Study was exhibited between 29 October and 30 November 2016. During this time, the study was widely advertised, and an information meeting was held for the study area’s property owners. There were 61 submissions received identifying a wide range of issues. Supportive submissions were received from 15 properties in the study area, the “Advance Lauderdale Association” and 2 adjoining properties also seeking rezoning. The remaining submissions were opposed to expansion and included a petition containing 48 signatories. While details around feasibility, modelling, configuration and staging can be debated, the potential expansion of Lauderdale has been explored in detail (at considerable public expense) and it is clear that there is significant opposition to it and evidence of likely Natural Justice issues.</p> <p>The Guidelines The Guidelines (FUZ1&2) require that the Future Urban Zone be applied to areas of land identified for future Urban Development and those areas zoned for this purpose under Interim Schemes. Neither of these apply to the subject area. Guideline FUZ4 specifies that the zone <u>may</u> be applied to those areas that require master planning before it is release for urban development. It is considered that doing so now would be premature. The land would require structure planning prior to any conversion to urban land, however, it has not been established that it should be. Importantly it is contrary to the STRLUS and, following the JMG Feasibility Study for the potential urban expansion in Lauderdale, Council resolved not to pursue it.</p> <p>STRLUS</p> <ul style="list-style-type: none"> • The STRLUS is in need of review, however, it remains the relevant regional strategy under LUPAA and the subject lots are outside the established UGB. • The next review of the STRLUS may or may not establish that additional urban land is required. Even so, should an expansion of the UGB be required, it is not accepted that the subject area will necessarily be the most suitable land within the region (or indeed within Clarence) to service the increased demand. This assumption should not be made prior to a comprehensive review of the STRLUS. Zoning the land Future Urban now 	
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			<p>would be predetermining the ultimate zoning of the land.</p> <ul style="list-style-type: none">Contrary to the representor’s submission, the spatial extent of the UGB is not limited to residential supply, it provides for all urban zoning including recreation, industrial, commercial and business. <p>For the reasons outlined above, the request to rezone the subject are to Future Urban is not supported.</p>																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Future Rezoning: 514 & 526 Sth Arm Rd & 16 & 36 North Tce, Lauderdale																									
47	<p>Representation 47 submits that the properties at 514 & 526 South Arm Road and 16 & 36 North Terrace, Lauderdale are suitable for development.</p> 	<p>The land 526 and 514 comprise of approximately 4.05Ha, which according to the representor is situated in “the middle of the Lauderdale township” and suitable to for development. No rezoning was specially requested but the representor submitted:</p> <ul style="list-style-type: none">the shortcoming associated with the feasibility study lead to the rezoning to residential, being untenable.Our area in Lauderdale has just about everything any community needs to be zoned residential in accordance with the State-wide Planning Scheme, but Council has reserved the right to classify it as rural residential.Another problem is the land is outside of the STRLUS UGB.Lauderdale’s current stormwater system is inadequate, so Engineers were engaged to solve the storm water issue in Lauderdale and to enable the development of the subject land. Development of his land is achievable by rerouting NT1 through 36 North Terrace and NT2 through 16 North Terrace, with both drains emptying into the Lauderdale Canal. The representor provided a preliminary subdivision layout and schematic stormwater layout plan for their proposal (below).“Our land is shovel ready for development. It has been filled to approximately 2.8 AHD. Compaction and contamination tests carried out by consultants GHD have confirmed the land is suitable for a housing development”.Our drainage system would support development of our land as a standalone project, such as a retirement village and could also potentially support the development of the surrounding Lauderdale Area. 	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>N/A</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>While the submission is noted, the representation did not identify any issues with, or any changes required to the draft LPS.</p> <p>It is however noted that the preliminary subdivision layout provided would be prohibited under both the CIPS2015 and Draft LPS. Additionally, it presents an undesirable urban form in terms of:</p> <ul style="list-style-type: none">a proliferation of internal lots;terminating in cul-de-sac head servicing approximately 20 lots; andprovides poor connectivity;provides no pedestrian permeability through the site;Neighbourhood design; andTraffic management.	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	N/A	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning (and Codes) 506 South Arm Road, Lauderdale																									
85	<p>Representor 85 was concerned about the planning provisions relating to 506 South Arm Road, Lauderdale. Specifically, they requested that the property be rezoned from Rural to Future Urban (or Community Purpose as an alternative) and the removal of several code overlays.</p> 	<p>Representation 85 was submitted in three parts with an aggregate of 96 pages. The submission comprised of extracts, maps, photographs, statements, requests, and in some cases specified justification. While the majority of the content is related in some way to the exhibited Draft LPS, the representor took opportunity to provide information and commentary on previous planning documentation, reports, articles to express their opinion.</p> <p>The most relevant elements are summarised below.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>No (State Coastal Policy)</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No (Lauderdale Structure Plan & JMG Study)</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The property 506 South Arm Road, Lauderdale is a 2.03Ha lot proposed to be zoned Rural Living under the draft LPS is it also proposed subject to the following Codes:</p> <ul style="list-style-type: none">• Inundation• Flood Prone Areas• Natural Asset Code<ul style="list-style-type: none">- Priority Vegetation Area Waterway- Coastal Protection Area(it is <u>not</u> subject to the Future Coastal Refugia Overlay)• Potentially Contaminated Land <p>These are discussed below.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	No (State Coastal Policy)	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No (Lauderdale Structure Plan & JMG Study)	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	
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Does the merit of the representation warrant modification to the exhibited LPS?	No																									
		<p>Zones</p> <p>The representor opposes the application of the Rural Living Zone on their property at 506 South Arm Road and submits that it should never have been changed from “Future Urban”</p> <p>The submission includes extracts from:</p> <ul style="list-style-type: none">• the Guidelines (Zone and Code application framework for Rural Living, Future Urban & Community Purpose),• LUPAA – S.32 Contents of LPS, S.34 Criteria, Schedule 1	<p>The comments related to the broader rezoning Lauderdale are discussed raised through Representation 17 are equally relevant to the potential rezoning of this property.</p> <p>In addition, it is noted:</p> <ul style="list-style-type: none">• The land is outside the STRLUS UGB• The ESA2PS1986, was superseded by the	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>																						


		<ul style="list-style-type: none"> • LGBMP – S.66 Strategic Plan • CIPS2015 – Purpose of Rural Living Zone • SPP - Purpose of Rural Living Zone and Use Table • SPP - Purpose of Future Urban Zone and Use Table • SPP - Purpose of Community Purpose Zone <p>The extracts were typically provided without context, and although not explicitly stated, it appears that the Representer is attempting make the case that the Zone Application framework for Future Urban Zone provides that “<i>The Future Urban Zone may be applied to sites or areas that require further structure or master planning before its release for urban development</i>” and that in the case of Lauderdale this criteria is met on the basis that:</p> <ul style="list-style-type: none"> • the ESA2PS1986 zoned Lauderdale as “Future Urban” • the ESA2PS1986 identified that “<i>The Lauderdale area will be reserved from any expansion in residential development, pending further investigation of sewerage, drainage and any possible rises in sea level. However, infill development on the existing vacant sites will be permitted and the consolidation of rural residential development within existing areas is to be encouraged.</i> The release of the Lauderdale area in the future for urban residential expansion will be dependent upon the provision of sewerage and stormwater services and investigation of effects of possible rises in sea level.” • Lauderdale is now serviced with reticulated sewerage. • the Clarence Residential Strategy 2008 identified Lauderdale was identified as “Reserved Urban”. <p>It also appears, and again not explicitly stated, that the land at 490 South Arm Road is developed with a church and that this land and the representer’s property could alternately be zoned Community Purpose.</p>	<p>CPS2007 followed by the CIPS2015, both of which zoned the site Rural Residential and Rural Living Respectively. The ESA2PS1986, has no relevance to the development of the Draft LPS. Even so, our understanding on the impacts of sea-level rise on Clarence coastal areas is now much more advanced than it was prior to 2009. Hence the new modelling satisfied the ESA2PS1986 test and the decision was that urban zoning was inappropriate.</p> <p>The Community Purpose Zone is considered to generally apply to urban areas. Nevertheless, the Guidelines state at CPZ1 that the zone should be applied to sites that contain or is intended to provide, key Community facilities – the subject land does not contain and community facilities, and nor is it intended to provide them. With regard to the existing church at 490 South Arm Rd, Guideline CPZ2 provides for community services to be zoned as per the surrounding zone – which is the case in this instance.</p>	
		<p>Codes The submission includes extracts from:</p> <ul style="list-style-type: none"> • the Guidelines (various Code application frameworks), • SPP - Purpose and application of the various Codes • Maps from various sources (some from the LIST, National Map & others unknown) that are not statutory and not reflected in the Draft LPS. <p>Natural Asset Code It is requested that the overlay be removed from 506 South Arm Rd as:</p> <ul style="list-style-type: none"> • it has been developed and has a large house and ancillary buildings onsite • The property does not contain any saltmarsh • The coastline and subject property is protected by the South Arm Road and this will continue to be the case into the future. <p>With respect to the Future Coastal Refugia it is submitted:</p> <ul style="list-style-type: none"> • “NO land that has a residence on it should have a “Refugia” overlay on it. • If a “Refugia” overlay must be put on the land it must be with the permission of the landowner • If that Refugia overlay does become part of that land parcel, then just compensation should be afforded to the landowner • Any disadvantage suffered by the landowner on his land with a “Refugia” must firstly be declared by the imposing Authority and gain the property owners Consent. • Some negative impacts are: <ul style="list-style-type: none"> o Increase in Insurance premiums o Unavailability of Insurance 	<ol style="list-style-type: none"> 1. The site has been extensively modified through the development of the dwelling, its surrounds and more recent filling. There is no remnant vegetation remaining on site. Accordingly, the Priority Vegetation Area mapping should be modified to remove the site. 2. Given the proximity of the site to the highwater mark it is not considered appropriate to remove it from the Waterway and Coastal Protection Area mapping. 3. The site is not included within the Future Coastal Refugia mapping and accordingly no change is required. 	<p>Remove the property at 506 South Arm Road, Lauderdale from the Priority Vegetation Area overlay map.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>


		<p><i>o Recall of Mortgage</i> <i>o Unavailability of Loans where the Property is the security”</i></p> <p>With respect to the Priority Vegetation Area it is submitted:</p> <ul style="list-style-type: none"> • Vegetation overlays are inaccurate • Vegetation overlay is not ground truthed • Vegetation does not exist onsite • The overlay should be removed 		
		<p>Coastal Erosion Hazard Code It is requested that the Coastal Erosion Hazard Code overlay be removed from 506 South Arm Rd as the property is and will continue to be protected by the South Arm Road.</p> 	<p>It is considered that the erosion overlay should not be modified in this location for the following reasons:</p> <ul style="list-style-type: none"> • The modelling is based on the best available information, and there is no alternative model based on any mitigation measures. • There is currently no commitment/solution to modify the South Arm Rd. <p>The issue should not be considered in isolation and any potential modification to the mapping ought to reflect a whole of beachfront/catchment analysis.</p> <p>Notwithstanding, it is noted that the area subject to the overlay mapping represents a relatively minor proportion of the land adjacent to South Arm Road.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>Coastal Inundation Hazard Code It is submitted that:</p> <ul style="list-style-type: none"> • the Assumptions are not “Ground Based” • Landfill has not been taken into account • Engineering solutions are available. <p>It is also noted that it is not requested to remove the overlay mapping from the site.</p>	<p>The modelling was based on the LiDAR modelling (Light Detection and Ranging) – any filling of lots post the 2013 LiDAR data set have not been reflected in the mapping.</p> <p>Engineering solutions are generally available and recognised through merit-based assessment against the applicable standards. Accordingly the development would not be unduly constrained.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>Flood Prone Areas Hazard Code It is submitted that:</p> <ul style="list-style-type: none"> • Actual timeline events do not correlate with what has been stated in the planning documentation • Not ground based on current events and infrastructure and Filled land heights • Rain and flooding events in Hobart during May 2018 show that reports and overlays are inaccurate. Hobart experienced its wettest day since 1960 yet Lauderdale was not affected to the predicted degree. <p>It is also noted that it is not requested to remove the overlay mapping from the site.</p>	<p>Post Council’s endorsement of the draft LPS on 7 May 2018 Council commissioned flood mapping studies in a range of catchments including Roches Beach to Opossum Bay.</p> <p>The revised flood modelling/mapping is more accurate than preliminary work used in the development to the Draft LPS. This revised mapping should replace the preliminary mapping contained in the exhibited draft. The revised mapping is attached and should be considered part of Council’s S.35F response.</p>	<p>Replace the Flood Prone Areas Hazard Code mapping with the revised mapping attached.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>Potentially Contaminated Land Code It is submitted that the property at 506 South Arm Road has been decontaminated and Environmental Protection Notice No.85 revoked. The property should be removed from the Draft LPS.</p> <p>It is also submitted that the Police Academy (151A South Arm Road) and the land behind the Rokeby Beach foreshore (115 Droughty Point Road) should be added to the Potentially Contaminated Land Code’s overlay mapping.</p>	<p>506 South Arm Road has been rehabilitated and is no longer contaminated.</p> <p>In response to the concern relating to the Police Academy at 151A South Arm Road, Council’s Environmental Health Officers inspected the site and, in their view, <i>“the Indoor Firing Range is not a potential contaminated site as the ammunition is contained with</i></p>	<p>Remove the property at 506 South Arm Road, Lauderdale from the Potentially Contaminated Land Code overlay map.</p> <p>Include the land at 115</p>



			<p><i>inside the building and is removed by a contactor. The Indoor Range contains HEPA Filters to remove lead particle build up/dust. These filters are cleaned and maintained on a regular basis.</i></p> <p><i>In relation to the Helicopter, this is only used to pick-up equipment and personnel while doing live exercise training in the bay. There is no refuelling of the Helicopter.</i></p> <p><i>The skid pan has drainage to a settling pond and appropriate reed management to filter any potential fuel spillage that may occur, before discharging to the Ralphs Bay. The Skid Pan is water based to provide realistic wet weather conditions similar to wet road conditions that we all drive on. The potential pf any spillage is very minimal".</i></p> <p>Accordingly, this site should not be added to the Potentially Contaminated Land Code's overlay mapping.</p> <p>Council's Environmental Health Officers advise that the land at 115 Droughty Point Road, Rokeby is known to contain asbestos and should be included on the Potentially Contaminated Land Code's overlay mapping.</p>	<p>Droughty Point Road, Rokeby on the Potentially Contaminated Land Code overlay map.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>Restrictions/implications on landowners It is submitted that:</p> <ul style="list-style-type: none"> • Planning controls impact property "rights" and the ability for landowners to defend their property (references to CIPS2015 cited). • Exposure to natural hazards and the inability to mitigate them compromise the ability to insure property. • Loss of private land to the sea revert to the Crown without compensation. 	<p>These matters are not relevant to the development of the draft LPS or potentially resolvable via modification to it.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>Heritage It is submitted that the following sites have not been included in the Historic Heritage Code:</p> <ul style="list-style-type: none"> • Ralphs Bay Canal (Lauderdale Canal) 1820 • Robert Mathers Railway/tramway (Ralphs Bay Railway) 1824 • Muddy Plains (Lauderdale) • Knopwood's tomb in St. Matthew's Churchyard. • Congregational Chapel at Rokeby (1866). • Rokeby Mill 	<p>The respective sites were not included in the Historic Heritage Code as they have not previously been identified as locally significant sites. It is noted that matter was raised during the exhibition of the CIPS2015 and the sites were not included at that time.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>Climate Change studies/policy/exhibition It is submitted that:</p> <ul style="list-style-type: none"> • The Climate Change Impacts on Clarence Coastal Areas study/report lacked effective consultation and communication • Effective mitigation against climate change requires responses from Council, State Government and the community. • While retreat, accommodation and protection measures can be employed to respond to sea-level rise, <i>"Retreat seem to be the only option chosen".</i> • <i>"The results from the 2016-17 survey show an easing of the rate of shoreline retreat at the majority of study sites."</i> • <i>"Human habitation not in the environmental argument"</i> 	<p>These matters are not relevant to the development of the draft LPS or potentially resolvable via modification to it.</p> <p>The Links to some of the exhibited documentation did not work on the morning of the first day of exhibition. This was rectified prior to 10:30am on the first day of exhibition.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>


