

# Appendix I

## SPPs Review Issues Scoping Consultation – Summary of Issues and Responses

### Introduction

This document summarises issues raised in the SPPs Scoping Consultation and shows the intended response in one of seven Action Groups. The tables below show:

- the scope of issues raised in the SPPs Review scoping consultation between 25 May to 12 August 2022;
- the proposed responses to issues raised; and
- how the issues have been analysed and sorted into action groups or streams for further consideration through the SPPS work program.

The information is presented in 3 tables:

- Table 1 – The 7 Action Groups for assessment of issues or other responses
- Table 2 – Response to issues in each part of the SPPs and assignment to Action Groups
- Table 3 – Response to general issues and assignment to Action Groups.

Through the process of analysis and summary, some issues may now be listed under different topics than they were originally raised, a key word search of the document (using Ctrl F keys) is recommended to assist with finding topics of interest. The issues and responses are a summary and may not cover all details in submissions. The detail may be read in full copies of the submissions, available on the [Planning in Tasmania website](#), SPPs Review page.

Note that the responses only reflect the submissions made, a rigorous process for preparation and drafting of SPPs amendments will ensure that the detail of the original submissions and all elements of the planning scheme are fully considered. Future analysis and new information may result in some issues or sub-issues moving between Action Groups as the SPPs Review projects progress. More information on the SPPs Review is available on the [Planning in Tasmania website](#).

**Table 1 - The 7 Action Groups for assessment of issues or other responses:**

| Action Group   | Description   |
|----------------|---|
| Action Group 1 | First round of SPPs amendments for issues that can be actioned  |
| Action Group 2 | More complex issues that require further investigation or research project  |
| Action Group 3 | Issues for actioning following the making of TPPs which will give policy context  |
| Action Group 4 | Issues subject to other government initiatives which are expected to result in recommendations for change or provide a broader investigation of the issue |
| Action Group 5 | Issues outside the scope of SPPs Review – No SPPs amendment proposed  |
| Action Group 6 | Non - statutory responses through developing planning guidance material – No SPPs amendment proposed  |
| Action Group 7 | Issues that initial assessment has determined do not need action – No SPPs amendment proposed   |

**Table 2 – Response to issues in each part of the SPPs and assignment to Action Groups**

| Topic or part of SPPs                             | Clause or provisions   | Issues raised in submissions   | Action Group   | Response   |
|---|--|--|--|--|
| <b>Technical functioning and drafting matters</b> | References to 'having regard to' in use and development standards  | Concerned the use of phrase "having regard to" in the use and development standards.   | 7  | No SPPs amendment proposed. 'Having regard to' means looking carefully into each matter, then considering its relevance and weight in achieving the objective of the standard. This term has a long history of use in legal drafting. <b>Action Group 7</b>  |
|   | Footnotes and referencing  | When footnotes refer to reference documents, those documents should be listed in the Applied, Adopted or Incorporated Documents  | 7  | No SPPs amendment proposed. SPPs Foreword explains that footnotes are not legally part of the planning scheme, only documents referred to in the text of the provisions should be listed in the Applied, Adopted or Incorporated Documents. <b>Action Group 7</b>  |
|   | Explanatory illustrations  | Include more illustrations in standards to aid interpretation  | 2<br>6   | Opportunities for explanatory illustrations will be considered in: <ul style="list-style-type: none"> <li>specific review projects such as the Improving Residential Standards in Tasmania project; <b>Action Group 2</b> and</li> <li>in planning guidance documents. <b>Action Group 6</b></li> </ul>  |
|   | General language and terms   | Improve definitions and subjective language used in TPS  | 1<br>2   | Regular review of the SPPs will provide opportunities to identify drafting issues, review and clarify provisions. Consider improvements as part of first round SPPs amendments, and as part of detailed projects on specific issues or sections of the SPPs. <b>Action Group 1</b> and <b>Action Group 2</b>   |
|   | Information requirements for assessment of codes   | Some issues previously addressed up front in interim planning scheme codes should be addressed at the initial planning assessment stage, to minimise design adjustments and to ensure thorough consideration of all relevant planning issues at an early stage   | 7  | No SPPs amendments proposed. The current SPPs provisions were developed from selected parts of interim planning schemes but the SPPs are designed to function differently as a whole. The SPPs are based on a consistent drafting principle of minimising duplication with other assessment processes. The SPPs are also intended to have a consistent drafting structure and format throughout. The continuing use of standard provisions state wide will enable planning professionals to tap into broader experience and develop a thorough understanding of the SPPs implementation. <b>Action Group 7</b> |
|   | Coordination with other statutory processes  | The role and scope of the planning scheme compared with building regulations such as: <ul style="list-style-type: none"> <li>Reliance on the Building Regulations and the National Construction Code (NCC) to address a range of hazards</li> <li>Duplication of effort</li> <li>Removal of some exemptions from hazard codes</li> </ul> | 2<br>6   | The SPPs are based on a consistent drafting principle of minimising duplication with other assessment processes. Consider the interface between the building regulations and hazard codes as part of a detailed review of each code. <b>Action Group 2</b><br><br>Opportunities for further clarification on the role of the planning and building approvals processes for the hazard codes will be considered in future planning guidance documents. <b>Action Group 6</b>  |
| <b>3.0 Interpretation</b>                         |  |  |  |  |
| <b>Table 3.1 Planning Terms and Definitions</b>   | Amenity  | Concern amenity is poorly and narrowly defined in residential zones  | 2  | Consider need for revisions to definition in the Improving Residential Standards in Tasmania project and any consequential changes to other zone standards. <b>Action Group 2</b>  |
|   | Employment training centre   | Allow a broader range of uses, including 'training in specialised or technical skills' and not just for unemployed persons   | 1  | Consider broader range of uses as suggested in the first round of SPPs amendments. <b>Action Group 1</b>   |
|   | Home-based business  | Clarify its application to commercial vehicles and customer parking  | 1  | Consider further clarification on the application to commercial vehicles and customer car parking in the first round of SPPs amendments. <b>Action Group 1</b>   |
|   |  | Clarify the qualification no storage of hazardous materials.   | 1  | Consider further clarification of the intent of the qualification for storage of hazardous materials in the first round of SPPs amendments. <b>Action Group 1</b>  |
|   | Market   | Current definition should not be changed   | 7  | No SPPs amendment proposed. <b>Action Group 7</b>  |
|   | Plantation forestry  | Definition of plantation forestry as an agricultural use leads to confusion with some State and Commonwealth legislation.  | 7  | No SPPs amendment proposed. The definitions for plantation forestry and agricultural use are the same as in the <i>State Policy on the Protection of Agricultural Land 2009</i> . The SPPs must be consistent with State Policies as required by LUPAA. <b>Action Group 7</b>  |
| Primary frontage                                  | Suggestion for the primary frontage to be frontage that the existing house addresses, or for vacant sites the street that is referred to in the address for the lot.<br><br>Suggestion to exclude any minor deviation or truncations if referring to the frontage with the shortest dimension. | 2  | The term is mostly used in the residential zones for determining front setbacks. For further consideration as part of review of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b> |  |

| Topic or part of SPPs         | Clause or provisions | Issues raised in submissions   | Action Group  | Response  |   |
|-------------------------------|----------------------|--|---|---|---|
|                               | Private garden       | Further clarification of what constitutes a private garden   | 7   | No SPPs amendment proposed. Current definition considered suitable. <b>Action Group 7</b>   |   |
|                               | Private open space   | Clarify whether private open space includes roofed outdoor areas.  | 1   | The intention was for private open space to include both roofed and unroofed outdoor areas. Consider clarifying the definition in first round of SPPs amendments. <b>Action Group 1</b>   |   |
|                               | Road                 | Revise to include road reserve and 'user roads' which are highway reservations used by the public but are in the title of the property.                | 1   | Consider in the first round of SPPs amendments with other definitions and exemptions relating to roads and access. <b>Action Group 1</b>  |   |
|                               | Sensitive use        | Clarify whether Visitor Accommodation is a sensitive use   | 1   | The sensitive use definition was intended to apply to Visitor Accommodation. Consider further clarification of the definition in the first round of SPPs amendments. <b>Action Group 1</b>  |   |
|                               | Secondary residence  | Should be some flexibility for secondary residences in areas without reticulated water and sewer or for developments that are intended to be off-grid. | 1   | Consider a revised definition to enable secondary residences in areas without reticulated water and sewer to be able to connected to their own on-site waste treatment system of rainwater tank in first round of SPPs amendments. <b>Action Group 1</b>  |   |
|                               |                      | Should be a maximum distance between the main dwelling and the secondary residence   | 7   | No SPPs amendment proposed. This is achieved by having to share the access and parking with the main dwelling. <b>Action Group 7</b>  |   |
|                               |                      | Clarify whether the gross floor area calculation includes a roofed veranda and attached carports   | 7   | No SPPs amendment proposed. Gross floor area is measured to the outside wall or centre of a common wall. This means it only applies to buildings (or parts of buildings) fully enclosed by walls. <b>Action Group 7</b>   |   |
|                               | Site coverage        | Site coverage should also include swimming pools   | 7   | No SPPs amendment proposed. Site coverage relates to the scale of buildings on the site, not the area of the site developed for things like swimming pools, driveways or paved areas. <b>Action Group 7</b>   |   |
|                               | Streetscape          | Concern about managing and improving streetscape   | 2   | Consider need for revisions to definition in the Improving Residential Standards in Tasmania project and any consequential changes to other zone standards. <b>Action Group 2</b>   |   |
|                               | Tolerable risk       | Change language to reflect International Risk Management Standards   | 7<br>6  | No SPPs amendment proposed. Current definition in Table 3.1 Planning Terms and Definitions is considered suitable based on the accepted definition for natural hazard and risk, reflecting language of the NERAG/TERAG and ISO 3100. <b>Action Group 7</b><br><br>Further guidance on the tolerable risk definition can also be considered for the preparation of future planning guidance documents. <b>Action Group 6</b> |   |
|                               |                      | Include the role and definition of suitably qualified persons  | 7<br>6  | No SPPs amendment proposed. The role, requirements and reporting considerations for a suitably qualified person are separately described and tailored to the particular information needs for assessment of issues in each code. <b>Action Group 7</b><br><br>Further guidance can also be considered in future planning guidance documents. <b>Action Group 6</b>  |   |
|                               | Vehicle crossing     | Requires clarification in relation to the defined term 'vehicular access' as their difference is unclear   | 1   | Consider in the first round of SPPs amendments with other definitions and exemptions relating to roads and access. <b>Action Group 1</b>  |   |
|                               |                      | Vehicular access   | Requires clarification as the terms access, access way, access driveway, access to a lot, driveway, site access and vehicle access are also used in the SPPs to mean vehicular access | 1   | Consider in the first round of SPPs amendments with other definitions and exemptions relating to roads and access. <b>Action Group 1</b>  |
|                               |                      | New definition – actively mobile landforms   | Unclear what actively mobile landforms are, particularly in limiting the exemptions   | 7   | No SPPs amendment proposed. The term is used for consistency with the <i>Tasmanian State Coastal Policy 1996</i> and with the coastal zone defined by that policy. Any changes would need to be in response to changes to the State Coastal Policy. <b>Action Group 7</b> |
| New definition – articulation |                      |  | 7   | No SPPs amendment proposed. The term is not currently used in the SPPs. <b>Action Group 7</b>   |   |
| New definition – brewery      |                      |  | 7   | No SPPs amendment proposed. Brewery is only included as an example in the Use Class description for Resource Processing and has specific attenuation requirements depending on scale in the C9.0 Attenuation Code. The Macquarie Dictionary definition is considered sufficient. <b>Action Group 7</b>  |   |

| Topic or part of SPPs       | Clause or provisions                             | Issues raised in submissions  | Action Group | Response   |
|-----------------------------|--|---|--------------|--|
|                             | New definition – character                       | Clarify in relation to residential zone provisions  | 2            | No immediate SPPs amendment proposed. Consider need for a new definition as part of the Improving Residential Standards in Tasmania project and any consequential changes to other zone standards. <b>Action Group 2</b>   |
|                             | New definition – landscape values                |   | 7            | No SPPs amendment proposed. Interpretation was intended to rely on the Macquarie Dictionary definition. <b>Action Group 7</b>  |
|                             | New definition – passive surveillance            | Provide more clarity where term is used in front fence performance criteria   | 2            | No immediate SPPs amendment proposed. Consider need for a new definition as part of the Improving Residential Standards in Tasmania project, and any consequential changes to other zone standards. <b>Action Group 2</b>  |
|                             | New definition – public domain                   |   | 7            | No SPPs amendment proposed. Term is not currently used in the SPPs. <b>Action Group 7</b>  |
|                             | New definition – report                          |   | 7            | No SPPs amendment proposed. Specialist reports are clearly defined in the relevant code where they are relied upon to provide information for assessment. Otherwise the Macquarie Dictionary definition can be relied upon to refer generally to a variety of reports that may accompany an application. <b>Action Group 7</b> |
|                             | New definition – road reserve                    | Clarify whether it includes the whole of the highway reservation  | 1            | Consider need for new definition in the first round of SPPs amendments with other definitions and exemptions relating to roads and access. <b>Action Group 1</b>   |
| <b>4.0 Exemptions</b>       |  |   |              |  |
| <b>Exemptions generally</b> |  | Qualifications on exemptions where hazard codes or natural values protection occur  | 2<br>3       | Consider matters relating to the hazard codes as part of a detailed review project. <b>Action Group 2</b><br>Consider matters relating to natural values as part of the broader review of the Natural Assets Code and vegetation management requirements following the making of the TPPs. <b>Action Group 3</b>               |
|                             |  | Exemptions with exclusions where the Local Historic Heritage Code applies should also have exclusions where a PPZ or SAP applies to managed streetscape impacts   | 7            | No SPPs amendment proposed. The need for exclusions relating to PPZs and SAPs is not yet demonstrated. For further consideration through subsequent reviews of the SPPs. <b>Action Group 7</b>   |
| 4.1.2                       | Occasional use                                   | Clarify the intent, particularly in relation to agribusiness/agritourism holding several large events.  | 7            | No SPPs amendment proposed. The current exemption is considered appropriate. <b>Action Group 7</b>   |
| 4.1.3                       | Home-based child care                            | Requires updating to operate as intended with relevant Acts   | 1            | Proposed amendment in the first round of SPPs amendments. Revise the exemption to operate with reference to the contemporary Acts. <b>Action Group 1</b>   |
| 4.1.4                       | Home occupation                                  | <ul style="list-style-type: none"> <li>Should include a limitation for only 'occasional visitors' to manage amenity impacts (e.g. yoga classes or lessons or therapy with traffic and noise impacts)</li> <li>Appointment based uses should not be exempt as a consideration of parking and visitors to a site should be made</li> <li>Suggest there should be greater consideration to either floor area or use intensity restriction</li> <li>Should consider the title, not just the dwelling</li> <li>Should be limited to a 'dwelling' and exclude a shed, outbuilding or garden</li> <li>Should include restriction on storage of hazardous materials</li> <li>Should not cause impacts on amenity of neighbouring properties by a variety of listed emissions or traffic generation</li> </ul> | 1            | Consider in the first round of SPPs amendments. <b>Action Group 1</b>  |
| 4.2.2                       | Stormwater infrastructure                        | Broaden exemption to include a stormwater detention basin   | 1            | Consider in the first round of SPPs amendments with other definitions and exemptions relating to roads and access. <b>Action Group 1</b>   |
| 4.2.4                       | Road works                                       | Revise and broaden exemption for road works   | 1            | Consider in the first round of SPPs amendments with other definitions and exemptions relating to roads and access. <b>Action Group 1</b>   |
| 4.2.5                       | Vehicle crossings, junctions and level crossings |   | 1            | Consider in the first round of SPPs amendments with other definitions and exemptions relating to roads and access. <b>Action Group 1</b>   |

