#### Land Use Planning and Approvals Act 1993 (the Act)

#### Notice under section 35(5)(b) and Schedule 6, Clauses 8C(5)(a) and 8D(9)(a)

#### **Kentish draft Local Provisions Schedule**

6 December 2022

The Tasmanian Planning Commission (the Commission) directs that the Kentish planning authority modify the Kentish draft Local Provisions Schedule (draft LPS) in accordance with the following:

#### 1. New particular purpose zones and specific area plans

The Commission is satisfied that the following provisions of the Kentish draft Local Provisions Schedule meet the LPS Criteria under section 34(2) of the Act; however, the provisions require minor modification under section 35(5)(b) to:

- (i) meet the Local Provisions Schedule requirements of the SPPs;
- (ii) correct errors to property references and references to relevant provisions;
- (iii) provide for the effective operation of the provisions; and
- (iv) reflect the terminology used in the SPPs,

as identified in the tracked changed version of the revised Kentish draft LPS at Attachment B.

The provisions are:

- (a) KEN-S1.0 Sheffield Tourism Specific Area Plan (Particular Purpose Zone Sheffield Tourist Activity Site); and
- (b) KEN-S3.0 Sheffield Specific Area Plan.

### 2. New specific area plans not meeting section 32(4)

The Commission is not satisfied that the following provisions meet the LPS Criteria under section 34(2) of the Act as the provisions do not meet the requirements of section 32(4) and the Kentish draft LPS is to be modified by deleting the following and renumbering the remaining draft LPS provisions:

- (a) KEN-S1.0 Wilmot Specific Area Plan Reason: For the area of land contained in the SAP, there are no particular qualities evident that require unique provisions, nor are there any identified significant economic, social or environmental benefits.
- (b) KEN-S2.0 Railton Specific Area Plan Reason: For the area of land contained in the SAP, there are no particular qualities evident that require unique provisions, nor are there any identified significant economic, social or environmental benefits.
- (c) KEN-S4.0 Claude Road Specific Area Plan
  Reason: For the area of land contained in the SAP, there are no particular qualities evident that
  require unique provisions, nor are there any identified significant economic, social or
  environmental benefits.
- (d) KEN-S5.0 Acacia Hills South Spreyton Specific Area Plan

Reason: For the area of land contained in the SAP, there are no particular qualities evident that require unique provisions, nor are there any identified significant economic, social or environmental benefits.

#### 3. Transitioning specific area plans

The following provisions require modification under Schedule 6, clause 8C(5)(a) of the Act so that the relevant provisions contain permitted alterations for the purposes specified in Schedule 6, clause 8C(3), as identified in the tracked change version of the revised Kentish draft LPS at Attachment B.

The provisions are:

(a) KEN-S2.0 Cradle Gateway Specific Area Plan.

#### 4. New Code Lists

The following provisions require minor modification under section 35(5)(b) of the Act to:

- (i) remove new heritage places that have not been supported by the advice of a suitably qualified person;
- (ii) meet the Local Provisions Schedule requirements of the SPPs;
- (iii) provide for the effective operation of the provisions; and
- (iv) reflect the terminology used in the SPPs,

as included in the tracked changed version of the revised Kentish draft LPS at Attachment B.

The provisions are:

- (a) KEN-Table C6.1 Local Heritage Places; and
- (b) KEN-Table C8.1 Scenic Protection Areas.

#### 5. Applied, Adopted or Incorporated Documents

Provision KEN-Applied, Adopted or Incorporated Documents is to be modified, as included in the tracked change version of the revised Kentish draft LPS at Attachment B, to reflect the SPP requirements and meet requirements of Practice Note 8.

#### 6. Zoning

No.	Description	Direction and Reason
6.1	Railton Primary School - 94 Foster Street (PID 2066732, FR 226656/1), outlined below:	Revise the zoning of PID 2066732, including folio of the Register 226656/1, to Community Purpose.
		Ensure that the public roads are appropriately zoned and to the centrelines in accordance with Practice Note 7.  Reason: To apply the zones consistent with Guideline No. 1 (CPZ 1(a))