		<ul style="list-style-type: none">The 2011 Lauderdale Structure Plan identifies several elements required for urban expansion - these are now high priority.There is history of inaccurate information, misinformation and omissions provided to ratepayersLinks on the exhibited documentation do not work																								
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 424 South Arm Road, Lauderdale and 25 Acton Road, Acton Park																									
21	<p>Representation 21 requests that the properties at 424 South Arm Road and 25 Acton Road be rezoned to Community Purpose, or Particular Purpose to provide for retirement living.</p> 	<p>Representation 21 requests that the LPS be amended to provide the ability for a retirement village use and development to be considered at 424 South Arm Road, Lauderdale and 25 Acton Road, Acton Park. The submission outlines that this could be through the application of either the Community Purpose Zone or a Particular Purpose Zone (like the Gordons Hill Community Living Precinct).</p> <p>It is submitted that:</p> <ul style="list-style-type: none">The 2 titles are adjoining with an aggregate area 4.2Ha with frontage the South Arm Highway.the land was originally within the identified STRLUS UGB, however in amendments to the STRLUS the subject land was subsequently excluded as the UGB was modified to reflect current zone boundaries except for identified green field development areas.In the development of the CIPS 2015 the land was again identified as being appropriate for future development and was included in the General Residential zoned land, however, because of the reduced UGB area the final approval of the CIPS2015 then reverted to a like for like zoning to that chosen for the CPS2007.The land is located between the Lauderdale Primary School and the neighbouring early learning centre to the northwest and the existing commercial precinct directly to the southeast.The subject land is much less constrained than other Rural Living zoned areas nearby as it is less affected from the potential of flooding and inundation.Despite the like for like translation of the CPS2007 to the CIPS2015, the conversion resulted the loss of retirement village (Community Living) as a permissible use. <p>The representation included an assessment against the STRLUS Social Infrastructure& Settlement and Residential Development. The submission recognises:</p> <ul style="list-style-type: none">The site's location and context.Limitations of the surrounding area to provide for the use class due to zoning and/or constraints.The need to provide for an aging population.The need to provide infill housing opportunities.The need to provide a greater mix of dwelling types.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>No (State Coastal Policy)</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No (Lauderdale Structure Plan & JMG Study)</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>CPS2007 - Community Living Use Following the approval of the CPS2007, the TPC advised that it had made a mistake and that the Table of Uses in the Rural Resource and Rural Living zones erroneously provided for Community Living as a discretionary use. While the anomaly could have been addressed by either the TPC or Council, the amendment was never initiated.</p> <p>STRLUS UGB LUPAA requires that a Local Provision must be consistent with the Regional Land Use Strategy. The site abuts the established STRLUS's UGB to the north west and south east shown on Map 10 of the STRLUS. However, the site is outside the STRLUS's UGB. The densities provided for through the development a retirement village are comparable to those provided for in the General Residential Zone. For this reason, it is not accepted that a retirement could be anything other than an extension to the urban environment, and on this</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	No (State Coastal Policy)	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No (Lauderdale Structure Plan & JMG Study)	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			<p>basis, is not consistent with the STRLUS (or Council's Lauderdale Structure Plan).</p> <p>Before the proposed zoning would be acceptable under the STRLUS, it would be necessary to first amend the STRLUS UGB. An urban expansion beyond the UGB is not only contrary to LUPAA but has broader implications for the strategic planning of Greater Hobart and is not supported.</p>																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Site-specific Qualification: 476 & 488 South Arm Hwy, Lauderdale																									
23	<p>Representation 23 requests a Site-specific Qualification at the properties at 476 & 488 South Arm Hwy, Lauderdale to provide for retirement living.</p> 	<p>The representation was provided obo of a company operating lifestyle villages throughout Australia who want to establish a retirement village on the subject properties through the introduction of a Site-specific Qualification providing for the use.</p> <p>Site challenges include inundation and drainage issues which could be managed through filling and the adoption of a drainage strategy.</p> <p>It is submitted that:</p> <ul style="list-style-type: none">• There is strong demand for retirement/lifestyle living in Southern Tas and particularly Lauderdale.• The site is well located in terms of amenities, services and public transport.• The land is flat.• The land is adjacent to the local business zone which provide for a large range of commercial uses, yet the Rural Living Zone's Use Table is very limited with extremely low residential density.• The site is adjacent to the retirement village at 86 Manata Road.• The development of a retirement village on the subject sites would lead to substantial development assisting the local economy.• An appropriately designed retirement village could meet the required development standards specified in the underling zone and applicable codes.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>No (State Coastal Policy)</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No (Lauderdale Structure Plan & JMG Study)</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Following the approval of the CPS2007, the TPC advised</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	No (State Coastal Policy)	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No (Lauderdale Structure Plan & JMG Study)	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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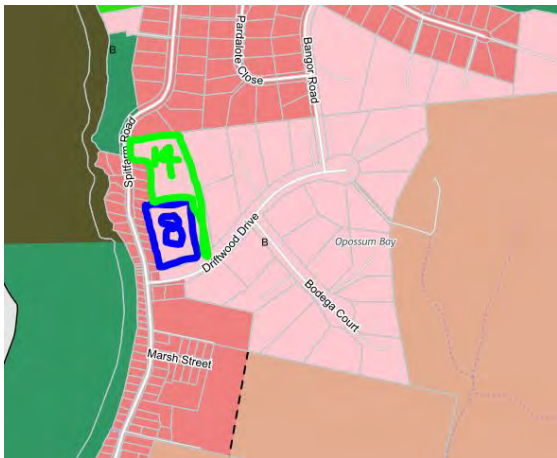
			<p>that it had made a mistake and that the Table of Uses in the Rural Resource and Rural Living zones erroneously provided for Community Living as a discretionary use. While the anomaly could have been addressed by either the TPC or Council, the amendment was never initiated. The approval of the requested specified departure would essentially re introduce the use in the Rural Living Zone whist circumventing the Table of uses in the SPP's.</p> <p>The densities provided for through the development a retirement village are comparable to those provided for in the General Residential Zone. For this reason, it is not accepted that a retirement could be anything other than an extension to the urban environment, and on this basis, is not consistent with the STRLUS or Council's Lauderdale Structure Plan.</p> <p>Before the proposed Site-specific Qualification would be acceptable under the STRLUS, it would be necessary to first amend the UGB. An urban expansion beyond the UGB is not only contrary to LUPAA but has broader implications for the strategic planning of Greater Hobart.</p> <p>Additionally, circumventing the zone purpose (and associated Use Table via a Site-specific Qualification is inconsistent with the principle of applying zones as the primary method of implementing strategy.</p> <p>For the above reasons the submission is not supported.</p>																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
81	<p>Rezoning: 450 Rokeby Road, Howrah</p> <p>Representation 81 is concerned that the land at 450 Rokeby Road, Howrah is proposed to be zoned Rural and requests that a portion of the land be rezoned from Rural to General Residential and the balance rezoned Open Space.</p> 	<p>The land at 450 Rokeby Road, Howrah is a 3.8Ha lot commonly referred to as the 'Nichols Quarry' (CT 161833/1). The concern is that the application of the proposed Rural Zone would prescribe a 40Ha minimum lot size and preclude a future residential subdivision.</p> <p>It is submitted:</p> <ul style="list-style-type: none">Criteria RZ1 of the Guidelines states that the rural zone should be applied to land in 'non-urban' areas and given the sites proximity to urban facilities and residential surroundings the application of the Rural Zone would be inconsistent with this requirement.The site is within the STRLUS UGB and fully serviced.Rezoning the land to General Residential would be consistent with the relevant Zone application Guidelines with the exception of GRZ3 which states: <p><i>"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".</i></p> <p>It is acknowledged that the northeast of the site has historically been quarried and concerns have been raised previously by Council with regards to future residential subdivision of the site due to constrained vehicular access, steep topography, potential land instability and incomplete rehabilitation works. In response to this, we propose</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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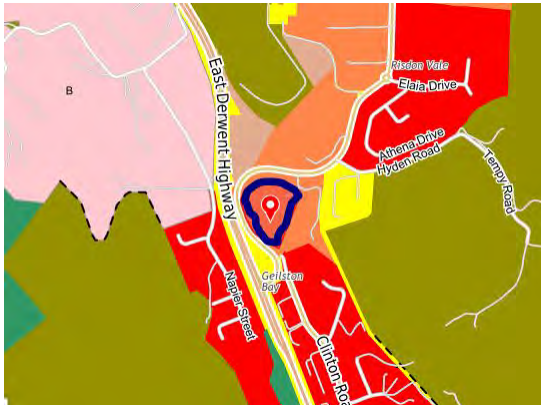
		<p>that the General Residential zone be applied across the western portion of the site, as shown below, which has already been partially developed for residential purposes and is connected to the existing road network via Vienne Drive to the east.</p> <div></div> <ul style="list-style-type: none">It is envisaged that the site could provide for approximately 10 – 12 residential lots slightly larger than the minimum lot size (450m2) in order to accommodate existing site constraints. It is noted that a public road abuts the property on the east and west boundaries, with potential for a through connection joining Vienne Drive with Norfolk Drive. An application for a future residential subdivision of the site would also be assessed against the requirements of the Contamination code under the TPS and it is considered that compliance with Clause C14.7.1 A1(a) could readily be achieved following the completion and sign-off of the current remediation works.The land to the east of the site contains a historic quarry site which has undergone extensive rehabilitation and remediation works. Due to the constrained nature of this portion of the site, applying the Open Space zone is considered appropriate. Should the Open Space zone be applied, the area can then form part of the existing open space network to the north once rehabilitation works are complete and it has been certified as safe for public use. In support of the submission, copies of the Geotechnical Assessment (prepared by Weldon GeoTech dated December 2003) and a Rehabilitation Management Plan (prepared by GHD dated January 2011) were provided.	<p>This issue is not new to Council and was a matter considered in response to representations received during the development of the CPS2007 and the CIPS2015.</p> <p>While the representors rationale/observations are noted, it is considered that the following issues have not been addressed and would need to be considered prior to any potential rezoning:</p> <ul style="list-style-type: none">The rehabilitation of the quarry is not yet complete.No traffic analysis has been submitted to demonstrate the impact on the Vienne Dr/Merindah St intersection.The rezoning does not provide direction that a road or pedestrian connection through the site will or will not be constructed.The quarry rises unique considerations:<ul style="list-style-type: none">What improvements would be required to the land ensure the quarry was safe?What would be the on-going maintenance requirements?What would the ongoing risk exposure be?The land is on the southern side of a steep escarpment /quarry face and subject to significant overshadowing.Would the proposed open space be fit for purpose and enhance Council’s POS network?In the event the quarry was to remain in private ownership, how would it be managed? <p>For the above reasons the application of the Open Space Zone would be inconsistent (or least premature) with OSZ1 of the Guidelines. Similarly, the application of the General Residential Zone would be inconsistent GRZ3.</p> <p>The STRLUS requires that precinct structure plan be completed and incorporated into the Scheme through the application of SAP’s through the Rezoning Process. This work has not been completed and is necessary to address the issues outlined above. It is normally expected that the landowner would complete this work.</p> <p>For the reasons outlined above the request is not supported.</p>					
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation				
	Rezoning: 102 & 106 Pass Road, Rokeby							
24	Representation 24 requests that the properties at 102 & 106 Pass Road, Rokeby be rezoned to General Residential.	It is requested that the properties at 102 & 106 Pass Road, Rokeby be rezoned from Future Urban to General Residential to reflect the TPC’s approval of Amendment A-2018/3 granted on 22 October 2019.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	Rezone the land at 102 & 106 Pass Road, Rokeby to General
Overview assessment								
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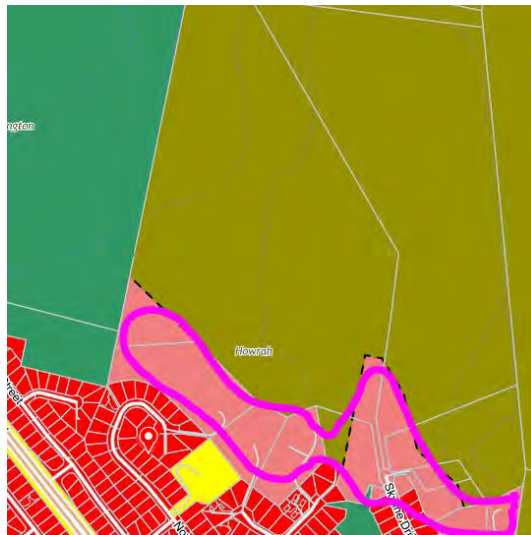
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Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 24 Stanton Place																									
22	<p>Representation 22 requests that the properties on the eastern side of Stanton Place, or alternatively just 1 and 24 Stanton Place, be zoned PPZ – Cambridge Commercial.</p> 	<p>It is submitted that <i>"there is a variety of existing use and development on the Stanton Place and Loongana Close properties including offices, medical centre, self-storage and warehouses. Within the area the uses vary more broadly including the existing commercial development at the Harvey Norman Centre directly eastward.</i></p> <p><i>The subject land includes a site (24 Stanton Place) adjacent to the highway which has been long intended to be developed for a proposal which suits the sites prominent highway location rather than for more industrial type activities like warehousing or similar.</i></p> <p><i>The landowner has also in the past had in discussion with State Growth and been given concept approval for redesign of the existing Harvey Norman Centre highway access to provide highway access to the Stanton Place site."</i></p> <p>For this reason, it is requested that the properties on the eastern side of Stanton Place, or alternatively just 1 and 24 Stanton Place, be zoned PPZ – Cambridge Commercial.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>Yes</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Number 1 Stanton Place is already proposed to be zoned PPZ – Cambridge Commercial and on that basis no change is required on this site.</p> <p>Number 24 Stanton Place is currently an undeveloped site and the conversion from the existing CIPS2015 Commercial zone to the requested PPZ – Cambridge</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	Yes	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	Rezone the land at 24 Stanton Place to PPZ – Cambridge Commercial. The recommendation has no impact on implementing the draft LPS as a whole.
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			<p>Commercial zone would represent a more direct translation of the current scheme than the Light Industrial Zone contained in the exhibited Draft LPS. Additionally, there is a possibly that the site could gain alternative access from Stanton Place. For this reason, the requested rezoning of this site to is supported.</p> <p>The potential rezoning the of remaining eastern side of Stanton Place is not supported for the following reasons:</p> <ul style="list-style-type: none">• The majority of the lots are already developed.• Access to these sites is via the one road servicing light industrial development• The majority of the property owners did not request the land be rezoned, did not make a representation on the exhibited draft LPS and are unaware to the request to rezone their land.																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 10 Loinah Road, Montagu Bay																									
25	<p>Representation 25 requests that the property at 10 Loinah Road, Montagu Bay be rezoned from Community Purpose to General Residential.</p> 	<p>The property at 10 Loinah Road (CT 41023/2) is an approximately 880m2 lot developed with a church and community meeting hall. The land is proposed to be zoned Community Purpose under the Draft LPS.</p> <p>The land has recently been sold and is no longer owned or operated by the church, and the new owner intends to redevelop the site with two dwellings. To facilitate this, it is requested that the land be rezoned to the General Residential.</p> <p>It is submitted that:</p> <ul style="list-style-type: none">• The site is within the STRLUS UGB and provides opportunity for infill development.• The site is surrounded by General Residential Zoned land.• The site is privately owned and will not be used, or developed for community uses, and for this reason the current Community Purpose zoning represents an isolated anomaly.• The site is close to community services and facilities.• The site has frontage to Loinah Road.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The representation is supported for the reasons provided. Additionally, it is noted that:</p> <ul style="list-style-type: none">• The rezoning of the land would not result in natural justice issues and would not introduce land use conflict with the surrounding area on the basis that the adjoining lots are all zoned General Residential and developed with dwellings and residential would be the anticipated use.• The land is of a suitable size with sufficient	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>Rezone the land at 10 Loinah Road, Montagu Bay to General Residential.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			frontage to provide for the development of either 2 multiple dwellings or alternatively a two-lot subdivision. Providing for housing options in a preferred area is consistent with the STRLUS and would assist the delivery infill targets.																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 1215 Acton Road, Cambridge																									
41	<p>Representation 41 requests that the property at 1215 Acton Road, Cambridge be rezoned from Rural Living to LDR.</p> 	<p>The property at 1215 Acton Road, Cambridge (CT 162066/1) is approximately 2.46Ha lot proposed to be zoned Rural Living under the Draft LPS. It is submitted that the representor's client objects to the application of the Rural Living Zone and requests that the subject site be rezoned to LDR for the following reasons:</p> <ul style="list-style-type: none">• The LDR zone more appropriately reflects the existing development pattern and use of the land in the immediate area of the subject property; and• that the Rural Living zone provides for uses the are incompatible with character of the area.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The land at 1215 and 1211 Acton Road has historically hosted a range of uses and been subject to a several subdivision applications.</p> <p>On 20 June 2005 the RPDC refused a S.43A application at 1211 Acton Road (known as 1215 and 1211 today). The property was zoned Rural Residential and the application was for density changes (DR4 to DR5) and a 5-lot subdivision (plus balance) under the then ESPA21985. DR4 provided for an average density of one lot/Ha and a minimum lots size of 4000m2 (where not more than one third of the lots are less than 1ha). DR5 specified a minimum lot size of 4000m2 and did not prescribe an average density requirement.</p> <p>The RPDC refused the amendment as it did not provide for the fair, orderly and sustainable use or development of the land in the Acton District and it did not demonstrate sound strategic planning.</p> <p>In a letter dated 12 January 2007 Council confirmed that</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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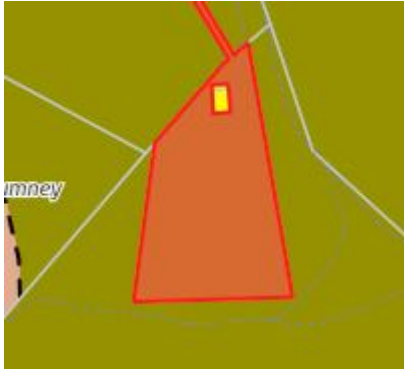
			<p>the site had existing use rights as a depot for earthmoving and contracting business.</p> <p>On 5 Feb 2008 Council approved SD-2007/95 for a 2-lot subdivision (plus balance) of 1211 Acton Road. The permit has sustainably commenced through the creation of lot 3 (now 1211 Acton Rd) and Lots 1 & 2 (yet to be created) comprise the subject lot (1215 Acton Road).</p> <p>The proposal is outside the STRLUS UGB accordingly, before the proposal could be considered, it would be necessary to first amend the STRLUS UGB. An urban expansion beyond the UGB is not only contrary to LUPAA but has broader implications for the strategic planning of Greater Hobart and is not supported.</p>																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Rezoning: 8 & 14 Driftwood Drive, Opossum Bay																									
58, 59 & 99	<p>Representations 58 and 59 were submitted by the same consultant requesting that the property at 8 and 14 Driftwood Drive, Opossum Bay be rezoned from Rural Living to LDR.</p> <p>Representation 99 was a late submission outlining support for the above representations.</p> 	<p>The property at 8 Driftwood Drive, Opossum Bay (CT 12001/1) is an approximately 0.96Ha lot. The property at 14 Driftwood Drive, Opossum Bay (CT 12001/2) is an approximately 1.2Ha lot. Both properties are proposed to be zoned Rural Living B under the Draft LPS.</p> <p>The representor objects to the application of the Rural Living Zone and requests that the subject properties be rezoned to LDR for the following reasons:</p> <ul style="list-style-type: none">• Almost every Rural Living zoned lot within the area has been developed for residential purposes (including the subject lot).• They are all subminimum lots significantly below the 2.0Ha prescribed by the application of Rural Living Area B proposed.• The Rural Living zone provides for uses the are incompatible with character of the area.• The LDR zone more appropriately reflects the existing development pattern and use of the land to the north and west.• The LDR zone would provide infill opportunities and more effective utilisation of existing infrastructure. <p>In addition, Representation 59 relating specifically to 14 Driftwood Drive, states that if the above is not supported then <i>“at a minimum Council should apply the LDR zone to that area of the subject land fronting onto Spitfarm Road consistent with the proposed zone and existing development to the south and north. The zone boundary would match the rear of the existing lots to the south extending northwards to the adjoining LDR subdivision”</i>.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>No (State Coastal Policy)</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>No (Split zoning)</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Representation 58 and 59 were received within the statutory exhibition period. Representation 99 was received on 20 March 2020 (the cut off was COB 17 March 2020). The timing raises no issue and should be considered with the other representations pursuant to Section 35F(2)(b) of LUPAA).</p> <p>Under the STRLUS Opossum Bay is identified in Table 3 (p89) as a <i>Dormitory Suburb</i> with a <i>Very Low</i> growth strategy achieved through <i>Consolidation</i>. This is clarified on p86 to mean no new potential dwellings except Single Dwellings on existing lots.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	No (State Coastal Policy)	the Guidelines	No	TPC Drafting Instructions/Practice Notes	No (Split zoning)	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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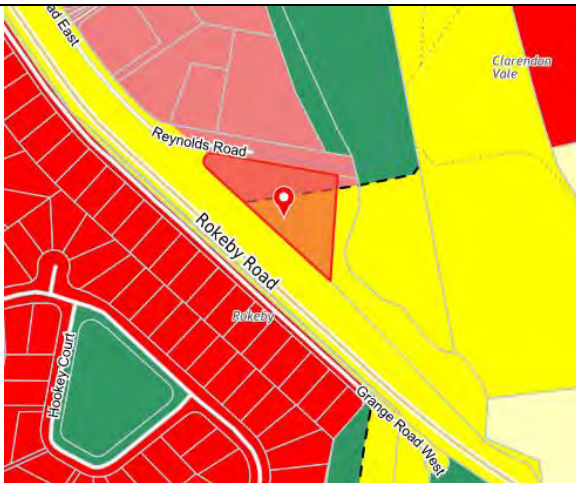
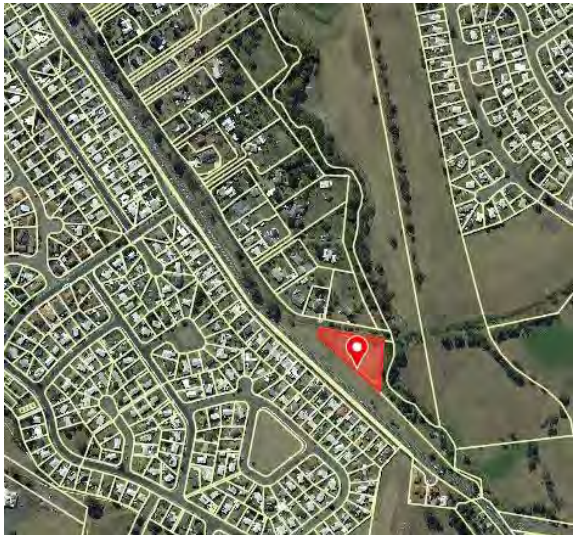
			Accordingly, before the proposal could be considered under the STRLUS, it would be necessary to first amend the STRLUS through a revised growth strategy for Opossum Bay. The proposal is contrary to the STRLUS and LUPAA. Additionally, it has broader implications for the strategic planning of Greater Hobart and is not supported.																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
62	<p>Rezoning: 18 Hyden Rd, Geilston Bay</p> <p>Representation 62 requests that the property at 18 Hyden Rd, Geilston Bay be rezoned from Future Urban to General Residential.</p> <div></div>	<p>It is submitted that:</p> <ul style="list-style-type: none">Land in proximity to the site is being developed for residential purposes.The representor cannot afford the survey/reports required to support the rezoning until they have the security to subdivide (through LPS exhibition process).The majority of the site is “reasonably flat” and suitable for building homes.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The property at 18 Hyden Rd, Geilston Bay (CT 33061/1) is an approximately 3.2Ha lot developed with an existing dwelling and associated outbuildings. The remainder of the site is interspersed with existing vegetation. It is approximately 100m away from the TasNetworks substitution at 60 Hyden Road and burdened by an 85m wide transmission line easement.</p> <p>Under the STRLUS the lot has been identified as being within a Greenfield Development Precinct and is zoned Particular Purpose Zone 1 – Urban Growth under the CIPS2015. Under the draft LPS the site is proposed to be zoned Future Urban representing a “like for like” translation of the CIPS2015.</p> <p>The submission is not supported for the following reasons:</p> <ul style="list-style-type: none">Spot rezoning is not strategic in nature and there are several other Future Urban Zoned lots within	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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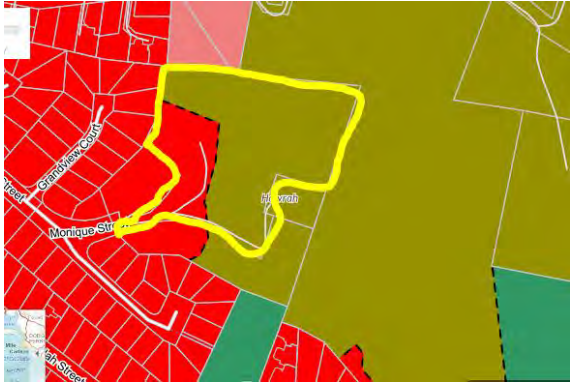
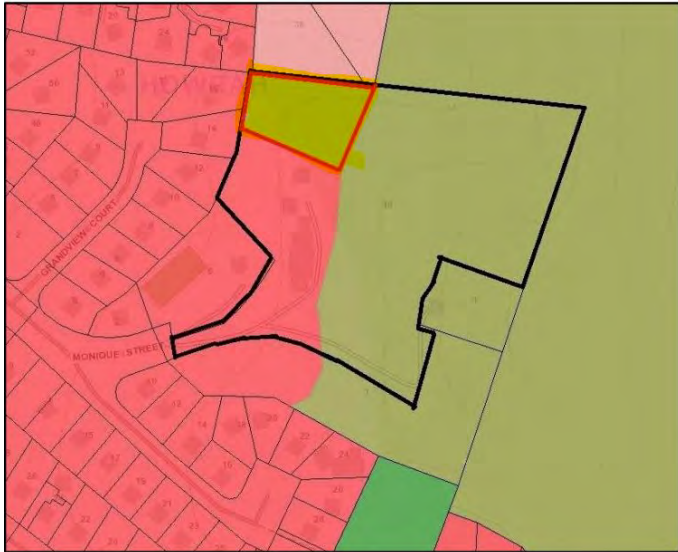

			<p>the adjoining Risdon Vale Area that ought to be considered as part any strategic review/change.</p> <ul style="list-style-type: none">The STRLUS requires that precinct structure plans be completed and incorporated into the Scheme through the application of SAP’s as part of the Rezoning Process. This work has not been completed and usually expected to be completed by the landowner.The subject lot is known to be constrained in terms of access, topography, easements proximity to electricity transition infrastructure and remnant vegetation. Assessment of these matters would need to be considered as part of any decision to rezone the land and no supporting information was provided to make the case.																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Rezoning: 100 Skyline Drive, 5 Zenith Court, 18 Newhaven Drive and 125 Norma Street, Howrah																									
34	<p>Representor 34 was submitted obo the Howrah Hills Landcare Group and is opposed to the application of the LDR Zone to 100 Skyline Drive, 5 Zenith Court, 18 Newhaven Drive and 125 Norma Street, Howrah.</p> 	<p>Representor 34 was submitted obo the Howrah Hills Landcare Group and provided a historical account of the planning controls and relevant past decisions of the RPDC, RMPAT and the Supreme Court. It is submitted that past decisions have not been reflected in the draft LPS as it relates to the Howrah Hills area and specifically the properties at 100 Skyline Drive, 5 Zenith Court, 18 Newhaven Drive and 125 Norma Street, Howrah.</p> <p>As part of a RMPAT mediation process associated with the subdivision of 100 Skyline Drive, the owner, Council and various third parties entered into an agreement (copy provided with the submission) to allow seven dwellings on 100 Skyline Drive, the remainder of which was to be designated landscape and skyline conservation. Part of the agreement was for a section of 100 Skyline Drive to be zoned “Residential C” under the ESPS1964 to enable the construction of one dwelling on each of the seven lots.</p> <p>The ESPS1964 “Residential C” Zone was successively converted on a “like for like” basis to the CPS2007 and the current CIPS2015 as Low Density Residential. This was supported by the by the Howrah Hills Landcare Group on the basis that zoning prevented further subdivision and the respective Use Tables prohibited Multiple Dwellings.</p> <p>The representor acknowledges that the enforcement of the agreement is a matter outside of the of the planning scheme. However, the concern is that application of the LDR Zone under the draft LPS no longer reflects this agreement as the new LDRZ provides for narrower lots frontages and the construction of Multiple Dwellings and it submitted that orderly planning should allocate a zone that most accurately reflects the land’s capacity to be developed. It is not stated what this zone ought to be, however, the submission concludes that the site warrants the development of a SAP.</p> <p>It is submitted that the application of the LDR Zone at 5 Zenith Court, 18 Newhaven Drive and 125 Norma Street Howrah (and the western portion of 100 Skyline Drive) is unsuitable and inconsistent with the Guidelines for the following reasons:</p> <ul style="list-style-type: none">There are areas of significant vegetation and the land has landscape value. Yet the Guidelines state at LDRZ3 the that the LDR Zone should not be applied for the purpose of protecting area of important natural or landscape values.There has not been a review to justify a change higher density.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>It is considered that the representor’s concerns do not warrant modification to the draft LPS for the following reasons:</p> <ul style="list-style-type: none">The subject LDR zones associated with 100 Skyline Drive, 5 Zenith Court, 18 Newhaven Drive and 125 Norma Street Howrah are within the STRLUS UGB.The issue was raised during the exhibition of the	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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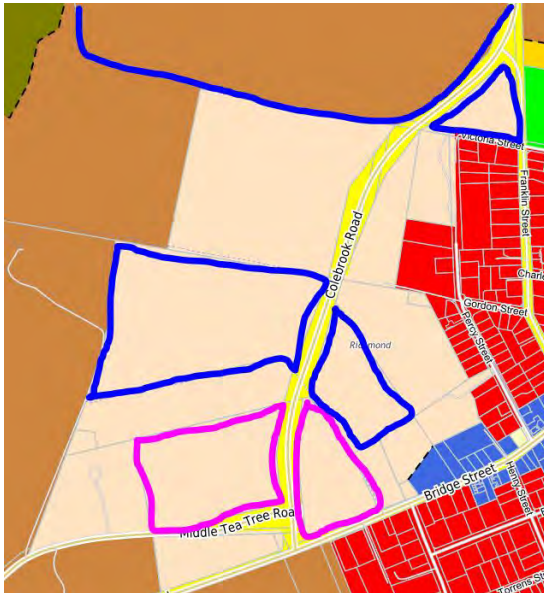
		<ul style="list-style-type: none">The zone delineation on the 120m contour is higher than the title covenants restricting construction below the 90, 96 and 100 contours.The LDR Zone would be in conflict with the respective title covenants. <p>It is requested that these properties be rezoned Rural Living.</p>	<p>CIPS2015 and the TPC ultimately agreed that the subject lots should be zoned LDR. The draft LPS LDR is a translation of the CIPS2015 LDR in this location and is the most direct or “like for like” conversion. Contrary to the representor’s submission, this approach is entirely consistent with the Guidelines at LDRZ1(c) which recognises existing areas that do not warrant higher densities (i.e. General Residential).</p> <ul style="list-style-type: none">In the above context, it is considered that the application of LDR Zone is strategically the most appropriate zone. While there are differences between the CIPS2015 LDR and SPP LDR Zone provisions some change is inevitable, and to some extent, must be accepted as part of the process. Concerns about the detail or controls with the SPP’s is not an issue that can be addressed through the draft LPS or any potential modifications to it.The previous agreement can, and should be, a matter managed outside of the development and implementation the LPS.Covenants on titles are stand alone and may be enforced outside of the development and implementation the LPS.No SAP has been developed for the area.The respective landowners have not expressed a desire to rezone their land. Similarity they have not expressed a desire to develop a SAP, or indeed are not aware that a third party wishes to impose one on their land. This rises significant natural justice issues and denial of due process.It is not appropriate to hold up the determination of the LPS pending the development of a potentially suitable SAP.																					
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																				
	Rezoning: 80 Tullah Road, Mornington																							
36	Representor 36 requested that a portion of the land at 80 Tullah Rd, Mornington be rezoning from Landscape Conservation to Light Industrial.	<p>The land at land at 80 Tullah Rd, Mornington is a an approximately 8.6Ha lot with frontage and access from Tullah Road.</p> <p>Representor 36 submitted that the land is zoned Environmental Living under the CIPS2015 and that the conversion to Landscape Conservation under the draft LPS is a significant shift in the development potential of the land. Specifically, a Single Dwelling is a Permitted used in the CIPS2015 Environmental Living zone and Discretionary under the SPP’s Landscape Conservation zone.</p> <p>It is submitted that the land, whilst subject to a number of Codes, it does not have any conservation status and the rezoning of a 4.2Ha portion of the lot (approximately half) would provide for the future expansion of the Mornington Indusial Estate.</p> <p>Area the representor proposes to be rezoned:</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>No (additional split zoning)</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	No (additional split zoning)	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation								
	Rezoning: 455 Mount Rumney Road, Mount Rumney											
57	Representor 57 requested that the land at 455 Mount Rumney Road, Mount Rumney be rezoned from Landscape Conservation to Rural Living B.	The land at land at 455 Mt Rumney Rd is a an approximately 2.5Ha internal lot with access to Mount Rumney Road via an approximately 850m long combined right of way (CT 154947/1). The site surrounds a 370m2 property (comprised of lots CT 1183101 and CT 24842/4 being 70m2 and 300m2 respectively) owned by Transend known as 463 455 Mt Rumney Rd and zoned Utilities as shown below:	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	No modifications to the draft LPS required. The recommendation has no impact on
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		 <p>The representor submitted that the land is zoned Environmental Living under the CIPS2015 and that the conversion to Landscape Conservation under the draft LPS is a significant shift in the development potential of the land. Specifically, a Single Dwelling is a Permitted use in the CIPS2015 Environmental Living zone and a Discretionary use under the SPP’s Landscape Conservation zone.</p> <p>To address this issue, it is requested that the land at 455 Mt Rumney Rd be rezoned from Landscape Conservation to Rural Living B and notes that vegetation values can be protected through the application of the Natural Assets Code.</p> <p>The representor also notes that the surrounding properties will be equally impacted through the application of the Landscape Conservation Zone.</p>	<table><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Under the provisions of the CIPS2015 the site is an existing subminimum lot with limited development potential. The most “like for like” conversion of the CIPS2015’s Environmental Living zone is the SPP Landscape Conservation Zone.</p> <p>The application of the Landscape Conservation Zone is consistent with Guidelines, Specifically, LCSZ 1,2, 3.</p> <p>Under the draft LPS and Landscape Conservation Zone provisions the lot would remain a subminimum lot and would provide for the discretionary consideration of a Single Dwelling.</p> <p>In isolation spot rezoning is not strategic in nature and more broadly, the application of the Rural Living Zone would be inconsistent with Guideline RLZ 2 in that (a) it is not required to implement the STRLUS and (b) the CIPS2015 Environmental Living Zones lot 20Ha sizes cannot be maintained.</p> <p>For these reasons the requested rezoning is not supported.</p>	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	implementing the draft LPS as a whole.
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Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation														
	Rezoning: 23 Grange Road East, Rokeby																	
88	Representor 88 requested that the land at 23 Grange Road East, Rokeby be rezoned from LDR and Utilities to Local Business.	<p>The property at 23 Grange Road East, Rokeby (CT17290/20) is a 4439 m2 lot located approximately 450m south of the intersection of Rokeby Road and Grange Road East. The property has frontage onto Rokeby Road and is developed with a single dwelling and associated outbuildings.</p> <p>The site is currently dual zoned LDR and ‘Particular Purpose’ (Future Road Corridor) under the CIPS2015 (‘the Scheme’). The site is also subject to the Waterway and Coastal Protection overlay. Land further to the east is subject to the Electricity Transmission Infrastructure Protection overlay and Heritage Area overlay.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>Yes (reduction in split zones)</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	Yes (reduction in split zones)	Local Strategy/Policy	N/A	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																		
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TPC Drafting Instructions/Practice Notes	Yes (reduction in split zones)																	
Local Strategy/Policy	N/A																	

