7.1.4 Amendment PSA-19-4 - Hobart Interim Planning Scheme 2015 - Food Services and Food and Beverage Production Uses in the Light Industrial Zone
File Ref: F19/138994; PSA-19-4


Delegation: Council
1. **Report Purpose and Community Benefit**

1.1. The purpose of this report is to consider an application under the former provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA), from JMG Engineers & Planners on behalf of SolutionsWon Group Pty Ltd, to amend the Light Industrial Zone Use Table of the *Hobart Interim Planning Scheme 2015* (HIPS 2015) by removing the qualification to food services, and inserting ‘resource processing’ with the qualification ‘if for food and beverage production’ in the discretionary section of the table.

1.2. The proposal benefits the community by ensuring that the provisions of the Light Industrial Zone allow for a diversity of uses that are capable of meeting the zone objectives.

2. **Report Summary**

2.1. The proposal is to amend the Use Table of the Light Industrial Zone of the HIPS 2015 to allow for ‘resource processing (if for food and beverage production)’ and unqualified ‘food services’ as discretionary uses. All resource processing uses, and food services uses other than take away food premises and café, are currently prohibited in the zone.

2.2. The applicant’s submission in support of the amendment is provided in Attachment A.

2.3. The proposed amendment is provided in Attachment B.

2.4. The Light Industrial Zone is located in North Hobart, fronting sections of Burnett, Argyle and Federal Streets. It is largely surrounded by Inner Residential land, and is also adjacent to areas zoned General Business, Commercial and Urban Mixed Use.

2.5. The proposal is provided on behalf of a landowner within the Light Industrial Zone who intends to develop a food and beverage production/food services use, however there is no application for use or development as part of this amendment.

2.6. Food services and food and beverage production uses are already intended to be discretionary in both the State Planning Provisions Light Industrial Zone and the Specific Area Plan for Hobart’s Light Industrial Zone under the Local Provisions Schedule. This means that these uses
will likely be discretionary on all Light Industrial zoned land under the Tasmanian Planning Scheme.

2.7. It is considered that the proposed uses are capable of meeting the zone objectives, and have the potential to be compatible with the existing and allowable mix of uses in the zone.

2.8. The proposed amendment to include resource processing (food and beverage production) and all food services and as discretionary uses in the use table of the Light Industrial Zone is considered to be an appropriate amendment to the HIPS 2015 and is recommended for initiation.

3. Recommendation

That:

1. Pursuant to Section 34(1) (a) of the former provisions of the Land Use Planning and Approvals Act 1993, The Council resolve to initiate an amendment to the Hobart Interim Planning Scheme 2015 to amend the Light Industrial Zone Use Table by removing the qualification to ‘Food services’, and inserting ‘Resource processing’ with the qualification ‘If for food and beverage production’ in the discretionary section of the table, as detailed in Attachment B.

2. Pursuant to Section 35 of the former provisions of the Land Use Planning and Approvals Act 1993, the Council certify that the amendment to the Hobart Interim Planning Scheme 2015 PSA-19-4 meets the requirements of Section 32 of the former provisions of the Land Use Planning and Approvals Act 1993 and authorise the General Manager and the Deputy General Manager to sign the Instrument of Certification (Attachment C).

3. Pursuant to Section 38 of the former provisions of the Land Use Planning and Approvals Act 1993, the Council place Amendment PSA-19-4 to the Hobart Interim Planning Scheme 2015 on public exhibition for a 28 day period following certification.

4. Background

4.1. The amendment application has been submitted on behalf of a landowner in the Light Industrial Zone who intends to develop a food and beverage production/food services use, however there is no application for use or development as part of this amendment.

4.2. A site specific qualification or rezoning option to allow for these uses on a single site was considered, however it was determined that a change to the use table over the whole zone was most appropriate.
**Existing Situation**

4.3. Land subject to the Light Industrial Zone is located in North Hobart, and is adjacent to areas zoned Inner Residential, General Business, Commercial, Urban Mixed Use and Open Space, as well as some major roads zoned Utilities. The zone covers land fronting sections of Burnett, Argyle and Federal Streets.

4.4. The zone lies generally north of the Commercial Zone, and west of the North Hobart restaurant strip (zoned General Business). The area is shown in Figure 1 below:

![Zoning map showing Location of Light Industrial Zone (pink), Inner Residential Zone (maroon), General Business Zone (blue), Urban Mixed Use Zone (grey), Commercial Zone (lilac), Open Space Zone (dark green) and Utilities Zone (yellow).](image)

4.5. The zone currently includes a mix of uses, such as manufacturing and processing, service industry, food services (café), bulky goods sales, general retail and hire, vehicle fuel sales and service and residential.

**Planning Scheme Provisions**

4.6. The Zone Purpose Statements for the Light Industrial Zone are:
To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of other uses.

To promote efficient use of existing industrial land stock.

To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.

To ensure that building design and form enhances the streetscape and protects the amenity of the neighbourhood.

4.7. Within the Light Industrial Zone, the following uses are allowable:

**No Permit Required**
- Any permitted use if replacing an existing use with no development
- Natural and cultural values management
- Minor utilities

**Permitted**
- Equipment and machinery hire
- Manufacturing and processing
- Service industry
- Storage

**Discretionary**
- Educational and occasional care (if employment training centre)
- Emergency services
- Food services (if take away food premises or café)
- General retail and hire (if existing)
- Passive recreation
- Research and development
- Residential (if caretakers dwelling, ancillary dwelling or extension to existing dwelling)
- Sports and recreation
- Transport depot and distribution
- Utilities
- Vehicle fuel sales and service

4.8. The impact of uses within the zone are addressed by standards that control the hours of operation, noise emissions, external lighting, commercial vehicle movements and outdoor work areas near a residential zone.

4.9. Development standards control the form of buildings, and set a maximum permitted height of 8.5m. Permitted frontage setbacks are
tailored to different streets, ranging from 0m-3m. Building design is required to contribute positively to the streetscape and allow for passive surveillance. Landscaping, fencing and the location of outdoor storage areas are also considered.

4.10. The minimum permitted lot size in the zone is $500m^2$, with a 10m frontage.

**Tasmanian Planning Scheme**

4.11. The Light Industrial Zone under the State Planning Provisions (SPPs) of the Tasmanian Planning Scheme allows for food services as an unqualified discretionary use, and resource processing as a discretionary use where it relates to food and beverage production.

4.12. The proposed Hobart Local Provision Schedule (LPS) includes a Specific Area Plan for the Light Industrial Zone, as the area in Hobart covered by this zone is unique in context given its relatively small lot sizes and proximity to residential land.

4.13. In line with the SPPs, the LPS Specific Area Plan also proposes food services and food and beverage production as discretionary uses.

4.14. The Hobart LPS was endorsed by Council on 18 February 2019, and is currently being assessed by the Tasmanian Planning Commission (TPC).

4.15. The Tasmanian Planning Scheme will not come into operation in Hobart until the LPS has been approved by the TPC.

5. **Proposal and Implementation**

5.1. The proposal is to amend the Light Industrial Zone Use Table of the *Hobart Interim Planning Scheme 2015* (HIPS 2015) by removing the qualification to food services, and inserting ‘resource processing’ with the qualification ‘if for food and beverage production’ in the discretionary section of the table.

**Justification – Applicant’s Submission**

5.2. The applicant considers that the requested amendment is justified for the following reasons:

5.2.1. The uses proposed to be introduced will be allowable uses upon the introduction of the Tasmanian Planning Scheme, as the SPPs include these uses as discretionary in the Use Table for the Light Industrial Zone.

