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using the law to protect the natural and built environment

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Tasmanian Planning Commission
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Dear Mr Alomes

Draft Statewide Planning Provisions

Thank you for the opportunity to provide comments on the draft *State Planning Provisions (SPPs)*. EDO Tasmania is a community legal centre providing advice to many people each year regarding planning and environmental issues and how to ensure that community concerns are considered in decision making.

Our detailed comments are set out in the attached table and focus principally on those aspects of the SPPs that will affect natural and cultural values and public participation. The key concerns addressed by those comments include:

- The reliance on assessments of impacts on natural and cultural values by external approval authorities risks ad hoc and inconsistent decision-making, lack of infrastructure integration and removal of public participation. In particular, reliance on Forest Practices Plans and Reserve Activities Assessments removes options for public involvement and jeopardises the achievement of sustainable development and maintenance of biodiversity.
- The Natural Assets Code fails comprehensively to provide contemporary protections for a broad suite of biodiversity values, not just threatened flora and fauna.
- The extensive exemptions from the Natural Assets Code severely compromise the capacity to achieve even its limited aims of protecting threatened species.
- The SPPs miss a clear opportunity to embed sustainable transport and emissions reductions considerations into the planning process.
- A number of additional Codes are required to regulate specific impacts, including impacts on Aboriginal heritage and geoconservation areas, and impacts from stormwater run-off.

On a number of key issues, particularly Local Heritage, we have endorsed the views of others with more expertise in those areas.

Overall, we do not believe that the SPP furthers the objectives of the *Land Use Planning and Approvals Act 1993*, adequately reflects work done in developing the Regional Land Use Strategies or will achieve its asserted aims of delivering a faster, fairer, simpler and cheaper planning system.

We urge the Commission to recommend further detailed review of the SPPs to ensure Tasmania has a planning system that genuinely sets up the State for a socially, economically and environmentally sustainable future.

General comments

Consultation

The “fairer, faster, cheaper and simpler” policy that the SPPs seek to implement focuses unduly on planning process, rather than planning outcomes. Planning and Development assessment are necessarily complicated, due to the complexity of environmental impacts and the importance of community engagement. The Productivity Commission has noted:

...a combination of several benchmarks is often needed to reflect system performance. For example, while longer development approval times may seem to be less efficient, if they reflect more effective community engagement or integrated referrals, the end result may be greater community support and preferred overall outcome.⁴

EDO Tasmania has received a considerable volume of calls concerned about the lack of community consultation and engagement in relation to the implications of the SPPs. Given the enormous investment of time that many in the community have made to the interim planning scheme assessments, many feel both overwhelmed and disempowered by the current process.

The government should consider further consultation, however we urge the Planning Commission to exercise its powers to hold public hearings to at least provide an opportunity for community members to express their concerns and explain

For this reason, we urge the Planning Reform Taskforce to ensure that any proposed reforms are considered with a view to achieving sustainable outcomes, in accordance with the objectives of the Resource Management and Planning System, rather than simply seeking quicker approvals.

Policies

Many of the criticisms of Tasmania’s current planning framework are exaggerated, however a fundamental weakness remains the absence of well-articulated, Statewide strategic planning policies to guide planning and development controls. Without a comprehensive suite of State policies, it is near impossible to achieve both certainty and sustainability. It is also difficult to achieve consistency and integration without government-wide statements of direction.

The government has expressed an intention to develop State Planning Policies in future. Developing such policies after the development of the SPPs and Local Provisions Schedules is not a strategic approach.

A number of strategic documents have been developed over the past few years that should influence planning decisions. These include the Affordable Housing Strategy, the Climate Action Plan, the Population Strategy, the Tasmanian Energy Strategy and various tourism strategies. These are not reflected in the SPPs in any way.

To the extent that implicit policy positions are reflected in the SPPs, such as that Agricultural development should prevail over the protection of natural values, these policies have not been explicitly articulated by government or subjected to public discussion.

This failure to develop transparent, strategic, integrated Statewide policies will continue to compromise any prospects of delivering the goals of the Resource Management and Planning System.

Statewide controls

There was clearly room for improved consistency across the State in terms of the format and general content of planning schemes. In our view, this was being progressed through the Regional Land Use Strategies and Planning Directive No 1.

The attempts in the SPPs to universalise development standards across the State ignore the need for local variations to address local circumstances – geographical, geological,

demographic and historical. It is not appropriate to prescribe standard heights, setbacks, density and lot size, when community expectations across the State differ so markedly.

More power should be given to local councils to adapt use and development standards to reflect the needs, constraints and aspirations of their municipalities. Local Provisions Schedules must have broader scope to achieve this than is currently allowed under the SPPs.

If the Local Provisions Schedules are not given more flexibility, Councils are likely to invoke Particular Purpose Zones and Specific Area Plans to address a range of issues throughout their municipalities, leading to a patchwork of specific provisions that reduce consistency and increase the complexity of the SPP. We endorse the concerns raised by numerous local governments regarding this inflexibility.

Environmental Living Zone

The Explanatory Document states that the Landscape Conservation Zone is intended to replace the Environmental Living Zone. We are supportive of the inclusion of the Landscape Conservation zone and the protection of natural values that it offers.

However, we acknowledge the risk that many Councils will resist zoning land that is currently Environmental Living to Landscape Conservation, given the likely response from landowners regarding the additional restrictions. We are reluctant to see more properties zoned Rural Living or Rural as a result of this, and recommend that the Commission consider options to balance the need for greater protection of natural values with the difficulties Councils may experience in translating Environmental Living to Landscape Conservation. One solution is to create "A" and "B" categories within Landscape Conservation to increase its application – Landscape Conservation A could be subject to similar restrictions, but with a smaller minimum lot size (e.g 20ha).

Drafting

Recent amendments to the *Land Use Planning and Approval Act 1993* have improved the suite of enforcement tools available to planning authorities to address non-compliance with the planning scheme. We welcomed this amendment, and expect more rigorous enforcement action to be taken as a result. However, new enforcement opportunities may only be effectively used if planning scheme provisions are clear and enforceable.

We urge the Commission to make every effort to ensure that the SPPs are drafted to avoid ambiguous phrases like "acceptable", "unnecessary" and "tolerable" wherever possible.

Thank you for the opportunity to comment on the SPPs. Please do not hesitate to contact me if you would like to discuss any of our comments in further detail.

Kind regards,

Environmental Defenders Office (Tas) Inc.