No.	Description	Direction and Reason
6.2	102 Main Street, Sheffield (FRs 152527/1,	Revise the zoning of folios of the Register
	229852/1, 245535/1, 245534/1, 68894/1,	152527/1, 229852/1, 245535/1, 245534/1,
	130712/1, 34976/1, 242819/1, 234250/1,	68894/1, 130712/1, 34976/1, 242819/1,
	237086/1, 216760/1, Part of 217748/1, 234754/1,	234250/1, 237086/1, 216760/1, Part of
	92544/1, 203730/1, 200238/1, 62466/2, 62466/3,	217748/1, 234754/1, 92544/1, 203730/1,
	134444/1, 218897/1, 161498/1, Part of 161498/2,	200238/1, 62466/2, 62466/3, 134444/1,
	220283/4, 118756/5, Part of 234263/1, 176714/1,	218897/1, 161498/1, Part of 161498/2,
	220303/4, 220302/5, 201145/1, 160367/4,	220283/4, 118756/5, Part of 234263/1,
	160367/3 and 160367/2), outlined below:	176714/1, 220303/4, 220302/5, 201145/1,
	100307/3 dila 100307/2/, oddinica below.	160367/4, 160367/3 and 160367/2 to
		Urban Mixed Use and include within the
		Sheffield Tourism Specific Area Plan overlay.
		Shemela Tourish Specific Area Flan Overlay.
		Ensure that public roads are appropriately
		zoned to centerlines in accordance with
		Practice Note 7 where it is not zoned
		Utilities.
		Parana Ta marke the same consistent with
		Reason: To apply the zones consistent with
		Guideline No. 1 (UMUZ 1)
6.3	Spring Street, Sheffield (FRs 91776/1, 91776/2,	Revise the zoning of folios of the Register
	91776/3, 91776/4, 91776/5, 91776/6, 91776/7,	91776/1, 91776/2, 91776/3, 91776/4,
	91776/8, 91776/9, 91776/10, 91776/11,	91776/5, 91776/6, 91776/7, 91776/8,
	91776/12 and 91776/13), outlined below:	91776/9, 91776/10, 91776/11, 91776/12
		and 91776/13 to Urban Mixed Use and
		include within the Sheffield Tourism Specific
		Area Plan overlay.
		Ensure that public roads are appropriately
		zoned to centerlines in accordance with
		Practice Note 7.
		Reason: To apply the zones consistent with
		Guideline No. 1 (UMUZ 1)
		·
6.4	120 Main Street, Sheffield (FRs 168161/1,	Revise the zoning of folios of the Register
0.4	237053/2, 155423/2), outlined below:	168161/1, 237053/2, 155423/2 to Urban
	25, 555/2, 155425/2/, Oddinica below.	Mixed Use and include within the Sheffield
		Tourism Specific Area Plan overlay.
		Tourism Specific Area Flam Overlay.
		Reason: To apply the zones consistent with
		• • •
		Guideline No. 1 (UMUZ 1)
L		<u>i</u>

No.	Description	Direction and Reason
6.5	Spring Street, Sheffield (FR 166552/1), outlined below:	Revise the zoning of folio of the Register 166552/1 to Urban Mixed Use and include within the Sheffield Tourism Specific Area Plan overlay.  Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7 where it is not zoned Utilities.  Reason: To apply the zones consistent with Guideline No. 1 (UMUZ 1)
6.6	1471 Claude Road, Gowrie Park (FR 53053/3), outlined below:	Revise the zoning of folio of the Register 53053/3 to Utilities.  Reason: to correct an error and apply the zones consistent with Guideline No. 1 (UZ 4)
6.7	209 Paradise Road, Paradise (FR 27864/2), Old Paradise Road, Paradise (FR 11721/2) and 275 Paradise Road, Paradise (FR 28917/1), outlined below:	Revise the zoning of folio of the Register 27864/2 and adjoining Reserved Road to Agriculture, shown left outlined in red, and revise the zoning of folios of the Register 11721/2 and 28917/1 and all of 239344/1 (including adjacent Reserved Roads) to Rural, shown left outlined in blue.  Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7.  Reason: To apply the zones consistent with Guideline No. 1 (AZ 1 and AZ 6 (e))