5.2.2. The Hobart LPS, which includes a Specific Area Plan for the Light Industrial Zone, also intends to allow for unqualified food service uses and resource processing (limited to food and beverage production).
5.2.3. Council has already endorsed the LPS, including the use table for the Light Industrial Zone Specific Area Plan, indicating this is the intended future planning direction for the zone.

5.2.4. Future use and development in the zone will still be required to meet the use and development standards of the zone and any applicable codes.

5.2.5. The proposed amendment is consistent with the zone purpose statements.

5.2.6. Expanding the allowed uses in the zone will bring the existing Light Industrial Zone in Hobart into greater alignment with the SPPs.

5.2.7. Amendment of the use table is considered the most appropriate method to allow for food and beverage processing and food services, as site-specific departures from the zone provisions are not desirable in the planning scheme, and rezoning a single site would change the overall purpose of that site, which is not intended.

5.2.8. Given the SPPs have been passed with these uses discretionary in the Light Industrial Zone use table, it is considered that they have been assessed as being capable of avoiding potential for land use conflicts with use and development permissible in adjacent areas, in accordance with S32(1)(e) of LUPAA.

5.2.9. As the uses will be discretionary, the planning authority will have control over the introduction of the uses in the zone. The development controls established under the zone and applicable codes will ensure external impacts of the proposed use avoid the potential for land use conflict in the adjacent area.

5.2.10. If the capacity of a resource processing use were to exceed volumes established under Schedule 2 of the *Environmental Management and Pollution Control Act 1994*, the use would be referred to the Environmental Protection Agency to assess impacts.

5.2.11. The amendment is considered to further the objectives in Schedule 1 of LUPAA, in particular that it:

- Has minimal impacts on ecological processes and genetic diversity;
- Provides for the fair, orderly, and sustainable use of land as the uses are appropriate to the zone and will be subject to appropriate use and development standards;
- Will facilitate economic development as it allows diversification of use and therefore development of new businesses that maintain the character of the area;
- Is considered to generate positive economic outcomes without causing negative environmental or social impacts;
- Is consistent with State Policies and will not conflict with neighbouring planning schemes;
- Provides an additional option for a working environment that is close to transport, open space and retail;
- Reflects the capacity of the land in a zone that is well serviced and within easy access of public infrastructure.

5.2.12. The amendment is consistent with the strategic directions of the Southern Tasmania Regional Land Use Strategy (STRLUS), in that it relates to the effective utilisation of land that has ready access to existing social and physical infrastructure, and it supports economic growth, job creation and liveability.

5.2.13. The amendment supports the STRLUS regional policy specifically relating to industrial activity, in that it manages well-sited industrial land that is relatively flat and has easy access to major transport routes and physical infrastructure and is not subject to any environmental overlays.

5.2.14. The amendment supports the STRLUS regional policy relating to activity centres in that it provides for diversity of use and employment in the primary activity centre, encouraging in-centre development and strengthening the local community.

5.2.15. The amendment is consistent with the *Southern Tasmania Industrial Land Strategy 2013* in that it does not result in additional industrial land supply, but allows for efficient and compatible use of existing well-serviced industrial land that has specific provisions relating to the protection of surrounding residential amenity.

**Justification – comment**

5.3. The applicant has submitted some valid reasons in support of the changes to the use table.

5.4. Food and beverage production and food services within the Light Industrial Zone in the Hobart context are considered to be appropriate uses. This is reflected by the fact that both of these uses are discretionary under the SPPs, and the proposed Specific Area Plan for
the Light Industrial Zone under Hobart’s LPS. The LPS has been endorsed by Council and is currently under review by the TPC.

5.5. Food and beverage production is a use within the resource processing use class. This is currently a prohibited use class in the zone, as many operations within this class have the capacity for significant off-site impacts (e.g. abattoir, animal saleyard, sawmilling).

5.6. Food and beverage production uses such as small scale distilling, winemaking or food production could be appropriate in the zone, with discretion.

5.7. Higher impact food and beverage production uses may be less appropriate given the proximity to residential areas, but are likely to be required to go through assessment as a Level 2 activity under the Environmental Management and Pollution Control Act 1994 (EMPCA) if they are of a significant size. For a brewery or distillery, this would include operations with the capacity to consume 100 kilolitres or more of water in a working day of 8 hours. For food production, this would include operations with a processing capacity of 50kg per hour or batch.

5.8. Manufacturing and processing, which can include operations such as brick making, cement works, furniture making, glass manufacturing and metal and wood fabrication, is currently an unqualified permitted use class in the Light Industrial Zone. It is considered that processing of food and beverages are likely to be of no greater impact than manufacturing and processing uses.

5.9. Food services is a general use class that includes any operation that prepares or sells food or drink for consumption on or off the premises, such as café, restaurant and take-away food premises.

5.10. Food services is allowable either as permitted or discretionary in all zones adjoining the Light Industrial Zone, although in the Inner Residential Zone it is limited to where the use is located in a building that has previously been used for commercial purposes. This indicates the use is considered to be potentially compatible with all surrounding land uses.

5.11. Take away food premises and cafes are already discretionary in the zone, and providing discretion for other uses in the use class (such as a restaurant) is considered to be similarly appropriate. The practical difference between a restaurant and a café is likely to be formality and hours of operation. Given there are use standards relating to hours of operation near residential zones (permitted standard of 7.00am to 7.00pm during weekdays, 9.00am to 5.00pm during Saturdays and nil Sundays and Public Holidays), a restaurant use will likely require discretionary assessment around its site-specific impacts.

5.12. The Light Industrial Zone currently abuts the General Retail Zone in North Hobart (which is primarily a restaurant strip) in two locations. The
adjacency of light industrial uses to food services uses does not appear to have caused any significant issues to date.

5.13. Food and beverage production and food services are considered to be compatible with the current permitted and discretionary uses in the zone, and the existing operating uses in the zone.

5.14. Potential off-site impacts of the proposed uses could include noise, odour and traffic impacts. Some of these impacts are controlled by the Environmental Management and Pollution Control Act 1994, and are no more likely to be problematic than other permitted or discretionary uses in the zone. Traffic and parking issues (for example relating to a restaurant use) would be assessed at the development application stage, and would be dependent on the location and size of any proposed operation.

5.15. There are comprehensive use standards under the zone that control issues such as hours of operation, noise emissions, external lighting, commercial vehicle movements and outdoor work areas near a residential zone.

5.16. The proposed additional uses are considered to be capable of meeting each of the Light Industrial zone objectives, and any off-site impacts are able to be mitigated by provisions in the zone. The amendment is therefore considered to be appropriate.

6. Strategic Planning and Policy Considerations

6.1. The proposed amendment is consistent with the objectives of the Capital City Strategic Plan 2019-29, in particular with the following outcomes:

   6.1.1. Hobart keeps a strong sense of place and identity, even as the city changes;

   6.1.2. In City decision-making, we consider how different aspects of Hobart life connect and contribute to sense of place;

   6.1.3. Hobart’s economy reflects is unique environment, culture and identity;

   6.1.4. People have a range of opportunities to participate in the economic life of the city;

   6.1.5. Hobart is a place where entrepreneurs and businesses can grow and flourish;

   6.1.6. Hobart’s economy is strong, diverse and resilient.

7. Financial Implications

7.1. Funding Source and Impact on Current Year Operating Result
7.1.1. None.

7.2. Impact on Future Years' Financial Result

7.2.1. None.

7.3. Asset Related Implications

7.3.1. None.

8. Legal, Risk and Legislative Considerations

8.1. The *Land Use Planning and Approvals Act 1993* (LUPAA) requires that planning scheme amendments must seek to further the Objectives of Schedule 1 of the Act and be prepared in accordance with the State Policies.