Per



Jess Feehely
Principal Lawyer

Attach: Detailed comments – Draft State Planning Provisions

Detailed comments – Draft State Planning Provisions

Provision	Comments	Recommendation
SCHEME OPERATION		
Purposes and objectives	<p>As outlined above, the absence of a comprehensive suite of State Policies compromises strategic planning outcomes and any assessment of the operation of the State Planning Provisions.</p> <p>The State Planning Provisions should outline clear objectives designed to implement the broader objectives of the Resource Management and Planning System, integrate with other key policies and commitments (including emissions reduction targets and population goals), and articulate a vision for Tasmania.</p>	<p>Expand clause 2.0 to include a range of planning objectives that the State hopes to achieve through the operation of the Tasmanian Planning Scheme. In addition to the sustainable development objectives in Schedule 1 of LUPAA, these should provide for:</p> <ul style="list-style-type: none"> ■ Social inclusion – affordable housing and access to public transport ■ Support for providing access to local produce ■ Mitigating carbon emissions and adapting to climate change ■ Rehabilitation of degraded habitat areas ■ Improved green space networks within urban areas ■ Protection of agricultural land
Definitions	<p>The term “natural values” is used in development standard objectives the Landscape & Conservation Zone (22.4.2) and Rural Living Zone (11.4.2), but is undefined. A clear, expansive definition will assist in the exercise of discretion in those Zones, and in the characterisation of uses in the Natural and Cultural Values management use class.</p> <p>A definition should also be included for heritage impact statement, to assist in the implementation of clause 7.4.3.</p>	<p>Include the following definition:</p> <p><i>“natural values” includes biodiversity and species richness, geodiversity, water quality, ecosystem services such as carbon storage and other natural assets as defined in the Natural Assets Code.</i></p> <p>This definition is consistent with the definition used in the <i>Launceston Interim Planning Scheme 2015</i></p> <p>Alternatively, the definition of “natural assets” in the Natural Assets Code could be included in the general definitions, and references to “natural values” amended to “natural assets”.</p>
5.3 Operation of Codes	The SPPs need to make clear that a use or development which would require a permit under a Code is not exempt.	The exemptions clauses (discussed below) could include an operative provision stating that, where a use or development is subject to a Code, the exemption will operate only if it is not inconsistent with the Code (as in clause 5.3.4).

Provision	Comments	Recommendation
		<p>For example:</p> <p><i>4.0.2 Where there is a conflict between a provision in a Code and an exemption in Table 4.1, the Code provision prevails.</i> (this provision could also be inserted as 6.5.2)</p> <p>Alternatively, qualifications for each relevant exemption should specify that the use or development is not subject to a Code.</p>
5.4.4	<p>Given the RMPS objective of maintaining ecological processes, Specific Area Plans should not prevail over the Natural Assets Code.</p> <p>For the Natural Assets Code to effectively preserve habitat corridors and maintain priority habitat, it is essential that the Code applies across the planning scheme area. Specific area exclusions will compromise the achievement of connectivity.</p>	<p>Amend 5.4.4 to read</p> <p><i>"... Where there is a conflict between a provision in a Specific Area Plan and a provision in a Zone or a Code, <u>other than the Natural Assets Code</u>, the Specific Area Plan provision prevails. <u>Provisions of the Natural Assets Code prevail over the Specific Area Plan to the extent of any inconsistency.</u></i></p>
6.1.2	<p>It is important that the applicant be required to provide sufficient information at the outset for the planning authority to assess potential impacts and determine which Codes may apply to a proposed use or development. For that reason, we consider that the information outlined in clause 6.1.3(b) should be included as a mandatory application requirement under clause 6.1.2.</p> <p>The applicant should also be required to provide details of any broader project that the application is a part of. This will allow the planning authority to discuss with the applicant whether it is more appropriate to submit a combined application for the whole project, rather than piecemeal applications.</p> <p>Additional mandatory application requirements should be able to be included in Codes. For example, it is not appropriate to require all applications to include a coastal hazard assessment or natural values assessment, however applicants should be required to provide such an assessment for any use or development that would be subject to the Coastal Inundation Code or the Natural Assets Code (see discussion below) – the onus should not be on the planning authority to request this information.</p>	<p>Amend 6.1.2 to include</p> <ul style="list-style-type: none"> ■ a site analysis and site plan; and ■ any information required by an applicable Code <p>Amend 6.1.2(e) to read:</p> <p><i>a full description of the proposed use or development, including any larger project of which the proposal forms a part.</i></p>

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6.1.3	<p>In order to make a valid request for further information, Council officers must be able to point to a clear purpose statement or use or development standard to which the additional information relates. As a range of issues are no longer require a planning permit (such as stormwater, dispersive soils, bushfire clearance, cultural heritage), Councils are limited in the information they can request in relation to these matters.</p> <p>However, information about these matters can be very important in assessing the potential impacts of development under assessment – for example, considerations in relation to the appropriate scale and location of a proposed building will be influenced by the location of acid sulphate and dispersive soils, on-site wastewater requirements, the potential presence of Aboriginal cultural heritage etc.</p>	<p>The SPPs be amended to ensure Council is able to request information that, in its opinion, will assist in a comprehensive assessment of the impacts of a development proposal.</p>
6.10.3	<p>We acknowledge that broad objectives are to be implemented through more specific development standards and should not form a basis for refusal in their own right. However, State Policies and Regional Land Use Strategies are relevant to the interpretation of Performance Criteria and the related exercise of discretion (particularly where broad criteria like “unacceptable” are used). Further, the Supreme Court has held that State Policies may include operative provisions which are relevant to individual development assessment (<i>St Helen’s Area Landcare and Coastcare Group Inc v Break O’Day Council</i> - [2007] TASSC 15)</p> <p>We do not consider it appropriate to prohibit consideration of those matters when determining an application.</p>	<p>Amend clause 6.10.3 be re-worded to read:</p> <p>6.10.3 <i>In determining an application for any permit the planning authority must not refuse the application solely on grounds that the application is not consistent with matters referred to in subclauses 2.1.1(b) and 2.1.1(c) of this planning scheme.</i></p>
7.1.3	<p>Changes to non-conforming uses must be consistent with any relevant Local Area Objectives</p>	<p>Amend 7.1.3 to require any change to be consistent with Zone purposes and any applicable Local Area Objectives, and to have regard to Code requirements.</p>
7.3.1	<p>The qualifications for “boundary adjustments” should recognise the potential for additional clearing associated with a change in development capacity (including associated bushfire hazard clearing).</p>	<p>Insert an additional paragraph:</p> <p><i>(g) The change will not create demand for clearing of vegetation that will adversely impact on the natural values of the site;</i></p> <p><i>(natural values defined as above)</i></p>