 	<p>The zones have been translated into the draft LPS on a “like for like” basis as LDR and Utilities respectively. The representor states that this zone configuration constrains the development of the site and that the development of the draft LPS is “<i>an opportunity to reconsider the appropriate zoning of this parcel of land located at the intersection of a number of different natural and existing land use/zoning features</i>”.</p> <p>It is submitted that removing split zoning from the site would remove arbitrary restrictions on future uses of the site and it is requested that that the entire site be zoned Local Business.</p> <p>To support this request, it is submitted that:</p> <ul style="list-style-type: none">• The surrounding area is characterised by LDR dwellings to the north and medium density residential dwellings to the west.• The existing access to Rokeby Road appears to have good visibly/sight distances.• The LPS supporting report (p57) clarifies that several properties were rezoned to rationalise split zonings, however, it is unclear why this site was omitted.• There is no clear evidence that the land is required for Utilities (Rokeby Bypass Rd) uses and hence the appropriateness of this proposed zoning is debatable. <i>“Further, in communication with Council it has come to light that the land previously zoned Particular Purpose Zone (Future Road Corridor) is not required for any future road purpose. It is understood that with the upgrades undertaken to Rokeby Road (i.e. the South Arm Highway Development, within 1.3 km to the north of the site) the initially proposed diversion of traffic further to the east is not anticipated. Council has advised that the land previously associated with the Future Road Corridor is to be incorporated into a revised Open Space strategy for the local area”.</i>• The Local Business Zone is considered an appropriate land zone, given the site’s relatively flat topography, location, size (4439m2) triangular shape, 128m frontage to Rokeby Road and the inherent ‘standalone’ nature of the site, being surrounded by roads on two sides and the Clarence Plains Rivulet on the third.• <i>“The site is ideally located to provide additional services to the expanding local community, that would complement, and add to the already existing facilities located within 1km south of the site along Rokeby Road. For example, standalone uses, such as a Petrol station, Fast Food Services Site, Plant Nursery, Vet/Pet Hospital or Motel could be accommodated on the site.”</i>• The site is located within the STRLUS UGB and local centres of this order can be determined at the local level and it is noted that it would be consistent with the Clarence Activity Centre Strategy (2013) as the proposed zoning to Local Business does not threaten the viability of the proposed Neighbourhood Centres and is consistent with the Southern Clarence Neighbourhood Activity Centre (NAC) strategy.• The application of the Local Business Zone would be consistent with Guideline No.1 Local Provision Schedule (LPS): zone and code application, s3.4 “The primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible...”.• <i>“The proposed alternate zoning does not rely on any modification of the SPP to achieve the appropriate zoning of the land. No change is proposed to the transition of the Waterway and Coastal Protection Overlay, to the Natural Assets Code – Waterway and Coastal Protection Overlay. Accordingly, the proposed alternate zoning will maintain the Clarence draft LPS status as fully compliant with LPS criteria of section 34 of the Land Use Planning and Approvals Act 1993”.</i>	<table><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>It is accepted that the land is located within the STRLUS UGB and Local centres of this order can be determined at the local level. However, no information was provided demonstrating the need for additional local business land/floor space in this section of Rokeby, and nor was any information provided demonstrating the impact that the proposed rezoning could have on the continued viability of nearby centres. It is considered that this information is required to inform the appropriateness of an additional centre at the local level.</p> <p>While potential recreation/open space planning in this area is underway, and despite the representors claim to the contrary, at this time there has been no commitment from Council to abandon the future Rokeby Bypass corridor. Indeed, the representation from State Growth (Rep 43) specifically requested the retention of the Utilities Zone to cater for the future Bypass. It is noted however, that should the State Growth representation be supported, it would result in the removal of the Utilities zone from the subject property and would go some way to alleviating the representors concern.</p> <p>Any final masterplan adopted by Council in the future that has implications for the future Rokeby Bypass, can be implemented through a suitable planning scheme amendment at the appropriate time.</p> <p>Given the inherent uncertainties it is considered premature to rezone the property to Local Business at this time.</p>	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No
	a “like for like” conversion of the CIPS2015	No								
	Natural Justice issues	Yes								
	Does the representation relate to the drafting/content of the SPP’s?	No								
	Does the merit of the representation warrant modification to the exhibited LPS?	No								
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation						
	10 Monique Street, Howrah (Dual Zoning)									
37	Representation 37 was concerned about the dual	The land at 10 Monique St, Howrah is dual zoned. While the zoning reflects a “like for like”	Overview assessment	Rezone a portion of the						










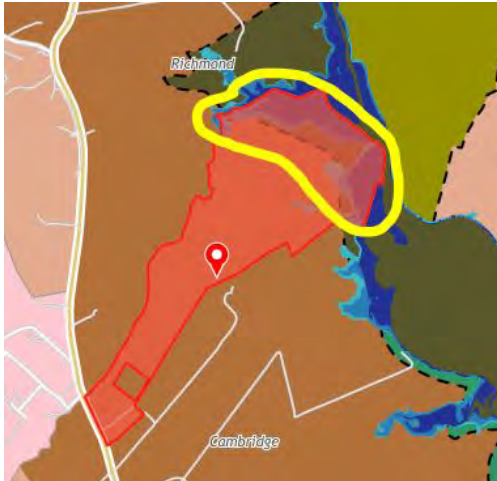









<p>zoning of the land at 10 Monique St, Howrah and requests a shift in the zone delineation.</p> 	<p>conversion of CIPS2015 the concern is that it is not clear how the zone boundary arose, and the representor submits that the area identified the figure below should be rezoned from Landscape Conservation to General Residential.</p>  <p>To support this proposal the representation was accompanied by a natural values assessment, by North Barker dated 19 August 2019. In summary, the natural values assessment describes the areas as being largely cleared of understory, and of poor quality in comparison to the larger area upslope.</p>	<table><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>Yes (rationalise split zone alignment)</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>While the zoning reflects a “like for like” conversion of CIPS2015, in this instance the rezoning requested can supported for the following reasons:</p> <ul style="list-style-type: none">• The subject area is within the STRLUS UGB and rezoning the land as requested would further the STRLUS, providing additional infill opportunity in a preferred location.• It would provide for the more efficient utilisation of land• The rezoning would represent a relatively minor zone alignment confined to the same lot.• The rezoning of the land would not result in natural justice issues and would not introduce land use conflict with the surrounding area on the basis that the adjoining lots to the west is zoned General Residential and the land to the north is zoned LDR. <p>STRLUS UGB</p> 	Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	Yes (rationalise split zone alignment)	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<p>land at 10 Monique St. Howrah (as shown in the representation) from Landscape Conservation to General Residential.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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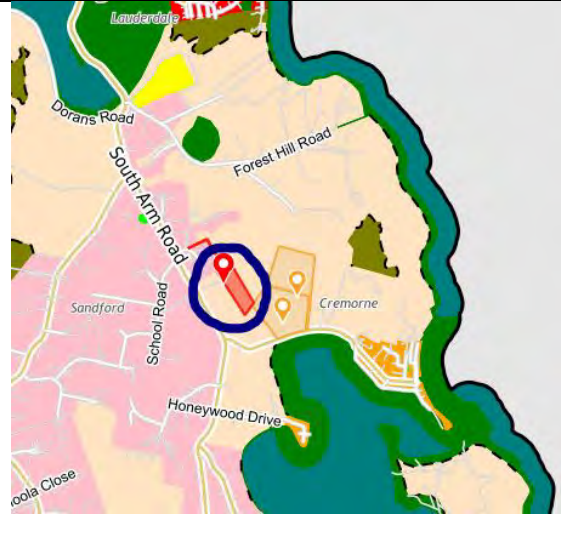

Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																																					
	Colebrook Road - severed titles																																								
52(&53)	<p>Representation 52 (&53) was submitted obo of three landowners who have had their respective lots severed by the construction of Colebrook Road (or the Richmond Bypass). A special provision is requested to enable the subdivision of the severed lots.</p> 	<p>It is submitted that <i>“the severing of the subject titles has created 3 residual parcels to the east of the link road (i.e. adjacent to the Richmond Village area) with the following areas:</i></p> <ul style="list-style-type: none">• <i>Residue of 20 Middle Tea Tree Road = approx. 2.8ha;</i>• <i>Residue of 66 Middle Tea Tree Road = approx. 3.2ha;</i>• <i>Residue of Lot 1 Colebrook Road = approx. 1.5Ha</i> <p><i>There are no dwellings on any of the 3 residual parcels however, the land overall clearly is now more associated with the village than the larger rural parcels to the west of the link road: the Colebrook Road link has created a more defined boundary to the western margin of Richmond township and the subject residual parcels parcel of the subject land sit clearly within that area.</i></p> <p><i>Prior to the Colebrook Road link being constructed the subject lands were zoned Rural under the Clarence Planning Scheme 2007. In the translation to the interim scheme the land was logically placed in the comparable Rural Resource Zone. The minimum lot size remains the same at 20ha, so the subdivision potential of the land has not changed (there is none). Nor has the potential for any more than a single dwelling been altered. The only difference under the draft LPS is that the minimum lot size under the Rural Zone will be 40ha. The 3 residual parcels are not significant agricultural land and have very little potential to support agricultural activity including grazing because of their severance into 2 parcels. The larger western parcels could conceivably be adhered to adjoining land in other ownership to add value as a larger sustainable agricultural unit and it is acknowledged that under clause 20.5.1 of the SPP this could occur. This option is not practically available for the smaller eastern parcels. Further, if the adjoining land in other ownership to which either parcel could adhere is also of little agricultural value and/or the respective owners do not want to adhere more unproductive land then both parcels just became sterilized.</i></p> <p><i>Moreover, a single dwelling cannot be developed on one parcel without sterilizing the other. Nor is it possible to build multiple dwellings (and so strata title) within the Rural Zone. It is appreciated that multiple dwellings would be generally inconsistent with the strategic intent of the zone however. The owners of the subject land accordingly are seeking some flexibility to each create two separate (subminimum) titles. In terms of potential outcomes the building of a single dwelling on each parcel would have minimal impact on the integrity of the township.”</i></p> <p>To address the issue the representor requests that the following new Site-Specific Qualification be inserted into the LPS:</p> <table><tr><th colspan="5">CLA-Site-specific Qualifications</th></tr><tr><th>Reference number</th><th>Site reference</th><th>Folio of the Register</th><th>Description (modification, substitution or addition)</th><th>Relevant Clause in State Planning Provisions</th></tr><tr><td>CLA-20.5</td><td><ul style="list-style-type: none">• Lot 1 Colebrook Road, Richmond;• 66 Middle Tea Tree Road, Richmond;• 20 Middle Tea Tree Road, Richmond</td><td>168119/1; 168391/1; 168392/2</td><td>An additional criterion under P1 for these sites is: “or (d) be for the excision of the identified parcels of land.”</td><td>Rural Zone – clause 20.5.1 Lot design</td></tr></table>	CLA-Site-specific Qualifications					Reference number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions	CLA-20.5	<ul style="list-style-type: none">• Lot 1 Colebrook Road, Richmond;• 66 Middle Tea Tree Road, Richmond;• 20 Middle Tea Tree Road, Richmond	168119/1; 168391/1; 168392/2	An additional criterion under P1 for these sites is: “or (d) be for the excision of the identified parcels of land.”	Rural Zone – clause 20.5.1 Lot design	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>Yes (will assist to align zones with cadastre)</td></tr><tr><td>Local Strategy/Policy</td><td>Will not compromise the Richmond Cultural Resource Management Plan</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>This issue is not new to Council and was a matter considered in response to representations received following exhibition of the CIPS2015. While the matter was proposed to be addressed through modification to the subdivision standards in the Rural Zone and supported by Council, ultimately it was seen as a regional matter and not approved by the TPC.</p> <p>This matter is not isolated to the Richmond Bypass Road, and ideally, is a matter that would be more appropriately managed via a modification to the SPP’s. However, the mechanism proposed the representor is workable, would not compromise the STRLUS, the Richmond Cultural Resource Management Plan and would provide for more efficient use of land.</p> <p>For these reasons outlined above the request is supported.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	Yes (will assist to align zones with cadastre)	Local Strategy/Policy	Will not compromise the Richmond Cultural Resource Management Plan	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<p>That the proposed Site-Specific Qualification be inserted into the LPS to provide for the ability to apply to severance titles on the eastern side of the Richmond Bypass Road.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
CLA-Site-specific Qualifications																																									
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	4 & 6 Paige Court, Warrane – Dwelling Density / Zoning																																								

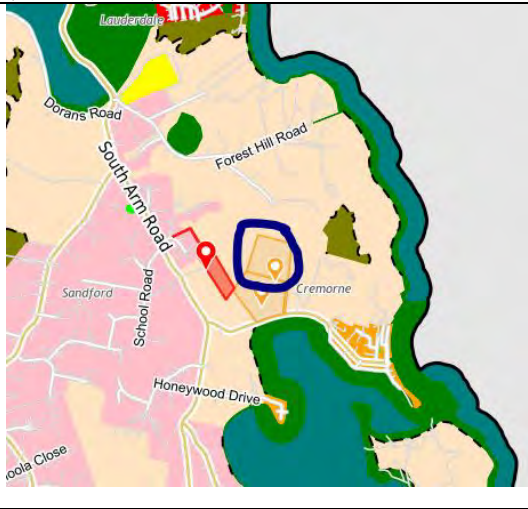

63	<p>Representation 63 expressed concern about the maximum dwelling density applicable to 6 (&4) Paige Court, Warrane.</p> 	<p>It is submitted that:</p> <p><i>"We own a parcel of land at 6 Paige court, Warrane and due to its topography, location close to bus stops, Eastlands and services we feel it should be included in the local provisions to allow for a medium/higher density apartment style development less than the current 325m2 per unit allowed for in the current residential zoning to allow for an apartment complex of 20-25 apartments."</i></p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>Yes – but can be addressed in other ways</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The subject land is comprised of two adjacent vacant lots Known as 4 and 6 Paige Court. 4 Paige Court (CT 173671/4) has an area of 3430m2 and 6 Paige Court (CT 173671/5) has an area of 4237m2.</p> <p>The representor did not specify how their concern ought to be accommodated i.e. modification to the General Residential standards, change of zoning, SAP or Site-Specific qualification. In this instance, should an increased density be supported, it is considered that rezoning the two properties to Inner Residential would be the most appropriate mechanism to address the representor's concern.</p> <p>Both properties are under the same ownership, have frontage to Paige Court, fully serviced and provide a unique housing infill opportunity in an area identified for densification under the STRLUS.</p> <p>Rezoning the properties would be consistent with the STRLUS. The rezoning would be consistent with elements of IRZ 1 of the Guidelines, but the area is not characterised by dwelling densities greater than that provide for under the General Residential zone.</p> <p>Whilst there may be merit in rezoning the properties it is noted the land is essentially two large internal lots fronting on to a cul-de-sac which raises the following concerns:</p> <ul style="list-style-type: none">Lack of consultation is likely to result in a denial of natural justice for:	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	Yes – but can be addressed in other ways	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			<ul style="list-style-type: none">○ the immediate adjoining landowners; and○ any landowners potentially impacted by increased density. This may include real or preserved impact on amenity and level of servicing.● No traffic analysis was provided and the impact on Paige Court/Cambridge Road intersection is unknown. The intersection may, or may not be suitable, and if so, what will be the anticipated impact on the level of service.● The lots have limited street frontage which will increase the demand on the availability of off-street parking and may require special consideration of rubbish collection of services. <p>For the above reasons increasing the site density through the application of the Inner Residential Zone (or other means) is considered premature and not supported at this time.</p>																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rezoning: 471 Cambridge Rd & 540 Pass Rd, Mornington																									
63	<p>Representation 63 requested that the land at 471 Cambridge Rd, Mornington & 540 Pass Rd, Cambridge be rezoned from Rural Living to General Residential.</p> 	<p>It is submitted that:</p> <ul style="list-style-type: none">● <i>The rezoning would assist with the current housing crisis.</i>● This land could provide up to 53 residential house blocks providing for both single and multiple dwellings.● The site is on the boundary of the current residential zoning, is able to be fully serviced without the need for huge infrastructure upgrades and has good access to the highway.● <i>“I've heard all the arguments about it not being in the current urban growth boundary that was determined years ago and is hardly relevant now but can someone explain to me what is the possible negative impact to Council or the community of rezoning this land??”</i>● <i>“The road network will support it, there is clearly strong market demand, it will increase rates revenue for council and there is no financial risk to Council or Government as we the developers will fund the project.”</i> <p>A submission has been prepared and lodged with Council presenting the case for expansion of the STRLUS UGB in this location.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The subject land is comprised of two adjacent vacant lots. 471 Cambridge Rd (CT 37975/1) has an area of 2.12Ha and 540 Pass Rd (CT 53672/1) has an area of 1.8Ha.</p> <p>Council will recall that this matter was considered by Council at its meeting of 1 February 2016 following the</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>Consistent with Council’s decision of 10 August 2020, that the land at 471 Cambridge Rd, Mornington & 540 Pass Rd, Cambridge be rezoned from Rural Living to General Residential.</p> <p>The recommendation has minor impact on implementing the draft LPS as a whole.</p> <p>The reasons for Council’s decision in respect of this matter are:</p> <p>(i) <i>Precedents</i> – The land is similar in location and access to services as that at Atkins Street, Rokeby and other recent adjustments to other UGB</p> <p>(ii) <i>LPS Zoning</i></p>
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			<p>exhibition of the CPIS2015. The Report on the representation stated:</p> <p><i>“The subject land was previously zoned Rural Residential under the provisions of the CPS2007 and the conversion to Rural Living represented a “like for like” translation. It is also subject to a range of Code overlays including Bushfire, Landslide and Waterway and Coastal Protection Code.</i></p> <p><i>It is considered the representations do not warrant modification of the scheme for the following reasons:</i></p> <ul style="list-style-type: none"> <i>• The rezoning does not represent a “like for like” conversion of the CPS2007;</i> <i>• The land is outside of the STRLUS;</i> <i>• The rezoning has not been publicly exhibited and may be of public interest; and</i> <i>• The land adjoins third party land with similar zoning and characteristics who have not provided their support or been notified of any potential rezoning.</i> <p><i>Should the landowner intend to pursue the matter it ought to occur after an update of the STRLUS by way of an application for a planning scheme amendment supported by appropriate strategic justification at the time of application.”</i></p> <p>These circumstances remain unchanged. While there have been amendments to the STRLUS’s UGB, the site is still outside of it. The subject lots are zoned Rural Living under the CIPS2015 and were translated on a “like for like” basis to Rural Living under the draft LPS.</p> <p>Before the proposal could be considered, it would be necessary to first amend the STRLUS UGB. Additionally, the STRLUS requires that precinct structure plans be completed and incorporated into the Scheme through the application of SAP’s as part of the Rezoning Process. This work has not been undertaken.</p> <p>The proposal is currently contrary to the STRLUS and LUPAA.</p> <p>At its meeting on 10 August 2020 Council resolved to advise the Minister for Planning that it supports an amendment to the Southern Tasmanian Regional Land Use Strategy that expands the UGB to include the subject properties and provide a copy the report by Ireneinc & Smith Street Studio Planning and Urban Design dated December 2019 in support of the amendment.</p> <p>Accordingly, it is Council’s view that the land should be rezoned to General Residential.</p>	<p><i>Guidelines –</i></p> <p>Incorporation into the UGB is consistent with LPS Zoning Guidelines</p> <p>a. GRZ1(b)</p> <p>The land is easily connected to a reticulated water supply service and reticulated sewerage system that are provided to neighbouring developed residential land, i.e the land is a natural extension of existing urban development</p> <p>b. GRZ2(c) Is supported by the more detailed strategic analysis in the report by Ireneinc & Smith Street Studio Planning and Urban Design</p> <p>(iii) <i>Land Banking–</i> currently 200Ha of undeveloped land exists in the Clarence Municipality. At a time of high demand, the underdevelopment of available land is artificially constraining supply</p> <p>(iv) <i>Affordable land</i></p> <p>- The land is the only remaining land in the Mornington catchment and is surrounded on two sides by urban residential development.</p>
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation
	TasWater: Misc. Rezoning to Utilities			

70	<p>Representation 70 was from TasWater who advise that their land at 111 Canopus Rd, Mount Rumney, 18a Bayside Dr, Lauderdale and 1B Tianna Rd, Lindisfarne (Natone Hill) should be rezoned to Utilities.</p>	<p>TasWater submit <i>“that treatment plants for both water and sewer, and water storages should be zoned as Utilities, but pump stations are suited to the underlying/surrounding zoning remaining in place. There are also some other utility assets within the municipality, however due to their small size and that they sit on private land parcels and/or with undefined boundaries around the infrastructure, then the underlying/surrounding zoning is also most suitable.</i></p> <p>Each of the respective sites are developed with Reservoirs and shown below:</p> <table><tr><td>111 Canopus Rd, Mount Rumney</td><td>18a Bayside Dr, Lauderdale</td><td>1B Tianna Rd, Lindisfarne (Natone Hill)</td></tr><tr><td></td><td></td><td></td></tr></table>	111 Canopus Rd, Mount Rumney	18a Bayside Dr, Lauderdale	1B Tianna Rd, Lindisfarne (Natone Hill)				<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes (PI2.3)</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The requested rezoning recognises that each of the sites are developed with reservoirs and is consistent with Guideline UZ4 and unlikely to result in any natural justice issues.</p> <p>The submission is supported.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes (PI2.3)	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>The land at 111 Canopus Rd, Mount Rumney, 18a Bayside Dr, Lauderdale and 1B Tianna Rd, Lindisfarne (Natone Hill) be rezoned to Utilities.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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	Split zoning: 819 Richmond Road, Cambridge																															
74	<p>Representation 74 was concerned about the alignment of the Agriculture/Environmental Management zone delineation on their land at 819 Richmond Rd, Cambridge and requested a realignment to assist agricultural and weed management practices.</p> 	<p>It is submitted that that zone delineation has been established by a straight line and doesn’t reflect land capability and constraints. It is requested that zone aliment ought to follow the inundation mapping as it will assist agricultural and weed management practices.</p> <table><tr><td>Aerial Imagery</td><td>Draft LPS Zones</td><td>LPS Zones & Inundation Overlay</td></tr><tr><td></td><td></td><td></td></tr></table> <p>Area requested to be rezoned:</p>	Aerial Imagery	Draft LPS Zones	LPS Zones & Inundation Overlay				<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>Yes (State Policy on the Protection of Agricultural Land 2009)</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>Yes</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the</td><td>Yes</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	Yes (State Policy on the Protection of Agricultural Land 2009)	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	Yes	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the	Yes	<p>Amend the Agriculture/ Environmental Management zone delineation at 819 Richmond Rd, Cambridge to reflect the Inundation Code overlay mapping.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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	Conservation Covenants Rezoning: Rural – Landscape Conservation																											
84	<p>Representor 84 was submitted by Conservation Landholders Tasmania and requests the following properties be rezoned From Rural to Landscape Conservation:</p> <p>173 Commercial Rd, Richmond 19 Mather Pl, Sandford 169 Cremorne Av, Cremorne 201 Cremorne, Cremorne</p>	<p>Conservation Landholders Tasmania (CLT) advise that the majority of properties in Clarence City municipality with conservation covenants have been correctly rezoned as Landscape Conservation. However, they submit that subject to the respective landowners’ agreement, the following 4 properties should be rezoned from Rural to Landscape Conservation:</p> <table><tr><td>173 Commercial Rd, Richmond (CT 134474/1)</td><td>19 Mather Pl, Sandford (CT 12931/50)</td></tr></table> <div></div>	173 Commercial Rd, Richmond (CT 134474/1)	19 Mather Pl, Sandford (CT 12931/50)	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>Yes</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	Yes	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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		<div><div><div>169 Cremorne Av, Cremorne (CT 24745/3)</div></div><div><div>201 Cremorne, Cremorne (CT 24745/2)</div></div></div> <p>It is submitted that most or all of each of these properties is subject to a conservation covenant, and therefore, have been 'identified for protection and conservation' by the Minister for Environment. Given the conservation covenants, zoning the properties Landscape Conservation is consistent with the Guidelines.</p> <p>CLT wrote to Council (19 December 2019) prior to exhibition asking Council to write to landowners with conservation covenants in their municipality informing them of the Landscape Conservation Zone option. This did not occur and CLT wrote to each of the above properties owners to advise of the proposed change of zone for their properties, and to outline the case for Landscape Conservation and how to make a representation on the LPS.</p>	<p>The draft LPS was exhibited in accordance with the Statutory Requirements with addition notifications as previously described. Council did not write specifically to the owners of the subject properties.</p> <p>Despite the CLT purporting to informing them, submissions were not received from any of the respective landowners.</p> <p>While the rezoning the properties to Landscape Conservation would be consistent with the Guidelines (LCZ 1), it is not considered appropriate (or consistent with the representation) to rezone the properties without landowner consent (and potentially knowledge). To do so would be a denial of natural justice circumventing the usual process.</p> <p>Even so, it is noted that any threatened fauna, flora or vegetation communities, as defined in Schedule 3A of the Nature Conservation Act 2002, will continue to be afforded protection through the respective covenants and the application of the Natural Asset Code under the Scheme.</p>	
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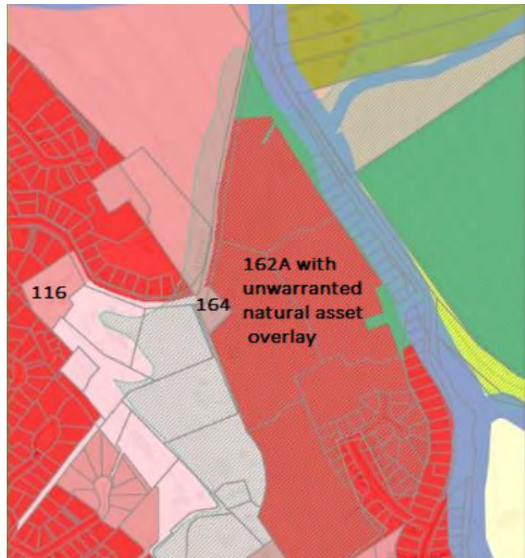
Code Related Issues


Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Airport Code Mapping																									
6	Representation 6 was made obo the Hobart Airport who advised that various Code overlay mapping required amendment.	<p>It is submitted that:</p> <ul style="list-style-type: none">The Natural Asset Code mapping is incorrect and does not reflect the values on the ground at the Hobart Airport. Ecological assessment reports identify some of this area as environmentally Significant Areas, the remainder of land area does not have significant vegetation present.Nearly all of the airport site is marked as Potentially Contaminated apart from an area adjacent to Llanherne Drive. HBA has undertaken contaminated land assessments and are able to identify specific at-risk areas.Within the Road and Rail Assets Overlay, Greuber Road has been marked as an asset, yet this has not yet been formally handed over to Clarence City Council. <p>The Hobart Airport wishes to provide Clarence City Council with current data for the revision of this overlay.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant</td><td>Yes</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	N/A	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant	Yes	<p>Remove all overlay mapping from the Commonwealth land.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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	C2.0 Parking and Sustainable Transport Code																									
72	Representation 72 requests Council to consider developing a parking precinct plan in to change the prescribed minimum parking rates to maximum parking rates.	It is submitted that now is “the time for Council to consider enacting a parking precinct plan in Activity Centers across Clarence as facilitated by 'C2.7 Parking Precinct Plan' in the SPP. This would involve changing the minimum parking rates to maximum parking rate. This will spur development within Clarence's Activity Centers as car parking can cost upwards of \$60,000 per space. The first Council to enact this across Greater Hobart but Tasmania more broadly, will become a destination for developers. This will drive a market-based approach due to the demand. Over the long term, the parking demand will decrease as maximum rates will make it cheaper to build inner city living close to transit corridors (Clarence Street, Rosny Park, Lindisfarne and Bellerive ferry terminals). Our public transport networks will strengthen which will assist us to meet the goals of the Hobart City Deal. Furthermore, there is a demand for inner city living by millennials but unfortunately there is no supply. Altering car parking rates from minimum to maximum will improve the viability significantly. Another benefit is to do away with the Cash-in-lieu scheme as there isn't enough money collected by the CIL scheme to actually build anything substantial. One example is the day care centre, corner Gordons Hill Road and Bligh Street which Council took a cash in lieu provision for and there has been very minimal traffic and parking issues during operation. Parking is not a problem, so Council should stop directing developers to build it.”	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The draft LPS contains a Clarence Car Parking Plan. The plan is detailed at p69, 114 & 115 of the LPS supporting report and specifically provides for varied carparking rates and cash in lieu contributions for car parking spaces that cannot be provide onsite.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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			<p>This is a policy position and one that is diametrically opposed to maximum numbers/no parking requirement suggested by the representor.</p> <p>The representors proposal, if adopted, could result in natural justice issues in terms of:</p> <ol style="list-style-type: none">1. Carparking demand being funded entirely through Council's rate base rather than by developers (at least partially) creating demand;2. Inequity from those businesses who have previously contributed. <p>For these reasons the submission is not supported. However, should Council change its position at some point in the future, a Parking Precinct Plan could be pursued via a planning scheme amendment at the appropriate time.</p>																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	C6.0 Local Historic Heritage Code																									
31	Representation 31 is concerned that Council's heritage listings are not extensive enough and that the various mechanisms available under the Local Historic Heritage Code have not been utilised.	<p>It is submitted that</p> <ul style="list-style-type: none">• <i>"Table C6.3 [Local Heritage Places] mainly includes a short list of older buildings that were once on the State heritage register. There should have been an historic cultural assessment as part of the planning scheme to review historic heritage in Clarence, or at least pick up recommendations from the 1994 Peter MacFie and Lindy Scripps report done for Clarence. Historic themes for Clarence would include: colonial settlement, trans Derwent transport, boat building, transport, other maritime, different stages of development, communications etc.</i>• <i>Table C6.3 [Local Heritage Landscape Precincts]- illustrates the point above. Local historic landscape precincts should have been identified.</i>• <i>Table C6.4 [Places or Precincts of Archaeological Potential] - as above, should be used in LPS.</i>• <i>Table C6.5 - significant trees. Inadequate table. There needs to be a survey to identify these and to include not just single trees but groupings, such as the magnificent gums on the eastern side of Gordons Hill road, above the retirement village. Another example would be the striking avenue of poplars at the entrance to Cremorne.</i>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The development of the Local Historic Heritage Code reflects a conversion of the CIPS2015 Heritage Code in accordance with the requirements prescribed in the Guidelines. No new assessments of heritage matters were undertaken during the develop the LPS. Any future assessments may necessitate an amendment to the LPS at that time.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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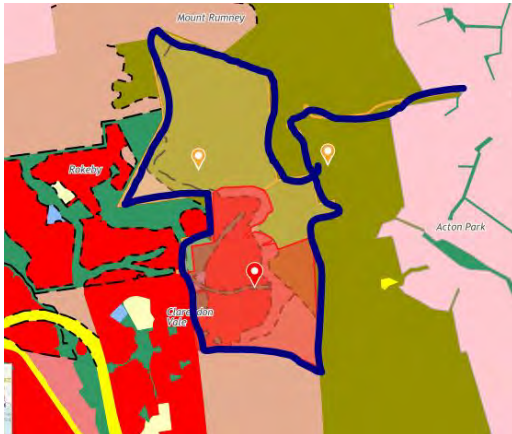
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	C4.0 Natural Asset Code																									
22	<div>Representation 22 requests that the Waterway and Coastal Protection Overlay be removed from the developed area associated with Stanton Place.</div> <div></div>	<div>It is submitted that the subject land (see opposite) is partially covered by the Waterway & Coastal Protection Overlay of the Natural Assets Code and that while the mapping of this overlay has been carried forward from the CIPS2015, the land within the area is now developed, including the piping of this previous waterway and would therefore now appear to be no longer relevant to provide protection of natural values as is the Objective of this Code.</div>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <div>Council's supporting report identified at 6.5.1 (p70) that the Waterway & Coastal Protection Overlay was derived for the LIST's guidance map and that is likely that future amendment to it would be required consistent with Guideline NAC3 which provides for:<ul style="list-style-type: none">• Correction of inaccuracies;• Recognition of pipe water courses; and• Potentially the removal from established urban environments.</div> <div>Post Council's endorsement of the draft LPS on 7 May 2018 Council has reviewed the Waterway & Coastal Protection Overlay mapping with a view to remove the overlay from piped/controlled stormwater systems in urban areas.</div> <div>The revised mapping addresses the representors concern and should replace the preliminary mapping contained in the exhibited draft. The revised mapping is attached and should be considered part of Council's S.35F response.</div>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<div>Replace the Waterway & Coastal Protection Overlay mapping with the revised mapping attached.</div> <div>The recommendation has no impact on implementing the draft LPS as a whole.</div>
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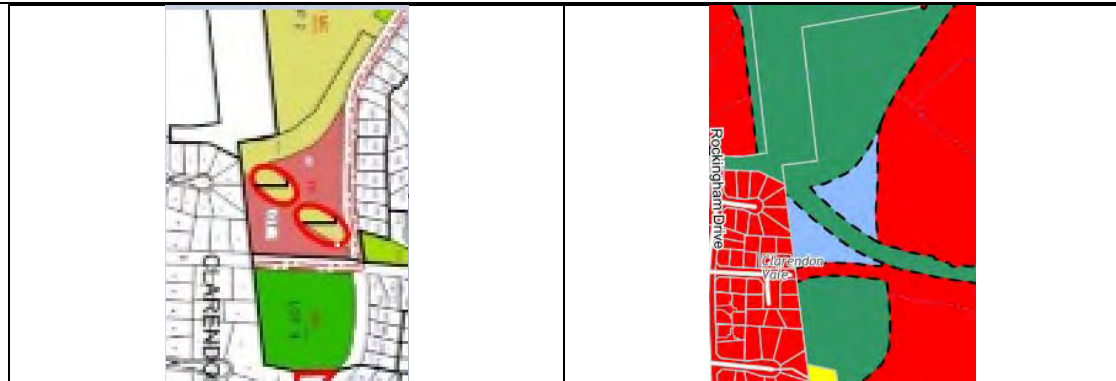

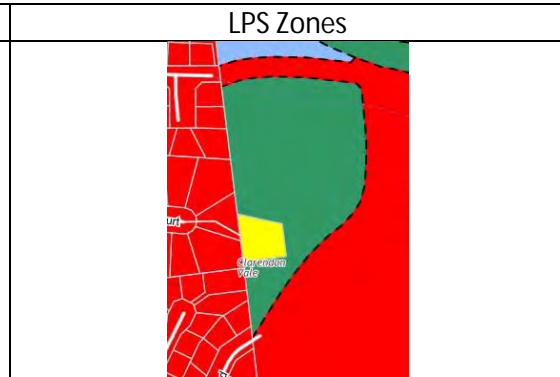

68	<p>Representor 68 requested that the Natural Asset Code overlay should be removed from the land at 162A Flagstaff Gully Rd and 164 Begonia Street.</p> 	<p>It is submitted that:</p> <p><i>“After a comprehensive flora/fauna survey was done on 162A Flagstaff Gully Rd titles in 2011, all the threatened species identified in the survey were placed in an area rezoned as ‘Recreation’. Accordingly, the current Clarence Interim Planning Scheme 2015 shows no Biodiversity overlay on the ‘General Residential ’ area of the 162A Flagstaff Gully Rd titles. 164 Begonia St Lindisfarne, adjacent to 162A Flagstaff Gully Rd is a fully developed suburban lot. It has no biodiversity overlay in the Clarence Interim Planning Scheme 2015. In line with the flora/fauna survey that has placed all identified threatened species in ‘Public Open Space’ zones, and in line with the current extent of overlay in Clarence Interim Planning.”</i></p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>Yes</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>The request is supported for the reasons provided and is consistent with the TPC’s approval of Amendment A-2011/8 (29 May 2013) to the CPS2007.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	Yes	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<p>Remove the Natural Asset Code overlay from the land at 162A Flagstaff Gully Rd and 164 Begonia Street.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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	C8.0 Scenic Protection Code (lack of)																									
3, 19, 31	<p>Representation 3, 19, 31 was concerned that the Scenic Protection Code had not been incorporated in the exhibited Draft LPS.</p>	<p>It is submitted that:</p> <ul style="list-style-type: none">Although the reason for its exclusion is outlined in the LPS Supporting Report (p74), the justification is poor. Essentially the work had not been completed and will be undertaken at a later date.(Representor 3) The strategic analysis must become a priority and the work be carried out before the draft LPS is accepted.(Representor 19) <i>“Visually significant areas occur across a number of urban and rural areas and a variety of zones in Clarence. They need to have the enhanced protection of the Scenic Protection Code. Without it we will have the ‘death by a thousand cuts’ where there is no ability to consider visual impacts when considering a development application and a gradually diminished landscape will result. This is not an acceptable potential outcome from our planning scheme.”</i>(Representor 31) <i>“ Table C8.1. [Scenic protection Areas]- should be used in LPS. These areas need to be identified.”</i>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>Yes</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>N/A</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	Yes	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	N/A	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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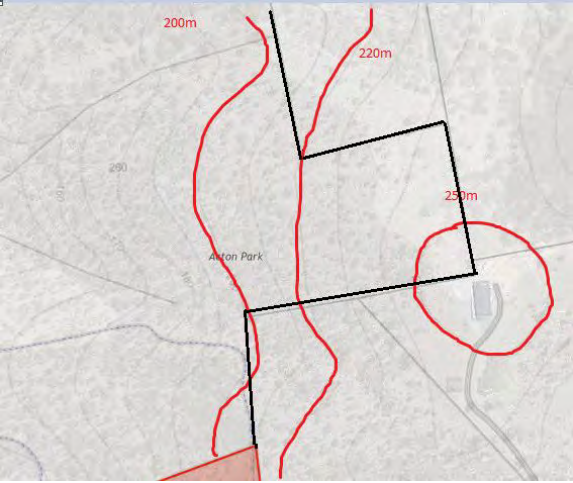
			A Scenic Protection Code overlay map should be developed to be incorporated into the scheme through a future planning scheme amendment, should it be warranted.																							
	C11.0 Coastal Inundation Hazard Code																									
76	Representation 76 was from the State Emergency Services (SES) advising that they supported Coastal Inundation Hazard Code mapping.	The State Emergency Services (SES) advised that they supported the application of Coastal Inundation Hazard Code mapping and data set used to prepare it.	Noted.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.																						
	C12.0 Flood-Prone Areas Code																									
76	Representation 76 was from the State Emergency Services (SES) recommending that future flood mapping be updated using up to date Australian Rain Fall and Runoff data.	The State Emergency Services (SES) recommended that future flood mapping be updated using up to date Australian Rain Fall and Runoff data and advised that the State Government is undertaking a Flood Mapping Project that, when complete in 2020 in will be made available for planning purposes.	Noted. Post approval of the final LPS, updates to overlay mapping will need to be the subject of future planning scheme amendments.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.																						
77	Representation 77 submitted that the mapping for the Flood-Prone Hazard Areas Code is inaccurate in relation to 73 Mannata Street, Lauderdale (and a number of other nearby properties). 	It is submitted that “the mapping for the Flood-Prone Hazard Areas Code is inaccurate in relation to 73 Mannata Street, Lauderdale and a number of other properties in this street which have been filled and developed over the past 5 years. The effect of the inaccurate mapping is that the Code will be erroneously applied to any future development which is not exempt and information incorrectly applied by third parties (such as the insurance industry or potential purchasers).”	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>Yes</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>Post Council’s endorsement of the draft LPS on 7 May 2018 Council commissioned flood mapping studies in the following catchments:</p> <ul style="list-style-type: none">Tranmere;Bellerive/Howrah;Kangaroo Bay Rivulet;	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	Yes	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	Replace the Flood Prone Areas Hazard Code mapping with the revised mapping attached.
Overview assessment																										
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			<ul style="list-style-type: none">• Clarence Plains Rivulet;• Roches Beach to Opossum Bay area;• Rosny to Otago area;• Acton Park to Dulcot; and• the Coal River through to Richmond <p>The revised flood modelling/mapping is more accurate than preliminary work used in the development to the Draft LPS. This revised mapping should replace the preliminary mapping contained in the exhibited draft. The revised mapping is attached and should be considered part of Council’s S.35F response.</p> <p>The revised mapping does not include the representors property as being within a flood prone area.</p> <p>At the time of this report the only revised catchment modelling outstanding is flood modelling for the Coal River through to Richmond. The results of this consultancy are due back in October, and it is intended that following the completion of this work revised Scheme mapping for that catchment will pursued through a future amendment.</p>																							
	C13.0 Bushfire-Prone Area Code																									
11	Representation 11 submitted the property at 8 Pintoresca Place, Tranmere should not be subject to the Bushfire-Prone Area Code.	<p>It is submitted that the property at 8 Pintoresca Place should not be subject to the Bushfire-Prone Code for the following reasons:</p> <ul style="list-style-type: none">• The property is greater than 100m from unmanaged bushland on the east and the predominant wind direction is from the SW/W/NW• Its inclusion may increase insurance premiums, deter potential purchasers and reduce property values.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The Bushfire-Prone Area Code overly mapping was developed in collaboration with the Tasmanian Fire Service who endorsed the methodology and reviewed the draft mapping prior to exhibition. The subject site is approximately 70m from bushfire-prone vegetation and considered to be a bushfire-prone area. This is</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			<p>consistent with the surrounding properties and in the current climate it is considered that the properties on the eastern side Oceana Drive should remain within the Code’s bushfire-prone area mapping overlay.</p> <p>Additionally, it is noted that:</p> <ul style="list-style-type: none">• While the claim is unsubstantiated and not supported by any evidence, insurance and property values are not relevant planning considerations.• The inclusion of the property within the Bushfire-Prone Code overlay mapping does not increase risk exposure to bushfire. The risk exists irrespective of whether (or not) the property is mapped.• The Code only applies to subdivision, vulnerable and hazardous uses. Given the site is developed with a single dwelling it is unlikely that future planning proposals on the subject site would trigger the Code.																							
	C16.0 Safeguarding of Airports Code																									
6	Representation 6 was made obo the Hobart Airport who advised that Code overlay mapping required amendment.	<p>The Hobart Airport welcomed the inclusion of the C16.0 Safeguarding of Airports Code in the exhibited LPS. However, due to changes to flight paths the obstacle limitation surface data and associated noise modelling has now been modified and ought to be reflected in the Code.</p> <p>That the entirety of Sandy Point should be included within the overlay to ensure that sensitive development does not impinge upon airport operations.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>At the time of finalising this report, the revised modelling had not yet been received. However, revised mapping should be supported if submitted prior to the finalisation of the LPS. Alternatively, it could be pursued via a separate amendment post approval.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<p>Replace the C16.0 Safeguarding of Airports Code mapping with any revised mapping submitted by the Hobart Airport prior to the finalisation of the LPS.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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PPZ & SAP Related Issues																										
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	CLA-P2.0 PPZ Kangaroo Bay																									
73	Representation 73 was concerned that Educational and Occasional Care is a prohibited use in the PPZ Kangaroo Bay Boulevard Precinct.	It is submitted that the Educational and Occasional Care should be provided for in the Kangaroo Bay PPZ Boulevard Precinct as it has the potential to align with the Zone Purpose of the Local Area Objectives. Providing for childcare uses within this area and in proximity to Rosny Park will provide for both residential and nearby workers.	<p>The Kangaroo Bay PPZ is a Transitioning PPZ and has been converted from the CIPS2015 as directed by the TPC. The permissibly of the Educational and Occasional Care Use Class and associated qualification accurately reflects the CIPS2015.</p> <p>Notwithstanding, it is noted that Educational and Occasional Care is a permissible within the zone, albeit limited to the Village and Wharf Areas. The draft Use Table reflects that established under previous planning schemes following extensive consultation. The uses provided for within the Boulevard Area are typically those with the capacity to incorporate active frontages consistent with the local area objective to develop forecourts. It considered that Educational and Occasional Care is unlikely to activate Kangaroo Bay Drive as effectively as the alternative permissible uses and is not supported in the Boulevard area.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>																						
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	CLA-S1.0 Clarence Heights SAP																									
80	<p>Representation 80 was concerned about several elements of the Clarence Heights SAP. There are 3 proposed amendments to the underlying zoning and Masterplan and 5 provisions within the SAP that are proposed to be deleted.</p> 	<p>The representation relates to the Clarence Heights SAP. The representation was submitted on behalf of the landowner/developer and included brief background on the evolution of the planning applications/process and the current status. In summary:</p> <ul style="list-style-type: none">The SAP covers approximately 220Ha and the majority of three properties (CT168381/1600, CT168381/1700 and CT168381/15)A 412-lot staged subdivision (SD-2010/43) was approved in May 2011. That subdivision has substantially commenced, and the second stage of subdivision is nearing completion. <p>It is submitted that:</p> <ul style="list-style-type: none">The SAP is superfluous and significantly adds and unnecessary complexity to an already complex planning document. The SAP has evolved from earlier planning schemes with different underlying zone and overlay controls. The new underlying zone and overlay provisions prescribed in the SPP’s now adequately control the future use and development of the land leaving several SAP provisions redundant, and in some cases less effective.The applicable code overlays contain a number of similar provisions to those contained within SAP. It is not proposed to alter the existing overlays on the property, but it is requested the redundant provisions be removed and managed through the applicable Codes. <i>“The provisions within the Biodiversity Protection Overlay for instance would protect the natural values on the property better than similar provisions within the SAP itself.”</i>There are 3 proposed amendments to the underlying zoning and Masterplan and 5 provisions within the SAP that are proposed to be deleted. Each of these proposed amendments are summarised below.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>The representor’s submissions are generally accepted and response to each of the requests is provided below.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	
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		<p>1. The Master plan (Figure 10) of the SAP provides for two separate areas identified as Conservation Management within the Public Facility Development site. Yet these are zoned as one Open Space area as shown below.</p> <table><tr><td>CLA-S1.3 Master Plan</td><td>LPS Zones</td></tr></table>	CLA-S1.3 Master Plan	LPS Zones	<p>The proposed rezoning raises no concerns and is supported.</p>	<p>Rezone the Open Space portion of 25 Brogo Way within the Local Business Zone to Local Business.</p>																				
CLA-S1.3 Master Plan	LPS Zones																									

	<div></div> <p>It is recommended that these two areas be zoned Local Business as per the adjacent and surrounding area to remove this inconsistency. Having two small areas zoned Open Space running through the middle of an area zoned Local Business presents a number of difficulties including the ability to be developed efficiently and maintain of open space areas. It is submitted that public access would not be comprised through the site or through the broader subdivision.</p>		The recommendation has no impact on implementing the draft LPS as a whole.
2.	<p>The area labelled 2 on the annotated Masterplan is shown as an individual residential allotment on the Masterplan yet has Open Space Zoning on the LPS Zoning Map as shown below.</p> <div><div><div>CLA-S1.3 Master Plan</div></div><div><div>LPS Zones</div></div></div> <p>This land is labelled as Community Facilities on the Clarence Heights Precinct Plan. It is proposed that the Zoning Map be amended to make this allotment General Residential. It is submitted that rezoning would remove this inconsistency and provide for the residential use of this land which was always intended. The width of this allotment is relatively small and would be of limited use in providing for any sports and recreational facilities and would create ongoing liabilities for management and maintenance for little overall benefit. It is requested that the Sports and Recreation Facilities as shown on the Masterplan be contained to the area to the north.</p>	<p>The subject portion of the lot adjoins the TasNetworks substation and is entirely constrained by the Electricity Transmission Infrastructure Protection, Inner protection area and Transmission Infrastructure Protection, Electricity transmission corridor as shown below.</p> <div></div> <p>For this reason, the requested rezoning is not supported.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
3.	<p>It is proposed that the building envelope for Lot E be relocated to approximately 300 metres to the East as shown.</p>	<p>In the context of a 412-lot subdivision, it is considered that the relocation of one building envelope to an area that is substantially cleared of standing vegetation is relatively minor. Further, the lot has access directly to Acton Road and will not result in additional clearing to get the proposed location of the building envelope.</p> <p>Whist no visual impact analysis was provided, or indeed any submissions on the matter. It is noted that the proposed location is on a hill crest above the 220m</p>	<p>The building envelope on Lot E of the Clarence Heights Master Plan be relocated to the eastern side of the lots as requested, but below the 220m contour level.</p>