| Topic or part of SPPs | Clause or provisions   | Issues raised in submissions  | Action Group | Response   |
|-----------------------|--|---|--------------|--|
| 4.2.6                 | Minor communications infrastructure                                    | New exemptions to include several types of minor telecommunications infrastructure that is currently not captured by the <i>Telecommunications (Low-impact facilities) Determination 2018</i>   | 7            | No SPPs amendment proposed. The need for expansion beyond the current exemption and realignment with Commonwealth regulations is not currently demonstrated. <b>Action Group 7</b>   |
| 4.2.7                 | Minor infrastructure   | Define public art to address concern that a wall mural, as defined under C1.0 Signs Code, could be exempt as it could also be considered public art.  | 7            | No SPPs amendment proposed. The intent is that public art, potentially a wall mural, that has involved a thorough preparation process by, or on behalf of, the Crown, a council or a State authority is likely to have explored and resolved potential planning issues and so should be exempt. <b>Action Group 7</b>  |
|                       |  | Should include infrastructure such as bus stops and pavement rehabilitation   | 7            | No SPPs amendment proposed. The exemption requirements already specifically include the provision, maintenance and modification of footpaths, bus stops and bus shelters. <b>Action Group 7</b>  |
|                       |  | Should include minor utilities as defined in Table 3.1 to provide for other TasNetworks minor infrastructure  | 7            | No SPPs amendment proposed. The <i>Electricity Supply Industry Act 1995</i> and the <i>Electricity Supply Industry Regulations 2018</i> already prescribe a range of low-impact electricity infrastructure that is exemption from LUPAA. <b>Action Group 7</b>   |
| 4.3.1                 | Emergency works  | Broaden to include private landowners on their own property   | 7            | No SPPs amendment proposed. The intent is that emergency works could be done on private property, and potentially carried out by the landowner, when they have been authorised by a representative of the Crown, a council or a State authority, otherwise the exemption may be too open to exploitation. <b>Action Group 7</b>  |
| 4.3.2                 | Internal building and works  | Suggest placing explicit limitations to internal building and works exemptions for THR and local heritage places  | 7            | No SPPs amendment proposed. The intent is that the SPPs exemption does not override requirements for heritage approvals for internal building and works under the <i>Historic Cultural Heritage Act 1995</i> , as explained by the footnote to the clause. To avoid duplication with other legislated process, places entered on the Tasmanian Heritage Register (THR) do not require assessment of heritage values under the C6.0 Local Historic Heritage Code. <b>Action Group 7</b> |
| 4.3.6                 | Unroofed decks   | Broaden to include permeable decks attached or abutting a habitable building  | 1            | Consider the need for a revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
|                       |  | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider the need for a revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
| 4.3.7                 | Outbuildings   | Revise outbuilding exemption limitations and location in residential zones  | 2            | Recent revisions were made to the outbuilding exemption to clarify its operation. Consider any further revisions relating to residential zones as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>   |
|                       |  | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
| 4.3.8                 | Outbuildings in Rural Living Zone, Rural Zone or Agriculture Zone      | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
| 4.3.9                 | Agricultural buildings and works in the Rural Zone or Agriculture Zone | Limit exemption for agricultural works subject to Natural Assets Code   | 3            | No immediate SPPs amendment proposed. Consider need to revise exemption or other provisions after the TPPs are made, in the Natural Assets Code review project. <b>Action Group 3</b>  |
| 4.3.11                | Garden structures  | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
| 4.3.10                | Demolition of exempt buildings   | Expand to cover No Permit Required use and development  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
|                       |  | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
| 4.4.1                 | Vegetation removal for safety or in accordance with other Acts         | Clarify 4.4.1(a): <ul style="list-style-type: none"> <li>reference to “disturbance of a vegetation community” (in accordance with a forest practices plan certified under the <i>Forest Practices Act 1985</i>)</li> <li>concern the scope of the exemptions goes beyond safety and requirements of other acts, such as <i>Forest Practices Act 1985</i></li> <li>interpretation disturbance of a vegetation community</li> </ul> | 1            | This is intended to provide an exemption for vegetation removal undertaken in accordance with a Forest Practices Plan. Consider any clarifications in the first round of SPPs amendments. <b>Action Group 1</b>  |

| Topic or part of SPPs           | Clause or provisions                                   | Issues raised in submissions   | Action Group | Response   |
|---------------------------------|--|--|--------------|--|
|                                 |  | Clarify 4.4.1(e) - if the construction of a fire trail is exempt   | 1            | Consider need for revised or new exemption in the first round of SPPs amendments. <b>Action Group 1</b>  |
|                                 |  | 4.4.1 (g) for safety reasons - A new limitation to the exemption where scenic, natural assets or heritage codes apply  | 1<br>3       | Consider need for revised exemption in the first round of SPPs amendments, particularly in relation to the Local Historic Heritage Code. <b>Action Group 1</b><br>Further consider as part of the implementation of the TPPs, particularly in relation to vegetation management generally and a review of the application and operation of the Natural Assets Code. <b>Action Group 3</b>  |
|                                 |  | Include a new exemption for rail safety reasons such as maintaining good sightlines around the rail network  | 1            | Consider an equivalent exemption for railway maintenance to align with the <i>Forest Practices Regulations 2017</i> in the first round of SPPs amendments. <b>Action Group 1</b>   |
| 4.4.2                           | Landscaping and vegetation management                  | Clarify if landscaping and vegetation management includes: <ul style="list-style-type: none"> <li>tree removal and revise operation with the Local Historic Heritage Code</li> <li>clearing native bushland under 1ha on a residential lot.</li> </ul> Suggest a new limitation to the exemption where a SAP or code applies for retaining or providing for desired bushland or garden character | 1            | Consider need for further clarification in the exemption in the first round of SPPs amendments. <b>Action Group 1</b>  |
| 4.4.3                           | Vegetation rehabilitation works                        | A new limitation to exemption where the Natural Assets Code applies and requires a permit  | 7            | No SPPs amendment proposed. The exemption is intended to provide for rehabilitation works in accordance with government initiatives and plans. <b>Action Group 7</b>   |
| 4.5.1                           | Ground mounted solar energy installations              | <ul style="list-style-type: none"> <li>Concerned there is no height limit for ground mounted solar energy installations</li> <li>potential amenity and solar access issues for neighbours</li> <li>no heritage considerations.</li> </ul>  | 1            | Consider height limit in the first round of SPPs amendments. <b>Action Group 1</b>   |
|                                 |  | Should include a larger size for in the rural living, rural or agriculture zone, unless a code or SAP applies and requires a permit for the use or development   | 7            | No SPPs Amendment proposed. Larger installations can be adequately considered under the other provisions in the SPPs. <b>Action Group 7</b>  |
|                                 |  | Clarify when ground mounted solar energy installations could be considered as Utilities or if subservient to another use   | 7            | No SPPs Amendment proposed. The area restriction of 18m <sup>2</sup> in the exemption limits it to low-impact proposals regardless of the related use. <b>Action Group 7</b>   |
|                                 |  | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure   | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
| 4.5.2                           | Roof mounted solar energy installations                | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure   | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
| 4.5.3                           | Wind turbines  | Should not be exempt in the more developed residential zones, where further residential development should be prioritised instead  | 7            | No SPPs amendment proposed. The intent is that small scale wind turbines can be exempt where there is sufficient distance from a residential use to overcome potential impacts. The effect of the exemption requirements at (a)-(e) is that it is unlikely the exemption would apply to many situations in urban residential zones, therefore it is not considered that the exemption would impact the purpose of the zones to prioritise residential development. <b>Action Group 7</b> |
| 4.6.2                           | Use or development in a road reserve or on public land | Exclude state rail network land from being considered public land  | 7            | No SPPs amendment proposed. The intent is that the landowner or manager would be consulted to gain their consent before land is used by anyone for a community garden. The exemption from requiring a planning permit for this activity does not relinquish the owner/manager control over the land. <b>Action Group 7</b>   |
| Exemptions for fences generally |  | Revise exemptions for fences to provide greater height for more privacy between dwellings where a new dwelling is required to be raised on a pad to avoid flooding hazard.   | 7            | No SPPs amendment proposed. Fences are normally intended to provide some level of privacy to the yard of a property and general delineation of property boundaries rather than the privacy for the dwelling. <b>Action Group 7</b>   |
|                                 |  | Exemption fences should be limited to 1.2m in height. Concerned that a fence up to 1.8m with 30% transparency will result in poor outcomes.  | 2            | No immediate SPPs amendment proposed. The current setting for the front fence exemption is considered suitable. Consider whether any revisions to the standards for fences, privacy or design standards are required as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>   |

| Topic or part of SPPs    | Clause or provisions   | Issues raised in submissions  | Action Group | Response  |
|--------------------------|--|---|--------------|---|
|                          |  | Suggest incorporating an exception to the exemption for any applicable standard in a Particular Purpose Zone or Specific Area Plan, enables an LPS to address front fencing as appropriate to an area.  | 7            | No SPPs amendment proposed. The need for exclusions relating to PPZs and SAPs is not yet demonstrated. For further consideration through subsequent reviews of the SPPs. <b>Action Group 7</b>  |
| 4.6.3                    | Fences within 4.5m of a frontage   | Exemption is too generous and generally more than required.   | 2            | No immediate SPPs amendment proposed. The current setting for the front fence exemption is considered suitable. Consider whether any revisions to the standards for fences or privacy are required as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>                        |
|                          |  | Clarify if variations in application of the 30% transparency rule are acceptable, such as solid in one part and more transparent in another part, either horizontally or vertically across the fence.   | 7            | No SPPs amendment proposed. The intent is for the required transparency to be applied across the entirety of the fence, whether horizontally or vertically. <b>Action Group 7</b>   |
| 4.6.4                    | Fences not within 4.5m of a frontage   | The exemption is too generous, more than required.  | 2            | No immediate SPPs amendments proposed. The current setting for the front fence exemption is considered suitable. Consider whether any revisions to the standards for fences or privacy are required as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>                       |
| 4.6.5                    | Fences for security purposes   | Solid fences: <ul style="list-style-type: none"> <li>• have a significant impact on the streetscape and should not be exempt</li> <li>• conflicts with the objective for landscaping in clauses 19.4.3 and 18.4.5 of the SPPs.</li> </ul>   | 7            | No SPPs amendment proposed. This exemption is based on an equivalent exemption in Planning Directive No. 1 which applied to all interim planning schemes. It was not intended to limit the fence based on its level of transparency as there may be reasons for a security fence to be solid. <b>Action Group 7</b> |
| 4.6.6                    | Fences in the Rural Zone or Agriculture Zone   | Solid fencing in these zones should be avoided, it has a significant impact on the rural character, particularly if above 1.2m and across large frontages   | 7            | No SPPs amendment proposed. The need for controlling the transparency of fences in rural areas has not been demonstrated. <b>Action Group 7</b>   |
|                          |  | Exemption should not allow native vegetation to be removed.   | 7            | No SPPs amendment proposed. The exemption aligns with the <i>Boundary Fences Act 1908</i> which allows for clearance of vegetation on boundary fences. <b>Action Group 7</b>  |
| 4.6.8                    | Retaining walls  | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>  |
| 4.6.9                    | Land filling   | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>  |
| 4.6.13                   | Rain-water tanks   | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>  |
| 4.6.14                   | Rain-water tanks in Rural Living Zone, Rural Zone, Agriculture Zone or Landscape Conservation Zone                     | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>  |
| 4.6.15                   | Fuel tanks in the Light Industrial Zone, General Industrial Zone, Rural Zone, Agriculture Zone or Port and Marine Zone | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>  |
| 4.6.16                   | Fuel tanks in other zones  | TasNetworks: revise exemption to exclude development within an electricity transmission corridor, avoiding impacts on electricity infrastructure  | 1            | Consider need for revised exemption in the first round of SPPs amendments. <b>Action Group 1</b>  |
| New exemptions suggested | New exemption – artist studio  | Provide for artist studio as a home-based business to become a permissible land use within residential and rural zones if: <ul style="list-style-type: none"> <li>• including 40m<sup>2</sup> work space,</li> <li>• opening hours on weekends and public holidays and</li> </ul> | 1            | Consider need for new exemption or revisions to existing exemptions in the first round of SPPs amendments. <b>Action Group 1</b>  |

| Topic or part of SPPs  | Clause or provisions  | Issues raised in submissions  | Action Group  | Response   |
|--|---|---|---|--|
|  |   | <ul style="list-style-type: none"> <li>signage</li> </ul>   |   |  |
|  | New exemption – change of use between Residential and Visitor Accommodation   |   | 7   | No SPPs amendment proposed. An exemption is provided at clause 4.1.6 for Visitor Accommodation in a dwelling used by the owner or occupier as their main place of residence. Otherwise, it is considered necessary to assess the specific impacts of a proposed change of use and any associated development requirements. <b>Action Group 7</b>   |
|  | New exemption – display home  | Concern that display homes are not allowed in the residential zones due to classification as Business and Professional Services   | 1   | Consider need for new exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
|  | New exemption – minor road upgrades   |   | 1   | Consider in the first round of SPPs amendments with other definitions and exemptions relating to roads and access. <b>Action Group 1</b>   |
|  | New exemption – routine maintenance and improvements to existing fire trails and other fire protection infrastructure | Routine maintenance and improvements to existing fire trails and other fire protection infrastructure not covered by exemption 4.2.4 for road works - fire trail does not meet the definition of a 'road'<br>Suggest exemption if in accordance with a plan for fire management endorsed by the Tasmania Fire Service or other entities involved in fire management such as Sustainable Timbers Tasmania, Parks and Wildlife Service and councils | 1   | Consider need for new exemption in the first round of SPPs amendments. <b>Action Group 1</b>   |
|  | New exemption – intensification of an existing industrial use   | Expand intensification thresholds for industrial site activity and extractive industry to accommodate an occasional more intense period of use, to be managed through an EPN by the EPA rather than requiring a planning permit   | 7   | No SPPs amendment proposed. The intent of exemptions generally is to enable low impact use or development that does not require regulation through a planning permit. The operative intent of the SPPs is that changes to an existing permit for extractive industry and other industrial activity be assessed and controlled through a permit. Occasional, more intensive periods of use for industrial activity have the potential to cause significant amenity impacts which should be considered through the current system. <b>Action Group 7</b> |
|  | New exemption – minor utilities   | Provide an exemption for all minor utilities  | 7   | No SPPs amendment proposed. There are already a range of exemptions for minor utilities. Several revisions will be considered to the current exemptions to improve their operation. <b>Action Group 7</b>  |
| <b>5.0 Planning Scheme Operation</b>                           |   |   |   |  |
| 5.2 Operation of zones   | 5.2.6   | Review ability of a particular purpose zone (PPZ) to override provisions of a code  | 7   | No SPPs amendment proposed. The intent is that a PPZ operate the same way as any other zone, other mechanisms such as a SAP or SSQ offer the opportunity for special provisions, where justified, to override a code provision. <b>Action Group 7</b>  |
| <b>6.0 Assessment of an Application for Use or Development</b> |   |   |   |  |
| 6.1 Application Requirements                                   | 6.1.2(d) certificate of title   | Remove application requirement for current certificate of title documents, councils can access already, privacy issues for landowners and no public benefit   | 7   | No SPPs amendment proposed. This requirement recognises that applications may involve several titles and serves to assure the planning authority and the public, if exhibited for comment, that the applicant, landowners, and any design specialists are fully aware of the title details relating to the proposed use and development of the land. <b>Action Group 7</b>   |
|  | 6.1.3 Additional information – specialist reports   | List local heritage as item councils can ask for further information  | 7   | No SPPs amendment proposed. Clause 6.1.3 provides for the planning authority to require the additional information it considers necessary to enable it consider an application, and satisfy it that the proposed use or development will comply with any relevant standards in the planning scheme. <b>Action Group 7</b>  |
|  |   | Increase in expense, complexity and delays because of further information requirements and specialist reports to satisfy a long list of criteria  | 7   | No SPPs amendment proposed. It is considered reasonable for a planning authority to request any information necessary to be able to assess the application against the relevant requirements in the planning scheme. <b>Action Group 7</b>   |
|  | Specialist reports may be required only to have the proposal refused on grounds of different information              | 6   | No SPPs amendment proposed. Specialist reports may be required to demonstrate compliance with technical requirements in the planning scheme, such as hazard management and protection of natural or heritage values.<br>Opportunities for further clarification about the assessment process and when specialist evidence may be needed will be considered in future planning guidance documents. <b>Action Group 6</b> |  |