Provision	Comments	Recommendation
7.6.1	We understand the rationale behind this clause, but do not support an outright provision categorising access roads in accordance with the use table for the adjoining property. The construction of a road and associated traffic issues should be assessed against the criteria for the land through which the road passes, to ensure that relevant values are considered.	Access roads should be classified as “Utilities” (rather than classified by reference to the use to which it provides access) and given the status of that use class in the land on which the road will be constructed. In most instances, this will result in the access road being a permitted use.
7.11	We support the assessment of seaward land pursuant to the provisions of the nearest landward zone. Any codes applying to that landward site should also apply in the assessment of the development below the high water mark.	Amend 7.11.1 by inserting the following: <i>(c) the provisions of any Code applying to land referred to in (a) or (b).</i> - (subclause (c) will need to be preceded by “; and”)
EXEMPTIONS		
Table 4.1	<u>Bee-keeping:</u> We support the introduction of an exemption for bee-keeping, however we recommend that the exemption be qualified to ensure impacts of larger scale operations in urban areas can be assessed in more detail.	The qualifications may impose hive limits (in Residential Zones), or require the use to be consistent with the Southern Beekeepers’ Code of Practice for Urban Beekeeping .
	<u>Landscaping and vegetation management:</u> This is a very broad exemption. In particular, up to 1 hectare of land could be cleared for the purposes of “vegetation management” without a Forest Practices Plan or a planning permit.	If the Natural Assets Code is significantly strengthened, this exemption will be appropriate if subject to that Code.
	<u>Agricultural Buildings and Works:</u> The proposed footprint (200m ²) is significant, and we recommend that it be reduced to manage the impacts (including on visual amenity and natural values). In particular, the exemption could be qualified to: <ul style="list-style-type: none"> ▪ Have a lower maximum footprint where the site adjoins a property in the Rural Living, Environmental Living or Environmental Management Zones ▪ Preclude buildings and works where clearing is required (depending on the application of any Vegetation / Biodiversity Code) 	Additional qualifications should be added: <ul style="list-style-type: none"> ▪ Reduced maximum footprint where the site adjoins a property in the Rural Living, Landscape & Conservation or Environmental Management Zones ▪ Explicit limitation on the number of buildings / overall site coverage that can rely on the exemption ▪ Restrict exempt buildings and works to already cleared areas

Provision	Comments	Recommendation
	<ul style="list-style-type: none"> ▪ Restrict the operation of the exemption within a minimum distance of a waterway <p><u>Vegetation removal – forest practices plans:</u> While we appreciate the desire to avoid duplication of assessments, we have raised concerns on many occasions regarding the poor biodiversity outcomes approved under FPPs, and the lack of enforcement in relation to clearing undertaken pursuant to Forest Practices Plans. For this reason, we do not support clearing and conversion under an FPP being exempt from requiring a permit.</p> <p>Requiring forest practices to obtain a planning permit increases the enforcement options available to the planning authority to ensure that the clearing and conversion was undertaken in accordance with the approval conditions.</p> <p><u>Vegetation removal for safety (h)</u></p> <p>In our experience, the “safety” exemption is regularly exploited to clear unwanted vegetation. This is particularly problematic in priority vegetation areas or areas of scenic or historic significance.</p>	<ul style="list-style-type: none"> ▪ Restrict the operation of the exemption within a minimum distance of a waterway (these should be consistent with the distances set out in the Natural Assets Code – the Code will not apply to the Agricultural Zone, so it is not possible to make this exemption “subject to” the Code). <p>Delete this exemption.</p> <p>For clearing on a site covered by the Local Heritage Code, Scenic Protection Code or Natural Assets Code, this exemption should be qualified by a requirement that a suitably qualified person has determined that the vegetation removal is required.</p>
Table 4.1	<p><u>Wind turbines:</u> We generally support this exemption, but recommend that it not apply in the General and Inner Residential Zones, where the required attenuation distances may unduly compromise densification efforts.</p> <p>Given the inherent risk of bird strike, we also recommend that the exemption not apply within 100m of priority vegetation.</p> <p><u>Heat pumps:</u> In our experience, noise resulting from the operation of heat pumps and air conditioners is a significant source of neighborhood disputes. The proposed requirement to locate the equipment at the side or rear of a property will not adequately limit noise impacts from domestic pumps. We recommend further guidance be provided to avoid (or, at least, minimise) future disputes.</p>	<p>Amend the qualifications to exclude turbines in the General Residential Zone, Inner Residential Zone and within 100m of any priority vegetation.</p> <p>The installation of heat pumps / air conditioners should not require a planning permit in all circumstances, however it would be appropriate to restrict the exemption to:</p> <ul style="list-style-type: none"> ▪ Installations carried out in accordance with the Heat Pump Associations Installation Guidelines; or