8.2. The Objectives of LUPAA require use and development to occur in a fair, orderly and sustainable manner and for the planning process to facilitate economic development in accordance with the other Schedule 1 Objectives.

8.3. It is considered that the proposed amendment meets the Objectives of LUPAA, in particular it:

8.3.1. Does not compromise natural resources or ecological processes and encourages well serviced land with easy access to public infrastructure to be effectively utilised;

8.3.2. Assists sound strategic planning by not prejudicing the achievements of the relevant Zone Objectives or the STRLUS objectives;

8.3.3. Allows for diversification of use in the area, supporting economic development;

8.3.4. It is consistent with the objective to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;

8.3.5. considers the provision of a pleasant, efficient and safe environment for residents and visitors to Hobart,

8.3.6. considers the capability of the zone, and allowable uses that are likely to have minimal land use conflict with surrounding uses.

8.4. No State Policies are directly relevant to the proposed amendments.

8.5. S32(e) of the former provisions of LUPAA requires that planning scheme amendments must, as far as practicable, avoid the potential for
land use conflicts with use and development permissible under the planning scheme applying to the adjacent area. This amendment is considered to be appropriate in the context of the provisions for surrounding zones. It is not adjacent to any areas controlled by a different planning scheme.

8.6. S32(f) of the former provisions of LUPAA requires that planning scheme amendments must have regard to the impact that use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms. The proposed amendment supports the diversification of businesses in the primary activity centre. It is not considered to have any direct environmental impacts, and supports economic growth and liveability by providing for diversity of services that are appropriate for their location.

8.7. S30O of LUPAA requires that an amendment to an interim planning scheme is as far as practicable consistent with the regional land use strategy. It is considered that the amendment is consistent with the strategy in that it:

8.7.1. Encourages diversity of use on well serviced land close to existing infrastructure and transport;

8.7.2. Supports economic development and employment, promoting Hobart as the primary activity centre;

8.7.3. Manages industrial land in an area that is flat and well located in terms of physical infrastructure;

8.7.4. Allows for development of industrial land that minimises regional environmental impacts;

8.7.5. Encourages an appropriate mix of uses.

9. Environmental Considerations

9.1. The proposed amendment is not considered to have any significant environmental impacts.

10. Social and Customer Considerations

10.1. The proposal is not considered to have any negative impact on social inclusion.

11. Marketing and Media

11.1. There are no marketing or branding implications of this amendment.
12. Community and Stakeholder Engagement

12.1. The Council has requested that reports which recommend the initiation of planning scheme amendments address the need to conduct a public meeting or forum to explain the proposed amendments and also outline the explanatory information to be made available. These are addressed below:

12.1.1. It is not considered that a public forum is necessary to explain the proposed amendment to the public as it is relatively simple and self-explanatory.

12.1.2. The following information will be made available on the website: a copy of this report, a copy of the formal amendment document and the applicant’s submission.

13. Delegation


As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Sarah Crawford
DEVELOPMENT PLANNER

James McIlhenny
MANAGER PLANNING POLICY & HERITAGE

Neil Noye
DIRECTOR CITY PLANNING

Date: 5 November 2019
File Reference: F19/138994; PSA-19-4

Attachment A: Applicant's Submission
Attachment B: Amendment Document
Attachment C: Instrument of Certification
PLANNING REPORT

FOR SOLUTIONSWON GROUP PTY LTD

Light Industrial Zone Planning Scheme Amendment

October 2019
TABLE OF CONTENTS

Executive Summary ............................................................................................................. 4
1 Introduction .................................................................................................................. 5
2 The Proposal................................................................................................................ 9
3 Policy Assessment ....................................................................................................... 16
4 Relevant Issues........................................................................................................... 25
5 Conclusion .................................................................................................................. 27

Appendix A - Draft Light Industrial Zone Specific Area Plan
Executive Summary

This report has been prepared in support of a Section 33 application under the Land Use Planning and Approvals Act 1993 (former Provisions) for a proposed amendment to the Hobart Interim Planning Scheme 2015. The application is to be lodged with the Hobart City Council for assessment.

Section 33 of the Land Use Planning and Assessment Act 1993 (former provisions) allows for a request to be made to a planning authority to amend a planning scheme administered by it.

The proposed scheme amendment involves an amendment to the Use Table of the Light Industrial Zone to allow ‘Resource processing (if for food and beverage production)’ and ‘Food services’ uses in the zone.

It is submitted that the proposed amendment ought to be considered under Section 33 of the Land Use Planning and Approvals Act 1993 (former provisions) on the basis that it is consistent with the requirements of Section 33 and the objectives of the Act.
1 Introduction

JMG Engineers and Planners have been engaged by SolutionsWon Group Pty Ltd to prepare an application on their behalf. This report has been prepared in support of a proposed amendment to the Hobart Interim Planning Scheme 2015 under Section 33 of the Land Use Planning and Approvals Act 1993 (former provisions), lodged with the Hobart City Council for assessment. The proposal is an amendment to the use table of the Light Industrial zone to allow for ‘Resource processing (if for food and beverage production)’ and ‘Food services’.

1.1 Zone Location & Context

The Light Industrial zone of the Hobart Interim Planning Scheme 2015 is located in in North Hobart (Figure 1). The zone is on the northern edge of the Hobart Commercial zone and south of the North Hobart Sports Ground. The Elizabeth Street restaurant area is located to the west of the zone with the Brooker Highway to the east. The zone is generally located in one area but is somewhat disconnected by a few parcels in the Utilities and Inner Residential zones.

Figure 1 - Location

The Light Industrial zone primarily adjoins the Inner Residential zone (Figure 2). There is also connection to the Urban Mixed Use, General Business and Utilities zones, with the Hobart CBD Commercial zone located directly south.
1.2 Draft Hobart Local Provisions Schedule

The draft Hobart Local Provisions Schedule (‘Hobart LPS’) has been prepared by the Hobart City Council. The Hobart LPS was considered at a General Council meeting on 12 February 2019. The Hobart LPS establishes a Specific Area Plan for the Hobart Light Industrial zone. The SAP is included as Appendix A.

The Hobart Light Industrial Zone Specific Area Plan was introduced to ensure the continued operation of the existing variety of uses within this zone. The SAP area is considered to have an unusual historically established Light Industrial Zone area, largely surrounded by residential zones.

The Light Industrial Zone SAP allows for Food services as a discretionary use, without qualification, and for Resource processing, if for food and beverage production. The current proposed amendment seeks to allow those uses under the current Planning Scheme.

The purpose of the Light Industrial Zone SAP is stated in the Planning Report submitted at the meeting and the supporting documentation1 for the Hobart LPS stated:

7.5 Hobart Light Industrial Zone Specific Area Plan

The Hobart Light Industrial Zone Specific area plan is a new SAP. The purpose of the SAP is to accommodate the existing operation of the light industrial areas in North Hobart. These areas are not representative of a usual industrial estate given the relatively small land size and location in close

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proximity to residential zones. As such, the range of permitted and discretionary uses provided for in the SPP zone is not appropriate for this area. The specific area plan substitutes the SPP use table and prohibits more intensive uses such as port and marine, transport depot and distribution, crematoria and cemeteries, domestic animal breeding boarding and training and recycling and waste disposal. No changes are proposed to the SPP use and development standards.