		 <p>It is submitted that this would substantially reduce the impact upon the natural values on the Lot from any future residential dwelling constructed as access would be provided via Acton Drive. The length of access drive through Clarence Heights would be reduced and any future building would be more appropriately sited in terms of grade and elevation. The Property Title for Lot E has already been created. Moving the building envelope is considered minor in relation to the overall development of 412 lots. The proposed building envelope is located in a grassed area which is already cleared and the construction of a dwelling and access in the proposed location would not impact upon the native vegetation of Clarence Heights.</p>	<p>contour level in proximity to an adjoining dwelling at 181 Tara Drive Acton Park as shown below.</p>  <p>It is considered that a building envelope below the 220m contour level could be supported on the basis that:</p> <ul style="list-style-type: none"> • it provides further separation between buildings • removes the future building below the skyline and provides increased opportunity for the skyline to be defined by standing vegetation. 	<p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>4. The Performance Criteria at CLA-S1.6.1 P1(a) Skyline Precincts specifies: <i>In the Skyline North Precinct, use must be a <u>single contained development</u> having regard to the natural values in the precinct.</i></p> <p>It is submitted that this provision is difficult to interpret as the term single contained development is not defined in the SAP or in the State Planning Provisions and introduces a term which is unenforceable and in no way assists in determining the impact of any development application. It is requested that this clause is to be deleted from the SAP.</p>	<p>The deletions of CLA-S1.6.1 P1(a) as requested would mean that there would be no Performance Criteria. Whilst removing flexibility for alternative solutions, it's provides more certainty and is supported.</p>	<p>Delete CLA-S1.6.1 P1(a) & (b) and replace with "No Performance Criterion".</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>5. The Performance Criteria at CLA-S1.8.2 P1 Scenic and urban character specifies: <i>"Roads must be designed and landscaped to reduce visual impact having regard to:</i> (a) <i>locating roads primarily across contours;</i> (b) <i>a landscape plan; and</i> (c) <i>density of trees along streets being comparable to 2 trees per lot or 1 tree between lots on the top side of a street and 2-3 trees alongside each of the lots on the lower side of a street, providing privacy on the lower side."</i></p> <p>It is submitted that these provisions are considered difficult to implement and interpret. Requiring 2 trees per lot and or 1 tree per lot of an undefined size, type, location from a planning perspective is somewhat meaningless and enforcing such a requirement via any planning condition or permit would be extremely problematic. It is requested that this clause is to be deleted from the SAP.</p>	<p>CLA-S1.8.2 P1(a) & (b) are relevant and are suitable for inclusion as Performance Criteria, the removal of (c) is supported on the basis that detail can be reflected in the landscape plan.</p>	<p>Delete CLA-S1.8.2 P1(c)</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
		<p>6. The Performance Criteria at CLA-S1.8.3 P1 Circulation and traffic movement specifies: <i>"The road layout and a traffic impact assessment must demonstrate that:</i> (a) <i>the road network will achieve a low hazard and low speed traffic environment</i></p>	<p>To provide more certainty it is recommended that the Performance Criteria at CLA-S1.8.3 P1 be replaced with a solution that is generally consistent with the Clarence</p>	<p>Delete CLA-S1.8.3 P1(a), (b) & (c) and replace with "Road</p>

		<p><i>and include road design cues for driving speeds of 40kph on minor collectors and residential streets and 20kph on access places;</i></p> <p><i>(b) the layout provides connectivity to the walking and cycle system; and</i></p> <p><i>(c) the hierarchy and layout can be readily understood by motorists and pedestrians."</i></p> <p>It is submitted that it is not understood how these provisions would be implemented, particularly as they differ from the currently accepted Australian Standards. It is requested that this clause is to be deleted from the SAP.</p>	<p>Heights Master Plan shown in Figure CLA-S1.3 and Figure CLA-S1.4.</p> <p>This approach will ensure similar outcomes to the previous approved permit while providing for some (minor) flexibility ensuring the level of connectivity and legibility originally envisaged.</p>	<p>layout generally consistent with the Clarence Heights Master Plan shown in Figure CLA-S1.3 and Figure CLA-S1.4. Having particular regard to connectivity and legibility for all road users."</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>																
		<p>7. The natural values standards at CLA-S1.8.4 are too onerous and will not add value to the development of Clarence Heights and uncertainty is introduced through the requirement for the Minister to enter into a conservation covenant which they may, or may not, be willing to consent.</p> <p>It is requested that this clause is to be deleted from the SAP.</p>	<p>It is considered that this provision can be properly managed through the applicable codes and associated mapping and its removal is supported.</p>	<p>Delete CLA-S1.8.4</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>																
		<p>8. The Water sensitive urban design standards at CLA-S1.8 requiring all lots to be subject to a Part 5 Agreement is onerous and would place a significant burden upon Council to implement and enforce. It is submitted that they would not deliver any practical benefit in terms of delivering water sensitive urban design.</p> <p>It is requested that this clause is to be deleted from the SAP</p>	<p>Stormwater volume and quality issues can be appropriately managed through permit conditions imposed through 6.11.2(g) of the SPP's. Accordingly, its removal is supported.</p>	<p>Delete CLA-S1.8.5</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>																
		<p>9. The staging standards at CLA-S1.8.6 include, offset planting, visual screening, recognisable parks and protection of natural values during development. These are problematic as they would be difficult to enforce and implement. The most significant matter within the SAP is that subdivision be generally in accordance with the Masterplan and that approved development accords with the Masterplan which is managed through other provisions.</p> <p>It is requested that this clause is to be deleted from the SAP.</p>	<p>Staging can be appropriately managed through permit conditions imposed through 6.11.2(b) of the SPP's. Accordingly, its removal is supported.</p>	<p>Delete CLA-S1.8.6</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>																
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																
	CLA-S3.0 Single Hill SAP																			
29	Representation 29 relates to the Single Hill SAP and was submitted on behalf of the landowner/developer outlining their support for the SAP and suggested several modifications to recognise the retirement village, provide for amalgamation of lots.	The representation relates to the Single Hill SAP and was submitted on behalf of the landowner/developer rising the issue summarised below.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	No	
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			<table><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>The response to each of the requests is provided below.</p>	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	
Natural Justice issues	No									
Does the representation relate to the drafting/content of the SPP's?	No									
Does the merit of the representation warrant modification to the exhibited LPS?	Yes									
	<p>Use of 11 Coastal Drive for Residential (Retirement Village) It is submitted that <i>“Whilst it is not considered appropriate for a use table to be considered in the Single Hill SAP, the existing use of the retirement village on 11 Coastal Drive should be listed as a site-specific departure to the table in the Rural Living zone.”</i></p>	<p>The retirement village use is currently prohibited under the CPIS2015 and SPP's/Draft LPS. While the development has substantially commenced (under an approval granted under the CPS2007) it is now a non-conforming use.</p> <p>The non-conforming use provision at S.7.1 of the SPP's provides for a very limited capacity to modify/improve the site. It considered that the existing retirement village provides local economic and social benefit and warrants sufficient recognition under the scheme to provide for the evolution of the use/development over time. In this instance It is not appropriate to rezone the site or manage it through inclusion of a new Use Table within the SAP. However, its recognition through its inclusion in the CLA-Site-Specific Qualifications is supported and is considered to meet the requirements at S.32(4)(a) of LUPAA.</p> <p>Reference number: CLA-23.1 Site Reference: 11 Coastal Drive, Seven Mile Beach Folio for the Register: 171221/23 Description (modification, substitution or addition): An additional Discretionary Use Class for the site is: Residential with qualification “If not No Permit Required or Permitted”. Relevant Clause in SPP's: Rural Living – clause 11.2 Use Table</p>	<p>Include 11 Coastal Drive within the CLA-Site-Specific Qualifications and associated overlay mapping.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>							
	<p>CLA-S3.7.1 Vegetation Protection and Visual Impact It is submitted that <i>“these provisions can be deleted in their entirety with setback provisions reverting to those of the underlying zones and the vegetation protection provisions relying on the Biodiversity Protection Overlay Provisions which apply to much of the site (refer to Figure 2). A1/P1 relates to the provision of building envelopes for buildings which were originally chosen to give certainty as to the final visual outcome on the development. These are superseded through the application of the Landscape Conservation zone to the site. Given these new provisions the envelope locations are onerous and unnecessary due to the other constraints on location of buildings and accesses. A2/P2 has been superseded by the provisions of the Landscape Conservation zone and the Biodiversity Protection Code which applies to much of the vegetation under the SAP. A3/P3 has also been superseded by the minimum width of driveways required for bushfire access”.</i></p> <p>Based on the above it is also submitted that Figure CLA-S3.2– Building Envelopes be deleted on the basis that no other provision refence it.</p>	<p>Vegetation Protection and Visual Impact were significant elements of the original Single Hill rezoning and DPO 10 controls. These issues were subject to community representations (200 were received) and the final approval of A-2008/27 on 14 November 2011 included building envelopes that were considered to address these matters.</p> <p>The prescribed building envelopes provide for a permitted pathway to development approval without the need for additional vegetation and/or visual impact assessments. This provides certainty to both developers and the community while affording alternate solutions to be submitted and assessed on their merits against the specified Performance Criteria. Accordingly, the removal of building envelope provisions is not supported.</p>	<p>Delete CLA-S3.7.1 A3&P3 relating to drive widths.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>							

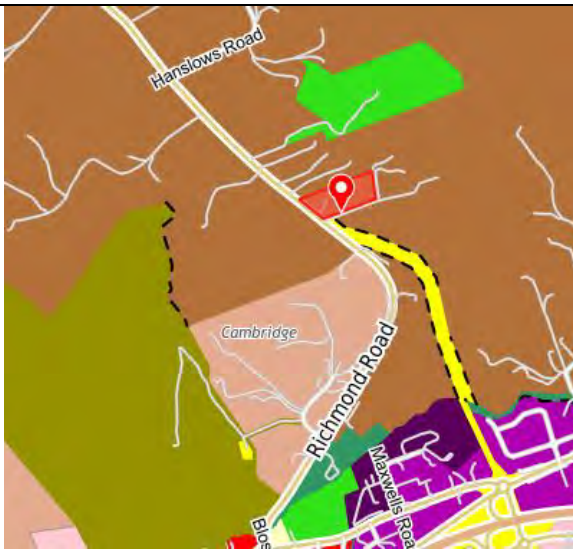
			With respect to the driveway widths, it is agreed that the specified 3.5m driveway width is contrary to bushfire access requirements. The removal of CLA-S3.7.1 A3&P3 is supported.																								
		CLA-S3.7.3 Bird Strike The revised bird strike provisions are supported	Noted	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.																							
		CLA-S3.8.1 Outline development plan It is submitted that <i>“There is some doubt if subdivision provisions allow for the amalgamation of lots whilst being consistent with the subdivision layout under P1(a). This can be remedied by adding lot amalgamations as an option to P1.”</i>	The issue raised is supported and inserting it within the performance criteria will ensure that the public interest is not compromised. Accordingly, clause CLA-3.8.1 P1 (a) should be amended to read as follows: <i>“Proposed lot configuration generally accords with Figure CLA-3.1 (including amalgamation of lots) in terms of road alignment and lot layout; and”</i>	Amend clause CLA-3.8.1 P1 (a) to include reference to amalgamations. The recommendation has no impact on implementing the draft LPS as a whole.																							
		s.32(4) Justification The representor supports the inclusion the SAP in the draft LPS as it implements a range of additional urban design controls envisaged by the Single Hill Outline Development. The proposed Single Hill SAP is a largely a translation of the F3.0 Single Hill SAP planning controls incorporated into the current CIPS2015, albeit with some slightly modified provisions. The proposed Single Hill SAP has significant social, economic and environmental benefits and spatial qualities befitting the region and is therefore consistent with s.32(4)(a) and (b) of the Act.	The support for the inclusion of the SAP is noted and the justification is consistent with Council LPS supporting report.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment		Recommendation																						
49	Representation 49 raised a range of matters relating to the Single Hill SAP and the Seven Mile Beach area more generally.	The representor submits that: <ul style="list-style-type: none">• Development should be limited to single storey and should be confined to stay within the Building Envelopes. A 9m max height and a possible 2m high retaining walls is not appropriate for this location given the impact on visual amenity.• The impact of access roads and excavation cuts on Single Hill is significant and earth shaping, and infrastructure needs to be minimised.• There needs to be a requirement for non-invasive and native species landscape plans to be adopted for new dwellings in both Seven Mile Beach and Single Hill. This should address the Federal Government’s strategy to increase urban forest/tree cover and should be linked with how the Scheme addresses Climate Change.• More multi lot and Community living developments, should not be provided for given there is a water supply but no town stormwater or sewer, a contaminated Creek and water table, inundation issues, storm surge and rising sea level threat.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the</td><td>No</td></tr></table>		Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	Yes	Does the merit of the representation warrant modification to the	No	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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			<table><tr><td>exhibited LPS?</td><td></td></tr></table> <p>One of the primary functions of the Single Hill SAP is to manage visual impact. This is achieved through prescribed road and lot layout and associated building envelopes. As detailed above, visual impact analysis and associated community representation was a significant consideration in the original approval of the A-2008/27 amendment and associated DPO 10 controls.</p> <p>The SAP does not provide for multiple dwellings.</p> <p>The application of the LRD zone to Seven Mile Beach settlement will, if approved, allow for Multiple Dwellings. However, their permissibility is part of the SPP's and not a matter that can be addressed through this process.</p>	exhibited LPS?																						
exhibited LPS?																										
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	CLA-S19.0 Tasman Highway Development Precinct SAP																									
22	Representation 22 is concerned that the landscaping standards focus on screening to the detriment of site appearance through design.	It is submitted that <i>“While the location as an important gateway location and therefore one which warrants additional protections, the development standards included appear to be in places somewhat contradictory in that there are design standards which are aimed at achieving a higher standard of design and detailing and proportions of openness of facades, while the landscape standard appears focussed of screening of buildings.”</i>	<table><tr><td colspan="2">Overview assessment</td></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No (new SAP)</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The setback, design and landscaping considerations are not mutually exclusive. It is unlikely that development on the Highway would be completely screened and it is anticipated that good design responses and softening landscape treatments all work together to produce desirable outcomes.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No (new SAP)	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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	CLA-S21.0 Bellerive Bluff SAP																									
31	Representation 31 is concerned that the historic quality and charm of the Bluff has deteriorated	It is submitted that important historic streetscapes need to be identified and protected, eg. the “O'May watermen's cottages” in Britannia Place.	<table><tr><td colspan="2">Overview assessment</td></tr><tr><td>Is the representation</td><td>Yes/No/NA</td></tr></table>	Overview assessment		Is the representation	Yes/No/NA	No modifications to the draft LPS required.																		
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over time and supports the “Emerging design principles” of the Woolley report.		<table><tr><td>consistent with:</td><td></td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>No (local heritage in Code)</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table>	consistent with:		the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	No (local heritage in Code)	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	The recommendation has no impact on implementing the draft LPS as a whole.
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The support the Wooley report is noted. Important historic streetscapes should be recognised through the Local Historic Heritage Code.																							

General/Implementation/SPP Related Issues					
Rep #	Concern/issue	Representor’s Submission/Justification	Comment		Recommendation
	Zone Boundaries/application of Zones				
7	Representation 7 was concerned that (in the majority of cases) zone delineation has been established entirely by adopting existing cadastre/title boundaries without reference to readily available scientific spatial data sets.	It is submitted that “adopting cadastral boundaries in isolation without close analysis of other data sets is very poor science & basically lazy planning”.	Overview assessment		No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
			Is the representation consistent with:	Yes/No/NA	
			the STRLUS	No (spilt zones)	
			State Policies	No (impacts of zoning Agricultural land)	
			the Guidelines	No (spilt zones)	
			TPC Drafting Instructions/Practice Notes	No (Practice Note 7)	
			Local Strategy/Policy	No (spilt zones)	
			a “like for like” conversion of the CIPS2015	No	
			Natural Justice issues	Yes	
			Does the representation relate to the drafting/content of the SPP’s?	No	
			Does the merit of the representation warrant modification to the exhibited LPS?	No	

			While there are circumstances where a departure is warranted/can be justified, the Commission's <i>Practice Note 7 -Draft LPS Mapping - technical advice</i> expresses a desire to “minimise the use of zone boundaries that do not align to the cadastral parcel boundaries of road centrelines”.																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
82	Representation 82 appeared concerned that there is not enough flexibility to subdivide smaller lots in the Rural Zone and that the rezoning process should be simpler.	It is submitted “ <i>Consideration should be given to 2Ha blocks (and some larger), currently with a zoning of ‘rural’ that sit in the middle of residential to be rezoned, at the least, Rural Living A? The application to rezone particular blocks that are surrounded by smaller blocks should have provisions to do so in a straight forward manner”.</i>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The concerns raised are generic and do not reflect any issues that are irrelevant to the exhibited draft LPS or are potentially resolvable via modification to it.</p> <p>However, it is noted that:</p> <ul style="list-style-type: none">• The provisions relating to subdivision in the Rural Zone are prescribed in the SPP’s.• The Rural Living Zone contains a range of lot sizes that can be applied through the LPS as appropriate.• LUPAA prescribes the process for a future amendment to the TPS (both the SPP’s and the LPS).	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	Yes	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS required.
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Does the representation relate to the drafting/content of the SPP’s?	Yes																									
Does the merit of the representation warrant modification to the exhibited LPS?	No																									
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
89	Representation 89 was concerned about the limitations of the CIPS2015 Significant Agriculture Zone and the application of zones under the Draft LPS.	<p>The representor advises that I they own a 4.3Ha property at 265 Richmond Rd CAMBRIDGE and that that are interested in subdividing.</p> <p>The property is zoned Significant Agriculture under the CIPS2015 and according to the representor:</p> <ul style="list-style-type: none">• The land’s orientation and soil make it unsuitable for agriculture.• Council officers advised them that the scheme provisions (CIPS2015) did not facilitate	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting</td><td>N/A</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting	N/A	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>										
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		<p>subdivision of the lot and that there was no appeal process.</p> <p>The representor requests that in the future the application of zones do not take a blanket approach as within any zone there will be land of quite different character. <i>“Should you retain a blanket approach to zoning, might I suggest that a appeals process be included to provide some sensible flexibility in land usage.”</i></p>	<table><tr><td>Instructions/Practice Notes</td><td></td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The issues relating to the CIPS2015 Significant Agricultural Zone are not relevant to the exhibited Draft LPS. It should be clarified that any decision of the planning authority may be appealed (including a request for further information), however, any provisions applicable to determination of the application cannot be. I.e. a decision may be appealed but not the criteria to which it must be assessed against.</p> <p>Under the draft LPS the subject property is proposed to be zoned Agriculture. While an alternative zone was not requested, it is noted that that under the SPP’s, the Agriculture zone provides for subdivision at S.21.5. The provisions are heavily geared to ensure future lots remain suitable for agricultural purposes, however, any application made under this section are afforded the usual appeal rights.</p>	Instructions/Practice Notes		Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	Yes	Does the merit of the representation warrant modification to the exhibited LPS?	No									
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Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																				
	Code Overlay Mapping																							
40	Representation 40 is concerned about the lack of explanation/justification associated with various mapped overlays.	It submitted that <i>“There appears to have been some changes to the overlays in some areas, with no explanation or justification”. For example, at our address [6 Alexandra Esplanade, Bellerive] we appear to have moved into higher categories for coastal inundation, coastal erosion, and flood risk categories. I object to this occurring with no apparent justification. These changes need to have a sound, evidence-based rationale, as they may lead to major negative impacts (financial, social and environmental) on affected residents.”</i>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Replace the Flood Prone Areas Hazard Code mapping with the revised mapping attached.
Overview assessment																								
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			<table><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>Generically, the code overlay mapping was applied consistent with the Guidelines and detailed within Council’s Supporting Report.</p> <p>With respect to the coastal inundation, coastal erosion, and flood prone mapping raised by the representor, the application of these Codes is described at pages 74-75. It is noted that the inundation and erosion hazard mapping reflect the CIPS2015 and the flood prone area mapping is new. The Flood mapping was based on LiDAR topographical data (Geoscience Australia, 2013) and Australian Rainfall & Runoff 1987 methodology.</p> <p>However, as previously discussed, the revised flood modelling/mapping completed after the draft LPS was endorsed by Council is more accurate than preliminary work used in the development to the Draft LPS. This revised mapping should replace the preliminary mapping contained in the exhibited draft.</p> <p>The revised mapping is attached and should be considered part of Council’s S.35F response</p>	Does the merit of the representation warrant modification to the exhibited LPS?	Yes																					
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Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Abundant Life Church - Code Overlays																									
65	Representation 65 is made on behalf of the Abundant Life Church, (490 South Arm Road, Lauderdale) and raised several matters broadly related to mapped overlays.	<p>The Abundant Life Church made a submission specifically relating to their land at 490 South Arm Road, Lauderdale and claim that the concerns raised are matters that would be echoed by many Lauderdale residents.</p> <p>The concerns raised are:</p> <ul style="list-style-type: none">• The LPS (presumably overlays?) may compromise the Church’s ability to expand and therefore diminish the Church’s capacity to serve the most disadvantaged in the community.• The LPS indicates that in the event of future sea level rise, Council will actively protect its infrastructure, which is an opportunity not afforded to the Church.• The LPS indicates that any form of remedial work on the South Arm Road would include a system of culverts to ensure properties on the eastern side of the road will be inundated. An impervious barrier is preferred.• Loss of private assets will impact those community members relying on them.• The controls and Council responses to sea level rise will reduce the market value of the Church.• Loss of, or damage to, the Church would result in future claims for compensation.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>Yes (identification of coastal hazards)</td></tr><tr><td>the Guidelines</td><td>Yes (application of Codes)</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes (Code controls)</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	Yes (identification of coastal hazards)	the Guidelines	Yes (application of Codes)	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	Yes (Code controls)	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			<p>The matters raised do not specifically relate to any particular LPS or SPP provision but appear to broadly relate to overlays applicable to their land and surrounds. The concerns raised are generic and do not reflect any issues that are relevant to the exhibited draft LPS or are potentially resolvable via modification to it.</p> <p>However, it is noted that:</p> <ul style="list-style-type: none">• The draft LPS provisions do not indicate a commitment or particular solution to sea level rise.• The application of Code overlays does not increase risk, exposure or vulnerability to a hazard, they merely identify that there may be a particular risk.• The SPPS's don't prevent protection or mitigation measures but to provide a framework for assessment. Based on merit, some solutions may not suitable.• Property values are not a relevant planning consideration and the claim that the market value will be reduced is unsubstantiated.																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Democracy/Public process																									
30	Representation 30 expressed concern that the planning framework is complex and is eroding the capacity for individuals to have their say.	It is submitted that the Government and the planning system is <i>"taking away the say of the people"</i> . According to the representor this exacerbated by <i>"a number of 'development at any price' aldermen"</i> who cites the Kangaroo Bay precinct as an example of a <i>"crass development"</i> . The concern is that the "lovely" character of Clarence is being destroyed.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>Yes (Composition / Complexity)</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The concerns raised are generic and do not reflect any issues that are relevant to the exhibited draft LPS or are potentially resolvable via modification to it.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	N/A	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	Yes (Composition / Complexity)	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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92	Representation 92 was concerned that planning is	The representor is concerned that <i>"the current planning is too complicated and needs to be</i>	<table><tr><th colspan="2">Overview assessment</th></tr></table>	Overview assessment		No modifications to the																				
Overview assessment																										