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	<p>Internal works: Removal of fireplaces, original staircases and other heritage features of Local Heritage Places (rather than places listed on the, increasingly limited, Tasmanian Heritage Register) could be exempt. Rather than providing a blanket exemption, the exemption should not apply to places under the Local Historic Heritage Code.</p> <p>Fences in the Rural and Agricultural Zones: Fencing can disrupt connectivity in important habitat corridors. It is appropriate for any fencing in priority vegetation areas to be assessed by the planning authority.</p>	<ul style="list-style-type: none"> Situations in which a Council Environmental Health Officer has certified a proposed installation plan (for example, showing the location of the heat pump and any efforts to ameliorate noise impacts, such as screening vegetation or encasing the heat pump). <p>Insert a qualification restricting the application of the exemption for properties under the Local Historic Heritage Code. Limited exemptions may be provided in that Code for works that will not impact on key heritage features.</p> <p>Amend the exemption to provide that it does not apply where fencing will be located in priority vegetation area.</p> <p>In each of the Rural, Rural Living and Agricultural Zones, provide for fencing to be a permitted development where a suitably qualified person / Threatened Species officer within DPIPWEE has certified that the fencing will not interfere with the passage of native fauna between habitat areas. In all other cases, fencing in priority vegetation areas should be discretionary.</p>				
ZONE PROVISIONS						
General – Landscaping	Landscaping provisions across the SPPs should reflect the need to avoid environmental weeds and give preference to landscaping using local plants – similar provisions exist in the <i>Break O’Day Interim Planning Scheme</i>	<p>Ensure that every Zone includes the following landscaping provision:</p> <table border="1" data-bbox="1373 1023 2134 1323"> <tr> <td data-bbox="1373 1023 1771 1252">A1 All new plantings must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site</td> <td data-bbox="1776 1023 2134 1252">P1 Where seeds or rootstock derived from provenance taken within the boundaries of the site is insufficient for the landscaping needs, seeds or rootstock may be used from other lots within the municipal area</td> </tr> <tr> <td data-bbox="1373 1256 1771 1323">A2 Plants listed in Appendix 3 must not be used in landscaping</td> <td data-bbox="1776 1256 2134 1323">P2 No performance criteria</td> </tr> </table>	A1 All new plantings must be undertaken with seeds or rootstock derived from provenance taken within the boundaries of the site, or the vicinity of the site	P1 Where seeds or rootstock derived from provenance taken within the boundaries of the site is insufficient for the landscaping needs, seeds or rootstock may be used from other lots within the municipal area	A2 Plants listed in Appendix 3 must not be used in landscaping	P2 No performance criteria
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General - Site coverage	<p>Site coverage restrictions should be imposed in the Landscape Conservation Zone, Rural Living and Rural Zones. The maximum coverage should be presented as a sliding scale to reflect the varying lot sizes (existing and prospective) within the zones. For example, within the Rural Zone:</p> <table border="1" data-bbox="394 373 842 563"> <thead> <tr> <th data-bbox="394 373 618 421">Lot size</th> <th data-bbox="622 373 842 421">Area</th> </tr> </thead> <tbody> <tr> <td data-bbox="394 424 618 472"><10ha</td> <td data-bbox="622 424 842 472">20%</td> </tr> <tr> <td data-bbox="394 475 618 523">10ha - 20ha</td> <td data-bbox="622 475 842 523">10%</td> </tr> <tr> <td data-bbox="394 526 618 563">>20ha</td> <td data-bbox="622 526 842 563">5%</td> </tr> </tbody> </table>	Lot size	Area	<10ha	20%	10ha - 20ha	10%	>20ha	5%	
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General – Use	We support the recommendation put forward by Hobart City Council to encourage Urban agriculture, such as the working Hobart City Farm, by allowing applications for Resource Development uses in urban zones.	Amend the use tables for Urban Mixed Use Zone, Village Zone, Local Business Zone, General Business Zone, Commercial Zone, Central Business Zone to insert “Resource Development” as a discretionary use, with the qualification that it is for urban agricultural gardens only.								
Residential Zones										
Residential uses	The use tables in all residential zones should ensure that non-residential uses are limited to those that will support, not displace, residential uses.	Reconsider the use categories for business and commercial operations in the General Residential, Inner Residential and Low Density Residential zones.								
Green spaces	<p>As a policy position, Councils should be actively developing and maintaining green spaces within their municipal areas.</p> <p>To further encourage use of such areas, and to facilitate adaptive reuse of existing urban buildings, private open space requirements for multiple dwellings may be relaxed where applicants can demonstrate that good quality green spaces / public open spaces exist in close proximity to the development.</p>	Introduce performance criteria allowing relaxation of private open space requirements where appropriate local green space exists.								
Pedestrian and bicycle networks	<p>Achieving the “health and wellbeing” objectives of the RMPS, and the objectives of the Southern Regional Land Use Strategy requires active facilitation of pedestrian and bicycle networks through integrated and connected developments, public spaces and infrastructure.</p> <p>The subdivision road network provisions require proponents to demonstrate that “walking, cycling and the efficient movement of public transport is facilitated”</p>	<p>Subdivision applications should be required to demonstrate that:</p> <ul style="list-style-type: none"> ■ The layout and design is consistent with “<i>Healthy by Design: A Guide to Planning and Designing Environments for Active Living in Tasmania.</i>” 								

Provision	Comments	Recommendation
	(see P1 in clauses 8.6.2, 9.6.2 and 10.6.2), but does not prioritise these modes of transport in the design.	<ul style="list-style-type: none"> ■ Provision is made for bus stops within the subdivision (or that every lot will be within 400m walking distance of a bus stop) ■ Bicycle paths and foot paths be provided to connect to all link, arterial and collector roads ■ Safe pedestrian access is provided throughout the subdivision
Rural Living Zone		
Purposes	<p>With the loss of the Environmental Living Zone, a number of properties formerly in that Zone may be rezoned to Rural Living. It is critical that the purposes of the Zone recognise the natural values that such properties may have.</p> <p>Therefore it is likely in many cases that vegetation retention and sensitive development locations will be important considerations in this zone. The standard found in 13.4.3 Design in the Southern Interim Schemes would be appropriate to apply in this zone.</p>	Siting and design standards should be amended to adequately assess vegetation and habitat loss, visual amenity, run off and other impacts.
Agriculture Zone		
21.2	<p>The Explanatory Document notes that mapping of the “Tasmanian Agricultural Estate” will form the basis for mapping areas appropriate for inclusion in the Agriculture Zone. Its purpose is to identify land to be protected specifically for agricultural uses.</p> <p>Given this purpose, there is little justification for uses other than Resource Development to be allowed on land within the Zone. While some residential/visitor accommodation in existing buildings is acceptable, tourist operations and new residential/visitor accommodation are not and should be prohibited – land proposed for such uses should not be zoned Agricultural.</p> <p>There is ample scope within the Rural Zone for such uses, and landowners who</p>	<p>Prohibit a range of non-agricultural uses within the Zone.</p> <p>Guidance as to Zone Application should make clear that not all land identified as suitable for inclusion in the Agriculture Zone should be considered – regard must also be had to natural values.</p> <p>Where land contains threatened vegetation communities (such as listed threatened grassland communities through the Midlands), it should not be included in the Agriculture Zone unless currently used for agriculture.</p>