There is no other SPP zone that would be a better fit for this area and as such a Specific Area Plan is required for Hobart’s existing Light industrial area to support the unique character of the area. The provisions within the SAP are a translation of existing provisions in the Light Industrial Zone in the HIPS2015.

It is therefore considered that in accordance with clause 32(4)(b), the Light Industrial Zone has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

The following recommendations were made at the Council meeting:

That Council:

1. Resolves that it is satisfied that the draft Hobart Local Provisions Schedule (Attachments A and B) meets the Local Provisions Schedule criteria prescribed in Section 34 of the Land Use Planning and Approvals Act 1993.

2. Endorses the draft Hobart Local Provisions Schedule (Attachments A and B) and the Hobart Local Provisions Schedule Supporting Report (Attachment E) for submission to the Tasmanian Planning Commission under Section 33(1) of the Land Use Planning and Approvals Act 1993.

3. DELEGATE under Section 6 of the Land Use Planning and Approvals Act 1993, the following powers and functions to the Director City Planning:
   a) Modify the draft Hobart Local Provisions Schedule if a notice is received from the Tasmanian Planning Commission under Section 35(5)(b) of the Land Use Planning and Approvals Act 1993, or agree to such modifications being undertaken by the Tasmanian Planning Commission under Section 35(5)(c); and
   b) Exhibit the draft Hobart Local Provisions Schedule in accordance with Section 35C and 35D of the Land Use Planning and Approvals Act 1993.

4. Endorse the notification of individual property owners affected by the matters detailed in Section 9.3 of this report about the exhibition of the draft Hobart Local Provisions Schedule.

The Hobart City Council resolved to endorse the draft Hobart Local Provisions Schedule for submission to the Tasmanian Planning Commission under Section 35(1) of the Land Use Planning and Approvals Act 1993 (‘the Act’) on 12 February 2019. The draft Hobart Local Provisions Schedule (‘Hobart LPS’) is considered to comply with Section 34 of the Act meaning that it meets the criteria for a Local Provisions Schedule including:

(a) contains all the provisions that the SPPs specify must be contained in an LPS; and
(b) is in accordance with section 32; and
(c) furthers the objectives set out in Schedule 1; and
(d) is consistent with each State policy; and
(e) satisfies the relevant criteria in relation to the TPPs; and
(f) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and
(g) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993 , that applies in relation to the land to which the relevant planning instrument relates; and
(h) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning Instrument relates; and
(i) has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

The Committee resolution was supported by all Councillors with no objections.
It is reasonable to deduce that the proposed amendment to the use table of the Light industrial zone of the current Hobart Interim Planning Scheme 2015 meets the requirements of section 34 of the Act, given that it is per the Hobart LPS for Resource Processing and Food services uses.

The proposed amendment introduces allowable uses established under Specific Area Plan S5 - Hobart Light Industrial Zone of the Hobart LPS. This approach ensures that there will be consistency with the future Tasmanian Planning Scheme.
2 The Proposal

2.1 Scheme Amendment

The proposed amendment is a change to the Use Table of the Light Industrial zone of the Hobart Interim Planning Scheme 2015. The change would apply to all Light Industrial zoned land located in the Hobart municipality. Resource processing would be added as a qualified ‘discretionary’ use. Food services would be expanded as an unqualified ‘discretionary’ use.

The definitions of ‘Food services’ and ‘Resource processing’ are as follows:

<table>
<thead>
<tr>
<th>Food services</th>
<th>use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource processing</td>
<td>use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.</td>
</tr>
</tbody>
</table>

Table 8.2, Hobart Interim Planning Scheme 2015

The amendment will have no impact on the zoning or overlay maps of the Hobart Interim Planning Scheme 2015.

The purpose behind the amendment is to enable additional uses in the Light Industrial zone that are currently prohibited. The uses will be allowable uses upon the introduction of the Tasmanian Planning Scheme.

Future use and development in the Light Industrial zone would still be required to meet the existing use and development standards of the Light Industrial Zone and any applicable Codes.

Expanding the allowed uses in the Light Industrial zone will bring the existing zone use into greater alignment with the State Planning Provisions.

The proposed amendment is as follows:

24.2 Use Table

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<thead>
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<tr>
<td>Use Class</td>
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<tr>
<td>Any permitted use</td>
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<tr>
<td>Natural and cultural values management</td>
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<tr>
<td>Utilities</td>
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</tbody>
</table>

<table>
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<th>Permitted</th>
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<td>Use Class</td>
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<td>Equipment and machinery sales and hire</td>
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<td>Manufacturing and processing</td>
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<tr>
<td>Use Class</td>
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<td>Research and development</td>
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<td>Resource processing</td>
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<td>Sports and recreation</td>
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<tr>
<td>Transport depot and distribution</td>
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<tr>
<td>Utilities</td>
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<tr>
<td>Vehicle fuel sales and service</td>
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### Prohibited

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<th>Qualification</th>
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2.2 Consideration of Alternative Forms of Amendment

Site-Specific Qualification

Initially, a site-specific qualification was considered to be the most appropriate form of amendment as global changes to the provisions of the Light Industrial zone would normally require greater analysis than is achievable based on a single development site. However, the endorsement of the Hobart LPS provides a strong justification for the proposed use amendments as this is the future planning direction for the Hobart municipality. The proposed changes have already been assessed by the Hobart City Council as being compliant with sections 34 and 35 of the Act. It is also noted that site-specific departures from the zone provisions are not desirable in the planning scheme.

Rezoning

Rezoning of one site suitable for Resource processing for food or beverage production was considered as an alternative amendment. This would change the allowable uses on the site. However, it would also change the purpose of the site, which is not the desired outcome. Changing the zoning would alter more than one use allowed onsite. This is not considered necessary or desirable. Therefore, rezoning is not considered appropriate.

2.3 Consideration of Potential Land Use Implications

In accordance with section 32(1)(e) of LUPAA, the amendment must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.

The use of land for Resource processing will be a discretionary use under the Tasmanian Planning Scheme, once in force. The uses allowed under the zone have been considered capable of avoiding land use conflicts with the permissible uses in the adjoining and adjacent zones.

The proposed amendment will modify two of the use classes permissible in the zone. The amendment will introduce a Resource processing (limited to food and beverage production) as a discretionary use. The amendment also expands the Food services use such that it becomes unqualified in the zone. Being a discretionary use provides the planning authority with greater control over the introduction of the use on land zoned Light Industrial. The development controls established under the zone and applicable Codes will ensure that the external impacts of the proposed use can avoid potential for land use conflict in the adjacent area. The zone use and development provisions would still be applicable.

Were the capacity of the Resource processing to exceed the volumes established in Schedule 2 of the Environmental Management and Pollution Control Act 1994, the use would be referred to the Environmental Protection Agency to assess the impact of the development. In the case of Breweries and Distilleries, the criteria for a Level 2 Activity is the conduct of works for the production of beer by infusion, boiling or fermentation, or spirits by distillation, being works with a capacity to consume 160 kilolitres or more of water in a working day of 8 hours.

Use and development in the zone will continue to be subject to the provisions of the Light Industrial zone, outlined below.