No.	Description	Direction and Reason
6.8	101 Cement Works Road, Railton (FR 163665/6), outlined below:	Revise the zoning of folio of the Register 163665/6 to Rural.
		Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7.
		Apply the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model as necessary.
		Reason: To apply the zones consistent with Guideline No. 1 (AZ 6 (e))
6.9	692 Claude Road, Claude Road (FR 132292/1), outlined below:	Revise the zoning of folio of the Register 132292/1 to Agriculture and remove the Priority Vegetation Area overlay.
		Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7.
		Reason: To apply the zones consistent with Guideline No. 1 (AZ 1)
6.10	Part PID 3394463, Railton, outlined below:	Revise the zoning of that part of PID 3394463, shown left outlined in blue, to Rural and apply split zoning annotations as necessary in accordance with Practice Note
		7. Where there are no features that are readily identifiable on the ground, coordinates must be used.
		Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7 where necessary.
		Reason: To apply the zones consistent with Guideline No. 1 (RZ 1)

No.	Description	Direction and Reason
6.11	Bell Mount and Mount Jacob area, Erriba, Moina, and South Nietta (part PID 3394789 and part FR 154712/1), outlined below:	Revise the zoning of that part of PID 3394789 and that part of folio of the Register 154712/1 shown left outlined in blue to Rural (according to the extent of the zone applied in the Kentish Interim Planning Scheme 2013) and apply split zoning annotations as necessary in accordance with Practice Note 7.  Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7 where necessary.  Reason: To apply the zones consistent with
6.12	Part of 3105 Cradle Mountain Road, Middlesex (part FR 159228/1), outlined below:	Guideline No. 1 (RZ 1 and RZ 3(d))  Revise the zoning of that part of folio of the Register 159228/1, shown left outlined in blue, to Environmental Management (according to the extent of the zone applied in the Kentish Interim Planning Scheme 2013).  Reason: To correct an error.

6.13 Riparian reserves and onshore waterbodies Revise the zoning of all riparian reserves (Crown land) - see example below (Acacia Hills, and onshore waterbodies (Crown land) to Sheffield): Environmental Management. Apply the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model as necessary. Reason: To apply the zones consistent with Guideline No. 1 (EMZ 1 (c)). 6.14 Wilmot Primary School - 61 Main Street, Wilmot Revise the zoning of Wilmot Primary School, (PID 6493635), outlined below: PID 6493635, shown left outlined in blue, to Community Purpose. Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7 where necessary. Reason: To correct an error and to apply the zones consistent with Guideline No. 1 (CPZ 1 (a)) 6.15 Devils Gate Road, Barrington (potential PID Revise the zoning of Devils Gate Road, Barrington (potential PID number 2537354), number 2537354), outlined below: shown left outlined in red, to Environmental Management. Apply the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model as necessary. Reason: To apply the zones consistent with Guideline No. 1 (EMZ 1)

Lake Barrington, Wilmot (FR 86312/1), outlined 6.16 Revise the zoning of folio of the Register below: 86312/1 to Environmental Management including the Reserved Road within the lot (exclude Lake Barrington Road where public). Apply the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model as necessary. Ensure that Lake Barrington Road is otherwise appropriately zoned to its centerline in accordance with Practice Note 7. Reason: To apply the zones consistent with Guideline No. 1 (EMZ 1) 8 Main Road, Sheffield (FR 129416/1), outlined Revise the zoning of folio of the Register 6.17 below: 129416/1 to Agriculture and remove the Priority Vegetation Area overlay. Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7 where necessary. Reason: To be, as far as practicable, consistent with the regional land use strategy and to apply the zones consistent with Guideline No. 1 (AZ 1). 6.18 Rockliffs Road, Sheffield (FR 173843/1), outlined Revise the zoning of folio of the Register 173843/1 to Utilities. below: Reason: To apply the zones consistent with Guideline No. 1 (UZ 1(d))

6.19 Deacons Close and Lockwoods Road, Claude Road, (FRs 101169/2, 31172/2, 31172/3, 31172/4, 31172/5, 38767/12, 250106/1, 23004/1, 112052/4, 39171/1, 38767/1, 38767/2, 38767/3, 38767/5, 38767/6, 38767/7, 38767/8, 38767/9 and 101169/1 and Deacons Road (38767/10) outlined below:

Revise the zoning of folios of the Register 101169/2, 31172/2, 31172/3, 31172/4, 31172/5, 38767/12, 250106/1, 23004/1, 112052/4, 39171/1, 38767/1, 38767/2, 38767/3, 38767/5, 38767/6, 38767/7, 38767/8, 38767/9 and 101169/1 and Deacons Road (38767/10) to Rural Living Area C.

Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7 where it is not zoned Utilities.