Provision	Comments	Recommendation
	no longer consider their land has agricultural potential can apply to rezone.	
21.5.2	The purpose of the subdivision standards is to “protect the long term productive capacity of agricultural land”. Therefore, it is appropriate to impose minimum lot sizes to prevent fragmentation of the agricultural estate. At present, the only size restriction is that new lots cannot be less than 1ha.	Amend P1 to impose a large minimum lot size (we suggest 40ha), that may only be reduced if the criteria in the current P1(a) are met. This will allow landowner to demonstrate that smaller lots may be appropriate, but set a threshold against which the planning authority / Tribunal can assess the application.
Landscape Conservation Zone		
22.2	Given the landscape conservation purposes of this Zone, Food Businesses, Retail associated with Tourism and Resource Development should be prohibited uses.	Remove these uses from the Discretionary Use category
22.3	All discretionary uses, other than Residential, Emergency Services, Visitor Accommodation and Utilities, should be subject to this use standard	Amend the introduction to 22.3 to apply to all those Discretionary
22.4.1	Allowing up to 400m ² site coverage as a permitted use is inappropriate in a zone designed to protect natural values.	Reduce the site coverage threshold in A1
22.4.4	<p>We support the intention of restricting Permitted uses to pre-cleared areas, and limiting that to lawfully cleared areas so as not to reward unlawful clearing activities. We acknowledge concerns raised by several Councils regarding the difficulty of applying this test, but the intent should be maintained.</p> <p>The Performance Criteria should also be tightened to not just “minimise” clearing, but restrict clearing to situations where it is unavoidable and will not unduly impact on scenic protection, habitat values or representation of the vegetation type in the region.</p>	<p>Amend A1 to read:</p> <p><i>Development must be located on land where:</i></p> <ul style="list-style-type: none"> <i>(a) no clearing of native vegetation cover will be required;</i> <i>and</i> <i>(b) the planning authority is not aware of any unlawful clearing on the site occurring in the previous 10 years.</i> <p>Replace P1 with the following:</p> <p><i>Development must not involve clearing of native vegetation unless:</i></p> <ul style="list-style-type: none"> <i>(a) the planning authority is satisfied that there is no suitable alternative to the clearing; and</i> <i>(b) a report from a suitably qualified person demonstrates that the clearing will not have an overall adverse impact on natural assets, having regard to:</i>

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		<ul style="list-style-type: none"> (i) <i>the extent of native vegetation to be removed;</i> (ii) <i>any remedial or mitigation measures or revegetation proposed;</i> (iii) <i>type and condition of the vegetation to be removed;</i> (iv) <i>biodiversity significance of the vegetation to be removed;</i> (v) <i>impact of the clearing on views of and from the site; and</i> (vi) <i>the management and treatment of the balance of the site.</i>
22.5	Any subdivision assessment should consider the visual impacts of associated clearing for roads etc.	
Environmental Management Zone		
23.1 – zone purpose	Encouraging use and development that is consistent with “strategies for the protection and management of the land” is less robust than use and development that is consistent with the values of the land and statutory management objectives. In particular, tourism development strategies may not adequately reflect the natural values of the land, but development that is consistent with those strategies would arguably meet the purpose of the Zone.	<p>Amend clause 23.1.2 to read:</p> <p><i>23.1.2 To only allow for complementary use or development where it is consistent with the natural and cultural values of the land, and any statutory management objectives for the land.</i></p>
Permitted uses	The Explanatory Document notes that the Environmental Management Zone is only expected to be applied to Crown land. Crown land is a public resource, and the public has a legitimate expectation of being able to comment on proposals which may compromise the protection of that resource. In that context, we are concerned that the Table of Uses provides for most use types to be “permitted” as long as they have been approved in accordance with a Reserve Activity Assessment or council agreement.	Use types proposed as Permitted in the Table of Uses (with the exception of Emergency Services and minor utilities) be transferred to Discretionary Uses, subject to Performance Criteria requiring use or development to be consistent with the management plan for the reserved land, the management objectives for the relevant reserve class or the purposes of reservation for Crown land, in addition to the

Provision	Comments	Recommendation
	<p>We appreciate the desire to avoid duplication of assessment processes. However, the Reserve Activity Assessment (RAA) process is non-statutory and provides no guarantees regarding the rigour of the assessment, the issues to be considered or the extent of public participation.</p> <p>Guidelines exist in relation to the criteria against which proposed development will be assessed, those guidelines have no statutory basis and cannot be enforced. Under those Guidelines, public participation is expected to be invited in relation to Level 4 activities, however there is no way to insist that a development is properly characterised as a Level 4. There is no right of appeal to the Tribunal in respect of a decision to approve an RAA and, if an approved activity is subsequently characterised as a “permitted use” under the Scheme, no recourse to the Tribunal when a planning permit is issued.</p> <p>The Tribunal has confirmed that a requirement in a planning scheme to act in accordance with an RAA is satisfied as long as the RAA is obtained and complied with. A planning authority (and the Tribunal) does not have the power to consider the merits of the RAA and whether it <u>should</u> have been issued (for example, whether all relevant information was considered) - it is only concerned with whether or not an RAA <u>has</u> been issued: <i>North East Bioregional Network Inc. v Break O’Day Council and Break O’Day Council obo Parks and Wildlife</i> [2013] TASRMPAT 90.</p> <p>In the absence of a formal statutory basis for the RAA process, we do not consider that it is sufficient for a planning authority to rely on the existence of an RAA to avoid further scrutiny of a use or development on Crown land.</p> <p>Further, it is not appropriate for a planning authority to determine an application for use or development on a reserve area where the Parks and Wildlife Service has determined that the use is <u>not</u> appropriate. This would be a waste of resources for the developer and planning authority as the planning permit would have no value if it was not supported by PWS. Therefore, providing a discretionary pathway for developments that do not have an RAA is questionable.</p>	<p>criteria outlined in 23.3.1 P1</p> <p>In many cases, the planning authority would rely on the existence of an approved RAA to demonstrate that the management objectives / management plan have been complied with. However, public comments would be invited and the planning authority would retain the capacity to refuse a use or development that it believed was not consistent with the appropriate management of reserved land in its municipality.</p> <p>If it remains the government’s policy position that uses approved under an RAA should be “permitted” (which we would not support), the qualification in the Use Table should be amended to require both that the use or development is consistent with the management objectives for the relevant reserve class <u>and</u> that an RAA approval is obtained. This would at least allow some limited recourse to civil enforcement proceedings where an interested person could demonstrate that a proposal did not satisfy those criteria.</p> <p>Amend A1 to read:</p> <p><i>Use on reserved land must be required by a management plan under the National Parks and Reserves Management Act 2002</i></p> <p>Insert P1:</p> <p><i>Use on reserved land must:</i></p> <ul style="list-style-type: none"> • <i>be consistent the management objectives for the reserve class under the National Parks and Reserves Management Act 2002; and</i> • <i>be consistent with any management plan for the reserved land</i>