24.3 Use Standards

Use on Light Industrial zoned land is subject to the use standards of clause 24.3 of the Planning Scheme:

- **Hours of Operation** - Restricted hours of operation for use within 100 m of a residential zone (except for office and administrative tasks):
  - 7am-7pm Monday to Friday;
- Noise - noise emissions measured at the boundary of a residential zone must not cause environmental harm within the zone:
  o No use of external amplified speakers or music;
  o Noise emissions measured at the boundary of a residential zone must not exceed the following:
    (a) 55dB(A) [L(Aeq)] between the hours of 7.00 am to 7.00 pm;
    (b) 5dB(A) above the background [L(A90)] level or 40dB(A) [L(Aeq)], whichever is the lower, between the hours of 7.00 pm to 7.00 am;
    (c) 65dB(A) [L(Amax)] at any time.
- External Lighting - external lighting must not adversely affect residential amenity:
  o External lighting within 50 m of a residential zone must be turned off between 10 pm and 6 am, except for security lighting.
  o Security lighting must be baffled to ensure no emission of light outside zone.
- Commercial Vehicle Movements - must not result in unreasonable adverse impact upon residential amenity:
  o Commercial vehicle movements within 50 m of a residential zone must be restricted to 7am to 7pm, Monday to Saturday, inclusive; and 9am to 5pm Sundays and Public Holidays.
- Outdoor Work Areas - Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone, or must be accompanied by effective acoustic screening in the intervening space.

24.4 Development Standards for Buildings and Works

Development on Light Industrial zoned land will be subject to the development controls of Clause 24.4 of the Planning Scheme:

- Building Height - the maximum permitted building height for development is 8.5 m. Council can approve higher at their discretion, provided the scale is compatible with nearby buildings, there is no unreasonable overshadowing of public space, and there is an allowance for transition in height between adjoining buildings, where appropriate. If the building is within 10 m of a residential zone then the discretion is also dependent on the building being compatible with the existing height of the residential buildings on adjoining lots in the residential zone;
- Setback - minimum 3 m except in Argyle Street, Burnett Street and on the southern side of Federal Street where minimum is 0 m and maximum is 2 m frontage setback, 3 m (or half the height of the wall) from the residential zone. Council can approve greater setback at their discretion. Frontage discretion is dependent on the compatibility with adjoining building setbacks, generally maintaining a continuous building line if evident, enhancing the site, adjoining lots and streetscape and providing adequate opportunity for parking. Setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity regarding overshadowing, overlooking, visual impact, and industrial activity.
- Design - buildings and works must provide a clearly visible main pedestrian entrance, 40% of the ground level front facade surface area to be composed of windows or door openings, no single area of blank wall more than 50% in the ground level front facade, screen mechanical plant and miscellaneous equipment, incorporate roof-top infrastructure in the roof, provide awnings if existing on the site or adjoining lots, not include security shutters over windows or doors on the frontage. Council can exercise
discretion in the requirements for building design provided they enhance the streetscape.

Walls of a building on land that adjoins the residential zone must use colours with light reflectance of 40% of below and not have openings in the walls facing the residential zone unless the line of sight is blocked by another building. There is no discretion to this criteria.

Site coverage must be no more than 50%. Council can exercise discretion for greater site coverage provided that streetscape values are protected, and unreasonable adverse impacts on residential amenity area prevented.

- **Passive Surveillance** - the building design must provide for passive surveillance for the safety of the public. The building must provide a clearly visible main pedestrian entrance that is clearly visible from the road or publicly accessible areas on the site, include windows and doors in at least 20% of the surface area of the ground floor front façade, provide windows and door openings of at least 10% in any ground floor façade that faces a public space or car park, avoid creating entrapment spaces, provide external lighting illuminating car parking areas and pathways and provide well-lit public access at the ground floor level from any external car park. Council can exercise discretion over this criteria provided they are satisfied that the building design provides for passive surveillance of public spaces.

- **Landscaping** - Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage. Council has discretion to approve landscaping that enhances the appearance of the development, provides a range of plant height and forms to create diversity, interest and amenity and does not create entrapment spaces.

Landscaping must be provided along a boundary with a residential zone for a depth of 2 m. Discretion is available provided that a landscaping or building design solution can be proved to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone.

**Part E Codes**

Use and development will be required to meet the relevant provisions of the following Codes where applicable:

- E2.0 - Potentially Contaminated Land
- E5.0 - Road and Railway Assets Code
- E6.0 - Parking and Access Code
- E7.0 - Stormwater Management Code
- E8.0 - Electricity Transmission Infrastructure Protection
- E17.0 - Signs Code

Future use and development on other sites within the Light Industrial zone may be subject to additional Codes.

**Part F Specific Area Plans**

The site is subject to the Royal Hobart Hospital Helipad Airspace Specific Area Plan. This plan includes the following development controls:

- **Building height** - no more than 100 m. This includes temporary structures and such as cranes.

Future use and development on other sites in the Light Industrial zone may be subject to other Specific Area Plans.
2.3.1 Consistency with Overarching Requirements for Planning Schemes

The requirements of Section 20 (2), (3), (4), (5), (6), (7), (8) and (9) have been considered to ensure that the amendment meets the requirements of the Act.

20. What can a planning scheme provide for?

(a) make any provision which relates to the use, development, protection or conservation of any land in the area; and

The amendment relates to the use of land in the planning scheme area.

(a) set out policies and specific objectives; and

The amendment will not change any policy of specific objective under the Planning Scheme.

(b) regulate or prohibit the use or development of any land; and

The amendment will regulate the use of land in the Light Industrial zone.

(c) designate land as being reserved for public purposes; and

(d) . . . . . . .

(e) set out requirements for the provision of public utility services to land; and (f) require specified things to be done to the satisfaction of the Commission, relevant agency or planning authority; and

(g) apply, adopt or incorporate any document which relates to the use, development or protection of land; and

(h) provide that any use or development of land is conditional on an agreement being entered into under Part 5; and

(ha) set out provisions relating to the implementation in stages of uses or developments; and

(i) provide for any other matter which this Act refers to as being included in a planning scheme; and

(j) provide for an application to be made to a planning authority to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme.

The amendment will have no impact on (e), (f), (g), (h), (ha), (i), or (j).

(3) Subject to subsections (4), (5) and (6), nothing in any planning scheme is to be taken (including by virtue of requiring a permit to be obtained) to-

(a) prevent the continuance of the use of any land, upon which buildings or works are not erected, for the purposes for which it was being lawfully used before the coming into operation of the scheme; or

(b) prevent the use of any building which was erected before that coming into operation for any purpose for which it was lawfully being used immediately before that coming into operation, or the maintenance or repair of such a building; or

(c) prevent the use of any works constructed before that coming into operation for any purpose for which they were being lawfully used immediately before that coming into operation; or

(d) prevent the use of any building or works for any purpose for which it was being lawfully erected or carried out immediately before that coming into operation; or

(e) require the removal or alteration of any lawfully constructed buildings or works; or

(f) prevent a development, which was lawfully commenced but not completed before the coming into operation of the scheme, from being completed within-

(i) 3 years of that coming into operation; or

(ii) any lesser or greater period specified in respect of the completion of that development under the terms of a permit or special permit granted before the coming into operation of the scheme.

(4) Subsections (3) and (3A) do not apply to a use of land.
(a) which has stopped for a continuous period of 2 years; or
(b) which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or
(c) in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.