	too complicated.	<i>streamlined"</i>	<table><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>Yes (Composition / Complexity)</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The Tasmanian Planning framework is complex. Despite this, as required the draft LPS has been developed in accordance with the new statutory requirements.</p> <p>The concerns raised are generic and do not reflect any issues that are relevant to the exhibited draft LPS or are potentially resolvable via modification to it.</p>	Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP's?	Yes (Composition / Complexity)	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>		
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	Kangaroo Bay & Bellerive Yacht Club carpark																									
60	Representation 60 expressed concern about the use of the Bellerive Yacht Club carpark and surrounds.	<p>It is submitted that:</p> <ul style="list-style-type: none">the large gravel area next to the Bellerive Yacht Club which is used for overflow parking is an important public space and should be retained and improved as a free car park and other public use.there could be some minor commercial use of the area from the old rail terminus/boat shed to Eastlands but it is an important recreation area and should be retained as such.a large hotel and luxury apartments should not be built there. The car parking needs for hotel users would make it difficult for the public.	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>Yes (Kangaroo bay Master Plan)</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	Yes (Kangaroo bay Master Plan)	a "like for like" conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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	Reps relating to SPP’s matters																									
7	Zone Names Representation 7 expressed concern that several zone names do not adequately describe what they represent, attempt to regulate.	It is submitted that the “current Environmental Living zone and future Landscape Conservation zone labels are very non descriptive and confusing”. It is unclear how the zones are linked to adopted policy and strategic constraints.	<table><tr><td colspan="2">Overview assessment</td></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>Zone names are established as part of the SPP framework.</p> <p>Even so, a better understanding of the zone intent is expressed through the relevant purpose statements and ultimately expressed in the zone standards.</p> <p>Application of zones is in the exhibited draft LPS is outlined a section 5.0 of Council’s LPS supporting report.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	Yes	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS or SPP’s required. The recommendation has no impact on implementing the draft LPS as a whole.
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7	Lots sizes – arbitrary and finite Representation 7 expressed concern that the prescribed minimum lot sizes were arbitrary, inconsistent and do not provide for merits-based assessment.	It is submitted that lot size should be based on what is “sustainable”, which in the representor’s opinion means “active management to achieve/meet community expectations”. The representor submits that “The current Environmental Living Zone Area for my lot is 20Ha while in the Oceana Drive Bushland Residential area (also zone Environmental Living), the minimum lot size is 6Ha? Each development proposal should be assessed on its merits not based on minimum lot sizes which are currently based on an ad-hoc figure established by undocumented planning community expectation basis? I note, the Tasmanian Planning Scheme-Rural Living Area (Fact sheet 6) provides for the application of four minimum lot sizes ranging from 1-10 ha. A sensible lot size (in my opinion around 10+/-Ha) would allow for private management of the ongoing significant weed & fire management issues that exist along the Meehan Range area so	<table><tr><td colspan="2">Overview assessment</td></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	No modifications to draft LPS or SPP’s required. The recommendation has no impact on implementing the draft LPS as a whole.						
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		<p>meeting the proposed Zone objectives: Ie “Conservation & Management landscape values” If not managed by property owners the next major fire in the Meehan Range will destroy what the community/land owners so value.”</p>	<table><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The SPP’s provide for a broad scope of zones with a range of lot sizes. In most instances the stated AS can be varied pursuant to the associated PC which may or may not specify an absolute minimum. Even so, the framework provides for local SAP’s to be developed where based on the particular circumstances may provide for reduced lot sizes below that specified in the underlying zone (such as the Oceana Drive Bushland SAP example cited).</p> <p>The lot sizes ranging from 1-10 Ha relate to the application of the Rural Living Zone and are not relevant to the representor’s property which is zoned Landscape Conservation under the exhibited draft.</p> <p>It is noted that the substantive issue raised is whether (or not) the appropriate zone has been applied to a particular site. This is one of the fundamental elements of the LPS exhibition and assessment process.</p>	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	Yes	Does the merit of the representation warrant modification to the exhibited LPS?	No																	
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38	<p>Application Requirements (CIPS2015) Representation 38 expressed concern that the current Clarence planning scheme allows development applications to present a misleading representation of a proposal.</p>	<p>The representor is concerned that the information required to accompany an application submitted under the current CIPS2015 does not extend to adjoining properties to ensure an accurate assessment of a proposal can be made in the context of a proposal, its site, and its immediate surrounds. It is submitted that due to this “a developer is legally able to provide an inaccurate representation of a neighbouring property's buildings.”</p> <p>To demonstrate their case, the representor provided an example at 9 Gunning Street, RICHMOND and the associated advertised documents associated with development application D-2017/580 exhibited in January 2018. They claim that this application resulted in an approval of a development where the privacy of the persons occupying the development and the privacy of the occupiers of the neighbouring property is significantly compromised. Yet the information supplied by the developer to the planning authority indicated that privacy issues had been considered. There were not.</p> <p>The representor advises that they are aware of appeal avenues, but they are onerous and expensive when legal representation is required.</p>	<table><tr><td colspan="2">Overview assessment</td></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>Yes (Content of CIPS2015)</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes (But not specifically)</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	Yes (Content of CIPS2015)	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	Yes (But not specifically)	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to draft LPS or SPP’s required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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			The concern does not raise any issues relevant to the development and determination of the Draft LPS. The concerns raised appear to be limited to the CIPS2015. However, if the submission was intended to inform the future TPS then it relates to the content of the SPP’s and is not an issue that could be resolved through any potential modification of the LPS.																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
39	“Adjoining” and “adjacent” terminology Representation 39 is concerned that refence to 'adjoining properties' in planning schemes can disadvantage nearby properties.	<p>The concern is that refence to 'adjoining properties' in planning schemes can disadvantage, even disenfranchise, the rights of nearby properties. The submission was made in the context of the application and expression of the LDR zone. Their concerns are highlighted in the example <i>“where the adjoining property is a right-of-way -- which allows no building or other development -- new dwellings can be incompatible with and cause an unreasonable loss of amenity on residential properties adjoining the right-of-way but which do not share a boundary with the proposed new dwelling. In such cases, strict literal interpretation denies due consideration of the impact on those properties. There should be some capacity to give the rights of those nearby [arguably 'adjacent'] residential properties better consideration. Section 10.3 of the Tasmanian State Planning Provisions, is equally restrictive using 'adjoining' with respect to properties; it does however include the more appropriate term 'adjacent' although this is always qualified by 'sensitive uses'.”</i></p> <p>The representor recognises that their concerns do not relate to the exhibited draft LPS and are relevant the expression and intent of the SPP’s. However, they submit that are matters that influence the quality of planning decisions in Tasmania.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The concern relates to the content of the SPP’s and is not an issue that could be resolved through any potential modification of the LPS.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	Yes	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to draft LPS or SPP’s required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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	TasNetworks																									
16	Representation 16 was from TasNetworks seeking to ensure: <ul style="list-style-type: none">- Utilities zoning is applied to existing substations and communication facilities;- Impacts on the strategic benefits and development potential of existing corridors through the application of the Landscape Conservation Zone are mitigated;- The Natural Asset Code – Priority Vegetation Overlay is not applied to part of a substation or communication site that is cleared of native vegetation; and- The Scenic Protection Code – Scenic	<p>TasNetworks provided an extensive submission advising that its assets within Clarence includes four substations, four communications sites and nine electricity transmission corridors. This infrastructure is protected by the Electricity Transmission Infrastructure Protection Code (ETIPC).</p> <p>The draft LPS ETIPC Overlay maps is based on data provided by TasNetworks. As part of its review, TasNetworks has examined the ETIPC Overlay maps to ensure that it applies to all relevant assets and that the locations of these assets is correct.</p> <p>Their representation seeks to ensure:</p> <ul style="list-style-type: none">- Utilities zoning is applied to existing substations and communication facilities;- Impacts on the strategic benefits and development potential of existing corridors through the application of the Landscape Conservation Zone are mitigated;- The Natural Asset Code – Priority Vegetation Overlay is not applied to part of a substation or communication site that is cleared of native vegetation; and	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Varies</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>No (introduction of split zones)</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	Varies	TPC Drafting Instructions/Practice Notes	No (introduction of split zones)	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes					
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a “like for like” conversion of the CIPS2015	No																									
Natural Justice issues	Yes																									

	Protection Area has not been applied to substations, communication site or corridors.	<div><div><div><div><div>Does the representation relate to the drafting/content of the SPP's?</div><div>Does the merit of the representation warrant modification to the exhibited LPS?</div></div><div><div>Yes (and transitioning provisions)</div><div>Yes (some modifications supported)</div></div></div></div><div>The Scenic Protection Code – Scenic Protection Area has not been applied to substations, communication site or corridors.</div><div>TasNetworks advise that their representation is consistent with those made on draft LPS's as well as the State Planning Provisions and Interim Planning Schemes and wishes to ensure that the LPS provides for appropriate approval pathways for potential future TasNetworks development works.</div><div>TasNetworks support the zoning of the substations and note that the Scenic Protection Code not utilised in LPS and therefore not applied to TasNetworks assets.</div><div>The details of the submission are set out below.</div></div>	
	The Landscape Conservation Zone should not be applied to Electricity Transmission Corridors (ETC) on the basis that it conflicts with the existing use of the land for electricity transmission and will result in a more onerous approvals pathway for augmentation of assets.	Not supported, the primary implementation of strategy through the application of zones, the Landscape Conservation Zone has been applied in accordance with the Guidelines and the utilisation of dual or spit zoning should be avoided where possible.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
	The Natural Asset Code – Priority Vegetation Overlay should be removed from the Lindisfarne Substation site (60 Hyden Road GEILSTON BAY) and Guy Fawkes Communication site (463 Mount Rumney Road MOUNT RUMNEY) as it applies to areas cleared of vegetation and the assets are existing any impact on the natural assets have previously been assessed.	Supported on the basis that the both of the sites have been extensively developed and have little to no remnant vegetation. This is consistent with NAC 11 of the Guidelines.	Remove the Natural Asset Code – Priority Vegetation Overlay 60 Hyden Road GEILSTON BAY and 463 Mount Rumney Road MOUNT RUMNEY. The recommendation has no impact on implementing the draft LPS as a whole.
	The P1.0 PPZ – Gordons Hill Community Living Bird strike provisions at 1.6.1 be amended to provide for a wire fences above 1.2m in order to save costs.	The Gordons Hill Community Living PPZ is a Transitioning PPZ and has been converted from the CIPS2015 as directed by the TPC. Even so, the standard is to address Bird strike in an area identified as by the TPC (through the approval of A-2015/1) as requiring mitigation measures, alternative construction above 1.2m is not prohibited provided that it is not constructed from wire mesh. Alternatives forms of security fencing greater than 1.2m high meet the AS. Notwithstanding the exemptions at S.4.6.3(a) override the provisions within the Particular Purpose Zone. On that basis, the issue raised does not require modification to the draft LPS but does identity an in issue the ought to be addressed to remove the conflict.	In the event that the exemptions are not modified to the fencing provisions applying to the particular purpose zones (which is preferable). It is recommended that the Bird strike provisions at CLA-P1.6.1 A1 & P1 be removed and A2 & P2 be renumbered accordingly. The recommendation has no impact on implementing the draft LPS as a whole.
	The P3.0 PPZ – Cambridge Commercial Precinct provisions at 3.7.1 A3/P3 be amended to ensure that	The concern is supported, and it is recommended that	Amend CLA-P3.7.1 A3

		lots designated for Utilities are not subject to the specified frontages (25m & 10m respectively).	the AS at A3 be modified to exclude lots designated for public open space and Utilities (in the same way that A1 does for lot size).	as follows: "Each lot, or lot proposed in a plan of subdivision, must have a frontage of not less than 25m excluding lots for public open space, or Utilities." The recommendation has no impact on implementing the draft LPS as a whole.
		The S1.0 Clarence Heights SAP provisions at 1.8.1 A1 be amended to ensure that lots designated for Utilities are not subject to the specified 750m ² lot size.	The concern is supported, and it is recommended that the AS at A1 be modified to exclude lots designated for public open space and Utilities.	Amend CLA-S1.8.1 A1 as follows: "Each lot...not less than 750m ² excluding lots for public open space, or Utilities." The recommendation has no impact on implementing the draft LPS as a whole.
		The S2.0 Lauderdale Neighbourhood Centre SAP provisions at 2.7.2 P1 relating to Building height be amended to remove the finite 2 storey maximum height limit.	Not supported. The Lauderdale Neighbourhood Centre SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and the conversion from the CIPS2015 has not introduced an anomaly. Even so, it is considered that the standards are appropriate given the use of word "should" and the fact that "stories" are not an absolute height above ground level. For example, a single storey church would meet the criteria and could very likely be twice the height of a modest two storey residential or commercial building.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S3.0 Single Hill SAP provisions at 3.7.2 P1 relating to Building height be amended to remove the finite 9m maximum height limit.	Not supported. The standards in the Single Hill SAP were developed based on visual analysis (prepared by the developer) an impact modelling and were the subject of a significant number of representations. No new modelling has been undertaken and no alternative criteria/considerations are proposed.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		As per the Gordons Hill Community Living Bird strike provisions above, it is submitted that the S3.0 Single Hill SAP provisions at 3.7.3 be amended to provide for a wire fences above 1.2m in order to save costs.	In this instance the exemptions at S.4.6.3(a) do not override the provisions within the majority of zones within area subject to the SAP. Alternatives forms of security fencing greater than 1.2m high meet the AS and on that basis, it is considered that the issue raised does not require modification to SAP.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S3.0 Single Hill SAP provisions at 3.8.1 A1 relating to lot design/configuration be amended to	The concern has merit; However, it is not unreasonable	Amend CLA-S3.8.1

		exclude lots required for public use or Utilities.	that alternative subdivision outside the that considered in detail through the original approval of the Single Hill SAP be subject to the exercise of discretion. Accordingly, the corresponding PC at P1(b) should be amended to include reference to Utilities.	P1(b) as follows: “exclusive of road, public open space lots and Utilities, subdivision does not result in lots in addition to the lots shown in Figure CLA-S3.1.” The recommendation has no impact on implementing the draft LPS as a whole.
		The S3.0 Single Hill SAP provisions at 3.8.1 A3 relating to building envelopes be amended to exclude lots required for public use or Utilities.	The concern has merit and given P1 provides for deviations to the lot layout it is reasonable modification to the building envelopes also be provided for. Accordingly, a new PC P3 should be inserted to provide for building envelopes generally in accordance with the Figure CLA-S3.2.	Insert a new CLA-S3.8.1 P3 as follows: “exclusive of road, public open space lots and Utilities, Building Envelopes generally in accordance with the Figure CLA-S3.2.” The recommendation has no impact on implementing the draft LPS as a whole.
		The S4.0 ParanVille SAP Use Table – Education Precinct should be amended to provide for Utilities as a Discretionary Use.	The ParanVille SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and the conversion from the CIPS2015 has not introduced an anomaly.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S4.0 ParanVille SAP subdivision standards at 4.8.1 should be amended to for lots required for public uses and lots designated for Utilities.	The ParanVille SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and the conversion from the CIPS2015 has not introduced an anomaly. However, it is noted that A1(a) provides for some flexibility and would presumably be able to accommodate the concern raised.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S7.0 North East Droughty SAP Bird strike provisions at 7.7.2 could be drafted less onerously.	The North East Droughty SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and the conversion from the CIPS2015 has not introduced an anomaly.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S8.0 East Glebe Hill SAP subdivision provisions at 8.8.1 A1 should be amended to provide for lots required for public uses and lot designated for Utilities	The East Glebe Hill is Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and	No modifications to the draft LPS required.

			the conversion from the CIPS2015 has not introduced an anomaly.	
		The S9.0 Cranston Parade SAP subdivision provisions at 9.8.1 A1 should be amended to provide for lots required for public uses and lots designated for Utilities.	The Cranston Parade SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and the conversion from the CIPS2015 has not introduced an anomaly.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S10.0 North Glebe Hill SAP subdivision provisions at 10.8.2 A1 should be amended to provide for lots required for public uses and lots designated for Utilities.	The North Glebe Hill SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and the conversion from the CIPS2015 has not introduced an anomaly.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S13.0 Glebe Hill Neighbourhood Centre SAP subdivision provisions at 13.8.1 should be amended to insert an AS at A1 to provide for lots required for public uses and lots designated for Utilities.	The Glebe Hill Neighbourhood Centre SAP is not a Transitioning SAP however, in this instance the PC at P1 provides for minor changes from Figure CLA-S13.1 Subdivision and Staging Plan and is considered sufficient to provide for the creation of lots for public uses and Utilities.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S14.0 Oceana Drive Residential and Bushland SAP height provisions at 14.7.1 are finite should be amended to provide consistency with the SPP's and TasNetworks policy position.	The Oceana Drive Residential and Bushland SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and the conversion from the CIPS2015 has not introduced an anomaly.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
		The S14.0 Oceana Drive Residential and Bushland SAP Bird strike provisions 14.7.3 A1 be amended to provide for a wire fences above 1.2m in order to save costs.	The Oceana Drive Residential and Bushland SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC. In this instance the conversion from CIPS2015 has introduced an anomaly in that the exemptions at S.4.6.3(a) override the provisions within the General Redenial and LDR Zone and S.4.6.3(c) overrides the Landscape Conservation Zone. On that basis, the issue raised does not require modification to the draft LPS of these zones but does identify an issue the ought to be addressed to remove the conflict.	Amend the Bird strike provisions at CLA-S14.7.3 to delete A1 & P1 and renumber A2 & P2 accordingly. The recommendation has no impact on implementing the draft LPS as a whole.
		The S14.0 Oceana Drive Residential and Bushland SAP subdivision provisions at 14.8.1 A1 should be amended to provide for lots required for public uses and lots designated for Utilities.	The S14.0 Oceana Drive Residential and Bushland SAP is a Transitioning SAP and has been converted from the CIPS2015 as directed by the TPC and the conversion from the CIPS2015 has not introduced an anomaly.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.

		The S15.0 Cambridge Industrial Estate SAP Use Table at 15.5.1 (Precinct A) should be amended to provide for provide for Utilities as a Discretionary Use.	Supported.	Amend the Use Table at CLA-S15.5.1 (Precinct A) to provide for provide for Utilities as a Discretionary Use. The recommendation has no impact on implementing the draft LPS as a whole.
		The S15.0 Cambridge Industrial Estate SAP Building Height provisions at 15.7.1 P1 (Precinct B) should be amended to provide for discretion.	The SAP controls should be amended to reflect the TPC's decision on amendment A-2019/1, which in this instance will default to the underlying zone standards.	Delete CLA-S15.7.1 A1 and P1 and renumber subsequent clauses accordingly. The recommendation has no impact on implementing the draft LPS as a whole.
		In addition to the above TasNetworks raised a number of concerns with the aspects of the SPP's that identify conflict between existing electricity transmission easement rights, development expectations and SPP Exemptions.	The concerns do not relate to the exhibited draft LPS and contrary to S.35E(4) of LUPAA.	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation
	Spotted Handfish			


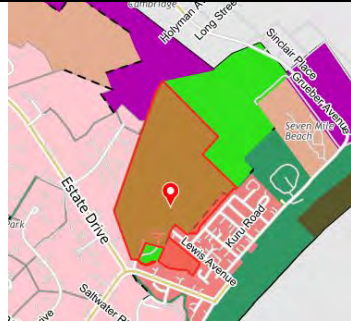
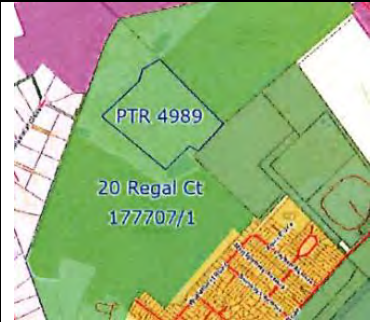


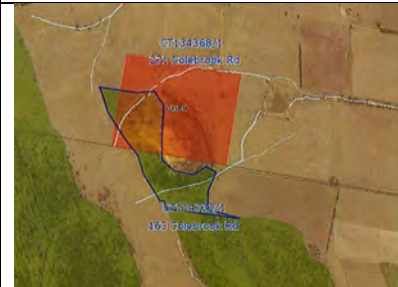
26	Representation 26 was submitted obo the Tasmanian Conservation Trust who raised concerns relating to the protection of the Spotted Handfish.	<p>The representor is concerned that the current CIPS2015 does not afford any protection of the endangered Spotted Handfish. A recent matter mediated through the RMPAT was referred as an example to demonstrate this. It is submitted that the exhibited draft LPS does not provide any further protection than does the CIPS2015 and that opportunity should be taken to ensure that it does.</p> <p>The representor requested that a new SAP be incorporated into the LPS specifically to manage the issues and provided a proposed “Spotted Handfish Conservation Specific Area Plan” for inclusion in the Clarence LPS.</p>	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>No (outside of Municipal area)</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes (to work around them)</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The proposed SAP raises the following implementation issues:</p> <ul style="list-style-type: none">• According to the DIPIPWE website <i>Brachionichthys hirsutus</i>, or Spotted Handfish as it is commonly known, is listed as “Endangered” on the Tasmanian threatened species list. In Tasmania, threatened species are protected under the Tasmanian Threatened Species Protection Act 1995 whereby, a permit is required to knowingly “take” (which includes kill, injure, catch, damage, destroy and collect), keep, trade in or process any specimen of a listed species. Accordingly, other Tasmanian legislation outside of LUPAA provides protection of this species. In this instance the species is also critically endangered under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. For these reasons protection of the species is not required under LUPAA.• The proposed SAP mapping would apply outside of the municipal boundary which is contrary to S.7(b) of LUPAA which specifies that: “<i>The Tasmanian Planning Scheme may apply to, and a municipality may exercise its powers under this Act in respect of(b) any part of the sea-shore to the low water mark adjoining its municipal district</i>”.• The Natural Assets Code specifically caters for the protection and management of threatened	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	No (outside of Municipal area)	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	Yes (to work around them)	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to draft LPS or SPP’s required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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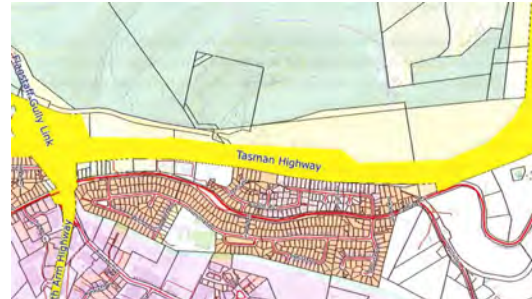



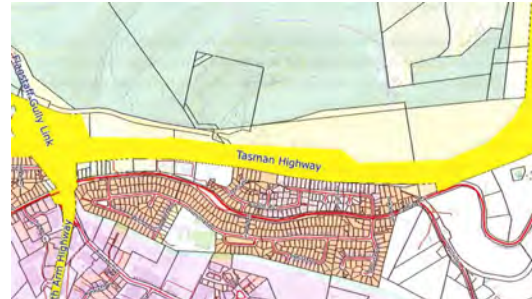



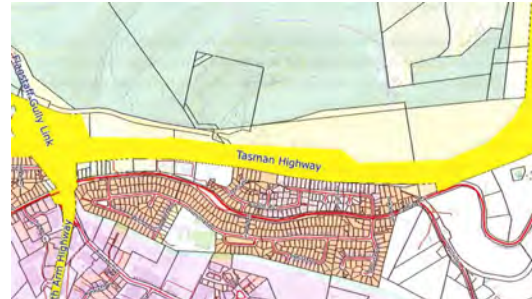


			<p>fauna and habitat. In the event that special controls could be applied below the low water mark then it is appropriate that they be implemented through the Natural Assets Code rather than a new SAP designed to manage one species. In this context the planning considerations associated with the Spotted Handfish are no more important than other listed species afforded protection under the Code. However, it is noted that as drafted the Natural Assets Code does not cater very well for underwater habitat, and if ultimately supported at state level, may require some modification to recognise this.</p> <ul style="list-style-type: none">• The representor states that the mapped areas provided are “preliminary” and would need to be amended to delineate habitat and areas of impact. It is considered that any mapped areas relied on for statutory regulation should have been peer reviewed and been through a public process. Neither of these have occurred.• The proposed SAP:<ul style="list-style-type: none">○ contains no Performance Criteria.○ prohibits any buildings or works in or adjacent to handfish habit area. Yet these areas are not defined/mapped and may be outside the area subject to the SAP provisions.○ Prohibits subdivision, yet subdivision of land below the low water mark has no development impacts associated with establishing title monuments such as boundary pegs and fences ordinarily associated with subdivision. Tenure of the ocean bed need not have any impact on the habitat above or below the water level.																			
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																		
	Strategic master Planning																					
93	Representation 93 is concerned that the draft LPS is not informed by municipal scaled strategic planning.	Representation 93 is “concerned that the planning scheme is reactionary and doesn't make adequate provision for community infrastructure like parks etc... Basic town planning works on ratios of things like greenspace, schools, emergency services, shops and community services to space allocated to development... My conversations with Clarence council indicated that these basic guidelines are non-existent and instead development is being driven by developers rather than a strategic master plan... This approach to town planning is crazy and a mistake the Tasmanian Government makes over and over again. I would hope that councils can be empowered to develop municipal masterplans... it's not rocket science. We know how to plan suburbs. Unless our approach to town planning changes we will continue to create disadvantaged ghettos.”	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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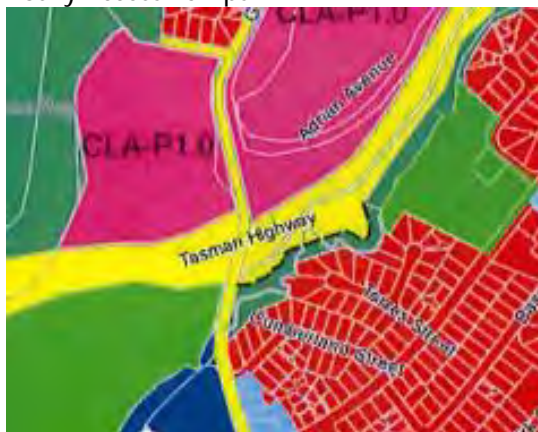