| Topic or part of SPPs               | Clause or provisions                                     | Issues raised in submissions   | Action Group | Response  |
|-------------------------------------|--|--|--------------|---|
|                                     | Components   | Insufficient specialists operating in each field causing unavailability and long delays, then if the reporting/evidence is considered insufficient, further delays to complete the request for information   | 6            | No SPPs amendment proposed. Availability of specialists is not a matter that can be influenced by the SPPs. Addressing this issue is outside the scope of the current SPPs review.<br><br>Opportunities for further clarification about the assessment process and when specialist evidence may be needed will be considered in future planning guidance documents. <b>Action Group 6</b>   |
|                                     |  | Application of overlays is insufficiently ground truthed, requires specialist reports to prove exemption, added cost and delay   | 2<br>3<br>6  | An overlay is intended to provide a clear indication of when a particular requirement applies in the planning scheme. These overlays are based on the best information available at the time, and further evidence submitted with a development application assists with further defining the scope and management of the issue.<br><br>Opportunities for:<br><ul style="list-style-type: none"> <li>further improvements to the various overlays required by the SPPs will be considered as part of specific projects to review the Codes (such as the natural hazard codes), including implementation of the TPPs. <b>Action Group 2 and Action Group 3</b></li> <li>further clarification about the assessment process and when specialist evidence may be needed will be considered in future planning guidance documents. <b>Action Group 6</b></li> </ul> |
| 6.2 Categorising Use or Development | 6.2 Categorising Use or Development                      | Ancillary use, especially to residential use, requires definition or standardised interpretation   | 7<br>6       | No SPPs amendment proposed. The existing interpretive information in Clause 6.2 is considered sufficient for describing how use or development that is directly associated with and a subservient part of another use must be categorised. This will need to be considered relevant to each specific proposal. <b>Action Group 7</b><br><br>Opportunities for further clarification will be considered in future planning guidance documents. <b>Action Group 6</b>   |
|                                     |  | Remove ambiguities caused by some uses being defined and not others  | 7<br>6       | No SPPs amendment proposed. It is not the intention to list all possible uses, or to define these and their variations. Clause 6.2, in describing how use or development must be categorised, is considered sufficient. <b>Action Group 7</b><br><br>Opportunities to further clarify existing Use Classes and uses will be considered in response to specific concerns outlined below. <b>Action Group 6</b>   |
|                                     | Table 6.2 Use Classes – Emergency Services               | Emergency services to include disaster recovery use, or a separate disaster recovery use in relation to assessment pathway   | 1            | Consider need for revised use class, new exemption or other new standards for assessment in the first round of SPPs amendments. <b>Action Group 1</b>   |
|                                     | Table 6.2 Use Classes – Residential                      | New use class for ‘shacks’   | 7            | No SPPs amendment proposed. Shacks will either be classified as Residential or Visitor Accommodation, dependent on the specific use. <b>Action Group 7</b>  |
|                                     |  | Clarify seasonal workers accommodation in relation to its use class (Residential or Visitor Accommodation)   | 2            | Consider need for further clarification of the Residential or Visitor Accommodation use class as part of the Improving Residential Standards in Tasmania Project. <b>Action Group 2</b>   |
|                                     | Table 6.2 Use Classes – Resource Processing              | New use class for ‘artisan food and drink industry’  | 7<br>6       | No SPPs amendment proposed. The Resource Processing Use Class is considered suitable with appropriate qualifications in the zone use tables. <b>Action Group 7</b><br><br>Opportunities to further clarify the classification of uses can be considered in conjunction with other existing industry guidance documents such as <a href="#">BusinessTasmania</a> business information, <a href="#">Tasmanian Agritourism Toolkit</a> and <a href="#">Agritourism Guide for Regulators</a> . <b>Action Group 6</b>  |
|                                     | Table 6.2 Use Classes – Transport Depot and Distribution | <ul style="list-style-type: none"> <li>Distinguish and classify use class and provisions for heliports and helipads to simplify approval pathways</li> <li>Propose ‘helicopter landing site’ or ‘helipad’ for medical transport be included in Emergency Services Use Class</li> </ul> | 7            | No SPPs amendment proposed. A heliport or helipad should be classified consistent with the use to which it relates. For example, a site used to land and store a medical helicopter is similar to an ambulance station and should be classified as Emergency Services. A helipad at a hospital would be classified as Hospital Services, similar to the parking space for an ambulance at a hospital. <b>Action Group 7</b>   |
|                                     | Table 6.2 Use Classes – Visitor Accommodation            | Clarification required on what is ‘short or medium-term accommodation’ versus ‘long-term accommodation’  | 7            | No SPPs amendment proposed. The Use Class is defined as providing accommodation for people away from their normal place of residence. This is considered suitable to cover all the time periods suggested. <b>Action Group 7</b>  |
|                                     | 6.6 No Permit Required Use or Development                | <ul style="list-style-type: none"> <li>Clarification required on the operation of 6.6.1(e) relating to C2.0 Parking and Sustainable Transport Code</li> <li>Should remove No Permit Required (NPR) status and add qualifications to exemptions</li> </ul>                              | 7            | No SPPs amendment proposed. The operation of 6.6 No Permit Required Use or Development provisions are considered suitable. The SPPs codes operate differently to some IPS codes. Clause 6.6.1(e) is only applicable if a code specifically states that a permit is required. No SPPs Code currently specifies that a permit is required. The NPR and exemptions pathways should remain separate as they operate differently. A proposal meeting an exemption under clause 4.0 does not need any further assessment against the planning scheme. The NPR pathway requires consideration against the applicable standards in the planning scheme, <b>Action Group 7</b>   |

| Topic or part of SPPs         | Clause or provisions   | Issues raised in submissions   | Action Group | Response  |
|-------------------------------|--|--|--------------|---|
|                               |  | <ul style="list-style-type: none"> <li>No Permit Required should be renamed to Planning Compliance Certificate to remove confusion and reflect that applicants need to provide material for assessment against the Planning Scheme standards</li> </ul>  |              |   |
|                               | 6.8 Discretionary Use or Development                                   | Differentiate the type of discretionary use or development with little impact/no impact to public interest and eliminate advertising   | 2            | No SPPs amendment proposed. The requirement for advertising a discretionary application is set out in section 57 of LUPAA. Any legislative changes are beyond the scope of the SPPs Review.<br><br>Opportunities to further review the use and development standards will be considered as part of further projects like the Improving Residential Standards in Tasmania Project to ensure the regulatory response is proportionate to the level of impact caused by use and development. <b>Action Group 2</b> |
|                               | 6.10 Determining Applications  | Local character considerations in PPZ or specific area plan (SAP) should not be exempt from consideration  | 7            | No SPPs amendment proposed. Clause 6.10.2 (b) and (e) provides for consideration of local area objectives (LAOs) when determining discretionary applications. <b>Action Group 7</b>   |
| <b>7.0 General Provisions</b> |  |  |              |   |
|                               | 7.1 Changes to an Existing Non-conforming Use                          | Clarify whether a change from one non-conforming (prohibited) use to another non-conforming (prohibited) use can be considered as discretionary.   | 7            | No SPPs amendment proposed. Clause 7.1 only relates to changes to how an existing use operates, not a change from one use to another. <b>Action Group 7</b>   |
|                               | 7.3 Adjustment of a Boundary   | Boundary adjustment provisions require clarification and broadening: <ul style="list-style-type: none"> <li>Consideration under zone subdivision standards sometimes prohibits better outcomes for both lots</li> <li>Suggest referring to achieving zone purpose or local area objectives</li> <li>Include performance criteria in zones for boundary adjustments that do not meet the criteria</li> <li>Clarify minor change to size of existing lots</li> <li>Clarify no further reduction in existing sub-minimum setbacks and frontages</li> <li>Clarify adjoining zone</li> <li>Consider natural values and hazards in the Rural Zone</li> </ul> | 1            | Consider need for revised provisions in the first round of SPPs amendments. <b>Action Group 1</b>   |
|                               | 7.4 Change of Use of a Place listed on the Tasmanian Heritage Register | Include an extra application requirement to provide a Heritage Impact Statement to satisfy clause 7.4.2(b)   | 7            | No SPPs amendment proposed. Clause 7.4.3(c) already provides the ability for the planning authority to request a heritage impact statement to enable determining an application. <b>Action Group 7</b>  |
|                               | 7.5 Change of Use  | Development standards should apply to a change of use conversion of an outbuilding to a house or a house to a multiple dwelling  | 2            | Opportunities to further review the residential use and development standards will be considered as part of the Improving Residential Standards in Tasmania Project. <b>Action Group 2</b>  |
|                               |  | Some changes of use should be exempt   | 7            | No SPPs amendment proposed. Clause 7.5.1 sets out the circumstances for when a permit is not required for a change of use. Otherwise a permit will be required. <b>Action Group 7</b>   |
|                               | 7.9 Demolition   | Clarify requirements for 'no permit required' buildings that are to be demolished  | 1            | Consider need for revisions in conjunction with the exemption for demolition as part of the first round of SPPs amendments. <b>Action Group 1</b>   |
|                               | 7.10 Development Not Required to be Categorised into a Use Class       | Development not required to be categorised into a use class causes too much ambiguity and general discretion, especially for subdivision. Cross referencing makes it difficult to apply.   | 1<br>6       | Consider the need for any improvements to the requirements in clause 7.10 for land filling and retaining walls as part of first round of SPPs amendments. <b>Action Group 1</b><br><br>Opportunities to provide further clarification in relation to other development will be considered in future planning guidance documents. <b>Action Group 6</b>  |
|                               | 7.12 Sheds on Vacant Sites   | Clarify assessment of sheds on vacant sites <ul style="list-style-type: none"> <li>under zone provisions can be No Permit Required</li> <li>shed used as a temporary dwelling before house is finished</li> <li>should a discretionary pathway for sheds be provided?</li> </ul>   | 1            | Consider need for further clarification in the first round of SPPs amendments. <b>Action Group 1</b>  |
|                               |  | Disagreeing views about applying the clause in the General Residential Zone, Low Density Residential Zone or Rural Living Zone.  | 2            | Consider need for revised application of clause 7.12 to sheds on Vacant Sites in the General Residential Zone and Low Density Residential Zone as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>  |

| Topic or part of SPPs  | Clause or provisions                   | Issues raised in submissions  | Action Group | Response  |
|------------------------|--|---|--------------|---|
|                        | Suggested new provisions               | Prevent buildings from becoming derelict  | 5            | This is outside the scope of the SPPs Review. A planning scheme can only apply to proposals for use or development. It cannot be used to force improvements to an existing building. <b>Action Group 5</b>  |
|                        |  |   |              |   |
| <b>Zones generally</b> | New – suite of zones                   | Delete the Landscape Conservation Zone and replace by: <ul style="list-style-type: none"> <li>a new Environmental Living Zone; and</li> <li>the Environmental Management Zone with new provisions included for use and development on private land.</li> </ul>                                | 7<br>2<br>4  | No SPPs amendment proposed to reintroduce the Environmental Living Zone or remove the Landscape Conservation Zone. <b>Action Group 7</b><br>Consider the need for revisions to the Landscape Conservation Zone to improve its operation after all LPSs have been approved. <b>Action Group 2</b><br>Consider the need for revisions to the Environmental Management Zone to improve its operation after NRE Tasmania completes its review of the Reserve Activity Assessment process. <b>Action Group 4</b>                                 |
|                        | New provisions                         | To consider impacts of large projects in remote areas   | 7            | No SPPs amendment proposed. These matters should be considered through strategic planning for a region or area. Assessment of detailed matters will either be considered through the Major Projects or Major Infrastructure Development assessments processes, where applicable. Broader assessment for major industries (level 2 activities) will also be considered by the EPA under the <i>Environmental Management and Pollution Control Act 1994</i> . <b>Action Group 7</b>   |
|                        |  | For non-resident worker accommodation   | 2            | Consider the need for new provisions for non-residential worker accommodation as part of the Improving Residential Standards in Tasmania project. Consider implications of recommendations and any consequential changes for other non-residential zones such as the Agriculture Zone and Rural Zone. <b>Action Group 2</b>   |
|                        | New - zone purpose statements          | Cultural heritage and/or landscape character conservation be added to all 'zone purposes'   | 7            | No SPPs amendment proposed. These matters are considered through specific Codes, such as C6.0 Local Historic Heritage Code, C7.0 Natural Assets Code and C8.0 Scenic Protection Code, or in requirements in an LPS such as a PPZ or SAP. <b>Action Group 7</b>  |
|                        | Promote mixed use                      | Allow for more mixed use zoning   | 7            | No SPPs amendment proposed. The current suite of mixed use zones are considered appropriate, including the Urban Mixed Use Zone, Village Zone and three business zones. The suite of residential zones also provide for a limited mix of uses consistent with the zone purpose. Locally unique requirements can be provided through a PPZ or SAP, in an LPS. <b>Action Group 7</b>  |
|                        | Support for forestry industry          | Review zoning to support forestry   | 5            | No SPPs amendment proposed. Application of the various zones, which allow for Resource Development for forestry operations (primarily the Agriculture Zone or Rural Zone) is considered through the assessment and approval of the LPSs. This is outside the scope of the SPPs review. <b>Action Group 5</b>  |
|                        | Aquaculture                            | Review how zones apply on land adjoining aquaculture facilities   | 5            | No SPPs amendment proposed. Application of zones is considered through the assessment and approval of the LPSs. This is outside the scope of the SPPs review. <b>Action Group 5</b>   |
|                        | Review Use Tables to support Utilities | Utilities and minor utilities must not be prohibited in any zones or SAPs   | 7<br>5       | No SPPs amendment proposed. Utilities are not prohibited in any SPPs zones. <b>Action Group 7</b><br>The provisions contained in SAPs are subject to the assessment and approval of an LPS and are outside the scope of the SPPs Review. <b>Action Group 5</b>  |
|                        | Landscaping requirements               | Clarify landscaping requirements in the Light Industrial and General Industrial zones, including: <ul style="list-style-type: none"> <li>depth of landscaping to be provided on the lot</li> <li>high quality materials to be used</li> </ul>   | 1            | Consider need for revised provisions in the first round of SPPs amendments. <b>Action Group 1</b>   |
|                        |  | Insert new landscaping requirements in various zones, including <ul style="list-style-type: none"> <li>areas for deep soil planting,</li> <li>development standards for multiple dwelling, commercial and industrial development, and</li> <li>subdivision standards for new roads</li> </ul> | 2<br>1<br>2  | Consider the need for: <ul style="list-style-type: none"> <li>landscaping requirements for multiple dwelling developments as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b></li> <li>revised landscaping provisions in the commercial industrial zones in the first round of SPPs amendments. <b>Action Group 1</b></li> <li>revisions to the subdivision provisions to address landscaping matters as part of the Subdivision Standards and LGBMP Review project. <b>Action Group 2</b></li> </ul> |
|                        |  |   |              |   |

| Topic or part of SPPs                      | Clause or provisions   | Issues raised in submissions  | Action Group | Response  |
|--|--|---|--------------|---|
| <b>Standards for subdivision generally</b> | Review subdivision provisions and streamline their interaction with other acts, particularly LGBMP.  | <ul style="list-style-type: none"> <li>• Review operation of the subdivision provisions within 1 kilometre of the coast, particularly in the Rural, Agriculture, and Landscape Conservation Zones, to ensure the State Coastal Policy can be satisfied</li> <li>• New provisions for reorganisation of lots in the Rural Zone</li> <li>• Better design guidance to improve uptake of active travel options in new subdivisions and developments</li> <li>• Support subdivision standards for road connectivity</li> <li>• Review vehicular access requirements in all zones</li> <li>• Ability to consider protection of existing public infrastructure</li> <li>• New provisions to require electricity transmission infrastructure</li> <li>• New provisions for protection for linear bicycle and walking infrastructure on public land</li> <li>• New provisions requiring landscaping and street trees</li> <li>• Ensure protection for existing public open space, including mature trees and waterways, is required in new developments and subdivision</li> <li>• Open space contributions for subdivision including: <ul style="list-style-type: none"> <li>○ Local Government Building and Miscellaneous Provisions Act 1993 (LGBMP) review</li> <li>○ Policy framework and supporting regulation requiring provision of open space according to CPTED principles</li> <li>○ Consistent/standardised, reasonable and fair methodology</li> <li>○ Inequities between subdivision and strata development</li> <li>○ Equivalent land or funds put toward social or affordable housing</li> </ul> </li> </ul>   | 2            | Consider revisions to the subdivision provisions, including aligning with the assessment framework for infrastructure contributions, as part of the Subdivision Standards and LGBMP Review project. <b>Action Group 2</b> |
|  | Development Standards for Subdivision<br>- Lot Design  | Clarify subdivision capability for split zoned land, particularly General Residential Zone and Landscape Conservation Zone  | 1            | Consider need for revised provisions in the first round of SPPs amendments. <b>Action Group 1</b>   |
|  |  |   |              |   |
| <b>Residential standards</b>               | Residential standards generally including:<br>8.0 General Residential Zone<br>9.0 Inner Residential Zone<br>10.0 Low Density Residential Zone<br>13.0 Urban Mixed Zone<br>14.0 Local Business Zone<br>15.0 General Business Zone<br>16.0 Central Business Zone | Residential standards generally including: <ul style="list-style-type: none"> <li>• Support consideration of matters previously raised</li> <li>• Standards which ensure new houses are structurally sound, and are safe and healthy to live in should not be dismissed as red and green tape, warns lowering standards can cause disastrous outcomes</li> <li>• Change Visitor Accommodation use status in residential zones from permitted to discretionary</li> <li>• Clarify Visitor Accommodation standards in residential zones by defining 'primary residential function'</li> <li>• Treatment of streetscape and local character requires a higher degree of sophistication, not necessarily broader discretions</li> <li>• Current provisions do not encourage innovative design outcomes</li> <li>• Adapt to the impacts of climate change in urban and sub-urban settings</li> <li>• Increase residential amenity/liveability including consideration of landscape, existing views, private open space and public open space through zone and related code provisions</li> <li>• Improve health outcomes including mental health</li> <li>• Provide greater housing choice/social justice</li> <li>• Design standards for solar access to living areas and private open space including landscaping</li> <li>• Ensure that people can live in smaller dwellings and off-the-grid dwellings with minimal disruption to the environment</li> <li>• Provide policy and clear guidelines or pathways for temporary accommodation or relocatable homes</li> <li>• Protect coastlines and small coastal settlements from subdivision, multi-unit development in residential standards</li> </ul> | 2            | Consider revisions to the residential use and development standards in the urban zones to address the range of issues as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>           |