Reason: To apply the zones consistent with Guideline No. 1 (RLZ 3)

6.20 Perkins Drive, Wildlife Road, Kings Road, and Claude Road, (FRs 8458/3, 34548/1, 34102/1, 61065/1, 8458/2, 27036/1, 8170/1, 8170/2, 8170/3, 7438/1, 230023/1 and 32579/1), outlined below:

Revise the zoning of folios of the Register 8458/3, 34548/1, 34102/1, 61065/1, 8458/2, 27036/1, 8170/1, 8170/2, 8170/3, 7438/1, 230023/1 and 32579/1 to Rural Living Area C.



Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7 where it is not zoned Utilities.

To apply the zones consistent with Guideline No. 1 (RLZ 3)

6.21 Patawalonga Road, Kookaburra Rock Road, Febeys Road, and Rysavy Road, Claude Road (FRs 19414/1, 5485/1, 242539/1, 19412/1, 244288/1, 35817/1, 36067/1, 26929/1, 245142/1, 31713/1, 31713/2, 240804/1, 31713/3, 169376/1, 52078/2, 52078/1, 129064/1, 129064/2, 46206/2, 46206/1, 107712/1, 28840/1, 23035/1, 11042/2 and 242680/1), outlined below:

Revise the zoning of folios of the Register 19414/1, 5485/1, 242539/1, 19412/1, 244288/1, 35817/1, 36067/1, 26929/1, 245142/1, 31713/1, 31713/2, 240804/1, 31713/3, 169376/1, 52078/2, 52078/1, 129064/1, 129064/2, 46206/2, 46206/1, 107712/1, 28840/1, 23035/1, 11042/2 and 242680/1 to Rural Living Area C.



Ensure that public roads are appropriately zoned to centerlines in accordance with Practice Note 7 where it is not zoned Utilities.

To apply the zones consistent with Guideline No. 1 (RLZ 3)

130 Lake Barrington Road, Wilmot (PID 7463462), 6.22 Revise the zoning of 130 Barrington Road, outlined below: Wilmot (PID 7463462) to Environmental Management. Apply the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model as necessary. Ensure that public roads are appropriately zoned to its centerline in accordance with Practice Note 7. Reason: To apply the zones consistent with Guideline No. 1 (EMZ 1) 6.23 Lot 1 Masons Road, Wilmot (FR 141509/1), Revise the zoning of folios of the Register outlined below: 141509/1 to Environmental Management. Apply the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model as necessary. Reason: Reason: To apply the zones consistent with Guideline No. 1 (EMZ 1) 6.24 Ellis Flats Road, Lower Wilmot (FR 216105/1), Revise the zoning of folio of the Register outlined below: 216105/1 to Rural. Apply the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model as necessary. Reason: Reason: To apply the zones consistent with Guideline No. 1 (RZ 3(a))

6.25 Lot 2, 145, and 144 Allisons Road, Lower Barrington (FRs 153050/2, 132884/1, and 66838/1), outlined below:

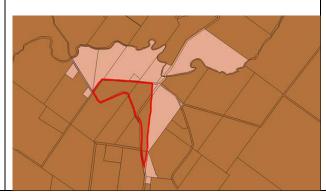


Revise the zoning of folios of the Register 153050/2, 132884/1 and 66838/1 including the Reserved Road contained within the lot, to Rural.

Apply the Priority Vegetation Area overlay in accordance with the Regional Ecosystem Model as necessary.

Reason: Reason: To apply the zones consistent with Guideline No. 1 (RZ 1 and RZ 3)

6.26 28 Shortcut Road, 209 Paradise Road, part of Old Paradise Road and part of 275 Paradise Road, Paradise and part of Reserved Road (FRs 35023/1, 27864/2, 11721/2 and 28917/1), outlined below.



Revise the zoning of folios of the Register 35023/1, 27864/2, 11721/2 and 28917/1 including the Reserved Road contained within the area outlined in red, to Rural.