			<table><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>N/A</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The draft LPS is reflects adopted strategy/policy at the local, regional (STRLUS) and State level (LUPAA, State Policies, the Guidelines and TPC Practice Notes).</p> <p>At the municipal level Clarence has adopted a range of plans and strategies that inform the development of local masterplans. Recent examples of local masterplans include:</p> <ul style="list-style-type: none">• Kangaroo Bay• Tranmere - Rokeby Peninsula Structure Plan• Rosny Park Master Plan	Does the representation relate to the drafting/content of the SPP’s?	N/A	Does the merit of the representation warrant modification to the exhibited LPS?	No																			
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	Community Buildings																									
67	Representation 67 expressed a desire for the construction of Civic Centre/Concert Hall/Performing Arts Centres.	The representor submits that <i>“Every city in Australia deserves its own Civic Centre/Concert Hall/Performing Arts Centre, not only to hold big events but to allow smaller groups - dancing schools etc. - to hire the venue for annual performances. Anzac Day concerts, Christmas Events, Australia Day events could all be held here. Yes, it will be expensive, and not used every day, but if built with stadium seating, and the stage down on the ground, the area under the stadium seating could be two or three floors of smaller meeting rooms etc that could be hired by community organisations. It could be built on the current Clarence Council building site, which has parking on its eastern side (current council parking) and for evening events, more parking, by agreement, in the Eastlands multi-level carpark”</i> .	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>N/A</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The matters raised do relate to any element of the exhibited draft LPS or are potentially resolvable via modification to it.</p> <p>However, it is noted that Council is currently working on a broader City Heart project which considers the future</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	N/A	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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	Lauderdale Tip Site - disc golf course																									
90	Representation 90 expressed a desire for the construction of a disc golf course on the old Lauderdale tip site.	The representor submits “As an older person who has lived in Clarence for many years and in Lauderdale for most of it, I am glad to see things happening at the old tip site. I would love to see the disc golf course get built. I have been playing this sport for three years and find it a great way for me to exercise. It gets me out of the house, and I am motivated to improve. The people involved in the sport are great. Friendly, organised and motivated to grow their sport.”	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>N/A</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The potential construction of a disc golf course is not relevant to the determination of the exhibited Draft LPS. However, it is noted that the old Lauderdale tip site is proposed to be zoned Open Space under the draft LPS which provides for Sports and Recreation as a discretionary Use Class.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	N/A	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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	Transparency and management of public land																									
91	Representation 91 raises concern about transparency of staff and elected members as well as the management of public land.	The representor submits “Clarence Council and it’s employees, as representatives of ratepayers must not lease, gift or sell any Public Land, Reserves, Recreational Reserve Land, Crown Land or any other land in the Municipality which is customarily, or by tradition, or usage, seen/ deemed to be Public Land, to any other Party for development, Privatisation or profit. The Elected Councillors and Council employees must at all times be aware in their planning and actions, that they are Public Servants (i.e. bound to obey the wishes of the ratepayers who are the people who pay their wages, salaries, expenses and any other remunerations) and must be at all times transparent and accountable to the ratepayers for the actions and decisions taken by Elected Councillors and Council employees.”	<table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>N/A</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	N/A	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.		
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94	Traffic Light Arrows Representation 94 raises concern about traffic lights	The representor submits that they “would like to see instalments of green arrows on all traffic lights. It is perhaps common knowledge to let all ongoing cars pass before turning a corner. However, as a newcomer it is highly dangerous and can cause severe traffic problems when one waits for the green arrows to appear which never is the case”.	<table><tr><td colspan="2">Overview assessment</td></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>N/A</td></tr><tr><td>Natural Justice issues</td><td>N/A</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>N/A</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The matters raised do relate to any element of the exhibited Draft LPS.</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	N/A	Natural Justice issues	N/A	Does the representation relate to the drafting/content of the SPP’s?	N/A	Does the merit of the representation warrant modification to the exhibited LPS?	No	No modifications to the draft LPS required. The recommendation has no impact on implementing the draft LPS as a whole.
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	Department of State Growth																									
43	Representation 43 was from the Department of State Growth and raises concerns relating to: <ul style="list-style-type: none">Forest ResourcesMineral ResourcesState Road Network (zoning)<ul style="list-style-type: none">Mornington Mountain Bike ParkRokeby BypassSouth Arm RoadRosny Access RampsSurplus Land - Geilston BayFuture Major RoadsCambridge Link Road	The Department of State Growth advises that the draft LPS reflects a sound translation of the CIPS2015 in accordance with the Guidelines. However, detailed below are issues that they believe require further consideration.	<table><tr><td colspan="2">Overview assessment</td></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>Yes</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation</td><td>No</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	Yes	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation	No			
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Forest Resources								
429 Flagstaff Gully Road (CT 202945/1)	20 Regal Crt, 7MB (CT 177707/1)	Location of PTR on 20 Regal Crt, 7MB						
<p>It is submitted the land at 429 Flagstaff Gully Road (CT 202945/1), Lindisfarne and 20 Regal Crt, Seven Mile Beach (CT 177707/1) are not currently used for timber production, however they are both Private Timber Reservations (PTR). They are proposed to be zoned Landscape Conservation and Recreation respectively and should be zoned Rural for the following reasons:</p> <ul style="list-style-type: none">Due to the exemptions at S.20(7) of LUPAA the undertaking of forest operations on PTR's can occur under the Forest Practices Act 1985 irrespective of the underlying zone.The LPS Supporting Report specifies (at p37) that <i>"the Draft Clarence LPS and associated SPP's result in a Scheme that is consistent with the regional policies and likely to further the outcomes by...(g) Providing for non-agricultural resource development, such as forestry, extractive industry and onshore aquaculture facilities within the Rural Zone."</i> <p>It would be informative to understand the rationale in applying the alternative zonings to the PTR's.</p>			<p>The respective zones were converted on a "like for like" basis of the CIPS2015.</p> <p>It is noted that the S.20(7) LUPAA exemption referred to is now S.11(3) under the revised LUPAA, but is nevertheless is accepted.</p> <p>The potential rezoning of 429 Flagstaff Gully Road to Rural can be supported for the reasons provided and the fact that it represents a shift in Landscape Conservation/Rural zone delineation.</p> <p>The rezoning of the land at 20 real Court to Rural is not supported for the following reasons:</p> <ul style="list-style-type: none">It would represent a spot rezoning with no strategic foundation.The majority of the site is developed with a golf course and the application of the Recreation zone is consistent with the Guidelines.It would result in a split zoning that is not necessary to implement the STRLUS or reflect adopted strategy.The land is not characterised by, or to lead to an extension of, the Rural environment.The application of the Recreation zone would not prevent forest operations on PTR's.			<p>Rezone the land at 429 Flagstaff Gully Road to Rural.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>		
Mineral Resources								
271 Colebrook Rd (CT 134368/1)	163 Colebrook Road (CT 114732/1)	Extent of requested rezoning (in blue)						
<p>The land at 163 & 271 Colebrook Rd, Richmond is proposed to be zoned Landscape Conservation and Agriculture. It is submitted the area shown in blue (above) should be rezoned to Agriculture to</p>			<p>The existing quarry has compromised the both landscape values and agricultural potential of the subject area. The associated Mining Lease I555P/M provides for the expansion of operations and likely to further compromise any remnant values within the immediate area. Notwithstanding, Extractive Industries is a prohibited use class in the Landscape Conservation Zone and discretionary the Agriculture Zone. On that basis the Agriculture Zone is the more appropriate zone to apply to the subject area. For this reason, and the fact that it represents a shift in Landscape Conservation/Agriculture zone delineation rather than an isolated rezoning per se the requested rezoning is supported.</p>			<p>Rezone the land subject to the Mining Lease I555P/M at 163 & 271 Colebrook Rd from Landscape Conservation to Agriculture.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>		

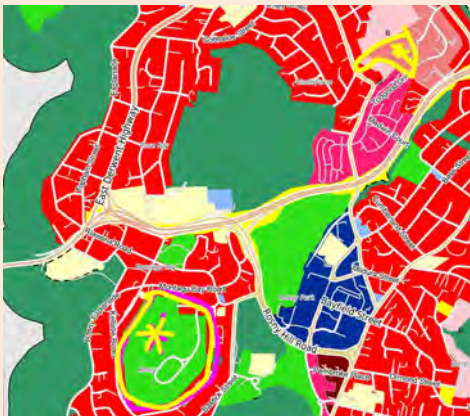
	<p>recognise the Mining Lease I555P/M and existing quarry.</p>										
	<p>State Road Network</p> <p>State Growth has historically acquired more land than required for their road infrastructure. It is submitted that:</p> <ul style="list-style-type: none">• excess land beyond the casement results in increased management/maintenance burden.• the application of the utilities zone beyond the casement limits the capacity to dispose of excess land to adjoining owners.• the State Road Casement layer on the LIST was produced to assist the application of the Utilities zone and the Guidelines require the application of the zone to be based on the LIST overlay. <p>It is requested that the casement layer be applied to the following areas:</p> <ul style="list-style-type: none">○ the Tasman Hwy (adjacent to the Mornington Mountain Bike Park).○ Rokeby Bypass & South Arm Road○ South Arm Road (between Oakdowns Parade and Acton Road) <p>It is also submitted that Council may wish to consider extending the Utilities Zone further northwards onto their property CT1627/100 to cater for a possible east bound on-ramp project.</p> <p>Each of the respective area are shown below.</p> <table><tr><th>Exhibited draft LPS zone map</th><th>Requested zoning/change</th></tr><tr><td><p>Tasman Hwy</p></td><td></td></tr><tr><td><p>Rokeby Bypass South Arm Road</p></td><td></td></tr><tr><td><p>South Arm Road</p></td><td></td></tr></table>	Exhibited draft LPS zone map	Requested zoning/change	<p>Tasman Hwy</p> 		<p>Rokeby Bypass South Arm Road</p> 		<p>South Arm Road</p>		<p>The rezoning requests based on the alignment of road the casement layer is supported as this consistent with UZ2 of the Guidelines.</p> <p>The rezoning of the land adjacent to the East Derwent Hwy (CT9835/1, CT8135/1 & CT8135/2) is supported for the following reasons:</p> <ul style="list-style-type: none">• The land is not required for the road,• The land is within the STRLUS UGB,• The land has not been identified as being required as part of Council’s Open Space network and nor is it likely to be desirable for that purpose.• The land adjoins General Residential zoned land and will not introduce land use conflict.• It will provide opportunity to sell the land to the adjoining property owners reducing maintenance burden and lead to better utilisation of the land. <p>The rezoning of Council’s land (CT 162757/100) for a potential Rosny Access Ramp is not supported for the following reasons:</p> <ul style="list-style-type: none">• It is not required to implement the STRLUS.• It is not required by the Guidelines.• There is no commitment to build an access ramp.• The land is owned by Council and there is no risk of it being developed contrary Council’s intent.	<p>Rezone the following road corridors consistently with the casement layer on the LIST as per the State Growth representation:</p> <ul style="list-style-type: none">• Tasman Hwy (adjacent to the Mornington Mountain Bike Park).• Rokeby Bypass & South Arm Road• South Arm Road (between Oakdowns Parade and Acton Road) <p>Rezone the land adjacent to the East Derwent Hwy Geilston Bay (CT9835/1, CT8135/1 & CT8135/2) from Open Space to General Residential.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Exhibited draft LPS zone map	Requested zoning/change										
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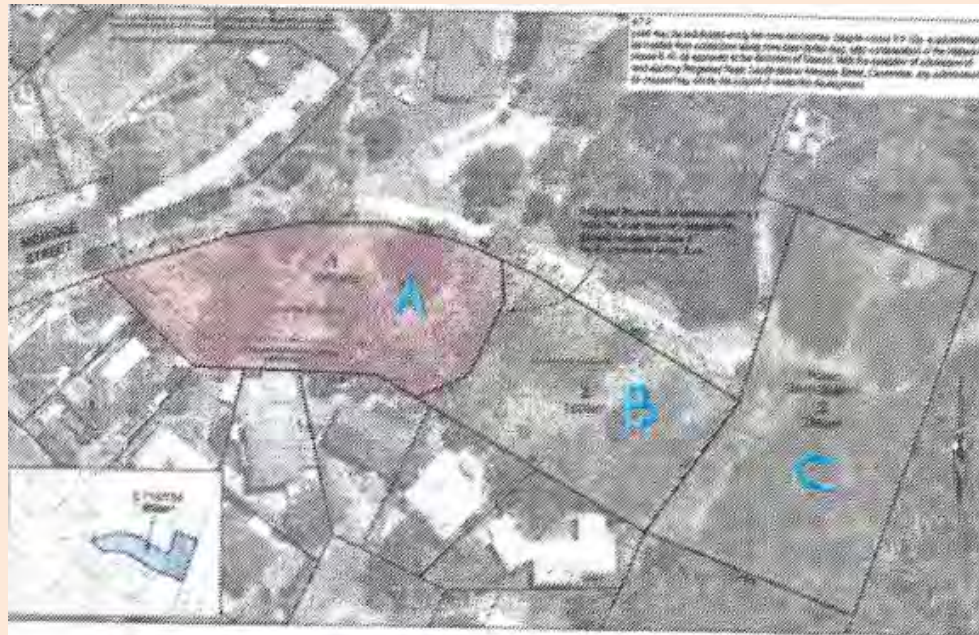
	<div><div></div><div></div><div><div>Rosny Access Ramps</div><div></div><div></div></div></div> <div><p>It is submitted that three titles in Geilston Bay (CT9835/1, CT8135/1 & CT8135/2) are not required for the East Derwent Hwy and they should be rezoned from Open Space to General Residential (as shown below) to provide for a broader range of uses and future sale.</p><table><tr><th>Exhibited draft LPS zone map</th><th>Requested zoning/change</th></tr><tr><td></td><td></td></tr></table></div> <div><p>Road and Railway Assets Code State Growth requests the mapped attenuation buffer around their road network be removed from the overlay on the basis that the Code already requires a 50m buffer by description. The concern was that modification to road alinent would necessitate a Planning Scheme Amendment.</p></div>	Exhibited draft LPS zone map	Requested zoning/change			<p>The Road and Railway Assets Code provides for either use of a mapped overlay or, where not mapped, 50m from the boundary of a road.</p> <p>It is considered that the use of a mapped overlay is preferable to a description as it more transparent and less likely to be missed. It is also less likely to be subject to interpretation and the requirement for confirmation in the event of an appeal.</p>	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Exhibited draft LPS zone map	Requested zoning/change						
							


			It is accepted that any new major road or significant realignment of existing major road will necessitate a future Planning Scheme Amendment.	
		Future Major Road Overlay State Growth advise the Cambridge Link Road will be completed prior to the implementation of the LPS and on that basis the Future Major Road Overlay (from the Road and Railway Assets Code) should be removed from it. The Future Major Road Overlay near Clarendon Vale/Oakdowns and Richmond are supported.	The removal of the Cambridge Link from the Road Future Major Road Overlay (from the Road and Railway Assets Code) is supported. Support for the retention of the Clarendon Vale/Oakdowns and Richmond future road mapping is noted.	Amend the Road and Railway Assets Code by deleting the Cambridge Link Road from the Future Major Road Overlay. The recommendation has no impact on implementing the draft LPS as a whole.
		Cambridge Link Road Zoning State Growth request that now that Cambridge Link Road is nearing completion that the land zone outside of the acquisition boundaries be rezoned Agriculture to reflect the zoning of the adjoining land.	The rezoning of the land adjoining the Cambridge Link Road outside of the acquisition boundaries is supported. All of the land within the Cambridge Link Road should be rezoned to Utilities. 	Rezone the land adjoining the Cambridge Link Road outside of the acquisition boundaries (CT 178050/1) to that of the immediately adjoining properties. Rezone all of the land within the Cambridge Link Road to Utilities. The recommendation has no impact on implementing the draft LPS as a whole.

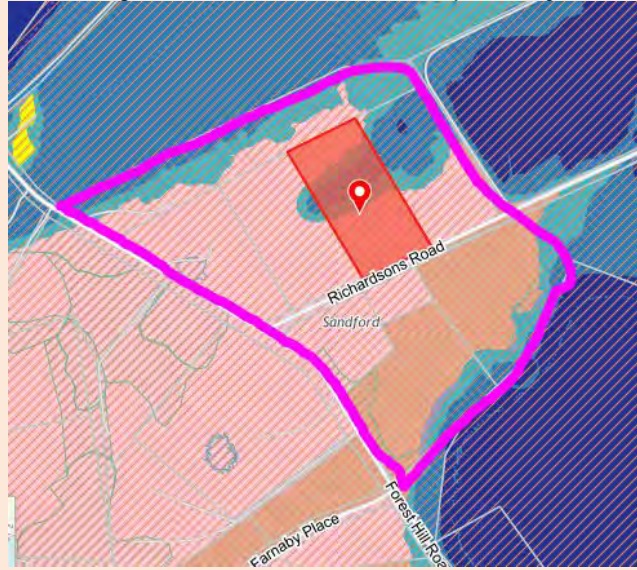
Summary of representations associated with submissions received outside the Exhibition Period


Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Advertising Signage - SPP's & LPS SSQ's																									
12	Representation 12 is concerned that billboard type advertising signage is not provided for in the Utilities Zone.	<p>The representor is concerned that billboard type advertising signage is not provided for in the state road corridor (SRC) (typically zoned Utilities). Essentially the submission is concerned with the expression and limitations of the SPP's and requests that 6 specified overpass/bridges on the Tasman Highway be permitted to contain commercial advertising. The representor does not specify how they propose that the draft LPS be modified to accommodate their concern, however, its presumed that a Site-Specific Qualification (SSQ) is requested. If supported, a suitable SSQ could facilitate the request.</p> <p>It is acknowledged that the request is inconsistent with the SPP's, however, it is submitted that:</p> <ul style="list-style-type: none">the Department of State Growth has given in principle supportAdvertising has numerous benefits for the economy, including the creation of jobsErecting such structures will add to the amenity of the SRCAdvertising is permitted within the local road corridor but not within the SRC which demonstrates inconsistency in the Planning LegislationThe DA fees will increase revenue for the CouncilThe annual revenue being received by State Growth may be utilised to fund projects within the Clarence City Council Local Government Area (LGA) which will only enhance the liveability and connectivity within the LGA. <p>The representor, wants to ensure any proposal lodged under the suggested arrangements be limited to <i>“Prudential Consultants Pty Limited”</i> exclusively on the basis that they <i>“have extensive experience and expertise in the planning and construction of these types of structures and it is in Clarence City's best interest that Prudential Consultants Pty Limited be the organisation that erects this type of advertising structure”</i>.</p> <p>Additionally, the representor requests that they be given 50 years to develop their vision for the SRC, and to ensure high standards of amenity, that the LPS should prohibit signage which is not approved by Clarence City Council and a fine / penalty imposed on the offender / offending entity.</p>	<p>Representation 12 was received at 9:32pm on the closing date (the cut off was COB 17 March 2020). The timing raises no issue and should be considered with the other representations pursuant to Section 35F(2)(b) of LUPAA.</p> <table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>Yes (in response to them)</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The precise nature/detail of the requested modifications to the draft LPS is not known. It is not articulated whether the signage is intended to be permitted or discretionary and what standards would apply (if any).</p> <p>Notwithstanding, the request is not supported for the following reasons:</p> <ul style="list-style-type: none">S.35E(4) specifies that a representation must not be to the effect the content of the SPP's be altered. It is not appropriate to utilise SSQ's for the sole purpose of circumventing the SPP Zone standards.It is not appropriate to develop planning controls to provide for one developer to the exclusion of others.Providing for 3rd party signage within road corridors would not improve/assist road function (it may untimely compromise it).3rd party signage is likely to contribute to visual clutter and impact visual amenity.	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP's?	Yes (in response to them)	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																										
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State Policies	N/A																									
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TPC Drafting Instructions/Practice Notes	N/A																									
Local Strategy/Policy	N/A																									
a “like for like” conversion of the CIPS2015	No																									
Natural Justice issues	Yes																									
Does the representation relate to the drafting/content of the SPP's?	Yes (in response to them)																									
Does the merit of the representation warrant modification to the exhibited LPS?	No																									

			<ul style="list-style-type: none">In recognising the significance of the Tasman Highway in Clarence, Council is currently working on a gateway project. In terms of this project, there is concern that the proposal could result in significant undesirable impacts on the aesthetics and visual amenity of the road corridor. Signage such as that proposed would greatly limit Council's capacity to provide any kind of journey experience.																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	Rosny Hill and Weina Reserve																									
13,48, 68, 83	<p>Representation 13 concern relates to the protection of Rosny Hill Reserve and Wiena Reserve.</p> <p>Representations 48 & 68, 83 relates to the Wiena Reserve only.</p> 	<p>The concern is that the draft LPS does not protect Rosny Hill Reserve and Wiena Reserve from development and they should be zoned to protect their natural and cultural values. It is submitted that:</p> <ul style="list-style-type: none">the reserves are used for quiet enjoyment and for the benefit of the plants and wildlife that live there.Wiena Reserve has Aboriginal heritage which should be preserved.It is a pity that Rosny Hill is marked for "Urban Densification".The need for public reserves is becoming more important.	<p>Representation 48, 68 and 83 were received within the statutory exhibition period. Representation 13 was received at 6:17pm on the closing date (the cut off was COB 17 March 2020). The timing raises no issue and should be considered with the other representations pursuant to Section 35F(2)(b) of LUPAA.</p> <table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>Yes (POS Policy 2013)</td></tr><tr><td>a "like for like" conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>The Wiena Reserve (95A Gordons Hill Road, Lindisfarne) is Public Open Space (POS) owned Council and currently zoned LDR under the CIPS2015. This zoning was translated on a "like for like" basis to LDR under the Draft LPS. Consistent with OSZ 1 & 3 of the Guidelines it is recommended that this land be rezoned to Open Space to reflect its POS status, natural values and public ownership.</p> <p>With respect to the other matters raised, it is considered that no further modification of the exhibited draft LPS is warranted for the following reasons:</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	Yes (POS Policy 2013)	a "like for like" conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<p>Rezone the Wiena Reserve (95A Gordons Hill Road, Lindisfarne) from LDR to Open Space.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																										
Is the representation consistent with:	Yes/No/NA																									
the STRLUS	Yes																									
State Policies	N/A																									
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TPC Drafting Instructions/Practice Notes	N/A																									
Local Strategy/Policy	Yes (POS Policy 2013)																									
a "like for like" conversion of the CIPS2015	No																									
Natural Justice issues	No																									
Does the representation relate to the drafting/content of the SPP's?	No																									
Does the merit of the representation warrant modification to the exhibited LPS?	Yes																									

			<ul style="list-style-type: none">• The zoning of Rosny Hill is covered in detail above.• Both the Rosny Hill and Wiena Reserves are subject to the provisions of the Natural Assets Code and accordingly are afforded protection under the Code.• Aboriginal heritage is afforded protection under the Aboriginal Heritage Act 1975.• The refence to Rosny Hill "Urban Densification" relates to the STRLUS and is not reflected in the draft LPS zoning of Rosny Hill.																							
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																						
	1 Monique St, Howrah (Dual Zoning)																									
14	<p>Representation 14 relates to the Dual Zoning of the land at 1 Monique St, Howrah.</p> 	<p>The land at 1 Monique St, Howrah is dual zoned. While the zoning reflects a “like for like” conversion of CIPS2015, the concern is that it is not clear how the zone boundary arose, and it does not reflect the boundary that existed under the ESPS1963 or the CPS2007. It is submitted that the owners were not aware of the reduction in the area zoned General Residential until they recently began contemplating development of the land.</p> <p>The Representor submits that the area identified as “B” in the figure below should be rezoned from Landscape Conservation to General Residential. To support this proposal the representation was accompanied by a natural values assessment, by North Barker dated 11 March 2020. In summary, the natural values assessment describes the western areas corresponding approximately to Areas A and B as being largely cleared of understory, and of poor quality in comparison to the eastern area corresponding with Area C.</p> 	<p>Representation 14 was received at 5:35pm on the closing date (the cut off was COB 17 March 2020). The timing raises no issue and should be considered with the other representations pursuant to Section 35F(2)(b) of LUPAA.</p> <table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>Yes</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>No</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP's?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes</td></tr></table> <p>While the zoning reflects a “like for like” conversion of CIPS2015, in this instance the rezoning requested is supported essentially for the reasons outlined by the representor. However most significantly it is noted that:</p> <ul style="list-style-type: none">• It would further the STRLUS, providing additional infill opportunity in a preferred location.• It would provide for the more efficient utilisation of land.	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	Yes	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	No	Does the representation relate to the drafting/content of the SPP's?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes	<p>Rezone a portion of the land at 1 Monique St, Howrah (identified as “Area B” on Figure 2 of the representation) from Landscape Conservation to General Residential.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																										
Is the representation consistent with:	Yes/No/NA																									
the STRLUS	Yes																									
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a “like for like” conversion of the CIPS2015	No																									
Natural Justice issues	No																									
Does the representation relate to the drafting/content of the SPP's?	No																									
Does the merit of the representation warrant modification to the exhibited LPS?	Yes																									

		<p>Rezoning Area B from Landscape Conservation to General Residential :</p> <ul style="list-style-type: none">would reinstate the previous zone alignment established under the former ESPS1963 and CPS2007;would be consistent with the STRLUS as Area B is within the UGB (Area C is not);would provide for the efficient subdivision of the land and enable Area C to be provided to Council as POS extending the existing Glebe Hill POS reserve at 44 Merindah Street HOWRAH. This intern would assist the protection of this bushland provide access for public management and opportunity to tackle declared weeds and to buffer the forest upslope. The retention of additional E. risdonii contributes to the conservation of the species.	<ul style="list-style-type: none">It would provide opportunity to enhance Council’s POS network.The rezoning would represent a relatively minor zone alignment confined to the same lot and not result in any land use conflict issues with adjoining land.It is unlikely to result in and natural justice issues.																							
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	28 Richardsons Road, Sandford																									
98	<p>Representation 98 submits that they and several of their neighbours would like to subdivide the Rural Living Zoned properties in Richards Rd, Sandford.</p> 	<p>The representation follows discussions and correspondences with Council planners over several years. The representor submits:</p> <ul style="list-style-type: none">That they (28 Richardsons Rd, Sandford) <i>“and several of our neighbours, would like to be able to subdivide our small cluster of 5 acre [2Ha] properties. So, by this letter, we request to be considered, along with other notices against the LPS, and advised when and how we might forward a more detailed submission”</i>.That previous correspondence contained the signatures of serval neighbours, which if required can be submitted again.	<p>Representation 98 was received at 3:25pm on the 19 March 2020 (the cut off was COB 17 March 2020). The timing raises no issue and should be considered with the other representations pursuant to Section 35F(2)(b) of LUPAA.</p> <table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The property at 28 Richardsons Rd, Sandford, and those surrounding it, are proposed to be zoned Rural Living Area B representing a “like for like” conversion of the existing CIPS2015 provisions with a 2.0Ha minimum lot size.</p> <p>Whilst a specific mechanism or minimum lot size has not been requested by the representor, presumably a conversion to Rural Living Area A (1.0Ha) is sought as this would be likely to facilitate additional subdivision potential.</p> <p>The comments relating to the Acton Park & Sandford</p>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	No	<p>No modifications to the draft LPS required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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Natural Justice issues	Yes																									
Does the representation relate to the drafting/content of the SPP’s?	No																									
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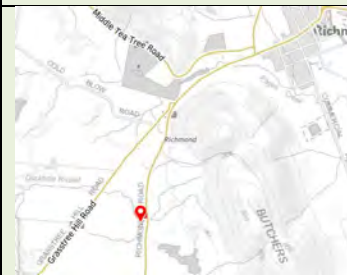