| Topic or part of SPPs | Clause or provisions | Issues raised in submissions  | Action Group | Response |
|-----------------------|----------------------|---|--------------|----------|
|                       |                      | <ul style="list-style-type: none"> <li>• Protect coastal habitat and shorebird populations from inappropriate development</li> <li>• Improve subdivision standards including strata title</li> <li>• Services to new houses need to be both affordable and sustainable by harvesting renewable energy and low water use technology</li> <li>• Include subdivision standards for street layout and lot design to provide adequate neighbourhood design principles including: grid based street network, mid-block pedestrian movement network, quality streetscape with reference to interstate examples</li> <li>• Facilitate strategic planning for infill and the availability of diverse and affordable housing in urban centres</li> <li>• Benchmark against world's best practice community residential standards such as 'The Living Community Challenge'</li> <li>• Support inclusion of assisted housing in the Residential Use Class to support the work of the Director of Housing</li> <li>• Support lower minimum site area per dwelling where a social benefit is provided in the General Residential Zone to support the work of the Director of Housing</li> <li>• Prioritisation of social and affordable housing in residential zones by considering increased densities and heights for these developments</li> <li>• Reducing the car parking requirements for social and affordable housing developments</li> <li>• Overall planning objectives to promote diversity in housing supply</li> <li>• Incentives or mandatory provisions for affordable housing allocation in new developments (threshold for percentage of affordable housing)</li> <li>• Social housing including: <ul style="list-style-type: none"> <li>○ Requirement for developer contributions to social housing</li> <li>○ Location of social housing should be distributed among conventional housing to avoid ghettos</li> </ul> </li> <li>• Clarify relationship between considerations under acceptable solution and performance criteria for dwelling density</li> <li>• Provide for amenity and sustainable development at higher densities</li> <li>• New Apartment Code to ensure residential amenity</li> <li>• Promote targeted densification areas identified for infill and densification in regional strategies such as: <ul style="list-style-type: none"> <li>○ consider higher density proposals for high quality designs with desired character outcomes differently to the basic development proposals where designs only achieve minimum standards</li> <li>○ Site area per multiple dwelling</li> <li>○ Private open space trade off proportional to communal open space</li> <li>○ Development guidelines to encourage going above the minimum requirements of the SPPs</li> </ul> </li> <li>• Medium Density Zone/ Apartment Code area - Single Dwellings (possibly Prohibited) and Multiple dwellings or apartments (Permitted) – which could then link to different building envelopes and specify building styles, for example, co-joined townhouses</li> <li>• multiple dwellings – consider open space requirements and using tailored diagrams for attached development in different urban settings</li> <li>• review residential use status/qualifications in urban mix and three business zones to reduce unnecessary discretionary standards</li> </ul> <p>General Residential Zone:</p> <ul style="list-style-type: none"> <li>• promote a variety of housing stock by changing use status for single dwellings and multiple dwellings</li> <li>• Provide requirement for landscaping</li> <li>• Avoiding excessive impermeable surfaces</li> <li>• Provide amenities and maintain local characters by incorporating good design principles</li> <li>• Review 12m frontage subdivision requirement</li> </ul> <p>Inner Residential Zone</p> |              |          |

| Topic or part of SPPs                               | Clause or provisions                          | Issues raised in submissions   | Action Group   | Response  |
|---|---|--|--|---|
|   |   | <ul style="list-style-type: none"> <li>Change use status of multiple dwellings to permitted and single dwelling to discretionary</li> <li>Smaller site coverage linked to guidelines for improved development outcomes</li> <li>Differentiate the Inner Residential Zone from General Residential Zone</li> <li>Restore a minimum 4m rear boundary setback</li> </ul> <p>Low Density Residential Zone</p> <ul style="list-style-type: none"> <li>Zone purpose to include natural values and scenic landscape values</li> <li>Provide for targeted development to promote a variety of housing stock - including use status for single dwellings as no permit required but multiple dwellings prohibited</li> <li>Some non-residential uses should be restricted and controlled by use class qualification</li> <li>Review front, side and rear setback standards</li> <li>Minimum density standards should apply to visitor accommodation</li> <li>Review subdivision minimum lot size to retain zone characters</li> <li>Additional criteria for on-site wastewater disposal</li> </ul> |  |   |
|   |   |  |  |   |
| <b>11.0 Rural Living Zone</b>                       | Zone Purpose                                  | New zone purpose relating to rural landscape character and provisions for native vegetation clearing   | 7  | No SPPs amendment proposed. The Rural Living Zone operates in conjunction with the Natural Assets Code and Scenic Protection Code to manage these issues. <b>Action Group 7</b>   |
|   |   | Considerations to allow for ageing in place  | 7  | No SPPs amendment proposed. This is not the purpose of the Rural Living Zone. Rural Living areas are normally isolated from the general range of services necessary for residents to age in place. <b>Action Group 7</b>  |
|   | Use Standards                                 | Some non-residential uses should be restricted and controlled by use class qualifications  | 3  | No SPPs amendment proposed in the first round of SPPs amendments. Consider consequential amendments following the Improving Residential Standards in Tasmania project and after the TPPs are made. <b>Action Group 3</b>  |
|   |   | <ul style="list-style-type: none"> <li>Visitor Accommodation use should not allow for development of multiple dwellings</li> <li>Revise clause 11.3.2 to avoid potential misuse in the Rural Living Zone</li> </ul>  | 7  | No SPPs amendment proposed. Multiple dwellings are prohibited in the Rural Living Zone so conversion of units from Visitor Accommodation use to Residential use is prohibited. <b>Action Group 7</b>  |
|   |   | Use class of outbuilding – clarify temporary residential use of an outbuilding approved with a dwelling preceding development of the dwelling  | 1  | Consider need for further clarification in relation to the classification of a dwelling and outbuilding under building and planning regulations in the first round of SPPs amendments. <b>Action Group 1</b>  |
|   | Development Standards for Buildings and Works | New provisions for cut and fill design criteria  | 1  | For land filling and retaining walls that are not exempt under clause 4.0, the assessment pathway is set out in clauses 6.2.6, 6.7.2, 6.8.2 and 7.10. Also, matters for specific circumstances are considered through some zone provisions and specific Codes, such as C6.0 Local Historic Heritage Code, C7.0 Natural Assets Code and C8.0 Scenic Protection Code or can be subject to specific requirements in an LPS such as a PPZ, SAP or SSQ.<br><br>Consider the need for any improvements to the requirements in clause 7.10 for land filling and retaining walls as part of first round of SPPs amendments. <b>Action Group 1</b> |
|   |   | Site coverage was reduced to 400m <sup>2</sup> from 500m <sup>2</sup> and triggers unnecessary discretion.   |  | No SPPs amendment proposed. The need for increasing the site coverage requirement in the Acceptable Solution has not been demonstrated. <b>Action Group 7</b>   |
| Additional criteria for on-site wastewater disposal |   | 7  | No SPPs amendment proposed. Lot sizes in the Rural Living Zone are adequate to provide for wastewater disposal. Wastewater disposal is also regulated under the Building Act 2016. <b>Action Group 7</b> |   |
|   |   |  |  |   |
| <b>12.0 Village Zone</b>                            | Use Table                                     | Review some use status which may be better suited as discretionary   | 7  | No SPPs amendment proposed. The need for changes has not been demonstrated. <b>Action Group 7</b>   |
|   |   |  |  |   |
| <b>13.0 Urban Mixed Use Zone</b>                    | Zone Purpose and Use Table                    | Revise provisions to ensure mixed use is encouraged and development for a single purpose such as Residential is discretionary  | 2  | Consider the status of Residential use in the Urban Mixed Use Zone as part of the Improving Residential Standards in Tasmania project <b>Action Group 2</b>   |

| Topic or part of SPPs             | Clause or provisions   | Issues raised in submissions   | Action Group | Response   |
|-----------------------------------|--|--|--------------|--|
|                                   | Use Standards  | Lack of residential and visitor accommodation amenity standards  | 2            | Consider the need for residential amenity provisions as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>   |
|                                   | Development Standards for Buildings and Works                | Concerns about building height standards having an open ended discretion rather than an absolute height limit.                   | 2            | No SPPs amendment proposed in the first round of SPPs amendments.<br>Consider any consequential amendments following the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>  |
|                                   | Development Standards for Subdivision                        | No standards for new roads in subdivisions   | 2            | Consider revisions to the subdivision provisions as part of the Subdivision Standards and LGBMP Review project. <b>Action Group 2</b>  |
|                                   |  |  |              |  |
| <b>14.0 Local Business Zone</b>   | Use Table and Use Standards                                  | Review entire use table and prioritise higher order local services when determining the use status, and bulky goods particularly | 7            | No SPPs amendments proposed. Consider as part of future reviews of the SPPs following approval of all LPSs. <b>Action Group 7</b>  |
|                                   | Development Standards for Subdivision                        | Review subdivision frontage requirement  | 2            | Consider revisions to the subdivision provisions as part of the Subdivision Standards and LGBMP Review project. <b>Action Group 2</b>  |
|                                   |  |  |              |  |
| <b>15.0 General Business Zone</b> | Use Standards/ Development Standards for Buildings and Works | Security shutters and grilles should be prohibited over windows and doors facing public places                                   | 7            | No SPPs amendment proposed . The planning requirements should not restrict security options that may be necessary for businesses in the zone. <b>Action Group 7</b>  |
|                                   | Development Standards for Buildings and Works                | Sound insulation requirements for dwellings  | 2            | The planning requirements should avoid duplicating building regulations. Consider as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>  |
|                                   | Development Standards for Subdivision                        | Review subdivision frontage requirement  | 2            | Consider revisions to the subdivision provisions as part of the Subdivision Standards and LGBMP Review project. <b>Action Group 2</b>  |
|                                   |  |  |              |  |
| <b>16.0 Central Business Zone</b> | Standards generally  | Some SPPs standards are not suitable for Hobart CBD  | 7            | The zone provisions need to be suitable for a range of primary activity centres that service the entire State, a region, or sub-region. Specific locations or issues may be further considered by councils by introduction of specific provisions in an LPS.<br>No SPPs amendments proposed. Consider as part of future reviews of the SPPs following approval of all LPSs <b>Action Group 7</b> |
|                                   | Use Table and Use Standards                                  | Review use status and qualifications reflecting zone purpose – Bulky goods   | 7            | No SPPs amendment proposed. The current Central Business Zone areas include a range of existing Bulky Goods Sales uses. <b>Action Group 7</b>  |
|                                   | Development Standards for Buildings and Works                | Sound insulation requirements for dwellings  | 2            | The planning requirements should avoid duplication on building regulations. Consider as part of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>   |
|                                   | Development Standards for Subdivision                        | Review subdivision frontage requirement  | 2            | Consider revisions to the subdivision provisions as part of the Subdivision Standards and LGBMP Review project. <b>Action Group 2</b>  |
|                                   |  |  |              |  |
| <b>17.0 Commercial Zone</b>       | Development Standards for Buildings and Works                | Review landscaping standards   | 1            | Consider the need for landscaping provisions in the commercial and industrial zones in the first round of SPPs amendments. <b>Action Group 1</b>   |
|                                   |  |  |              |  |

| Topic or part of SPPs   | Clause or provisions                          | Issues raised in submissions  | Action Group     | Response   |
|---|---|---|------------------|--|
| <b>18.0 Light Industrial Zone</b>   | Use Table                                     | Review use status Educational and Occasional Care to allow for new vocational training uses to establish  | 1                | Consider in first round of SPPs amendments. <b>Action Group 1</b>  |
|   | Development Standards for Buildings and Works | Building design requirements to deliver quality design for industrial buildings.  | 7                | No SPPs amendment proposed. This is considered an unnecessary impost on industrial development. Can be addressed through LPSs for specific areas. <b>Action Group 7</b>  |
|   |   | Building material standards to maintain and improve local amenity   | 7                | No SPPs amendment proposed. This is considered an unnecessary impost on industrial development. Can be addressed through LPSs for specific areas. <b>Action Group 7</b>  |
|   |   | Revise excessive landscaping requirements   | 1                | Consider the need for revisions to the landscaping provisions in the commercial and industrial zones in the first round of SPPs amendments. <b>Action Group 1</b>  |
|   |   |   |                  |  |
| <b>19.0 General Industrial Zone</b>   | Development Standards for Buildings and Works | Revise excessive landscaping requirements   | 1                | Consider the need for revisions to the landscaping provisions in the commercial and industrial zones in the first round of SPPs amendments. <b>Action Group 1</b>  |
|   |   | Building design requirements to deliver quality design for industrial buildings   | 7                | No SPPs amendment proposed. This is considered an unnecessary impost on industrial development. Can be addressed through LPSs for specific areas. <b>Action Group 7</b>  |
|   |   | Building material standards to maintain and improve local amenity   | 7                | No SPPs amendment proposed. This is considered an unnecessary impost on industrial development. Can be addressed through LPSs for specific areas. <b>Action Group 7</b>  |
|   |   |   |                  |  |
| <b>20.0 Rural Zone and 21.0 Agriculture Zone – issues across both zones</b> |   | <ul style="list-style-type: none"> <li>Farm workers' accommodation</li> <li>Seasonal worker accommodation</li> </ul>  | 1<br>2           | Consider the need for revisions to the requirements relating to workers' accommodation as part of the first round of SPPs amendments. <b>Action Group 1</b><br>Consider the need for any consequential amendments to the rural zone provisions following the findings of the Improving Residential Standards in Tasmania project. <b>Action Group 2</b>  |
|   |   | Agritourism such as farm stay and cellar door, microbrewery, micro-distilleries and rural tourism events in relation to use status in rural zones   | 1<br>6           | Consider the need for revisions to the requirements relating to agritourism as part of the first round of SPPs amendments. <b>Action Group 1</b><br>Opportunities for further clarification through future planning guidance documents in conjunction with other industry guidance documents such as <a href="#">Business Tasmania</a> business information, <a href="#">Tasmanian Agritourism Toolkit</a> and <a href="#">Agritourism Guide for Regulators</a> . <b>Action Group 6</b>  |
|   |   | Review the permitted commercial and extractive uses in Rural and Agricultural Zones with consideration of the impacts on waterways and habitat refuges for birds  | 7<br>3           | No SPPs amendment proposed. The impacts of development on waterways and bird habitat is intended to be regulated through application of the Natural Assets Code, assessment of Level 2 activities by the EPA, and other applicable Commonwealth and State legislation. <b>Action Group 7</b><br>Consider through a broader review of the Natural Assets Code after the TPPs are made. <b>Action Group 3</b>  |
|   | Use Table and Use Standards                   | Sensitive use in Agriculture Zone or Rural Zone should be prohibited to protect primary uses within the zones from discretionary assessment   | 7                | No SPPs amendment proposed. Sensitive uses have a place in the Agriculture Zone and Rural Zone. The provisions in both zones aim to minimise land use conflicts with the zones' primary uses. <b>Action Group 7</b>  |
|   | Development Standards for Buildings and Works | <ul style="list-style-type: none"> <li>Concerns over insufficient setbacks</li> <li>Agricultural activity scale</li> <li>New standards to consider vegetation removal for buildings and works</li> <li>No rural landscape and skyline protection standards</li> </ul>         | 7<br>1<br>3<br>2 | No SPPs amendment proposed in relation to agricultural activity scale. <b>Action Group 7</b><br>Consider matters relating to: <ul style="list-style-type: none"> <li>Need to increase building setbacks from boundaries in the first round of SPPs amendments. <b>Action Group 1</b></li> <li>Vegetation removal as part of the broader review of the Natural Assets Code and vegetation management requirements following the making of the TPPs. <b>Action Group 3</b></li> <li>Scenic areas as part of a broader review of the operation and application of the Scenic Protection Code following the approval of all LPSs. <b>Action Group 2</b></li> </ul> |
|   | Development Standards for Subdivision         | <ul style="list-style-type: none"> <li>Clarify requirements for excision of a dwelling or visitor accommodation</li> <li>consolidation of lots and subdivision approval</li> <li>provide for boundary reconfiguration between two existing lawful residential uses</li> </ul> | 1<br>2           | Consider the need for revisions to clarify the requirements as part of the first round of SPPs amendments. <b>Action Group 1</b><br>Also consider revisions to the subdivision provisions as part of the Subdivision Standards and LGBMP Review project. <b>Action Group 2</b>   |