Provision	Comments	Recommendation
23.4.4	We repeat our comments in relation to the Landscape Conservation Zone in relation to directing development to pre-cleared areas, and strictly limiting clearing outside those areas.	
Major Tourism Zone		
General	We do not see the need for the Major Tourism Zone – each significant tourist operation is likely to raise its own issues and would be more effectively regulated under a Specific Area Plan.	Delete this Zone
CODES		
Parking and Sustainable Transport Code		
	<p>As a general comment, this Code is still largely directed to car parking and does little to encourage or facilitate passive or public transport options.</p> <p>We support the provisions requiring bicycle parking and shower facilities at significant developments, however Table C2.1 excludes or sets very low requirements for a range of developments that should provide bicycle parking facilities.</p> <p>We support the relaxation of car parking requirements where developments can demonstrate that there is adequate public transport access – this will help to facilitate “green buildings” seeking to discourage private transport use.</p> <p>Parking areas must be designed having regard to the principles of Water Sensitive Urban Design</p>	<p>Amend Table C2.1 to better reflect the purpose of the Code in encouraging bicycling and require parking at public galleries, libraries, fitness centres and sporting facilities etc.</p> <p>Amend C2.6.1 A1 to require implementation of WSUD principles.</p>
Local Historic Heritage Code		
General	<p>We have read and endorse the comments made by Hobart City Council regarding the potential difficulties with this Code. In particular, we share their concerns that the lack of integration between consideration of impacts on properties on the Tasmanian Heritage Register and those recognised by the Local Historic Heritage Code will lead to poor heritage preservation outcomes.</p> <p>We support the recommendations made by Hobart City Council regarding improvements to the Code.</p>	

Provision	Comments	Recommendation
Natural Assets Code		
C7.1 – purpose	<p>The purposes of the Natural Assets Code are very narrow in that:</p> <ul style="list-style-type: none"> ■ they seek to “minimise impacts” rather than to “protect values” ; and ■ they are limited to the protection of threatened flora and fauna, failing to appreciate the need for broader values to be protected in order to maintain ecological processes and biodiversity (as required by the RMPS objectives). <p>Biodiversity values are <u>not</u> limited to critical habitat or threatened species or vegetation communities.</p> <p>The Code should also consider design and scale of development having regard to issues such as bird strike and predation by domestic pets, rather than just vegetation loss.</p>	<p>Amend the purposes to read:</p> <p>(a) <i>protect, conserve and restore biodiversity and ecological processes in consideration of the extent, condition and connectivity of habitats, vegetation communities, including but not limited to threatened species and vegetation communities;</i></p> <p>(b) <i>consider and manage the impact of use or development on biodiversity through:</i></p> <p>(i) <i>minimisation of vegetation and habitat loss or degradation; and</i></p> <p>(ii) <i>appropriate location, design and scale of development.</i></p> <p>(c) <i>to avoid incremental degradation of natural assets</i></p>
C7.2 – Application	<p>We strongly oppose the restricted application of this Code. There is no justification for identified priority vegetation areas to be excluded, regardless of their Zone.</p> <p>We are particularly concerned by the non-application of the Code to the Agriculture Zone, where a range of biodiversity values exist and are at risk, and to clearing in Residential Zones other than for subdivision. Incremental loss in these zones can have significant impacts on habitat connectivity, and will jeopardise achievement of the 95% retention commitments made under the Policy on Maintaining a Permanent Native Forest Estate.</p> <p>For Agricultural land in the coastal zone, the non-application of the Code also risks protection of significant coastal refugia areas that will need to be maintained to accommodate habitat as sea levels retreat.</p>	<p>Amend C7.2 to apply to all waterways and coastal protection areas, future coastal refugia and priority vegetation areas.</p>

Provision	Comments	Recommendation
Information requests	<p>An explicit provision should be included in the Code to require proponents to submit (or, at the very least, to empower Councils to request) a natural values assessment as part of any application for development under the Code.</p>	<p>Add a new provision:</p> <p>C7.3 Application Requirements</p> <p>In addition to any other application requirements under clause 6.1.2, the planning authority may require the applicant to provide any of the following information:</p> <ul style="list-style-type: none"> (a) a natural values assessment; (b) a soil and water management plan (c) a site survey from a qualified land surveyor identifying the location of a waterways and coastal protection area, a future coastal refugia area or a priority biodiversity area if uncertainty exists as to the relative location of the development site <p>This is consistent with the provision in the Glamorgan Spring Bay Interim Planning Scheme (E11.5.1)</p> <p>Natural values assessment should be defined as in that Scheme, by reference to the DPIPWE Guidelines for Natural Values Assessment (July 2009) and required to be prepared by a suitably qualified person.</p>
C7.3 – Definitions	<p>As outlined above, “priority vegetation” should not be limited to currently threatened flora or “significant habitat”. Instead, it should be defined to include vegetation that provides significant habitat corridors (as defined in the SPPs), assists in building resilience and maintaining ecological processes and species richness.</p> <p>The Code must recognise the contribution of non-threatened vegetation and non-priority habitat to biodiversity values.</p> <p>We support the use of biodiversity mapping to guide the application of the Code, subject to allowances for reviews to reflect on-site information. The Biodiversity Priorities mapping prepared by Nick Fitzgerald (May 2016) provides a comprehensive, ecologically robust identification of Natural Assets.</p>	<p>Broaden the definition of “priority vegetation”</p> <p>Adopt the Biodiversity Conservation Priorities Areas (May 2016) as the default map for priority vegetation.</p> <p>Define “priority vegetation areas” to include areas mapped in a Local Provisions Schedule, and any other area that a planning authority is satisfied, on the basis of a natural values assessment, contains priority vegetation.</p>