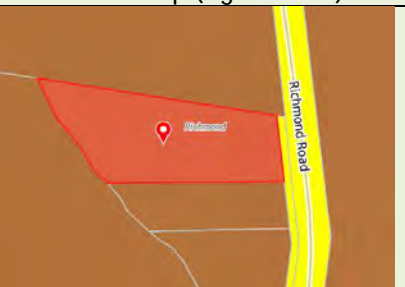
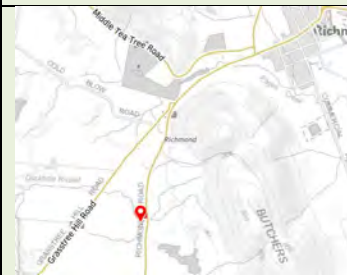

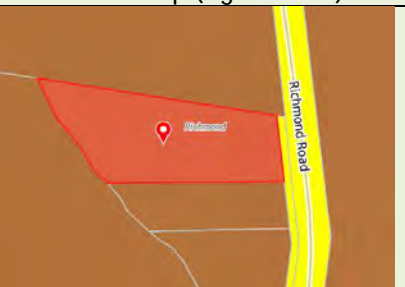
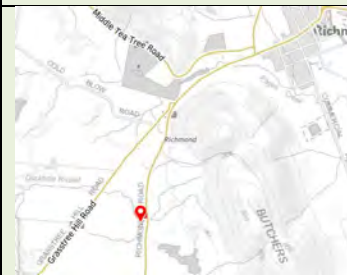

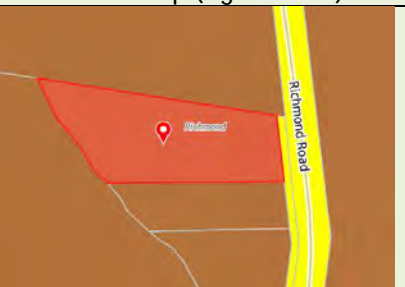
			<p>Rural Living submissions are equally relevant to this representation.</p> <p>With respect to this site and surrounding lots specifically, it is noted that, unlike Acton Park, the land is not serviced with reticulated water supply, Richardsons Road is not sealed, and the development potential/suitability is constrained being subject to the following hazard codes (shown below):</p> <ul style="list-style-type: none">• Bushfire (100% - red hatching)• Inundation (variable 0-50% - Low & medium solid light blue and darker blue respectively). 																					
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																				
	Rural Living Front Setbacks																							
102	Representation 102 is concerned about the lack of front setback discretion in the Rural Living Zone.	<p>The representor recognised that their submission would be received outside the exhibition period. On 30 March 2020 the representor wrote directly to the TPC outlining their concerns. The TPC advised the representor that it may be possible to have their issues considered and suggested that may wish to make a late representation to the Clarence City Council (and not to the TPC) as <i>“it is the responsibility of the planning authority to report to the Commission about any late representations and the issues raised”</i>.</p> <p>The concern relates to the lack of front setback discretion in the Rural Living Zone and follows previous submissions provided during the development of the CIPS2015 and the SPP’s arising from the representor’s inability to construct a shed within the front setback of their Rural Living property in Sandford.</p> <p>The representor submits:</p> <ul style="list-style-type: none">• <i>“Clarence Council, most unreasonably took us to the Planning and Appeals Tribunal on the issue of a shed placement”</i>.• There are many reasons why the standards should have greater flexibility, yet the new regulations are even more inflexible and restrictive than was previously the case.• Following the representations received during the exhibition of the CIPS2015, <i>“Greg Alomes was quite confident that the Commission would support our submission. He even visited our land to check on our submission points and realised that the Council had been very unfair to us, having previously had discretion then removed it”</i>.• <i>“The Planning Commission was very sympathetic and positive when our situation of topography, distance from the nearest secondary roadway, wide and dense roadside forest</i>	<p>Representation 102 was received on 5 April 2020 (the cut off was COB 17 March 2020). The timing raises no issue and should be considered with the other representations pursuant to Section 35F(2)(b) of LUPAA.</p> <table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>N/A</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>Yes</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	N/A	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	Yes	<p>No modifications to draft LPS or SPP’s required.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																								
Is the representation consistent with:	Yes/No/NA																							
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a “like for like” conversion of the CIPS2015	No																							
Natural Justice issues	Yes																							
Does the representation relate to the drafting/content of the SPP’s?	Yes																							


		<p>zone; metres (extract below). road level when we presented this to a panel of experts.” (associated with CIPS2015 hearing).</p> <ul style="list-style-type: none">• The Rural Living front setback standards should be reconsidered to provide the discretion provided in previous planning schemes, which fairer.• “Sandford has nothing to do with by laws at Acton”.	<table><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>No</td></tr></table> <p>The concern relates to the content of the SPP’s and is not an issue that could be resolved through any potential modification of the LPS.</p> <p>Notwithstanding, it noted that the TPC was aware of the representors concerns during its consideration of both the CIPS2015 and the SPP’s, both of which provide for the discretionary consideration of front setback variations subject the specified Performance Criteria (PC).</p> <p>In the case of the CIPS2015, the PC specifies minimum thresholds under certain circumstances. The SPP do not prescribe absolute standards and rely on compatibly with/impact on the character of the area.</p>	Does the merit of the representation warrant modification to the exhibited LPS?	No																					
Does the merit of the representation warrant modification to the exhibited LPS?	No																									
Rep #	Concern/issue	Representor’s Submission/Justification	Comment	Recommendation																						
	Rezoning: 15 Gregson Street & 22 Saundersons Road, Risdon																									
45, 103	<p>Representation 45 requests that the property at 15 Gregson Street, Risdon be rezoned from Rural Living to General Residential or Low Density Residential.</p> <p>Representation 103 expressed a desire to rezone the land at 22 Saundersons Road, Risdon.</p> 	<p>The property at 15 Gregson Street, Risdon (CT 227708/1) is an approximately 1.1Ha lot proposed to be zoned Rural Living under the Draft LPS. The site is developed with an existing dwelling and associated outbuildings on the southern portion of the site, whilst the remainder of the site is interspersed with existing vegetation.</p> <p>It is submitted that the property should not be zoned Rural Living Zone and requests that it be rezoned to General Residential or LDR for the following reasons:</p> <ul style="list-style-type: none">• The site is within the STRLUS UGB and is therefore potentially suitable for alternate residential zoning.• a like-for-like conversion of the CIPS2015 Rural Living Zoning would result in an underutilisation of the site and effectively preclude any further infill development/growth in Risdon.• The site would represent an extension of the General Residential zone to the west.• Whist subject to the Natural Asset Code, the current vegetation mapping does not indicate presence of high risk or threatened vegetation communities.• The site is identified as being bushfire prone, this is a matter that can be readily addressed through setback fire breaks as part of a future application for subdivision.• The site is serviced by reticulated sewer and water.• The site’s limited size is unlikely to result in an oversupply of land within the nearby Risdon Vale/Geilston Bay area.• The site is not located within a rural setting and the site’s characteristics are not consistent with the purpose of the Rural Living Zone.• Rezoning the land to LDR would not be inconsistent with the approach taken within Geilston Bay and Lindisfarne, providing a buffer between General Residential land and the existing bushland to the north-east and south-east. <p>The property at 22 Saundersons Road, Risdon (CT 3287/1) is an approximately 2.0Ha lot proposed to be zoned Rural Living under the Draft LPS. The representation was received late, did not specify what zone they wanted but submitted:</p>	<p>Representation 45 was received within the statutory exhibition period. Representation 103 was received on 23 April 2020 (the cut off was COB 17 March 2020). The timing raises no issue and should be considered with the other representations pursuant to Section 35F(2)(b) of LUPAA.</p> <table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>No</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>No</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a “like for like” conversion of the CIPS2015</td><td>No</td></tr><tr><td>Natural Justice issues</td><td>Yes</td></tr><tr><td>Does the representation relate to the drafting/content of the SPP’s?</td><td>No</td></tr><tr><td>Does the merit of the representation warrant modification to the exhibited LPS?</td><td>Yes (modified)</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	No	State Policies	N/A	the Guidelines	No	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a “like for like” conversion of the CIPS2015	No	Natural Justice issues	Yes	Does the representation relate to the drafting/content of the SPP’s?	No	Does the merit of the representation warrant modification to the exhibited LPS?	Yes (modified)	<p>Rezone the Rural Living Zoned lots in Risdon from Rural Living to Future Urban.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																										
Is the representation consistent with:	Yes/No/NA																									
the STRLUS	No																									
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Does the representation relate to the drafting/content of the SPP’s?	No																									
Does the merit of the representation warrant modification to the exhibited LPS?	Yes (modified)																									

		<ul style="list-style-type: none">The lot is currently used for residential purposes and large open space.The unused portion of the site requires higher maintenance which is undesirable given their stage of life.They wish to remain in the area but requires a change of zoning to ensure this practical, affordable and within their means and resources.The lot was set up for future intensified use but is now inappropriately zoned.	<p>The submissions are generally supported. Other relevant considerations are:</p> <ul style="list-style-type: none">Spot rezoning is not strategic in nature and there are several other Rural Living zoned lots within the Risdon Area that ought to be considered as part of any strategic review/change.The STRLUS requires that precinct structure plans be completed and incorporated into the Scheme through the application of SAP's as part of the Rezoning Process. This work has not been completed and adds weight for the need to consider the nearby Rural Living Zoned lots outlined above.Precinct structure plans can be developed through collaboration between owners or, subject to other work priorities and budget allocation, facilitated as a Council initiative. <p>For these reasons it is considered that the application of the Future Urban Zone would go some way to addressing the representors concerns, recognising that the land is within the STRLUS UGB and should be developed for urban purposes upon the completion of an appropriate assessment of the subject land's capabilities, constraints and the development of a suitable structure plan.</p> <p>This process and approach would facilitate public engagement and assist to determine the future urban form and associated densities.</p>																	
Rep #	Concern/issue	Representor's Submission/Justification	Comment	Recommendation																
	CLA-S15.0 Cambridge Industrial Estate SAP																			
104	Representation 104 requests that the Cambridge Industrial Estate SAP be modified consistent with the TPC's determination of A-2019/1.	<p>Representation 104 was submitted following the TPC's Hearing on Amendment A-2019/1 (to the CIPS2015) on 23/04/2020. The amendment related to the Height, Setback and Landscaping provisions within the CIPS2015's Cambridge Industrial Estate Specific Area Plan.</p> <p>During the TPC Hearing it became evident that the exhibited draft LPS would require modification to implement any approval of the amendment under the future Tasmanian Planning Scheme. Accordingly, the representor requests that Cambridge Industrial Estate SAP be modified consistent with the TPC's determination of A-2019/1. The representor also notes that <i>"there is also a typographical change to this SPP provision which should refer to 'setback', not 'frontage'. Whilst it is understood the Council may not change SPPs it appears proper not to propagate the error further into the LPS."</i></p>	<p>Representation 104 was received on 29/04/2020 (the cut off was COB 17 March 2020) following the TPC Hearing on Amendment A-2019/1 to the CIPS2015 on 23/04/2020. The timing raises no issue and should be considered with the other representations pursuant to Section 35F(2)(b) of LUPAA.</p> <table><tr><th colspan="2">Overview assessment</th></tr><tr><td>Is the representation consistent with:</td><td>Yes/No/NA</td></tr><tr><td>the STRLUS</td><td>Yes</td></tr><tr><td>State Policies</td><td>N/A</td></tr><tr><td>the Guidelines</td><td>N/A</td></tr><tr><td>TPC Drafting Instructions/Practice Notes</td><td>N/A</td></tr><tr><td>Local Strategy/Policy</td><td>N/A</td></tr><tr><td>a "like for like" conversion of the</td><td>Yes (A-2019/1)</td></tr></table>	Overview assessment		Is the representation consistent with:	Yes/No/NA	the STRLUS	Yes	State Policies	N/A	the Guidelines	N/A	TPC Drafting Instructions/Practice Notes	N/A	Local Strategy/Policy	N/A	a "like for like" conversion of the	Yes (A-2019/1)	<p>The Cambridge Industrial Estate Specific Area Plan be modified to reflect the TPC's approval of A-2019/1.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
Overview assessment																				
Is the representation consistent with:	Yes/No/NA																			
the STRLUS	Yes																			
State Policies	N/A																			
the Guidelines	N/A																			
TPC Drafting Instructions/Practice Notes	N/A																			
Local Strategy/Policy	N/A																			
a "like for like" conversion of the	Yes (A-2019/1)																			

			CIPS2015		
			Natural Justice issues	No	
			Does the representation relate to the drafting/content of the SPP's?	Yes	
			Does the merit of the representation warrant modification to the exhibited LPS?	Yes	
			The submission is supported, and it is noted the observations relating to the expressions of the SPP's is a matter for the TPC.		

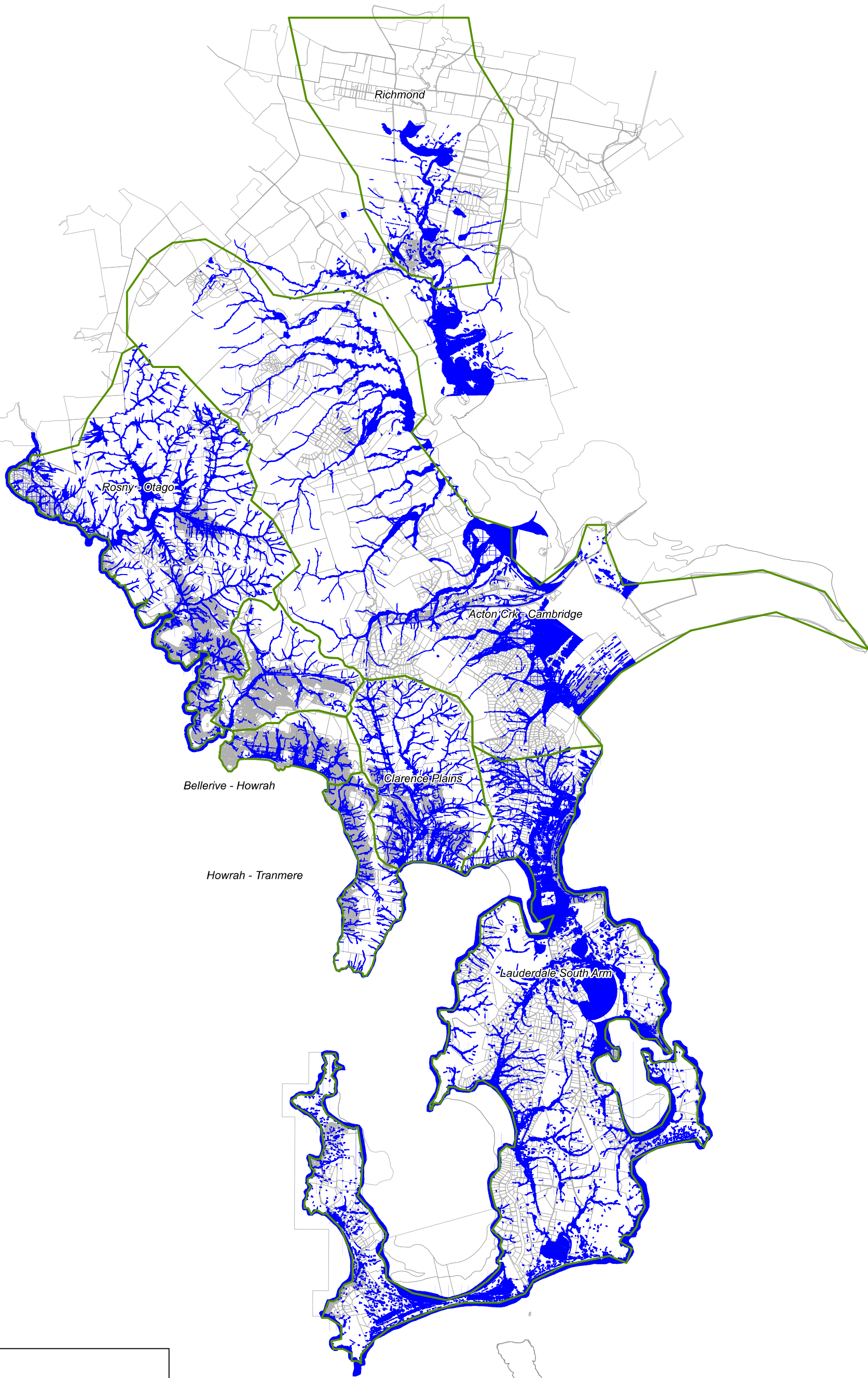
Other Matters Identified by Council

Issue	Comment	Recommendation						
Additional Potentially Contaminated Sites: <ul style="list-style-type: none">1226 Richmond Road, Richmond52 Richardsons Road, Sandford	1226 Richmond Road <p>The property at 1226 Richmond Road, Richmond (CT 66106/1) is a 4315m2 site previously developed with and used as a service station and lawn mower engine maintenance workshop. Council’s Environmental Health Officer advises that the land is likely to contain underground storage tanks as well as potential hydrocarbon spills from lawn mower engine maintenance works and should be included on the C14.0 Potentially Contaminated Land Code overlay mapping.</p>	That the properties at 1226 Richmond Road, Richmond and 52 Richardsons Road, Sandford be added to the LPS C14.0 Potentially Contaminated Land Code overlay mapping. The recommendation has no impact on implementing the draft LPS as a whole.						
	<table><tr><td>Location</td><td>Aerial Photo</td><td>Draft Zone Map (Agriculture)</td></tr><tr><td></td><td></td><td></td></tr></table>		Location	Aerial Photo	Draft Zone Map (Agriculture)			
	Location		Aerial Photo	Draft Zone Map (Agriculture)				
								
52 Richardsons Road <p>The property at 52 Richardsons Road, Sandford (CT 158742/9) is a 73.0Ha site. Council’s Environmental Health Officer advises that the land is known to contain landfill and the site is currently subject to 2 Environmental Protection Notices (EPN) and should be included on the C14.0 Potentially Contaminated Land Code overlay mapping. The landfill covers large areas of the site so it is appropriate to include the entire site in the overlay.</p> <p>EPN Number 33 was issued 1/6/2010 and this is still in force. EPN number EFEMPC-2020-008915 was issued on 15/5/2020 for asbestos and other contamination on the site. The asbestos waste has since been removed and there is a Clearance Certificate for the area, but Council is still awaiting a report from a contaminated site specialist re hydrocarbons. This matter is expected this to be resolved by the 15/7/2020.</p>								
<table><tr><td>Location</td><td>Aerial Photo</td><td>Draft Zone Map (Rural & Landscape Conservation)</td></tr></table>	Location	Aerial Photo	Draft Zone Map (Rural & Landscape Conservation)					
Location	Aerial Photo	Draft Zone Map (Rural & Landscape Conservation)						



	<div></div> <p>Guidelines The inclusion of the above properties on the C14.0 Potentially Contaminated Land Code overlay mapping is consistent with the Guidelines [PCLA1 (a)].</p> <p>LUPAA The inclusion of the above properties on the C14.0 Potentially Contaminated Land Code overlay mapping is consistent with the LPS criteria specified at S.34 of LUPAA including the requirements at S.32 and the objectives set out in Schedule 1.</p> <p>Natural Justice It is considered that the inclusion of the above properties on the C14.0 Potentially Contaminated Land Code overlay mapping would not result in any Natural Justice issues for either the respective landowners and/or the landowners adjoining/within proximity to the sites. The rationale being that, pursuant to Clause C14.2(c) and (d) of the SPP's, irrespective of whether the land was mapped, the land is reasonably suspected of being contaminated by the planning authority and therefore subject to the Codes provisions in any event.</p>	
Waterway & Coastal Protection Overlay	<p>Council's supporting report identified at 6.5.1 (p70) that the C7.0 Natural Assets Code's Waterway & Coastal Protection Area overlay was derived for the LIST's guidance map and that is likely that future amendment to it would be required consistent with Guideline NAC3 which provides for:</p> <ul style="list-style-type: none">• Correction of inaccuracies;• Recognition of pipe water courses; and• Potentially the removal from established urban environments. <p>Post Council's endorsement of the draft LPS on 7 May 2018 Council has reviewed the Waterway & Coastal Protection Area overlay mapping with a view to remove the overlay from piped/controlled stormwater systems in urban areas.</p> <p>The revised mapping is attached and should be considered part of Council's S.35F response.</p> <p>Guidelines The updated the Waterway & Coastal Protection Area overlay mapping is consistent with the Guidelines (NAC3).</p> <p>LUPAA Updating the Waterway & Coastal Protection Area overlay mapping recognising piped water courses in Urban environments is consistent with the LPS criteria specified at S.34 of LUPAA including the requirements at S.32 and the objectives set out in Schedule 1.</p> <p>Natural Justice While there is some change between the Waterway & Coastal Protection Area overlay mapping contained in the exhibited draft LPS and revised mapping, with few exceptions the revised mapping would result in some properties being removed from the previously mapped areas and raised no natural justice concerns.</p> <p>For these reasons amendment to exhibited Waterway & Coastal Protection Area overlay mapping is supported and whether the modifications require further exhibition/notification is a matter for the TPC.</p>	<p>That the C7.0 Natural Assets Code's Waterway & Coastal Protection Area overlay mapping be updated with the revised mapping attached.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>

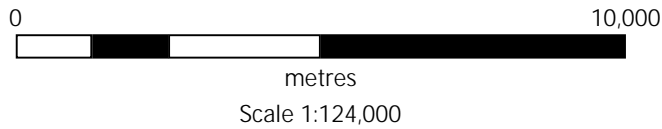
Flood Prone Areas Mapping	<p>Post Council’s endorsement of the draft LPS on 7 May 2018 Council commissioned flood mapping studies in the following catchments:</p> <ul style="list-style-type: none">• Tranmere;• Bellerive/Howrah;• Kangaroo Bay Rivulet;• Clarence Plains Rivulet;• Roches Beach to Opossum Bay area;• Rosny to Otago area;• Acton Park to Dulcot; and• the Coal River through to Richmond <p>The revised flood modelling/mapping is more accurate than preliminary work used in the development to the Draft LPS. This revised mapping should replace the preliminary mapping contained in the exhibited draft. The revised mapping is attached and should be considered part of Council’s S.35F response.</p> <p>At the time of this report the only revised catchment modelling outstanding is flood modelling for the Coal River through to Richmond. The results of this consultancy are due back in October, and it is intended that following the completion of this work revised Scheme mapping for that catchment will pursued through a future amendment.</p> <p>Guidelines Updating the C12.0 Flood Prone Areas Code overlay mapping with the most accurate Flood Prone modelling available is consistent with the Guidelines (PFPHAZ 1 & 2).</p> <p>LUPAA Updating the C12.0 Flood Prone Areas Code overlay mapping with the most accurate Flood Prone modelling available is consistent with the LPS criteria specified at S.34 of LUPAA including the requirements at S.32 and the objectives set out in Schedule 1.</p> <p>Natural Justice While there is some change between the flood mapping contained in the exhibited draft LPS and revised mapping, it is noted that:</p> <ul style="list-style-type: none">• The revised mapping would result in some properties being removed from the previously mapped areas and raised no natural justice concerns.• With respect to newly identified properties, not previously mapped:<ul style="list-style-type: none">○ Exposure to the risks associated with natural hazards, such as potential flooding in this instance, is not altered irrespective of whether (or not) a particular property is mapped as being exposed to the hazard.○ Under clause C12.4 of the SPP’s C12.0 Flood Prone Areas Code, the revised mapping gives Council the head of power/justification to request a report under C12.3 and therefore invoke the Code even if a particular property is not mapped. Hence it is a property’s exposure to the hazard that will invoke the Code, not simply whether it is mapped. <p>For these reasons amendment to exhibited C12.0 Flood Prone Areas Code overlay mapping is supported and whether the modifications require further exhibition/notification is a matter for the TPC.</p>	<p>That the C12.0 Flood Prone Areas Code overlay mapping be updated with the revised Flood Prone modelling/mapping attached.</p> <p>The recommendation has no impact on implementing the draft LPS as a whole.</p>
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Attachment 2 - Flood Prone Overlay



Legend

-  Catchment Area
-  DRAFT Amended Flood-Prone Overlay



DRAFT Amended Waterway & Coastal Protection Overlay

Attachment 3