| Topic or part of SPPs                     | Clause or provisions          | Issues raised in submissions   | Action Group | Response   |
|---|-------------------------------|--|--------------|--|
|   |                               | <ul style="list-style-type: none"> <li>Rural dwelling access via public land</li> </ul>  |              |  |
|   | Use and development standards | Reasonable proposals for non-primary industry uses are being impeded   | 1            | Consider need for revisions as part of the first round of SPPs amendments. <b>Action Group 1</b>   |
|   |                               |  |              |  |
| <b>21.0 Agriculture Zone</b>              | Zone application in LPSs      | <p>Links between application of the Agriculture Zone and the Natural Assets Code priority vegetation area overlay, including:</p> <ul style="list-style-type: none"> <li>The Agriculture Zone should not be exempt from application of the priority vegetation area overlay</li> <li>overall zoning pattern in LPSs is negatively influenced, and the Agriculture Zone is poorly applied because the priority vegetation overlay does not apply</li> <li>zoning pattern may not allow for connectivity (biodiversity corridors) between priority vegetation areas, and between environmental management zones to better maintain the viability of threatened species populations and ecosystems</li> </ul> | 3            | Consider matters relating to vegetation removal as part of the broader review of the Natural Assets Code and vegetation management requirements following the making of the TPPs. <b>Action Group 3</b>  |
|   |                               |  |              |  |
| <b>22.0 Landscape Conservation Zone</b>   | Zone application in LPSs      | <ul style="list-style-type: none"> <li>Zone should be more widely applied in LPSs, especially to covenanted land, including: <ul style="list-style-type: none"> <li>Environmental Living Zone in interim planning schemes linked private covenanted conservation reserves and obligations under the RFA to the planning system, the Landscape Conservation Zone is no substitute</li> </ul> </li> <li>Concern about broadscale application of Landscape Conservation Zone, such as in the draft LPS of a particular municipal area</li> </ul>  | 5            | No SPPs amendment proposed. Application of the Landscape Conservation Zone or any other zone is a matter for consideration by councils and the Commission through the LPS assessment and approval. This is outside the scope of the SPPs review. <b>Action Group 5</b>   |
|   | Natural values                | <p>Zone purpose</p> <ul style="list-style-type: none"> <li>Include protection of significant natural values</li> <li>Protect natural values as well as scenic values (objective 1(a) of the RMPS)</li> <li>Include provisions to protect native vegetation, waterways and other natural values specifically for the long term survival of local bird populations on private land</li> <li>Discrepancy with Guideline No. 1</li> </ul> <p>Development Standards for Subdivision</p> <ul style="list-style-type: none"> <li>Additional considerations for subdivision lot design to minimise clearance of native vegetation</li> </ul>   | 3<br>2       | <p>The Landscape Conservation Zone is intended for areas with landscape values worthy of protection – this includes areas of significant natural values. The Landscape Conservation Zone operates in conjunction with the Natural Assets Code and the Scenic Protection Code.</p> <p>Consider matters relating to:</p> <ul style="list-style-type: none"> <li>Vegetation removal as part of the broader review of the Natural Assets Code and vegetation management requirements following the making of the TPPs. <b>Action Group 3</b></li> <li>Scenic areas as part of a broader review of the operation and application of the Scenic Protection Code following the approval of all LPSs. <b>Action Group 2</b></li> </ul> |
|   | Landscape values              | New definition for 'landscape values'  | 7            | No SPPs amendment proposed. The Macquarie Dictionary definition is sufficient for interpretation of 'landscape values' where it appears in the Rural Living Zone, Landscape Conservation Zone, Local Historic Heritage Code, and Natural Assets Code. <b>Action Group 7</b>  |
|   | Zone standards generally      | <p>Use Table:</p> <ul style="list-style-type: none"> <li>Residential dwelling should have permitted pathway</li> <li>New discretionary Use Class - Resource Processing for a cidery or distillery</li> </ul> <p>Use and development standards:</p> <ul style="list-style-type: none"> <li>Additional provisions for discretionary uses to realise the protection, conservation, and management of landscape values</li> <li>Increase setbacks</li> <li>Restrictions on height and land clearing for electricity infrastructure</li> </ul>  | 2            | Consider the need for revisions to the use table and use and development standards following the approval of all LPSs. <b>Action Group 2</b>   |
|   |                               |  |              |  |
| <b>23.0 Environmental Management Zone</b> | Zone purpose                  | Amend zone purpose to include conservation management plans and heritage management plans  | 7            | No SPPs amendment proposed. It is not the purpose of the planning scheme to generally give effect to non-statutory conservation management plans. Heritage issues are managed through the Local Historic Heritage Code. <b>Action Group 7</b>  |

| Topic or part of SPPs            | Clause or provisions               | Issues raised in submissions  | Action Group | Response  |
|----------------------------------|------------------------------------|---|--------------|---|
|                                  |                                    | New definition for landscape and cultural landscape value to inform landscape conservation  | 7            | No SPPs amendment proposed. The intent is that the Macquarie Dictionary definition is sufficient for interpretation of landscape and cultural values. The term cultural landscape is not currently used in the SPPs. <b>Action Group 7</b>  |
|                                  | Associated process and legislation | <ul style="list-style-type: none"> <li>Finalise the Reserve Activity Assessment (RAA) process review - to ensure public participation and appeal rights, including exemptions and standards in the zone</li> <li>Protect national parks and reserves from commercial developments – provide for community consultation</li> </ul> | 4            | Consider outcomes of the review of Reserve Activity Assessment process conducted by the Department of Natural Resources and Environmental Tasmania (NRE Tas) before progressing any revisions. <b>Action Group 4</b>  |
|                                  |                                    | <ul style="list-style-type: none"> <li>Should better support the National Reserve System</li> <li>The Parks and Wildlife Service should honour their obligations under the Regional Forest Agreement to create Statutory Management Plans for public conservation reserves</li> </ul>   | 5            | No SPPs amendment proposed. These matters are outside the scope of the SPPs Review. <b>Action Group 5</b>   |
|                                  |                                    | Operation and standards of zone are not suited to multi-use lakes in the Central Highlands  | 5            | The zone provides for the most common range of activities statewide. Specific locations or issues may be further considered by councils and the Commission by considering alternate zoning or the introduction of specific provisions in an LPS. <b>Action Group 5</b>  |
|                                  | Use Table                          | All permitted uses should be made discretionary to guarantee public participation and appeal rights   | 4            | No SPPs amendment proposed. Consider outcomes of review of Reserve Activity Assessment process conducted by the Department of Natural Resources and Environmental Tasmania (NRE Tas). <b>Action Group 4</b>   |
|                                  |                                    | Change Extractive Industry, Resource Development and Resource Processing from discretionary to prohibited   | 4            | No SPPs amendment proposed. The Environmental Management Zone applies to the range of reserved land classes under the <i>National Parks and Reserves Management Act 2002</i> , with some allowing for these types of uses under the reserve management objectives.<br><br>Consider outcomes of the review of Reserve Activity Assessment process conducted by the Department of Natural Resources and Environmental Tasmania (NRE Tas) before progressing any revisions. <b>Action Group 4</b>  |
|                                  | Development Standards              | Increase building setback from a boundary to 20m  | 1            | Consider the need for revisions to the setback requirements in first round of SPPs amendments. <b>Action Group 1</b>  |
|                                  |                                    | Include setbacks from National Parks and Reserves to prevent inappropriate development at the boundary  | 7            | No SPPs amendment proposed. This requirement would need to apply to every zone abutting a National Park or Reserve. The need for such a requirement is not demonstrated and is likely to have significant impacts for development in neighbouring zones. <b>Action Group 7</b>  |
|                                  |                                    | Every development within conservation areas must be subject to detailed assessment by experts to ensure there will be no adverse impacts on habitats and threatened species, particularly birds   | 4            | No SPPs amendment proposed. The majority of land covered by the Environmental Management Zone will be subject to a RAA, and consideration by the Parks and Wildlife Service in accordance with the reserve management plan or the reserve management objectives. This is no need to duplicate this in the Environmental Management Zone. Consider outcomes of the review of Reserve Activity Assessment process conducted by the Department of Natural Resources and Environmental Tasmania (NRE Tas) before progressing any revisions. <b>Action Group 4</b> |
|                                  |                                    |   |              |   |
| <b>24.0 Major Tourism Zone</b>   | No comments on this zone           |   | 7            | No SPPs amendment proposed. <b>Action Group 7</b>   |
|                                  |                                    |   |              |   |
| <b>25.0 Port and Marine Zone</b> | No comments on this zone           |   | 7            | No SPPs amendment proposed. <b>Action Group 7</b>   |
|                                  |                                    |   |              |   |
| <b>26.0 Utilities Zone</b>       | Use Table                          | New discretionary Use Class Extractive Industry - to recognise potential synergies between waste disposal and extraction of clay and other materials close by   | 1            | Consider the need for an additional discretionary pathway for approval of Extractive Industry in the first round of SPPs amendments. <b>Action Group 1</b>  |

| Topic or part of SPPs              | Clause or provisions                                | Issues raised in submissions  | Action Group | Response  |
|------------------------------------|---|---|--------------|---|
|                                    |   |   |              |   |
| <b>27.0 Community Purpose Zone</b> |   | Redraft acceptable solution and performance criteria for consistency - air conditioning and heating systems that are not listed in the acceptable solution  | 7            | No SPPs amendment proposed. A footnote to the acceptable solution explains that an exemption applies for air conditioners and heat pumps in this zone at clause 4.6.11. <b>Action Group 7</b>                                     |
|                                    |   |   |              |   |
| <b>28.0 Recreation Zone</b>        | 28.3.1 Sports and Recreation and Discretionary uses | Clarify interpretation of standard relating to Sports and Recreation uses.  | 7            | No SPPs amendment proposed. The use standard is considered self-explanatory in relation to Sports and Recreation uses and their operating hours. <b>Action Group 7</b>  |
|                                    |   |   |              |   |
| <b>29.0 Open Space Zone</b>        | No comments on this zone                            |   | 7            | No SPPs amendment proposed. <b>Action Group 7</b>   |
|                                    |   |   |              |   |
| <b>30.0 Future Urban Zone</b>      | Zone application                                    | Apply this or another zone to reserve land for future development outside the Urban Growth Boundary where identified by strategy to be reserved for future development  | 7            | No SPPs amendment proposed. Application of the Future Urban Zone or another zone is a matter for consideration by councils and the Commission through an LPS. This is outside the scope of the SPPs review. <b>Action Group 7</b> |
|                                    |   | Amend provisions to include protection of significant landscape features to benefit future development  | 7            | No SPPs amendment proposed. The protection of significant landscape features should be managed through the Scenic Protection Code. <b>Action Group 7</b>  |
|                                    |   |   |              |   |
| <b>CI.0 Signs Code</b>             |   | <ul style="list-style-type: none"> <li>Simplify assessment, including complying with drafting conventions and consistent terms across provisions</li> <li>Retain pictures of sign types</li> <li>Include new sign types</li> <li>Dimension of real estate signs</li> <li>Operation of exemptions</li> <li>Bus stop signage</li> <li>Clarify standards for illuminated signs</li> <li>Clarify number of signs on a frontage</li> <li>Controlled circumstances that allow for unobtrusive signs, limited in number, to be exempt</li> <li>Appropriate range of sign types for permitted uses in zones</li> <li>Blade sign should not be prohibited in the Rural zone and Agriculture zones</li> <li>Review consistency of allowable sign types across zones, such as awning fascia sign and above awning sign</li> <li>Revise the intent and operation of exemption for signs on local heritage places, in local heritage precincts and local historic landscape precincts</li> <li>Promote consolidation of the number and type of signs on a site</li> <li>Stricter controls on window signs</li> <li>Third party signs, such as poster panels, should be prohibited</li> </ul> | 2            | Consider issues through a separate detailed review of the Signs Code. <b>Action Group 2</b>   |
|                                    |   |   |              |   |

| Topic or part of SPPs                       | Clause or provisions | Issues raised in submissions   | Action Group    | Response  |
|---|----------------------|--|-----------------|---|
| C2.0 Parking and Sustainable Transport Code |                      | <ul style="list-style-type: none"> <li>• Include 'liveable streets' and 'parking as a tool to manage travel demand' in the code</li> <li>• Simplify drafting and operation</li> <li>• Review application and exclusions of the code as a whole, the operation should be refined for low density, non-urban areas, or where roads are un-sealed</li> <li>• Concern that standards of the code are not suitable to be applied in Hobart</li> <li>• Review the operation of the acceptable solution and ensure the performance criteria provides a relevant/suitably drafted option</li> <li>• New definition for 'durable all weather pavement'</li> <li>• Review car parking numbers and calculations: <ul style="list-style-type: none"> <li>○ Establish reference data as a base for applying car parking standards and numbers</li> <li>○ Recognise different requirements between residential and industrial areas</li> <li>○ Consider tailored parking requirements for specific examples within a Use Class</li> <li>○ Clarify parking requirements for café and restaurant uses</li> <li>○ Parking rates are more than required</li> <li>○ Unreasonable parking requirements for café compared for restaurant</li> <li>○ Provide maximum parking rate for uses</li> <li>○ Concern that minimum parking rates do not discourage private vehicle use and contribute to inefficient land use and carbon emissions</li> <li>○ Spaces needed for higher density residential and social housing</li> <li>○ Cash-in-lieu for car parking reduction</li> <li>○ Availability of 'on-street' parking and consideration of cumulative impact or circumstances where it should be prohibited</li> </ul> </li> <li>• Bicycle parking and infrastructure to provide for the needs of commuters, apartment residents, children, hotel visitors, customers staff, and public access: <ul style="list-style-type: none"> <li>○ Electric technology charging</li> <li>○ Safe, secure, and undercover storage</li> <li>○ Non-standard bikes such as cargo bikes, tricycles and other mobility aids</li> <li>○ Bicycle network plan</li> <li>○ Cycle lanes in towns</li> <li>○ State guidelines for bicycle infrastructure</li> <li>○ Cycling aspects of Austroads Guide</li> <li>○ Bicycle parking requirements – increase in urban areas, employment centres identified for increased density in regional strategies, multiple dwelling developments</li> </ul> </li> <li>• Include accessible parking use standards</li> <li>• Technical specifications for access and parking: <ul style="list-style-type: none"> <li>○ Include reference to design standards</li> <li>○ Landscaping and lighting for parking areas and accesses</li> <li>○ Electric vehicle charging</li> <li>○ Road and pathway design for accessibility needs</li> <li>○ On-site turning</li> <li>○ Separation of pedestrian and vehicle accesses in multiple dwelling development</li> <li>○ Number of vehicle access points</li> <li>○ Application of Parking Precinct Plans</li> <li>○ Internal access way widths for vehicles are inconsistent with the bushfire requirements and Australian standards</li> </ul> </li> </ul> | <br>1<br>2<br>2 | <p>Consider the need for revisions to the Code for:</p> <ul style="list-style-type: none"> <li>• exclusion of more zones from requirement for sealed parking, access ways, manoeuvring and circulation spaces (e.g. Rural Living Zone) and whether necessary for Low Density Residential Zone. <b>Action Group 1</b></li> <li>• car, bicycle, and other parking numbers in urban residential areas through the Improving Residential Standards in Tasmania project. <b>Action Group 2</b></li> <li>• business and non-urban areas and other matters raised through a separate detailed review of the Parking and Sustainable Transport Code. <b>Action Group 2</b></li> </ul> |
|   |                      |  |                 |   |
| C3.0 Road and Railway Assets Code           |                      | <ul style="list-style-type: none"> <li>• Clarify application of the road attenuation area via written description and mapped overlay, mapped area to reflect more accurate information and apply if there is a conflict</li> <li>• Apply noise attenuation provisions in the Code for areas where road infrastructure has been upgraded.</li> <li>• Ensure rail land, assets and operation are protected from inappropriate development suggest new provisions to assess:</li> </ul>   | <br>1           | <p>Consider need for revisions to the Code as part of first round of SPPs amendments. <b>Action Group 1</b></p>   |