(5) Subsection (3) does not apply to the extension or transfer from one part of a parcel of land to another of a use previously confined to the first-mentioned part of that parcel of land.

(6) Subsections (3) and (3A) do not apply where a use of any land, building or work is substantially intensified.

(7) Nothing in any planning scheme or special planning order affects -
(a) forestry operations conducted on land declared as a private timber reserve under the Forest Practices Act 1985; or
(b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the Mineral Resources Development Act 1995, provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or
(c) fishing; or
(d) marine farming in State waters.

(8) The coming into operation of a planning scheme or a special planning order does not legitimize a use or development which was illegal under a planning scheme or a special planning order in force immediately before that coming into operation.

(9) A planning scheme may require a use to which subsection (3) applies to comply with a code of practice approved or ratified by Parliament under an Act.

The amendment will have no impact on section 20(3), (4), (5), (6), (7), (8), or (9).

The amendment is considered to be consistent with section 20 (2), (3), (4), (5), (6), (7), (8) and (9) of LUPAA.
3 Policy Assessment

3.1 Land Use Planning and Approvals Act 1993

The Land Use Planning and Approvals Act 1993 (‘the Act’) is the principle planning Act and forms a component of the Resource Management and Planning System (RMPS).

Section 32(f) of the Act requires that a draft amendment of a planning scheme must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

Although not a specific requirement under section 32, a draft amendment is taken to be a relevant scheme [section 20(2A)] and therefore section 20(1) is applicable and the draft amendment must seek to further the objectives in Schedule 1 of the Act and be in accordance with State Policies. The objectives of Schedule 1 of the Act are considered in the following table and detail the impact of the proposal on the region in environmental, economic and social terms:

Table 1 - Schedule 1, Part 1 Objectives

<table>
<thead>
<tr>
<th>Part 1</th>
<th>Amendment Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</td>
<td>The amendment will allow for a change to the allowable uses in the Light Industrial zone. No land in the Hobart Light Industrial zone is subject to a Biodiversity Protection Area or Waterway and Coastal Protection Area. The amendment will have minimal impact with regards to ecological processes and genetic diversity and accordingly satisfies Objective (a) of Part 1.</td>
</tr>
<tr>
<td>(b) To provide for the fair, orderly and sustainable use and development of air, land and water; and</td>
<td>The proposed amendment will allow for use that is currently prohibited in the zone, but that is appropriate to the zone by virtue of its inclusion in the Hobart LPS and State Planning Provisions for the Light Industrial zone. Any future development will be required to comply with the existing provisions of the Planning Scheme applicable to the zone. Accordingly, the amendment is considered to further Objective (b) of Part 1.</td>
</tr>
<tr>
<td>(c) to encourage public involvement in resource management and planning; and</td>
<td>A public notification period will be conducted in accordance with the requirements of the Land Use Planning and Approvals Act 1993.</td>
</tr>
<tr>
<td>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</td>
<td>The diversification of use in the zone will allow for the development of new business in the area and maintain the existing character of the area. Any future development in the zone will be undertaken in accordance with objectives set out in (a), (b) and (c).</td>
</tr>
<tr>
<td>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</td>
<td>The amendment process is demonstrative of the sharing of responsibility for planning.</td>
</tr>
</tbody>
</table>

Light Industrial Zone PSA - October 2019
<table>
<thead>
<tr>
<th>Part 2</th>
<th>Amendment Response</th>
</tr>
</thead>
</table>
| (a) to require sound strategic planning and coordinated action by State and local government; and | The proposal has been considered against the Southern Tasmania Regional Land Use Strategy (refer to Section 1.3).  
The amendment incorporates the draft Hobart LPS uses allowed in the Light Industrial zone ensuring consistency with local government. |
| (b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and | The amendment contributes to the establishment of a planning scheme that sets controls for use and development. |
| (c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and | No land in the Hobart Light Industrial zone is subject to a Biodiversity Protection Area. Any future development will be required to meet the same development standards currently in place, including those provisions that consider the effect on the environment.  
The use of land in the Light Industrial zone for Resource processing and Food services will provide new business opportunities.  
Future use will be required to maintain residential amenity in line with the use and development controls of the zone thereby, minimising any social impact.  
The proposed amendment is considered to generate positive economic outcomes without causing negative environmental or social impacts. The proposal is therefore considered to further Objective (c) of Part 2. |
| (d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and | The amendment is consistent with State Policies and municipal policy. The amendment will not conflict with neighbouring planning schemes.  
The amendment is consistent with Objective (d) of Part 2. |
| (e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and | The amendment will not affect the attainment of this objective. |
| (f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and | The use in the zone will provide an alternative option for a working environment to line with the purpose of the zone. The location of the zone is close to transport, open space and retail options, adding to the pleasant and efficient nature of the working environment. |
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

Currently no land or building in the Light Industrial zone is subject to a heritage place or precinct. Any site in the Light Industrial zone that is subject to "those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value" will be required to meet the relevant provisions of the Historic Heritage Code and the applicable provisions of the Aboriginal Relics Act 1975 and the Historic Cultural Heritage Act 1995.

It is considered that the proposal is consistent with objective (f) of Part 2.

(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and

The zone is located with easy access to public infrastructure. The area of land zoned Light Industrial in the Hobart municipality is generally well serviced with physical infrastructure. It is not considered a limiting factor in terms of the proposed uses.

The proposal is therefore considered to be consistent with objective (h) of Part 2.

(i) to provide a planning framework which fully considers land capability.

The zone provides for limited industrial use whilst maintaining residential amenity on adjoining and nearby residential land. The State Planning Provisions have added resource processing as a discretionary use within the zone. Therefore, this amendment is considered to improve the existing planning framework to allow for use that the land is capable of supporting.

The amendment proposed is considered to be consistent with objective (i) of Part 2.

### 3.2 State Policies

The Light Industrial zone in Hobart is not located within the Coastal Zone and is therefore not subject to the State Coastal Policy 1996.

The land zoned Light Industrial is subject to the State Policy on Water Quality Management 1997, however there are existing provisions within the Hobart Interim Planning Scheme 2015 to ensure that any future use and development on the land is consistent with this policy.

The land zoned Light Industrial is not considered agricultural land for the purposes of the State Policy on the Protection of Agricultural Land 2009 (PAL), nor is it located near agricultural land.

Natural Environment Protection Measures (NEPMs) are automatically adopted as state policies under section 12A of the State Policies and Projects Act 1993. The Hobart Interim Planning Scheme 2015 provides provisions relating to site contamination assessment, noise issues, and water quality to ensure that any future use and development on the land is consistent with this policy.

### 3.3 Southern Tasmania Regional Land Use Strategy 2010-2035

Section 30Q(1) (LUPAA, former provisions) requires that all interim planning schemes be consistent with and likely to further the objectives and outcomes of the applicable regional land use strategy, where practicable.

The Southern Tasmania Regional Land Use Strategy 2010-2035 ("the Strategy") is a regional level policy document providing policies and strategies to guide future land use and development of Southern Tasmania. The document is principally intended to inform the
development of interim planning schemes within the region. Any amendments to local
provisions of a planning scheme are required to be consistent with the Strategy.

The key strategic considerations under the Strategy with respect to the current proposal are
discussed in this section of the report.