Provision	Comments	Recommendation
	<p>Even with more robust priority habitat mapping, some areas will be missed, their values not accurately reflected, or will be subject to a higher level of priority as circumstances change. Planning authorities must be empowered to request natural values assessments to “ground-truth” mapping and to extend (or reduce) priority vegetation areas to reflect new information.</p>	
<p>C7.4 - Exemptions</p>	<p>We strongly oppose the exemptions proposed in clause 7.4.1(c) – (e). The scope of these exemptions (coupled with the non-application of the Code discussed above) significantly compromises the Code’s ability to achieve its stated purposes. The lack of coverage of the Code will lead to significant fragmentation of habitat, and likely place additional pressure on threatened vegetation.</p> <p>Non-priority vegetation</p> <p>The Policy for Maintaining a Permanent Native Forest Estate requires Tasmania to maintain at least 75% of the 1996 volume of non-threatened native vegetation communities. Exempting clearing of non-priority vegetation from the Natural Assets Code (along with the non-application to clearing of agricultural land) will compromise the achievement of this goal.</p> <p>Crop production land etc</p> <p>There is no justification for excluding clearing for these uses – particularly as many crop production areas are biodiversity-rich. The performance criteria in the Code are sufficiently broad as to recognise that some clearing for these uses may be justified, however any such application should be discretionary, assessed on the basis of expert advice and subject to public participation.</p> <p>Forest practices</p> <p>As outlined above and in numerous previous submissions to the Commission, we have ongoing concerns regarding the rigour of forest practices assessments and do not believe that the existence of an FPP should exclude forestry operations from consideration under a planning scheme and the objectives of the RMPS.</p> <p>Even if it is accepted that an assessment of forestry operations under the FPP should mean that no further assessment by the planning authority is required, that proposition should apply only to commercial forestry operations, rather than the</p>	<p>Remove these exemptions</p> <p>Make all vegetation clearing in priority vegetation areas subject to Performance Criteria under the Natural Assets Code – the existence of an FPP can assist in demonstrating that the criteria are met, but should not eliminate the need for assessment.</p>

Provision	Comments	Recommendation
	<p>much broader definition of “forest practices”.</p> <p>Where clearing is associated with other types of development (e.g. clearing for subdivision), it is appropriate that the assessment be undertaken by a planning authority. This was recognised in the amendment of the Forest Practices Regulations to exempt clearing for buildings approved by a planning permit from the requirement to obtain an FPP. Importantly, this allowed Councils to consider the clearing strategically in the context of development siting, infrastructure needs and vegetation loss in the broader community. It also allowed for public involvement in these matters in many instances.</p> <p>The blanket exemption from the Natural Assets Code for certified forest practices will allow developers to avoid this scrutiny, and to cherry-pick whether to apply for an FPP or a planning permit.</p>	
C7.6.2 – A1	<p>The objectives for this standard should be amended, consistent with comments above, to expand its aims beyond priority vegetation to biodiversity values.</p> <p>Allowing up to 3,000m² of vegetation (including priority vegetation) to be cleared in the Rural Living Zone as a Permitted development is inappropriate and unjustifiable. The Rural Living Zone can have significant natural values, and will be even more prone to do so if land previously zoned Environmental Living is rezoned to Rural Living, as several Councils have indicated is likely.</p>	<p>Amend the objectives to reflect the recommended objectives of the Code.</p> <p>Delete A1(b)</p>
C7.6.2 – P1	<p>In P1(b)(i), it is not clear what an “overriding benefit” that justifies the clearing of priority vegetation would be – does it need to be of overriding benefit to the community, the region, the landowner? Or to provide an overriding biological benefit? Similarly, the requirement for social and economic benefits in subparagraph b. may also apply only to the economic benefits to the developer.</p> <p>The casual reference to onsite offsetting in P1(b)(i)(d) does little to promote a strategic, rigorous approach to biodiversity offsetting. Any offsetting must be limited by the avoid – minimise – mitigate – offset hierarchy, and should be subject to a Statewide or regional implementation policy.</p>	<p>Amend (b)(i) to clarify that “overriding benefit” must accrue to the broader community as a result of the proposal.</p> <p>Develop a clear offsets policy. In the interim, amend (b)(iv) to refer to the current General Offset Guidelines published by DPIPW.</p>
C7.7.2 – P1	<p>The comments in relation to C7.6.2 also apply to this provision.</p> <p>The objectives for the standard should aim to minimise losses / impacts, rather than a subjective test such as “unnecessary” and “unacceptable” impacts.</p>	

Provision	Comments	Recommendation
Attenuation Code		
C9.4 – Exemptions	<p>The exemption for activities in the Light Industrial Zone should not apply where the zone borders a residential zone.</p> <p>As currently drafted, the exemptions would allow an expansion of up to 50% of an existing sensitive use – this is potentially a considerable exemption</p>	<p>Amend C9.4.1(c) to read:</p> <p><i>additions or alterations to an existing building used for sensitive use provided that the gross floor area does not increase by more than 50% or 100m², whichever is the greater lesser, from the effective date of the relevant Local Planning Schedule; and</i></p>
Coastal Erosion Hazards Code / Coastal Inundation Hazards Code		
C10.1 and C11.1 - purpose	<p>The purpose of the Code should also recognise the need to minimise the impacts of coastal erosion on coastal values and future coastal refugia, rather than focussing solely on property. Any report assessing the</p> <p>The purpose should reflect the need to manage not just the impacts of coastal erosion on development, but the impacts of development <u>on</u> coastal erosion and inundation.</p>	
C10.2 and 11.2 – Definitions	<p>It must be made clear who is considered as “suitably qualified person” for the purposes of preparing a coastal impact report.</p> <p>Clearer reference / integration should be made with the Coastal Hazards package, and material made available to assist Councils to apply the “tolerable risks” tests</p>	<p>Include a definition of suitably qualified person</p> <p>Develop implementation materials for Councils</p>
C10.4 - Exemptions	<p>The exemptions refer to “actively mobile landforms”, a term that has caused considerable difficulty in the application of the State Coastal Policy. It would be preferable to apply the exemption by reference to Medium and High Hazard bands as per the Coastal Hazards Package (see below).</p>	<p>Amend the exemptions to reflect the Coastal Hazards package.</p>
C10.6 and C10.7	<p>As above, the reference to “actively mobile landforms” in Performance Criteria 10.6.2P1(c) and 10.7.1 P1(g) should be amended to reflect the hazard bands approach.</p>	<p>Amend the exemptions to reflect the Coastal Hazards package.</p>