| Topic or part of SPPs   | Clause or provisions    | Issues raised in submissions  | Action Group | Response   |
|---|-------------------------|---|--------------|--|
|   |                         | <ul style="list-style-type: none"> <li>○ Community and recreational use of land adjoining the rail network</li> <li>○ Dual access on dual frontage lots</li> <li>○ Traffic intensification for existing accesses</li> <li>○ Cumulative effects of development on surrounding junctions</li> <li>• Clarify assessment against acceptable solutions, performance criteria and related clause 4.0 exemptions including: <ul style="list-style-type: none"> <li>○ Written consent from the road authority</li> </ul> </li> <li>• Update references and definitions to align with contemporary legal regulatory and administrative framework governing operations on the State Rail network <ul style="list-style-type: none"> <li>○ ONRSR's rail accreditation expectations and obligations</li> <li>○ Austroads facilities guides</li> </ul> </li> </ul> |              |  |
|   |                         |   |              |  |
| <b>C4.0 Electricity Transmission Infrastructure Protection Code</b> |                         | <ul style="list-style-type: none"> <li>• Broaden exemptions for electricity transmission infrastructure</li> <li>• New standard to provide for consent or consultation with electricity transmission entity before lodging a development application on land within mapped overlays</li> </ul>  | 1<br>6       | <p>Consider need for further clarification of operation and exemptions for electricity infrastructure in the first round of SPPs amendments. <b>Action Group 1</b></p> <p>No SPPs Amendment proposed in relation to consent or consultation with the electricity transmission entity prior to lodging a development application. This is not the role of a planning scheme. Opportunities will be considered in future planning guidance to encourage early engagement with the electricity transmission entity. <b>Action Group 6</b></p> |
|   |                         |   |              |  |
| <b>C5.0 Telecommunication Code</b>                                  | Code Purpose            | <ul style="list-style-type: none"> <li>• Review code purpose to reflect the importance of telecommunications and digital connectivity in Tasmania and address Tasmania's current deficit in digital inclusion</li> </ul>  | 7            | No SPPs amendment proposed. The Code Purpose statements are considered to adequately reflect the purpose of the code and relate well to the objectives of the standards. <b>Action Group 7</b>   |
|   | New Acceptable Solution | <ul style="list-style-type: none"> <li>• Review requirement for discretionary permits for telecommunications facilities on Crown Reserve land already subject to a rigorous environmental assessment process to avoid duplication</li> </ul>  | 7            | No SPPs Amendment proposed. Consistent requirements should apply regardless of land tenure. <b>Action Group 7</b>  |
|   |                         | <ul style="list-style-type: none"> <li>• New acceptable solutions for: <ul style="list-style-type: none"> <li>○ Facilities located within existing utility corridors or on sites with existing facilities</li> <li>○ Increased height limits for freestanding towers particularly in the rural, industrial and environmental management zones</li> <li>○ Telecommunications infrastructure funded or partly funded by State and Federal Government</li> </ul> </li> </ul>   | 7            | No SPPs Amendment proposed. The current settings are considered appropriate. <b>Action Group 7</b>   |
|   |                         |   |              |  |
| <b>C6.0 Local Historic Heritage Code</b>                            |                         | <ul style="list-style-type: none"> <li>• Lengthy, not consistent, logically structured and poorly drafted</li> <li>• Ensure drafting provides sufficient legal weight, is consistent with current and good heritage practice, the <i>Historic Cultural Heritage Act 1995</i>, and include references to the Burra Charter definitions, principles and practices, and able to operate in the Hobart context</li> <li>• Suggest listing the Burra Charter (Australia ICOMOS, 2013) as 'Applied, Adopted or Incorporated Documents' to underpin the effect of Local Heritage Code. Consider preservation of cultural landscapes, the Register of the National Estate and World Heritage properties in a precautionary way</li> </ul>   | 2            | Consider the need for revisions to the Code through a separate detailed review of the Local Historic Heritage Code. <b>Action Group 2</b>  |
|   |                         | <ul style="list-style-type: none"> <li>• All municipalities should be required by the SPPs to populate the local heritage list in their LPS and apply the code, especially if an expert study of historic cultural heritage values has been done by council</li> <li>• Include an obligation in either LUPAA or the SPPs for planning authorities to undertake identification of local historic heritage to be listed in the LPS in a timely manner, also regular review</li> <li>• Historic cultural heritage value should be applied via a mapped overlay to use and development in all zones</li> </ul>  | 5            | No SPPs amendment proposed. The code is applied to local heritage places by including the places in the relevant code list as nominated by local councils and approved by the Commission. The SPPs cannot mandate the population of the code list. Mapping of the places is optional but does not affect operation of the code. <b>Action Group 5</b>  |

| Topic or part of SPPs           | Clause or provisions | Issues raised in submissions  | Action Group | Response  |
|---------------------------------|----------------------|---|--------------|---|
|                                 |                      | <ul style="list-style-type: none"> <li>Places listed both locally and on the Tasmanian Heritage Register (THR) should only be required to be assessed by the Tasmanian Heritage Council</li> </ul>  | 7            | No SPPs amendment proposed. The suggested procedure is already provided for in the SPPs. <b>Action Group 7</b>  |
|                                 |                      | <ul style="list-style-type: none"> <li>Suggest inserting a column in Table C6.4 to identify THR Number of places or precincts of archaeological potential</li> <li>Allow inclusion of archaeological structures (built and landscape) as 'local heritage places'</li> </ul>   | 7            | No SPPs amendment proposed. Places may be listed on the THR for their heritage significance irrespective of whether above or below ground. Although THR listed places may be included in the LPS as a local heritage listed place or a place or precinct of archaeological potential, the intent of clause C6.2.3 is that the code does not apply to a THR listed place.<br>Neither the SPPs LPS requirements nor the operative provisions restrict places from being listed as both a local heritage listed place and a place or precinct of archaeological potential. The descriptive column in each list will inform the values to be assessed under the code standards. <b>Action Group 7</b> |
|                                 |                      | <ul style="list-style-type: none"> <li>Provide incentives to property owners for adaptive reuse and subdivision of listed properties</li> </ul>   | 7            | No SPPs amendment proposed. Adaptive reuse is currently provided a discretionary pathway in clause 7.4 of the General Provisions of the SPPs. Subdivision is assessed under the relevant zone standards, as well as the C6.10 Development Standards for Subdivision in the code to facilitate subdivision that respects the heritage values of the site. <b>Action Group 7</b>  |
|                                 |                      | <ul style="list-style-type: none"> <li>Exemptions for THR places should be removed - separation of 'local' from 'state' values affects wholistic assessment of impacts on other local, streetscape and landscape values</li> </ul>  | 7            | No SPPs amendment proposed. The Code intentionally avoids duplicating assessment by Tasmanian Heritage Council as required under the <i>Historic Cultural Heritage Act 1995</i> . This assessment structure follows the drafting principle of the SPPs to avoid duplication of other legislated processes. <b>Action Group 7</b>  |
|                                 |                      | <ul style="list-style-type: none"> <li>Operation of code exemption for development within a local heritage place, local heritage precinct or local historic landscape precinct - relating to qualification for minor upgrades of roads</li> </ul>   | 1            | The intent is for the code exemption to align with the general exemptions. Consider Local Historic Heritage Code exemption in the first round of SPPs amendments with definitions and exemptions relating to roads and access. <b>Action Group 1</b>  |
|                                 |                      | <ul style="list-style-type: none"> <li>Remove the pathways for exempt development in the code</li> </ul>  | 2            | Consider the need for revisions to the Code through a separate detailed review of the Local Historic Heritage Code. <b>Action Group 2</b>   |
|                                 |                      | <ul style="list-style-type: none"> <li>Code should apply to use, and Use Standards should be included in the code</li> <li>Revise objective and remove some performance criteria for demolition</li> <li>Consider assessment of improved access facilities to heritage buildings for people with disabilities to meet the equal access requirements of the National Building Code under the Local Historic Heritage Code or the Historic Cultural Heritage Act 1995</li> </ul>  | 2            | Consider the need for revisions to the Code through a separate detailed review of the Local Historic Heritage Code. <b>Action Group 2</b>   |
|                                 |                      | <ul style="list-style-type: none"> <li>Separate significant trees from code as there are other reasons for listing trees</li> </ul>   | 2            | Consider the need for revisions to the Code through a separate detailed review of the Local Historic Heritage Code. <b>Action Group 2</b>   |
|                                 |                      |   |              |   |
| <b>C7.0 Natural Assets Code</b> |                      | <ul style="list-style-type: none"> <li>Review and revise the operation of the Natural Assets Code</li> <li>Code is inadequate to protect species and ecological functioning</li> <li>Natural Assets Code fails the objectives of LUPA Act to maintain ecological processes and genetic diversity</li> <li>Deliver sustainable development objectives of the RMPS</li> <li>Biodiversity hotspots, such as Tasmanian Midlands, are not properly protected</li> <li>Include measures to improve habitat and connectivity, respond to climate change and pressures of invasive species</li> <li>Consider impact of removing vegetation on ecosystem services – controlling erosion and salinity, water flows, crop pollination, climate change</li> <li>New provisions to assess cumulative impacts of development on natural assets such as process in Western Australia</li> <li>Include protection of drinking water catchments</li> <li>Updated mapping to inform the application of the priority vegetation overlay across zones: <ul style="list-style-type: none"> <li>include all species and vegetation communities listed under the <i>Threatened Species Protection Act 1995</i>, <i>Nature Conservation Act 2002</i> and <i>Environment Protection and Biodiversity Conservation Act 1999</i></li> <li>base the overlay on the Regional Ecosystem Model by Natural Resource Planning Pty Ltd, Hobart</li> </ul> </li> </ul> | 3            | Consider matters relating to natural values as part of the broader review of the Natural Assets Code and vegetation management requirements, following the making of the TPPs. <b>Action Group 3</b>  |

| Topic or part of SPPs       | Clause or provisions | Issues raised in submissions  | Action Group | Response  |
|-----------------------------|----------------------|---|--------------|---|
|                             |                      | <ul style="list-style-type: none"> <li>○ prescribed data requirements for the priority vegetation overlay map in clause LPI.7.5(c) are too broad and unworkable.</li> <li>• Apply the priority vegetation area overlay to the Agriculture Zone/residential zones</li> <li>• Urban zones/all zones to: <ul style="list-style-type: none"> <li>○ avoid perverse zoning outcomes</li> <li>○ consider alternate locations for development ancillary to agricultural use</li> <li>○ ensure protection and improve recovery of threatened bird species and their habitat, such as at King Island</li> <li>○ recognise important refuges of vegetation remaining in urban areas</li> </ul> </li> <li>• Application to reserved land – interaction/duplication with the RAA process, third party environmental impact assessment processes, and Major Projects assessments under LUPAA</li> <li>• Code purposes: <ul style="list-style-type: none"> <li>○ Acknowledge minimisation and include in hierarchy of mitigation strategies – avoid, mitigate, offset</li> <li>○ Broader biodiversity values than priority vegetation – ecosystems, diversity, unlisted native species</li> </ul> </li> <li>• Achieve consistency between relevant code purposes, objective of the standards and the performance criteria</li> <li>• Exemptions should be reduced or clarified, such as relationship with forest practices plans</li> <li>• Review definitions for clarity and consistency with other regulations</li> <li>• New definitions needed – wide variety including previously raised</li> <li>• Clarify operation and interpretation of the provisions – clearance compared with clearance and conversion, pasture, significant habitat, local importance</li> <li>• Clarify the kind, scope and scale of assessments to be undertaken to satisfy acceptable solutions and performance criteria</li> <li>• New performance criteria which enable specialist quantitative advice or opinion to be provided to a planning authority on any adverse impacts on native vegetation</li> <li>• Clarify the use/consideration of on-site and off-site biodiversity offsets</li> <li>• Revise code clauses C7.6.2 and C7.7.2 (refers to recommendations in Meander Valley section 35G report, and notice of Commission’s opinion to Minister)</li> <li>• New subdivision standards for off-site offsets for impact on priority biodiversity values</li> <li>• Measurement of spatial extent of waterway and coastal protection areas</li> <li>• Additional standards for Class 4 watercourses</li> <li>• Waterways should have a multi-purpose riparian reserve</li> <li>• Increase buffer areas for watercourses in urban zones</li> <li>• Include performance criteria to allow the piping of waterways, minimising adverse impacts on natural assets, where there is social benefit provided</li> <li>• New subdivision standards performance criteria needed for location of building areas to avoid/minimise impact on waterway values and on fauna in priority vegetation areas</li> <li>• Development not reliant on a coastal location should be allowed to occur within a waterway and coastal protection area or a future coastal refugia area</li> <li>• A future coastal refugia area should not be applied to the Open Space Zone as it will constrain future use and development of existing key community facilities</li> </ul> |              |   |
|                             |                      |   |              |   |
| C8.0 Scenic Protection Code |                      | <ul style="list-style-type: none"> <li>• All municipalities should be required by the SPPs to populate the scenic protection list in their LPS and apply the code, especially if an expert study of scenic landscape values has been done by council</li> <li>• Application to a wider range of zones or all zones where important scenic landscapes are identified</li> <li>• Code should assist compliance with strategies for scenic management in the Regional Land Use Strategies</li> <li>• Code should apply to use</li> </ul>   | 2            | Consider matters relating to scenic values as part of the broader review of the Scenic Protection Code and broader scenic management requirements following the approval of all LPSs. <b>Action Group 2</b> |

| Topic or part of SPPs        | Clause or provisions                          | Issues raised in submissions  | Action Group | Response   |
|------------------------------|---|---|--------------|--|
|                              |   | <ul style="list-style-type: none"> <li>Clarify operation and interpretation of the scenic road corridor provisions</li> <li>Increase width of scenic road corridor</li> <li>Intent to protect hedgerows and exotic trees close to scenic road corridors does not work with the general exemptions for vegetation removal</li> <li>Operation of exemptions</li> <li>Definition for terms used in performance criteria</li> <li>Scenic value significance should be categorised as national, State, or local</li> <li>Code should protect scenic coastal and rural areas in addition to ridgelines and skylines</li> <li>New standard for development such as wind farms with height greater than 50m</li> <li>All development within a scenic protection area should be discretionary</li> <li>Consider impact of future development due to subdivision</li> </ul> |              |  |
|                              |   |   |              |  |
| <b>C9.0 Attenuation Code</b> |   | <ul style="list-style-type: none"> <li>Code is difficult to apply without mapped attenuation areas</li> <li>Map the attenuation distance for TasWater assets rather than rely on distances in the table</li> </ul>  | 7            | No SPPs amendment proposed. The council may apply mapped attenuation areas, or an area described in a table written in the code. This allows for attenuation distances to be tailored to the circumstances of a particular activity. A council can consider if a new mapped attenuation is desirable for specific sites and add it to the LPS via an LPS amendment. <b>Action Group 7</b>  |
|                              |   | <ul style="list-style-type: none"> <li>Mapping attenuation areas should have a fast-track amendment process</li> </ul>  | 5            | No SPPs amendment proposed. Changing the LPS amendment process would involve legislative change, which is outside the scope of the SPPs Review. <b>Action Group 5</b>  |
|                              |   | <ul style="list-style-type: none"> <li>Include objectives and performance criteria requiring that use and development do not reduce the ecological, scientific, cultural or scenic value of land in the Environmental Management Zone</li> </ul>  | 7            | No SPPs amendment proposed. These matters are not considered to be within the primary purpose of the Attenuation Code. The Natural Assets Code is intended to further protect natural values occurring in the zones, where not specifically provided for in the zone standards, and it can apply to the same land as the Attenuation Code. <b>Action Group 7</b>   |
|                              | Table C9.1 Attenuation Distances              | <ul style="list-style-type: none"> <li>Adjustments to attenuation distances for: <ul style="list-style-type: none"> <li>Bakery</li> <li>Frost fans</li> <li>Motor racing</li> <li>Horse stables or feeding yards</li> <li>Extractive industries – other development should be prohibited in mapped attenuation areas</li> <li>Music and performance venues</li> <li>Remove some uses from the table as the code is too onerous</li> </ul> </li> </ul>   | 2            | Attenuation distances in the code were based on best practice guidelines from other Australian jurisdictions and advice from the EPA. Consider need for any revisions to attenuation distances in code as part of detailed review based on EPA advice. <b>Action Group 2</b>   |
|                              |   | <ul style="list-style-type: none"> <li>Broaden application of the Code to Visitor Accommodation and Tourist Operation uses</li> <li>New exemptions from code: <ul style="list-style-type: none"> <li>allowing sensitive uses within an attenuation buffer area if another sensitive use is already within the buffer</li> <li>garages</li> <li>development of approved subdivision for residential use</li> <li>development within a building area</li> <li>No permit required or permitted development</li> </ul> </li> </ul>  | 1<br>2<br>7  | <p>The Attenuation Code applies to sensitive use. The sensitive use definition was intended to apply to Visitor Accommodation. Consider further clarification of the definition for sensitive use in the first round of SPPs amendments. <b>Action Group 1</b></p> <p>Consider need for revisions to the Code application, use and development standards as part of detailed review based on EPA advice. <b>Action Group 2</b></p> <p>No SPPs amendment proposed. Existing sensitive use within an attenuation area is sometimes a legacy issue in an LPS. The intent of the code is not to introduce any new sensitive use into an established attenuation area, or intensify any existing potential for land use conflict.</p> <p>There are general exemptions for some outbuildings in Table 4.3. The Code provides an exemption for additions or alterations to an existing building used for sensitive use, if the gross floor area does not increase by more than 50% or 100m<sup>2</sup>. <b>Action Group 7</b></p> |
|                              | Development Standards for Buildings and Works | Prohibit development for sensitive use within a mapped or defined attenuation area for an existing extractive industry  | 7            | No SPPs amendment proposed. The settings in the Code are considered suitable for making appropriate decisions based on the specific details of the proposal and its merits. <b>Action Group 7</b>  |
|                              |   | New provisions to assess level I activities for their environmental impacts - current gap if the matter is not recognised by the Attenuation Code.  | 7            | No SPPs amendment proposed. The Code applies to Level I activities and impacts on surrounding sensitive use. It is not intended to provide general consideration of environmental impacts. <b>Action Group 7</b>   |
|                              |   |   |              |  |