3.3.1 Strategic Direction 1: Adopting a More Integrated Approach to
Planning and Infrastructure

Strategic Direction 1 of the STRULLS states:

SD1: Adopting a more Integrated Approach to Planning and Infrastructure Land use planning
identifies where different uses are and ought to be located:

houses, shopping centres, industrial areas, schools and hospitals. Different land uses generate
different demands on both social and physical infrastructure systems and their relative
locations are a key component in managing infrastructure supply and demand.

By better integrating land use and infrastructure planning, we can ensure that new
development makes use of excess capacity in existing infrastructure, rather than creating
demand for new infrastructure in unserviced areas. Many infrastructure related problems
could be avoided or minimised by locating new development so as to maximise the use of
existing infrastructure in the short-medium term, and new infrastructure in the longer term.

The proposed uses would be located on land that is serviced by existing social and physical
infrastructure. Using this land for the proposed use would mean that it will be located in a
well serviced area. The amendment is considered to align with Strategic Direction 1.

3.3.2 Strategic Direction 3: Creating a Network of Vibrant and Attractive
Activity Centres

Activity centres are places where we work, shop, meet, relax and live. The recognition,
protection and strengthening of a network of interconnected activity centres across the region
aims to:

• Provide a strong basis for economic growth;
• Create opportunities for the more efficient and balanced concentration of goods and
  services;
• Increase the potential for the exchange of ideas and other synergies among businesses, and
  for new job creation;
• Provide an important focus for communities by increasing opportunities for social
  interaction;
• Make the most of the community’s investment in physical and social infrastructure; and
• Provide greater opportunities for integrating land use with transport, particularly public
  transport, and walking/cycling.

The Activity Centre Network demonstrates how activity centres can logically form a
complementary network providing the population with reasonable access to necessary
facilities and services.

The proposed amendment will add new uses to the activity area providing a workplace that will
contribute to economic growth, facilitate job creation, can connect to existing infrastructure
and can take advantage of multiple transport options. The amendment is considered to align
with Strategic Direction 3.
3.3.3 Strategic Direction 10: Creating Liveable Communities

SD10 of the Strategy acknowledges the importance of livability for cities and regions. Liveable environments are considered to be characterised as:

...attractive, safe, accessible to people with disabilities and provide a high standard of amenity through such things as public transport, well designed open spaces, access to education and health services, recreational opportunities, air and water quality. The unique identity of a community defined by cultural development, landmarks, urban design, the developing local economy and the natural landscape are also important to how liveable a place is. (pg.20).

Future business allowed under the proposed uses provide employment within the Hobart City area. The zone is located close to public open space and public transport options. The amendment is considered to be in accordance with the Strategy and Strategic Direction 10.

3.3.4 Regional Policies: Physical Infrastructure

Part 12.5 (Pl 1) requires a strategic approach to infrastructure be adopted, including efficient use of existing infrastructure and planning new infrastructure with consideration of projected future demand.

The zone is generally well serviced with physical infrastructure. No new infrastructure is proposed.

3.3.5 Regional Policies: Land Use and Transport Integration

Part 13.5 (LUTI 1) requires consideration be given to the integration of transport infrastructure with land use. Regional Policy LUTI 1 of the STRLUS states:

- **LUTI 1 Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.**
- **LUTI 1.1 Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.**
- **LUTI 1.11 Encourage walking and cycling as alternative modes of transport through the provision of suitable infrastructure and developing safe, attractive and convenient walking and cycling environments.**

The location of the zone is within a primary activity centre with excellent access to transport options (LUTI 1.1). The site is accessible by a variety of transport modes (LUTI 11.1).

3.3.6 Regional Policies: Industrial Activity

Regional Policy IA 1 of the STRLUS states:

- **IA 1 Identify, protect and manage the supply of well sited industrial land that will meet regional need across the 5, 15 and 30 year horizons.**
- **IA 1.1 Ensure industrial land is relatively flat and enables easy access to major transport routes, other physical infrastructure such as water, wastewater, electricity and telecommunications.**

The existing industrial land is flat and has easy access to major transport routes and other physical infrastructure (IA 1.1).

Regional Policy IA 3 of the STRLUS states:

- **IA 3 Ensure industrial development occurs in a manner that minimises regional environmental impacts and protects environmental values.**
- **IA 3.1 Take into account environmental values and the potential environmental impacts of future industrial use and the ability to manage these in the identification of future industrial land.**
The zone is not subject to Biodiversity Protection Area or Waterway and Coastal Protection Area overlays. Any external impacts from the uses will be managed through development controls, protecting the regional environmental values (IA 3.1).

3.3.7 Regional Policies: Activity Centres

Regional Policy AC1 of the STRLUS states:

- **AC 1.1** Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.
- **AC 1.2** Implement the Activity Centre Network through the delivery of retail, commercial, business, administration, social and community and passenger transport facilities.
- **AC 1.3** Discourage out-of-centre development by only providing for centre development within planning schemes.
- **AC 1.4** Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.
- **AC 1.5** Encourage an appropriate mix of uses in activity centres to create multi-functional activity in these centres.
- **AC 1.6** Ensure that new development and redevelopment in established urban areas reinforce the strengths and individual character of the urban area in which the development occurs.
- **AC 1.10** Activity centres should encourage local employment, although in most cases this will consist of small scale businesses servicing the local or district areas.

The amendment will allow for additional uses in the Light Industrial zone, providing employment in a primary activity centre in an area with good transport links and nearby public open space (AC1). The additional uses will encourage in-centre development (AC1.3). The new uses will provide an opportunity to strengthen the local community through employment opportunities and economy generating activity (AC1.4). The amendment will increase the mix of uses appropriate to the zone within the primary activity centre adding to the multi-functional activity in the centre (AC 1.6). Any redevelopment of land in the zone will be in line with the requirements of the Light Industrial zone ensuring the character of the urban area is maintained (AC 1.8). The amendment will allow for additional uses that can facilitate local employment through small scale business (AC 1.10).

- **AC 3.1** Evolve Activity Centres focusing on people and their amenity and giving the highest priority to creation of pedestrian orientated environments.
- **AC 3.1** Actively encourage people to walk, cycle and use public transport to access Activity Centres.

The Light Industrial zone in Hobart is located nearby multiple transport options encouraging multi-modes of transport (AC 3.1).

3.4 Southern Tasmania Industrial Land Strategy

The Southern Tasmania Industrial Land Strategy was prepared in 2013 to plan for sufficient industrial land in Southern Tasmania to accommodate future economic growth and to allow for sustainable urban growth patterns, for the next 15 to 30 years.

The strategy states that to provide a sustainable path for urban grown, planning for industrial land should ensure:

- Supply of industrial land does not outpace demand (which may result in inefficient land use)
- Conservation and heritage values of land are properly considered
- Sensitive uses, such as residential, are not significantly adversely impacted
- Industrial land is used efficiently and effectively
- Usage of existing infrastructure is optimised before expanding the capacity of roads, power, water, sewage and internet infrastructure.

The amendment will not result in any additional industrial land supply. Currently no heritage places or precincts are identified within the zone, however there are heritage precincts adjoining land within the zone. Conservation of heritage values will occur through the application of the Historic Heritage Code and relevant Acts. The amenity of residential use is protected through the use standards of the Light Industrial zone. The amendment provides for additional compatible uses in the zone to increase the effective use of the industrial land. The zone has access to existing infrastructure and can be connected into those systems.

### 3.5 Hobart Interim Planning Scheme 2015

The Hobart Interim Planning Scheme 2015 is the relevant planning instrument at present. It is anticipated that it will be superseded by the Tasmanian Planning Scheme within the next 12-24 months.

