

Tasmanian Planning Scheme

Overview of the Codes and Overlays

The Tasmanian Planning Scheme includes codes to set out how to manage certain areas, planning values or issues. The codes operate in conjunction with the zones.

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

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

The purpose of the **Signs Code** is:

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

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

The purpose of the **Parking and Sustainable Transport Code** is:

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

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



The Parking and Sustainable Transport Code allows for a pedestrian priority street overlay to be applied to a road where pedestrian movement and activity are to take priority over siting of vehicle parking and access. Consequently, a pedestrian priority street overlay is proposed for Channel Highway at Kingston, Beach Road and Osborne Esplanade at Kingston Beach, and Channel Highway at Margate, Snug and Woodbridge. The overlay will identify the areas of land that will apply to the code and the code will work in conjunction with the provisions of the zone. There will be no immediate changes to those roads, but it is something that would be considered as part of future development applications in those areas.

The purpose of the **Road and Railway Assets Code** is:

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

The Road and Railway Assets Code of the Tasmanian Planning Scheme is similar to the Road and Railway Assets Code of the KIPS2015. In Kingborough, the code will operate with an overlay. The Roads and Railway Assets overlay of the KIPS2015 has been carried forward to the Kingborough Draft LPS.

The purpose of the **Electricity Transmission Infrastructure Protection Code** is:

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

The Electricity Transmission Infrastructure Protection Code of the Tasmanian Planning Scheme is similar to the Electricity Transmission Infrastructure Protection Code of the KIPS2015. In Kingborough, the code will operate with an overlay. The overlay map of the KIPS2015 has been carried forward to the Kingborough Draft LPS.

The purpose of the **Telecommunications Code** is:

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

The Telecommunications Code is a new code in the Tasmanian Planning Scheme and does not operate with an overlay.

The purpose of the **Local Historic Heritage Code** is:

- *To recognise and protect:*
 - *the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and*
 - *significant trees.*



This code does not apply to Aboriginal heritage values.

The provisions within the Local Historic Heritage Code of the Tasmanian Planning Scheme have similarities with the Historic Heritage Code of the KIPS2015. The heritage listings (described in more detail below) are all carried over from the KIPS2015.

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

There are no new listings proposed under the Draft LPS. The Kingborough Significant Trees list that is currently listed under the Significant Tree Code of KIPS2015 has been carried over to the Local Historic Heritage Code and listed in Table C6.5 of the written part of the Kingborough Draft LPS. The listed significant trees are not mapped on an overlay; however, it is intended to provide an overlay to this effect in the planning scheme in future.

The purpose of the **Natural Assets Code** is:

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

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

One of the key differences with the priority vegetation provisions of the KIPS2015 is that the Natural Assets Code intentionally limits the application of 'priority vegetation areas' to certain zones to avoid undermining the purpose of those zones intended for more intensive development. The priority vegetation area only applies within the following zones:

- (i) Rural Living Zone;
- (ii) Rural Zone;



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

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

The purpose of the **Scenic Protection Code** is:

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

The Scenic Protection Code of the Tasmanian Planning Scheme is similar to the Scenic Landscapes Code of the KIPS2015. However, this code only applies to development on land within a scenic protection area or scenic road corridor and only if within the following zones:

- (i) Rural Living Zone;
- (ii) Rural Zone;
- (iii) Agriculture Zone;
- (iv) Landscape Conservation Zone;
- (v) Environmental Management Zone; or
- (vi) Open Space Zone.

The Scenic Protection Areas are listed in Table C8.1 of the written part of the Draft LPS. The Scenic Landscapes Area overlay in KIPS2015 has been carried over to the Kingborough Scenic Protection Overlay excluding any land that it may not apply to.

The Kingborough Scenic Protection Overlay should be read with the Table C8.1, noting that the mapping of an area in the planning scheme does not automatically 'deem' an area as being of scenic significance. It merely serves as a tool in the planning scheme to consider if an assessment under the Scenic Protection Code is required. The new code is more flexible than the KIPS2015 and provides a list of exemptions.

The purpose of the **Attenuation Code** is:

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



The Attenuation Code of the Tasmanian Planning Scheme is similar to the Attenuation Code of the KIPS2015. In Kingborough, the code will not operate with an overlay.

The purpose of the **Coastal Erosion Hazard Code** is:

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

The Coastal Erosion Hazard Code of the Tasmanian Planning Scheme is similar to the Coastal Erosion Hazard Code of the KIPS2015. The Kingborough Draft LPS contains an overlay map for the application of the Coastal Erosion Hazard Code, as produced by the Department of Premier and Cabinet, showing:

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

The purpose of the **Coastal Inundation Hazard Code** is:

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

The Coastal Inundation Hazard Code is a new code under the Tasmanian Planning Scheme but is similar to the Inundation Prone Areas Code of the KIPS2015. Kingborough Draft LPS contains an overlay map for the application of the Coastal Inundation Hazard Code, as produced by the Department of Premier and Cabinet, showing:

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



The purpose of the **Flood-Prone Areas Hazard Code** is:

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

The Flood-Prone Areas Hazard Code is a new code under the Tasmanian Planning Scheme but is similar to the Inundation Prone Areas Code of the KIPS2015. The Flood-Prone Areas overlay includes flood mapping based on Council-endorsed flood studies for Snug, Tramway Creek, Adventure Bay, Margate and Kingston Beach that are listed on Council's webpage.

The purpose of the **Bushfire-Prone Areas Code** is:

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

The Bushfire-Prone Areas Code of the Tasmanian Planning Scheme is similar to the Bushfire Prone Areas Code of the KIPS2015. The Kingborough Draft LPS applies the Bushfire-Prone Areas overlay provided by the Tasmania Fire Service.

The purpose of the **Potentially Contaminated Land Code** is:

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

The Potentially Contaminated Land Code of the Tasmanian Planning Scheme is similar to the Potentially Contaminated Land Code of the KIPS2015. The Kingborough Draft LPS does not contain an overlay map showing potentially contaminated land. The Potentially Contaminated Land Code will, however, apply through the attenuation distances specified in the SPP ordinance.

The purpose of the **Landslip Hazard Code** is:

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

The Landslip Hazard Code of the Tasmanian Planning Scheme is similar to the Landslide Code of the KIPS2015. The Kingborough Draft LPS contains an overlay map as produced by the Department of Premier and Cabinet, showing landslip hazard areas for the application of the Landslip Hazard Code.



The purpose of the **Safeguarding of Airports Code** is:

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

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