Provision	Comments	Recommendation
Mapping	<p>We are generally supportive of the approach of relying on mapping, rather than qualitative criteria, to determine restrictions on use and development. However, the effectiveness of such an approach relies on the accuracy of the maps used and the data on which the maps were generated.</p> <p>We commend the government for the work undertaken on mapping coastal hazards and identifying risk bands. This mapping will be critical to the implementation of the Code. We note that:</p> <ul style="list-style-type: none"> ■ a number of areas around Tasmania for which insufficient data are available to accurately map erosion risks. ■ the current Sea Level Rise Planning Allowances from which the High Hazard inundation areas have been determined are based on the findings in the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, while the more recent Fifth Assessment Report of the IPCC includes materially higher projections for sea level rise. <p>There will likely be situations whereby a landowner considers that a hazard band allocated to their property is too high, or a third party or council considers that a hazard band allocated to property is too low. No methodology to address this has been set out in the SPPs.</p>	<p>Resources be made available to map these 'investigation areas' to ensure Statewide coverage and allow for a unified, consistent implementation of the Coastal Hazards Codes.</p> <p>The Sea Level Rise Planning Allowances must adopt and incorporate the Fifth Assessment projections, and mapping be amended accordingly.</p> <p>The Government to develop and implement a clear process for amending the maps, with explicit criteria requiring rigorous analyses, and ensuring that maps are only amended where the government is satisfied that the outcomes of the State Coastal Policy will be met. For example, this should allow councils who have undertaken detailed, fine-scale mapping (such as Clarence and Kingborough) to adapt Statewide maps to reflect that work.</p>
Bushfire Prone Areas Code		
	<p>We strongly endorse the concerns raised by Kingborough Council regarding the separation of bushfire hazard reduction considerations from planning assessments (see <i>Kingborough Council Submission</i>).</p> <p>Clearing for fire hazard management can be significant and compromise efforts to protect biodiversity, preserve connectivity and maintain amenity. It is important that these things are considered as part of a planning assessment. In <i>Ogilvie v Break O' Day Council</i> [2004] TASRMPAT 33, the Tribunal ruled that a residential subdivision was not acceptable, having regard to the extent of disturbance that would be required to provide "appropriate fire protection".</p> <p>Similarly, applications for relaxation of site coverage must consider the extent of clearing that will be required to meet bushfire hazard reduction needs</p>	

Provision	Comments	Recommendation
Potentially Contaminated Land Code		
Table	<p>It is important to ensure that land on which hydraulic fracturing activities have been undertaken is included as potentially contaminated land, given the chemicals used and potential contamination of groundwater resources.</p> <p>The current Table does not include fracking for either exploration or extraction activities.</p>	<p>Include "Mining and exploration activities under the <i>Mineral Resources Development Act 1995</i>"</p>
Additional Codes		
A number of additional Code should be considered to assist in the consistent assessment approach from a range of key issues		
Aboriginal heritage code	<p>The expectation that impacts on Aboriginal cultural heritage need not be assessed under the planning as they are regulated by the <i>Aboriginal Relics Act 1975</i> is inappropriate. Significantly, that legislation is outdated and fails to protect Aboriginal heritage places and cultural landscapes. In particular, the legislation:</p> <ul style="list-style-type: none"> • Provides only limited protection for declared protected sites, objects and "Aboriginal relics" (compared with broader landscape scale protections). • Makes it an offence for any person (including government agencies) to damage, destroy, conceal, deface or otherwise interfere with a relic or a protected site, but provides a defence where the person did not know that the relevant relic or site was protected. This defence provides a perverse disincentive to undertake appropriate heritage surveys and consultation work prior to commencing work. • Requires work to cease if a relic is discovered during construction work, but does not require an assessment of the likelihood of relics being present prior to approving a development or commencing work. <p>An Aboriginal Heritage Code applying to areas of mapped or likely Aboriginal heritage significance (to be developed in consultation with Aboriginal Heritage Council) would improve this position. Performance criteria for any development subject to the Code would require a report from a suitably qualified person confirming that the development would not adversely impact on Aboriginal cultural heritage values, and setting out any management and mitigation measures – there should be no Acceptable Solution.</p> <p>It is important that development be regulated by Performance Criteria to allow third parties to participate in the assessment. The decision in <i>North East Bioregional Network Inc. v Break O'Day Council and Break O'Day Council obo Parks and Wildlife</i> [2013] TASRMPAT 90 demonstrates the value in involving third parties – in that case, Aboriginal relics that were not identified in the original report were identified by an external expert.</p> <p>The <i>Aboriginal Relics Act 1975</i> has been under review for many years – until more appropriate, contemporary legislation is introduced, it is critical that a planning code is applied to ensure that proponents are aware of their responsibility to assess the likely impact of their proposal on Aboriginal cultural heritage.</p>	

Provision	Comments	Recommendation
Stormwater Code	<p>The <i>State Policy on Water Quality Management 1997</i> provides for planning schemes to address stormwater inputs. However, the SPPs deal only with stormwater in relation to subdivision. Without a Stormwater Code, planning authorities are limited in the information they can request, the issues they can consider and the conditions that they can impose to manage run-off and attendant pollution risks from a range of developments which increase paved surfaces or redirect drainage channels.</p> <p>While Water Sensitive Urban Design is defined in the SPPs, the principles of WSUD are not effectively implemented through its provisions. Code could help to remedy that.</p>	
Geo Conservation Code	<p>The Tasmanian Geoconservation Database provides a sound basis for overlay mapping and a Code to regulate development with the potential to adversely impact on geoconservation values, such as karst systems. The development standards in a Geoconservation Code should reflect that:</p> <p>A1 No Acceptable Solutions</p> <p>P1 Development must not have an adverse impact on the geoconservation values of the site, having regard to</p> <ul style="list-style-type: none"> (a) The significance of geoconservation values on the site (b) The scale of development (c) A report from a suitably qualified person outlining the values and any potential impacts (the “Geoconservation report”) (d) Mitigation and management measures recommended in the Geoconservation report. 	
Mapping		
LP3.5	<p>The DPIPWE mapping that will be the default mapping for priority vegetation in the Natural Assets Code should adopt / reflect the Biodiversity Conservation Priorities mapping prepared by Nick Fitzgerald (May 2016)</p> <p>Mapping for future coastal refugia should be based on recent work assessing the implications of sea level rise on coastal natural values and identifying refugia and potential retreat pathways. We urge the government to make this work publicly available to support local governments to map future coastal refugia areas within their municipality. This will also be critical in assisting planning authorities to identify landward habitat migration routes that are best protected through rezoning, and to allocate resources to ecological restoration where appropriate.</p>	
General	<p>As outlined in several places above, mapping must be regularly reviewed and provision made for it to be updated on the basis of scientifically rigorous new information.</p>	