| Topic or part of SPPs   | Clause or provisions   | Issues raised in submissions  | Action Group | Response  |
|---|--|---|--------------|---|
| <b>C10.0 Coastal Erosion Hazard Code and C11.0 Coastal Inundation Hazard Code</b> | Definitions in both C10.0 Coastal Erosion Hazard Code and C11.0 Coastal Inundation Hazard Code | Clarify or new definitions: – <ul style="list-style-type: none"> <li>manifest quantity,</li> <li>tolerable risk,</li> <li>hazardous use,</li> <li>coastal erosion event,</li> <li>kept to a minimum</li> <li>revise and adopt the definition for ‘coastal protection works’ in Hobart Interim Planning Scheme 2015</li> </ul>   | 6<br>7       | Opportunities for further clarification of these terms will be considered in future planning guidance documents. <b>Action Group 6</b><br>The operation and drafting of the definition, exemption, and standards applying to coastal protection works in the inundation codes of the Hobart Interim Planning Scheme 2015 and the coastal hazard codes of the SPPs are different. The suggested matters do not appear to cause any operational issues with the SPPs. <b>Action Group 7</b> |
|   | Code exemption   | <ul style="list-style-type: none"> <li>Coordination between planning approvals and building approvals – C10.4.1 (a) and C11.4.1 (a) use or development exempt from the code</li> </ul>  | 1            | Clarifying the meaning of ‘authorisation under the <i>Building Act 2016</i> ’ in hazard codes. <b>Action Group 1</b>  |
|   |  |   |              |   |
| <b>C10.0 Coastal Erosion Hazard Code</b>  |  | <ul style="list-style-type: none"> <li>Application and site classification via accurate mapping, and operation</li> <li>Review use standards and development standards generally</li> <li>Replace C10.5.4 PI for uses located within a coastal erosion investigation area with similar provision to C10.6.3 PI for buildings and works, which does not differentiate between urban and non-urban zones.</li> </ul>  | 2            | Consider the need for revisions as part of a detailed review of the operation of the coastal hazard codes generally. <b>Action Group 2</b>  |
|   |  |   |              |   |
| <b>C11.0 Coastal Inundation Hazard Code</b>                                       |  | <ul style="list-style-type: none"> <li>Application and site classification via accurate mapping</li> <li>Flexibility to change the site classification if proved to be inaccurately mapped</li> <li>Operation/application with the Flood-Prone Areas Hazard Code</li> <li>Concurrent application to Coastal and Riverine Inundation areas</li> <li>Revise to remove unnecessary constraints to the construction of protection works by a council or State government</li> <li>Review and expand exemptions for some uses within a low or medium coastal inundation hazard band in an urban zone</li> <li>Insert use standards for all hazard bands in both urban and non-urban areas</li> <li>Unreasonable to exclude existing uses from coastal protection works under C11.2.4 and C11.6.2</li> <li>Provision for minimum floor heights and future emergency access in the code</li> </ul>                           | 2<br>4       | Consider the need for revisions as part of a detailed review of the operation of the coastal hazard codes generally. <b>Action Group 2</b><br>Consider integration of coastal and riverine flooding impacts as part of the implementation of the Tasmanian Flood Mapping project being undertaken by the State Emergency Service. <b>Action Group 4</b>   |
|   |  |   |              |   |
| <b>C12.0 Flood-Prone Areas Code</b>   |  | <ul style="list-style-type: none"> <li>Accurate state-wide flood risk mapping</li> <li>Operation/application with Coastal Inundation Hazard Code</li> <li>Provisions for coincident flooding under Coastal Inundation Hazard Code</li> <li>Concern about UTas Inveresk campus in a sub-tidal flood inundation zone</li> <li>Review policy setting in the context of changing climate, especially relevance of the flood 1% AEP parameter</li> <li>Suggest a conservative limit on structures size within the flood zone as qualifications for exemptions</li> <li>Clarify if all Class 10 buildings or structures (10a, 10b, 10c) are exempt</li> <li>Introduce Acceptable Solutions to the Flood Prone Areas Hazard Code standards to enable permitted pathway for use and development</li> <li>All subdivision should be discretionary</li> <li>Review and coordinating subdivision standards with LGBMP</li> </ul> | 2            | Consider as part of the implementation of the Tasmanian Strategic Flood Mapping Project (TSFMP) being undertaken by the State Emergency Service. <b>Action Group 2</b>  |
|   |  |   |              |   |
| <b>C13.0 Bushfire-Prone Areas Code</b>  |  | <ul style="list-style-type: none"> <li>Revise and simplify definition of hazardous use referring to <i>Work Health and Safety Regulations 2012</i></li> </ul>   | 1            | Consider the need for revised definition in the first round of SPPs amendments. <b>Action Group 1</b>   |

| Topic or part of SPPs                           | Clause or provisions | Issues raised in submissions  | Action Group | Response  |
|---|----------------------|---|--------------|---|
|   |                      | <ul style="list-style-type: none"> <li>Visitor Accommodation should be listed as a vulnerable use</li> </ul>  | 1            | Consider the need for revised definition in the first round of SPPs amendments. <b>Action Group 1</b>   |
|   |                      | <ul style="list-style-type: none"> <li>Enable the consideration of vegetation clearing for bushfire hazard management on land in an adjoining zone where the related use may be prohibited in that zone.</li> </ul>   | 1            | Consider need for a general provision to enable the consideration of vegetation clearing for bushfire hazard management on land in an adjoining zone under certain circumstances. <b>Action Group 1</b>   |
|   |                      | <ul style="list-style-type: none"> <li>Application and scope</li> <li>Recommended that the application and scope of the Bushfire-Prone Areas Code be amended to apply to habitable buildings</li> <li>Coordination between planning approvals and building approvals</li> <li>Review use standards for vulnerable use to align with changes to National Construction Code (NCC) occurring in May 2023</li> <li>Ensure a planning permit cannot be granted for development that cannot comply with bushfire building requirements</li> <li>The Code should not require a Bushfire Hazard Management Plan to consider the suitability for a house</li> <li>Campgrounds and 'glamping' facilities and Eco-tourism' projects are unregulated for bushfire protection</li> <li>Clearing land for bushfire protection on adjoining land should not be classified into a use class – review Clause 6.2.2</li> <li>Consistency in using 'and', 'or'</li> <li>Review C13.5.1 A2, A3 and C13.5.2 A2, A3 regarding emergency management strategy and relationship with zone development standards</li> <li>Redrafting C13.5.1 PI and C13.5.2 PI</li> </ul> | 2            | Consider application, operation, and drafting of the code in a separate Bushfire-Prone Areas Code review project with expert support of TasFire. <b>Action Group 2</b>  |
|   |                      |   |              |   |
| <b>C14.0 Potentially Contaminated Land Code</b> |                      | <ul style="list-style-type: none"> <li>Clarification of, or a register of accredited auditors</li> </ul>  | 7            | No SPPs amendment proposed. Code provides clear guidance in accordance with EPA recommendations. <b>Action Group 7</b>  |
|   |                      | <ul style="list-style-type: none"> <li>Updating reference to interstate legislation under Definition of Terms</li> </ul>  | 1            | Consider in first round of SPPs amendments. <b>Action Group 1</b>   |
|   |                      | <ul style="list-style-type: none"> <li>Streamline SPPs provisions with regulations for underground petroleum storage system (UPSS) decommissioning to avoid duplication</li> </ul>  | 1            | Consider need for alignment with UPSS processes in first round of SPPs amendments. <b>Action Group 1</b>  |
|   |                      | <ul style="list-style-type: none"> <li>Accurate mapping included as an overlay for ease of accessibility</li> <li>A non-statutory mapped overlay published to LIST map is preferable</li> <li>Triggering application of the code - additional provisions to allow the planning authority to consider a broader range of information sources in its possession</li> <li>Review the benchmark for triggering permit application or exemption</li> <li>Review the scope of exemption C14.4.1(d)</li> <li>Clarify and revise definition of: <ul style="list-style-type: none"> <li>environmental site assessment</li> <li>site history</li> <li>certificate</li> </ul> </li> <li>Recommending additional development standards</li> <li>In subdivision standards, the heading of C14.7.1 does not align fully with the objective and AI and PI relating to sensitive use.</li> </ul>  | 7<br>1       | Code already provides for councils to apply it via mapping overlays for known locations, and councils can keep non-statutory mapping to assist with interpretation and application. No SPPs amendment proposed. <b>Action Group 7</b><br><br>Consider any revisions to application, operation, and drafting of the Potentially Contaminated Land Code as part of first round amendments in consultation with the EPA. <b>Action Group 1</b>                         |
|   |                      |   |              |   |
| <b>C15.0 Landslip Hazard Code</b>               | Definitions          | <ul style="list-style-type: none"> <li>Definitions including: <ul style="list-style-type: none"> <li>Tolerable risk</li> <li>Replace 'landslip' with 'landslide' throughout</li> <li>Geotechnical practitioner</li> <li>Minor works regarding water services</li> <li>Significant works regarding vegetation removal and water storage thresholds within a landslide hazard area</li> </ul> </li> </ul>   | 1<br>2<br>6  | Clarify operation of code exemptions in first round of SPPs amendments. <b>Action Group 1</b><br><br>Clarifying the meaning of 'authorisation under the <i>Building Act 2016</i> ' in hazard codes. <b>Action Group 1</b><br><br>Consider the need for revisions as part of a detailed review of the operation of the Landslip Hazard Code in conjunction with the landslip mapping work being undertaken by Mineral Resource Tasmania (MRT). <b>Action Group 2</b> |

| Topic or part of SPPs   | Clause or provisions   | Issues raised in submissions   | Action Group | Response  |
|---|--|--|--------------|---|
|   |  | <ul style="list-style-type: none"> <li>Application and accurate mapping</li> <li>Review the hazard band classifications to determine whether there is a more appropriate or effective classification system</li> <li>Clarify operation of code exemptions</li> <li>Coordination between planning approvals and building approvals</li> <li>Risk and no tangible benefits allowing private Building Surveyors in decision making for areas of known risk</li> <li>Use terms consistent with AGS guidelines</li> <li>Review exemption for Utilities uses, consider excluding some uses related to sewer, water and stormwater utilities</li> <li>Operation for change of use to previously exempt use or development</li> <li>A Form D Geotechnical Declaration Minor Impact issued by a Geotechnical Practitioner could be an acceptable solution under C15.6.1 A1</li> </ul> |              | Also, there are opportunities for further clarification to be considered in future planning guidance documents. <b>Action Group 6</b>   |
|   |  |  |              |   |
| <b>C16.0 Safeguarding of Airports Code</b>                                    | C16.6.1 Buildings and works within an airport obstacle limitation area | Provide for a process for councils to assess planning applications for development up to 10m above ground level within an airport obstacle limitation area for Commonwealth leased airports, before receiving the relevant Commonwealth approval.  | 1            | Consider need for new exemption or revised standard to simplify processing planning applications within the Hobart and Launceston (Commonwealth leased) airport obstacle limitation areas in the first round of SPPs amendments. <b>Action Group 1</b>  |
|   |  | <ul style="list-style-type: none"> <li>Review obstacle limitation area overlay mapping requirements</li> <li>Coordinate application of an airport obstacle limitation area when it covers multiple municipalities/LPSs.</li> <li>Concern the code applies only to Commonwealth lease airports and not local airports</li> <li>Include recognition and implementation of the National Airports Safeguarding Framework (NASF) principles and guidelines</li> <li>Revise airport noise exposure area provisions to recognise the different requirements for N contours and ANEF contours.</li> <li>Insert additional standards for airport obstacle limitation area to capture the requirements of NASF Guideline F</li> </ul>  | 1<br>7<br>5  | <p>Consider mapping, application, and operation of the Safeguarding of Airports Code as part of first round of SPPs amendments. <b>Action Group 1</b></p> <p>The code applies to all airports where airport noise exposure areas and airport obstacle limitation areas exist, as described in the LPS requirements at LPI.7.14 and in the definitions for the code at C16.3.1. These airports may be Commonwealth-leased airports, such as Hobart and Launceston, or other airports, such as Burnie, Cambridge, Devonport and Smithton. <b>Action Group 7</b></p> <p>The NASF guidelines relevant to planning assessment of use and development applications are considered to be implemented through the provisions of the code. Other NASF matters may be more suited to implementation through strategic planning processes. <b>Action Group 5</b></p> |
|   |  |  |              |   |
| <b>LPI.0 Local Provisions Schedule Requirements</b>                           | No comments on this part   |  | 7            | No SPPs amendment proposed. <b>Action Group 7</b>   |
|   |  |  |              |   |
| <b>Appendix A - Local Provisions Schedule Structure</b>                       | No comments on this part   |  | 1            | Consider alignment of SAP template with the structure of SAPs approved in LPSs as part of first round of SPPs amendments. <b>Action Group 1</b>   |
| <b>State Planning Provisions - Applied, Adopted or Incorporated Documents</b> | List of AAI documents  | Update incorporated documents and references in scheme   | 7            | <p>No SPPs amendment proposed to AAI documents list. No gaps in referencing have been identified in the existing SPPs. <b>Action Group 7</b></p> <p>All draft SPP amendments will be checked for references to manuals, guidelines, Australian Standards or similar external documents, and consequential amendments to the Applied, Adopted or Incorporated Documents list will be included in the draft amendment as required.</p>  |
|   |  |  |              |   |
| <b>New code or provisions</b>   | Amenity Standards Code   | <ul style="list-style-type: none"> <li>New Amenity Standards Code</li> </ul>   | 2            | This issue will be included for further analysis as part of Improving Residential Standards in Tasmania project for residential areas. <b>Action Group 2</b>  |

| Topic or part of SPPs | Clause or provisions                          | Issues raised in submissions   | Action Group | Response  |
|-----------------------|---|--|--------------|---|
|                       | Neighbourhood Code                            | <ul style="list-style-type: none"> <li>● New Neighbourhood Code including: <ul style="list-style-type: none"> <li>○ Public spaces including transport, recreation, leisure and connection,</li> <li>○ Reflect the needs and desires of local towns and centres (support Heart Foundation 2016 submission and Victorian system of 20 minute neighbourhoods)</li> </ul> </li> </ul>  | 2            | This issue will be included for further analysis as part of Improving Residential Standards in Tasmania project for residential areas. <b>Action Group 2</b>  |
|                       | Filling and Excavation Code                   | <ul style="list-style-type: none"> <li>● New Filling and Excavation Code including: <ul style="list-style-type: none"> <li>○ impacts on character and amenity</li> <li>○ stability and appearance;</li> <li>○ environmental impact</li> <li>○ flooding and drainage</li> <li>○ management of stockpiles</li> <li>○ impacts on infrastructure, public utilities and easements</li> <li>○ provisions for retaining walls</li> <li>○ design criteria in the Rural Living Zone</li> </ul> </li> </ul>  | 2<br>3       | <p>The need for a specific Code is not currently demonstrated. For land filling and retaining walls that are not exempt under clause 4.0, the assessment pathway is set out in clauses 6.2.6, 6.7.2, 6.8.2 and 7.10. Also matters for specific circumstances are considered through some zone provisions and specific Codes, such as C6.0 Local Historic Heritage Code, C7.0 Natural Assets Code and C8.0 Scenic Protection Code, or can be subject to specific requirements in an LPS such as a PPZ, SAP or SSQ.</p> <p>Consider the need for any improvements to the requirements in clause 7.10 for land filling and retaining walls as part of first round of SPPs amendments. <b>Action Group 1</b></p> <p>Also consider the need for further improvements to current provisions as part of detailed analysis in related projects. <b>Action Group 2</b></p> |
|                       | Dispersive Soils Code                         | <ul style="list-style-type: none"> <li>● New Dispersive Soils Code</li> </ul>  | 7            | No SPPs amendment proposed. These matters can be considered through specific requirements in an LPS such as a SAP or SSQ. It has not been demonstrated that there is a need for statewide provisions at this point. <b>Action Group 7</b>   |
|                       | Acid Sulphate Soils Code                      | <ul style="list-style-type: none"> <li>● New Acid Sulphate Soils Code or SAP</li> </ul>  | 7            | No SPPs amendment proposed. These matters can be considered through specific requirements in an LPS such as a SAP or SSQ. It has not been demonstrated that there is a need for statewide provisions at this point. <b>Action Group 7</b>   |
|                       | Stormwater Management Code or zone provisions | <ul style="list-style-type: none"> <li>● New Stormwater Management Code or zone provisions: <ul style="list-style-type: none"> <li>○ Southern Region interim planning schemes code</li> <li>○ Stormwater provisions that support the LGAT Tasmanian Stormwater Policy Guidance and Standards for Development</li> <li>○ Standardised approach to stormwater assessment in applications to avoid costly full upfront design in application, for example, outlining a feasible storm water mitigation and management model for application</li> <li>○ Prioritise new stormwater code providing clear terminology and concepts while allowing locally different approaches</li> </ul> </li> </ul> | 3<br>6       | <p>Further analysis required with support of local government, and as part of implementation of the TPPs. <b>Action Group 3</b></p> <p>Opportunities for further guidance to be considered in future planning guidance documents, in conjunction with LGAT's Development Manual project. <b>Action Group 6</b></p>  |
|                       | Geoheritage Code                              | <ul style="list-style-type: none"> <li>● New Geoheritage Code</li> </ul>   | 3            | Review as part of the implementation of TPPs. <b>Action Group 3</b>   |
|                       | Karst Landscape Management Code               | <ul style="list-style-type: none"> <li>● New Karst Landscape Management Code or SAP</li> </ul>   | 7            | No SPPs amendment proposed. These matters can be considered through specific requirements in an LPS such as a SAP or SSQ. It has not been demonstrated that there is a need for statewide provisions at this point. <b>Action Group 7</b>   |
|                       | Aboriginal Heritage Code                      | <ul style="list-style-type: none"> <li>● New Aboriginal Heritage Code: <ul style="list-style-type: none"> <li>○ Consult with Tasmanian Aboriginal communities to develop appropriate provisions</li> <li>○ Provide better protection of Aboriginal cultural heritage</li> </ul> </li> </ul>  | 4            | Consider outcomes of the review of <i>Aboriginal Heritage Act 1975</i> by Aboriginal Heritage Tasmania. <b>Action Group 4</b>   |

| Topic or part of SPPs              | Clause or provisions     | Issues raised in submissions   | Action Group | Response  |
|------------------------------------|--------------------------|--|--------------|---|
|                                    |                          | <ul style="list-style-type: none"> <li>○ Provide formal opportunity for Traditional Owners to comment on development that might adversely impact Aboriginal cultural heritage</li> <li>○ Provide provisions so that First Nations cultural values tied to Country/the environment are protected and included in land use and development decision making</li> </ul>                        |              |   |
|                                    | Windfarm Code provisions | <ul style="list-style-type: none"> <li>● New Windfarm Siting Code or provide specific provisions for wind farms assessment including: <ul style="list-style-type: none"> <li>○ Requirement to demonstrate a social licence from neighbours and community stakeholders</li> <li>○ Ensure wind farms do not present a significant risk to threatened bird populations</li> </ul> </li> </ul> | 4            | Consider outcomes of the review of Renewable Energy Zones project being conducted by Renewables, Climate and Future Industries Tasmania (ReCFIT). <b>Action Group 4</b> |
|                                    |                          |  |              |   |
| Minor spelling and drafting errors |                          |  | I            | Correct minor errors in first round of SPPs amendments. <b>Action Group I</b>   |