Reason: Reason: To apply the zones consistent with Guideline No. 1 (RZ 3(a))

## 7. Code overlay maps

No.	Description	Direction
7.1	C6.0 Local Historic Heritage- Local Heritage	Revise the draft LPS by deleting the Local
	Places overlay	Heritage Places overlay.
		Reason: Inclusion of the Local Heritage Places is not supported by evidence provided by a suitably qualified person and have been removed from KEN-Table C6.1 as indicated in the track changed version of the revised
		Kentish draft LPS at Attachment B.
7.2	C7.0 Natural Assets Code - Waterway and Coastal Protection Area overlay  Railton	Revise the Waterway and Coastal Protection Area overlay maps by including the overlay as shown in black hatching and outlined in green and blue, and reducing the widths of buffer areas to 10m from the top of a bank of a watercourse where it adjoins the General Residential, Local Business, Light Industrial and Particular Purpose zones as circled in blue in the diagrams.  Reason: To accurately show the Waterway and Coastal Protection Areas on the overlay maps and to provide for the effective operation of the provisions.
	Chaffiald	
	Sheffield	

7.3	C7.0 Natural Assets Code – Priority Vegetation Area	Revise the Priority Vegetation Area overlay mapping so that the overlay is removed from the following folios of the Register:  - 692 Claude Road, Claude Road, folio of the Register 132292/1  - 8 Main Road, Sheffield, folio of the Register 129416/1
		Reason: To ensure that the overlay is not applied to incompatible zones.
7.4	C7.0 Natural Assets Code – Priority Vegetation Area	Revise the Priority Vegetation Area overlay mapping so that the overlay is applied to the following land:
		<ul> <li>101 Cement Works Road, Railton FR 163665/6;</li> <li>Devils Gate Road, Barrington, potential PID number 2537354;</li> <li>Lake Barrington, Wilmot, folio of the Register 86312/1, including Reserved Road contained within the lot;</li> <li>130 Lake Barrington Road, Wilmot, PID 7463462;</li> <li>Lot 1 Masons Road, Wilmot, folio of the Register 141509/1;</li> <li>Ellis Flats Road, Lower Wilmot, folio of the Register 216105/1;</li> <li>Lot 2, 145, and 144 Allisons Road, Lower Barrington, folios of the Register 153050/2, 132884/1 and 6838/1; and</li> <li>Riparian reserves and onshore waterbodies (Crown land), as identified in direction 6.13.</li> </ul>
		Reason: To ensure that the overlay is applied to compatible zones.

## 8. Specific area plan overlays

No.	Description	Direction
8.1	KEN-S1.0 – Wilmot Specific Area Plan	Revise the overlay maps by deleting the Wilmot Specific Area Plan.
		Reason: The SAP does not comply with Section 32(4) of the Land Use Planning and Approvals Act 1993.

No.	Description	Direction
8.2	KEN-S2.0 – Railton Specific Area Plan	Revise the overlay maps by deleting the Railton Specific Area Plan.
		Reason: The SAP does not comply with Section 32(4) of the Land Use Planning and Approvals Act 1993.
8.3	KEN-S4.0 – Claude Road Specific Area Plan	Revise the overlay maps by deleting the Claude Road Specific Area Plan.
		Reason: The SAP does not comply with Section 32(4) of the Land Use Planning and Approvals Act 1993.
8.4	KEN-S5.0 – Acacia Hills South Spreyton Specific Area Plan	Revise the overlay maps by deleting the Acacia Hills South Spreyton Specific Area Plan.
		Reason: The SAP does not comply with Section 32(4) of the Land Use Planning and Approvals Act 1993.
8.5	KEN-S1.0 – Sheffield Tourism Specific Area Plan	Revise the overlay maps to include the Sheffield Tourism Specific Area Plan to identify the extent of the SAP in accordance with Practice Note 7 (see direction 6.2 – 6.5 for details).
		Reason: To meet the technical requirements consistent with Practice Note 7.

### 9. Technical matters

No.	Description	Direction
9.1	Zoning of local roads, example below from Sheffield.	Review and revise all zoning maps so that zones are extended to road centrelines, where applicable, in accordance with Practice Note 7.
		Reason: To meet technical requirements of Practice Note 7.
	Constitution 5 To Add and Constitution 1 To	
9.2	Alignment to cadastre	Align zoning and overlays, based on the cadastral parcels dataset available from the LIST.
		Reason: To meet technical requirements of Practice Note 7.

No.	Description	Direction
9.3	All zone maps – split zones	Revise the zone maps so that:  (a) split zone boundaries are annotated consistent with the requirements of section 2.4 of Practice Note 7;  (b) zone boundary lines are provided for all split zones; and  (c) zone boundary lines are aligned to the relevant zone layers.
		Reason: To meet technical requirements of Practice Note 7.