**Table 3 – Response to general issues and assignment to Action Groups**

| Topic   | Issues raised in submissions   | Action Group               | Response   |
|---|--|----------------------------|--|
| <p><b>Staged SPPs review</b></p>  | <ul style="list-style-type: none"> <li>● Although the SPPs not in effect in all municipalities, and only implemented for a short time in some, support the timing of the current review</li> <li>● Lessons gained so far can lead to early improvements in clarity and practicality of the SPPs</li> <li>● Put a hold on SPPs review, the TPPs need to be developed first to inform community of the policy framework contained within the SPPs, then changes proposed</li> <li>● All elements of the SPPs should be reviewed and none omitted</li> <li>● If consultation is staged, suggested order is: <ul style="list-style-type: none"> <li>○ the codes and SPP purposes</li> <li>○ the zones</li> <li>○ administrative and exemptions provisions and</li> <li>○ formatting the SPPs document should not be included.</li> </ul> </li> <li>● Staged approach supported, suggested order: <ul style="list-style-type: none"> <li>○ address the critical concerns without delay: those directly relevant to effective operation of current provisions and more consistent interpretation, also address any clear gaps with the current SPP</li> <li>○ a more comprehensive review, including policy issues needing more rigorous process of engagement with local government to resolve. Depending on the timing of the development of the Tasmanian Planning Policies (TPPs), amendments to reflect the TPPs and Regional Land Use Strategies (including issues relevant to achieving RMPS objectives) could also be included in this stage</li> </ul> </li> <li>● Explain what is meant by a “minor amendment”, how it is defined and made in next stage of the SPPs review program - the Stage 1 (or step 3 in the Scoping paper diagram) as minor amendments not requiring public consultation</li> <li>● Request to take part in reference/consultative groups to assist State Planning Office (SPO) with detailed projects and amendments associated with the SPPs.</li> </ul> | <p>1-7</p>                 | <p>Agree to adopt the approach suggested in many submissions that responses are prioritised, commencing with amendments to resolve the most common and well understood issues first.</p> <p>Agreed that policy, strategy and statutory measures should be aligned to provisions of the Act to enhance Tasmania’s RMPS framework.</p> <p>Any amendments to the SPPs should be based on appropriate research, information, engagement, analysis and testing. Assistance from a variety of organisations and inclusion of related projects will be key to analysis and development of proposed amendments. Offers to take part in and support the ongoing SPPs review work program are appreciated.</p> <p>The Actions Groups 1-7 give detailed responses, and sort the issues raised into those that:</p> <ul style="list-style-type: none"> <li>● deliver early improvements in the clarity and practicality of the most commonly used standards in the SPPs (<b>Action Group 1</b>),</li> <li>● more complex matters that require further investigation (<b>Action Group 2</b>),</li> <li>● should be approached with a strong understanding of State’s high level planning policies (TPPs)(<b>Action Group 3</b>), and</li> <li>● explain the approach for remaining matters (<b>Action Groups 4-7</b>).</li> </ul> <p>All SPPs amendments will follow the procedures in Division 2 of LUPAA. This includes the opportunity for the Commission to consider SPPs amendments to become minor amendments under the criteria in Section 30NA, or interim amendments under section 30NB. More information about the SPPs amendment process is available on the <a href="#">Commission website</a>.</p> |
| <p><b>State planning reform work program – TPPs and regional strategies</b></p> | <ul style="list-style-type: none"> <li>● The SPPs should be underpinned by the TPPs – including addressing issues such as climate change, land clearance</li> <li>● Implement the TPPs prior to the SPP review</li> <li>● Comprehensive regional land use strategies informed by high level Tasmanian Planning Policies are needed for planning sustainable growth of Tasmanian cities</li> <li>● Urban growth boundaries should be implemented to limit spread of houses</li> <li>● Incorporate Brand Tasmania objectives</li> <li>● Amendments are required so the SPPs can provide strategic planning, not block by block development lacking bigger picture vision.</li> </ul>   | <p>1<br/>2<br/>3<br/>5</p> | <p>Agreed that all elements of the Tasmanian Planning System have important roles to play. Current planning reforms include:</p> <ul style="list-style-type: none"> <li>● the creation of the TPPs</li> <li>● Review of regional planning framework</li> <li>● Intended review of existing regional land use strategies</li> </ul> <p>The LUPAA states that the SPPs are reviewed for consistency with the TPPs. As the draft TPPs have been lodged for assessment with the Commission, it is possible to identify some parts of the SPPs that are unlikely to be affected by a change in policy settings. Therefore, a staged approach to the SPPs review will be used, commencing with amendments to resolve the most common and well understood issues first, followed by investigation of more complex matters, and consistency with the TPPs. <b>Action Group 1, Action Group 2 and Action Group 3</b></p> <p>SPPs or LPS amendments may support strategic planning directions where relevant strategies exist. However, the nature of statutory assessment using the TPS is that it can only respond to the specific site and development proposed. Changes to the legal operation of the TPS are outside the scope of the SPPs Review. <b>Action Group 5</b></p> <p>Urban growth boundaries to limit the spread of houses are an example of a strategic policy setting likely to be addressed on a regional or local basis. These would be implemented by a zoning application through an LPS. Changes to strategic</p>   |

| Topic   | Issues raised in submissions   | Action Group | Response  |
|---|--|--------------|---|
|   |  |              | <p>planning frameworks are outside the scope of the SPPs Review but will be considered through the other current planning reforms and reviews. <b>Action Group 5</b></p> <p>Incorporating Brand Tasmania objectives is outside the scope of the SPPs review. <b>Action Group 5</b></p>  |
|   |  |              |   |
| <b>Tasmania's Resource Management and Planning System (RMPS) objectives</b> | <ul style="list-style-type: none"> <li>The SPPs should be underpinned by objectives of the RMPS and LUPAA</li> <li>Document principles for how the planning scheme will further RMPS objectives to explain why SPPs approaches are adopted, for example, documenting the relationship to TPPs development</li> <li>Articulate linkage between the RMPS objectives and their delivery through policy, and by SPPs regulations – focus on: <ul style="list-style-type: none"> <li>health</li> <li>liveability</li> <li>climate change resilience</li> <li>agricultural protection</li> <li>infrastructure</li> <li>sustainable transport</li> <li>housing choice</li> <li>urban renewal</li> <li>state settlement</li> </ul> </li> </ul> | 3<br>6       | <p>It is a legislative requirement that the SPPs:</p> <ul style="list-style-type: none"> <li>further the objectives of the RMPS set out in Schedule 1 of LUPAA,</li> <li>are consistent with each State Policy, and</li> <li>are consistent with the TPPs (once made).</li> </ul> <p>The current SPPs provisions were developed from selected parts of interim planning schemes and assessed as meeting the legislative requirements.</p> <p>The State's first TPPs are currently being developed. A draft has been lodged with the Commission for assessment before being made. The draft TPPs are the high level strategic directions that the purposes and objectives in the TPS must support, and will inform the detailed drafting of each standard in the planning scheme. The scope of the SPPs review includes a review of the SPPs after the TPPs are made, to check whether the SPPs are consistent with the TPPs, as required by section 30T of LUPAA. Any proposed amendments to the SPPs will undergo the same checks against legislative requirements. <b>Action Group 3</b></p> <p>Further clarification about the intent of some provisions can be provided in planning guidance documents. <b>Action Group 6</b></p> |
|   |  |              |   |
| <b>State of the environment report</b>                                      | <ul style="list-style-type: none"> <li>Consider the Australian State of the Environment Report</li> </ul>  | 5            | <p>The Australian State of the Environment Report is a high level strategic document that does not link directly to the RMPS or drafting of the SPPs. Consideration of the Australian State of the Environment Report is most relevant to the strategic planning reforms and reviews, along with future Tasmanian State of the Environment Reporting. This is outside the scope of the SPPs review. <b>Action Group 5</b></p>   |
|   |  |              |   |
| <b>Interim planning schemes</b>   | <ul style="list-style-type: none"> <li>Issues raised by community members over interim planning schemes should also be relevant to the SPPs review</li> </ul>  | 1<br>2<br>5  | <p>The current SPPs provisions were developed from selected parts of interim planning schemes, but the SPPs are designed to function differently as a whole. Numerous submissions to the SPPs Review highlight differences between various IPS provisions and the SPPs, and suggest specific drafting changes. These issues will be either considered in the first round of SPPs amendments, or responded to in the other actions outlined in this document. <b>Action Group 1</b> and <b>Action Group 2</b></p> <p>Application of zones or codes to specific properties in IPSs or LPSs is outside the scope of the SPPs review, however this will assist in informing any improvements to the SPPs. <b>Action Group 5</b></p>   |
|   |  |              |   |
| <b>Other legislative review and change requested</b>                        | <ul style="list-style-type: none"> <li>Consider legislative change where required to adequately support outcomes delivery</li> <li>Process for making minor and urgent amendments to the SPPs</li> <li>Alternative simplified planning scheme amendment process</li> <li>Include timeframes under LUPAA for minor amendment to a permit</li> <li>State governments agencies have a vested interest, therefore should remain at arm's length from writing the provisions</li> </ul>   | 5            | <p>The scope for the SPPs Review will be limited to changes that can be made to the SPPs within the existing amendment processes set out in Part 3 LUPAA. The matters suggesting changes to LUPAA, including amendment processes, consultation with State government agencies, assessment timeframes or related legislation are outside the scope of the SPPs review. <b>Action Group 5</b></p>   |
|   | <ul style="list-style-type: none"> <li>SPPs should apply to coastal waters/ state waters</li> </ul>  | 5            | <p>A change to a suite of legislation would be required to apply the SPPs to State waters beyond the municipal area. This is outside the scope of the SPPs Review. <b>Action Group 5</b></p>  |
|   | <ul style="list-style-type: none"> <li>Improve public consultation and access to rights of appeal</li> </ul>   | 5            | <p>Public consultation requirements and appeal rights for each part of the Tasmanian planning system are set out in LUPAA. Changes to the SPPs will be limited to those that can be made within the existing amendment processes (Part 3 LUPAA.)</p>  |



| Topic                             | Issues raised in submissions  | Action Group | Response   |
|-----------------------------------|---|--------------|--|
|                                   | <ul style="list-style-type: none"> <li>◦ Crime prevention through environmental design (CPTED)</li> <li>◦ Bushfire risk and small lot development</li> <li>◦ Visitor accommodation and housing supply</li> <li>◦ Multipurpose riparian reserves</li> <li>● Encourage increased active transport and public transport use including: <ul style="list-style-type: none"> <li>◦ Exemptions for bus stop signage and infrastructure</li> <li>◦ Carparking requirements – maximums in some zones</li> <li>◦ Subdivision design – footpaths on both sides of street, pedestrian cycling links, road networks supporting bus access</li> <li>◦ Definition of access and access requirements on major transport corridors</li> <li>◦ Support residential infill opportunities in the Commercial Zone, for example, above ground floor</li> <li>◦ New consideration of bicycle network plans and bike lanes into SPPs</li> <li>◦ New bicycle parking requirements for a range of commercial, community and major residential developments</li> <li>◦ Bicycle end of trip facilities within major developments</li> </ul> </li> </ul>   |              |  |
| <b>Response to climate change</b> | <ul style="list-style-type: none"> <li>● Should implement a policy on climate change and threatened species</li> <li>● All elements of the reform agenda should support an urgent response to ‘Climate Conscious Planning Systems’ (PIA recommendations)</li> <li>● Ensure resilience to climate change permeates all codes and standards via tools and decision criteria to consider extreme events, adaption pathways and reducing embedded carbon</li> <li>● Better address adaptation to climate change, by ensuring Tasmania’s risk mapping is based on the best available science and up to date data on likely bushfire, flood and coastal inundation risks.</li> <li>● Prohibit uninsurable dwelling development</li> <li>● Ensure approved developments can be retrofitted to better respond to changing climatic conditions</li> <li>● Protect existing coastal development from increasing risk from flood and coastal hazards</li> <li>● Develop expert informed planning strategies for climate change mitigation activities and for adaptation that protect and strengthen the resilience of bird populations.</li> <li>● Ability for assessments to consider broader risk, rather than impacts within an individual development</li> </ul> | 3<br>4       | <p>How the planning system will respond strategically to the complex matters connected with climate change will mainly be addressed through the draft TPPs and the subsequent review of the SPPs after they are made. <b>Action Group 3</b></p> <p>Future SPPs review projects and responses will also be informed by relevant projects being conducted by Renewables, Climate and Future Industries Tasmania (ReCFIT) such as the Renewable Energy Zones project. <b>Action Group 4</b></p> |
| <b>Planning guidance</b>          | <ul style="list-style-type: none"> <li>● Confusion between Tasmanian Planning Scheme and State Planning Provisions</li> </ul>   | 6            | <p>No SPPs amendment proposed. Further planning guidance will be considered through the rollout of the new Planning in Tasmania website. <b>Action Group 6</b></p>   |

| Topic | Issues raised in submissions   | Action Group | Response   |
|-------|--|--------------|--|
|       | <ul style="list-style-type: none"> <li>TPS difficult to find, only available as bookmarked pdf format</li> </ul>   | 5<br>6       | <p>No SPPs amendment proposed. The TPS applicable to each municipal area, including both the SPPs and LPSs components, is currently available for viewing on the <a href="#">planning schemes page of the Tasmanian Planning Commission website</a> in the iplan format. The Commission is responsible for establishing and maintaining electronic copies of planning instruments, including the SPPs, under Part 6 of the LUPAA, so this matter is outside the scope of the SPPs Review. <b>Action Group 5</b></p> <p>The <a href="#">SPPs</a> are also available for viewing in pdf format on the Planning in Tasmania website. The concern is addressed by ongoing work of the SPO to provide planning information and guidance to stakeholders, including the SPO Planning in Tasmania website upgrade project to make planning information more accessible. <b>Action Group 6</b></p>   |
|       | <ul style="list-style-type: none"> <li>Provide a digital spatial modelling tool (Digital Twin) for Tasmanian planning data</li> </ul>  | 5            | Development of this technology for use in the planning system is outside the scope of the SPPs review. <b>Action Group 5</b>   |
|       | <ul style="list-style-type: none"> <li>Requests for more information and explanation about Tasmania's planning system including: <ul style="list-style-type: none"> <li>Better communication that is easily accessible and in plain English to promote general public understanding of zoning decisions</li> <li>The main differences between zones</li> <li>Planning terms and definitions.</li> </ul> </li> <li>The Tasmanian Planning Scheme is far too complex, difficult to understand and too complicated for the general public</li> <li>Consultants receiving increasing requests to assist with enforcement issues that have arisen due to a general lack of understanding or confusion regarding the statutory requirements associated with the land use planning system</li> <li>Recognition that during the transition of all municipalities to the TPS there are particular complexities for those navigating the planning system</li> <li>Provide a user manual or reference guide for the SPPs to explain how to interpret various clauses, and what the intention was when a clause was drafted to assist with standardising interpretations and requirements by councils</li> <li>Develop illustrated guidelines to assist people in understanding the Tasmanian Planning Scheme</li> </ul> | 1<br>2<br>4  | <p>The purpose of this review is to clarify and improve the SPPs. SPPs drafting principles include creating a balance between plain English and legal drafting principles.</p> <p>Improvements to the SPPs definitions, exemptions and other standalone provisions will be included in the first round of SPPs amendments. <b>Action Group 1</b></p> <p>SPPs review projects on specific matters and other government legislative reviews will also contribute to clarifying the planning system. <b>Action Group 2</b> and <b>Action Group 4</b></p> <p>Local council planning professionals are the key source of information to the general public about the operation of the planning scheme. The continuing use of standard provisions state wide will enable planning professionals to tap into broader experience and develop a thorough understanding of the SPPs implementation.</p> <p>Further clarification about the intended operation of some provisions can be provided in planning guidance documents. <b>Action Group 6</b></p> |
|       |  |              |  |