The land is zoned ‘Light Industrial’ under the current scheme.

The ‘Planning Scheme Purpose and Objectives’ under Part A of the Scheme are addressed in the next subsection of this report.

#### 3.5.1 Planning Scheme Purpose and Objectives

The Planning Scheme’s ‘Purpose and Objectives’ are set out in Part A of the Scheme. The following extracts are considered relevant to the current application.

2.1 Planning Scheme Purpose

| (a) | To further the Objectives of the Resource Management and Planning System and of the Planning Process as set out in Parts 1 and 2 of Schedule 1 of the Act; and |
| (b) | To achieve the planning scheme objectives set out in clause 3.0 by regulating or prohibiting the use or development of land in the planning scheme area. |

The proposed amendment is consistent with the objectives of the Planning System and Planning Processes as set out in Schedule 1 of the Act. The proposal is consistent with the objectives of the Planning Scheme as discussed in part 3.1.

#### 3.0 Planning Scheme Objectives - R Economic Infrastructure: Regional Objectives

The objectives relevant to the proposal are as follows:

- Activity Centres: Local Objectives
- To improve the region’s economic infrastructure.

The amendment supports outcome 3.0.4(a) and (c) as the land remains zoned Light Industrial and the proposed uses are considered lower level impact and do not require attenuation under the Attenuation Code.

#### 3.5.2 Zoning

The land is zoned ‘Light Industrial’. No change to the zoning of the site is proposed.
The purpose of the Light Industrial Zone as per clause 24.1 of the Planning Scheme, is stated as follows:

24.1 Zone Purpose
24.1.1 Zone Purpose Statements
24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.
24.1.1.2 To promote efficient use of existing industrial land stock.
24.1.1.3 To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.
24.1.1.4 To ensure that building design and form enhances the streetscape and protects the amenity of the neighbourhood.

There are no Local Area Objectives or Desired Future Character Statements for the Light Industrial zone.

The proposed amendment will provide for processing of resources for a food and beverage production and food services where off-site impacts are minimal or can be managed, furthering 24.1.1.1.

The site will continue to be used for industrial land use, furthering 24.1.1.2.

The use and development on the land will continue to be subject to the existing use and development controls ensuring that land use conflict is minimised in accordance with 24.1.1.3. The existing development controls will also ensure that 24.1.1.4 can be achieved.

The proposed amendment does not conflict with any of the zone purpose statements and is considered to further the objective of statements 24.1.1.1 and 24.1.1.2.

3.6 Tasmanian Planning Scheme

The State Planning Provisions (SPPs) will eventually replace the Interim Planning Scheme. Whilst the SPP's have been in effect since March 2017, they will have no practical effect until the Local Provision Schedule (LPS) is in effect for the respective municipal area.

The Hobart LPS was endorsed on 12 February 2019 and establishes a Specific Area Plan for the Hobart Light Industrial Area.

The SPP's include both Resource Processing (if for food and beverage production) and Food Services as discretionary uses in the Light Industrial zone. Therefore, it is considered that the proposed amendment is in line with the future TPS allowing a straightforward transition to the Hobart LPS under the future scheme.

3.6.1 Tasmanian Planning Scheme: Purpose

The purpose of the TPS is to further the objectives of the Resource Management and Planning System and the planning process set out in Parts 1 and 2 of Schedule 1 of the Act and be consistent with State Policies in force under the State Policies and Projects Act 1993 by:

(a) Regulating or prohibiting the use or development of land; and

(b) Making provisions for the use, development, protection and conservation of land.
As discussed in Section 3.1, the amendment is considered to further the objective of the RMPS and the Act. The amendment is also consistent with the applicable State Policies as per Section 3.2.

3.6.2 Light Industrial Zone

The purpose of the Light Industrial Zone pursuant to 18.1 of the State Planning Provisions, is stated as follows:

- 18.2.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses.
- 18.2.2 To provide for use or development that supports and does not adversely impact an industrial activity.

The Light Industrial zone of the SPPs allows for Resource Processing as a discretionary use under clause 18.3 Use Table.

3.6.3 Specific Area Plan S5 - Hobart Light Industrial Zone

The purpose of the Hobart Light Industrial Zone Specific Area Plan, pursuant to clause HOB-S5.1 of the Hobart LPS is stated as:

HOB-S5.1 Plan Purpose
The purpose of the Hobart Light Industrial Zone Specific Area Plan is:
HOB-S5.1.1 To provide for uses that are compatible with the unique, existing pattern of use in the area.
HOB-S5.1.1 To minimise land use conflict in order to protect industrial viability and the safety and the amenity of sensitive land uses in adjacent zones.

The S5 SAP establishes Resource Processing for food and beverage production and Food Services as discretionary uses in the SAP.

The amendment is in line with the purpose of the Specific Area Plan.
4 Relevant Issues

4.1 Context, Setting and Visual Impact

The amendment will add new uses that are suitable to the Light industrial zone. The proposed amendment relates to use and would therefore have no impact on visual amenity. Future development may impact visual amenity in the area, however, the existing vegetation and low density of lots in the area provides visual separation from surrounding land.

4.2 Traffic and Transport Networks

The zone is well serviced by multiple transport modes including car, bus, bicycle and foot traffic. Any future use or development would be required to meet the Road and Railway Assets code and the Parking and Access code under the Planning Scheme.

4.3 Water Quality

All land in the Light Industrial zone is subject to the provisions of the Stormwater Code. The amendment will not impact the ability of development to comply with that Code.

4.4 Noise

Noise emissions would be regulated in accordance with the Planning Scheme provisions and the requirements of the Environmental Management and Pollution Control Act 1994.

4.5 Natural Hazards

All land zoned Light Industrial will need to consider any hazards present if the proposed uses are considered.

4.6 Heritage

There are no identified heritage places or precincts in the Hobart Light Industrial zone. As a precautionary measure, an Unanticipated Discovery Plan must be in place at the time of construction should an item of Aboriginal archaeological significance be discovered.

Land subject to heritage values will still need to meet the requirements of the Historic Heritage Code, and the applicable provisions of the Aboriginal Relics Act 1975 and the Historic Cultural Heritage Code 1995.

4.7 Flora and Fauna

There are no Biodiversity Protection Areas or Waterway and Coastal Protection Areas in the Light Industrial zone.

The amendment will not impact the ability of development in the Light Industrial zone to meet the requirements of the Stormwater Management Code or Significant Trees Code.
4.8 Safety, Security and Crime Prevention

Future development will be required to meet development controls for passive surveillance. The amendment is no considered to impact safety, security or crime.

4.9 Social Impacts & Economic Impacts

The proposed amendment to the planning scheme will allow additional uses in the Light Industrial zone. This will ensure the character of the area is maintained and enable the development of new business providing economic growth and employment opportunities. These uses will service the local community, but will need to be adequately designed and assessed to ensure impacts on adjacent and nearby residential areas is acceptable.
5 Conclusion

The proposed amendment is the amendment of the Use Table of the Light industrial zone of the Hobart Interim Planning Scheme 2015. This will allow for the discretionary use of land for 'Resource processing (if for food and beverage production)' and 'Food services'.

The amendment will not impact the zoning or overlays maps present in the zone.

The amendment furthers the relevant policies of the Southern Tasmania Regional Land Use Strategy 2010-2035 and the objectives of the Hobart Interim Planning Scheme 2015.

The proposed scheme amendment has been prepared in accordance with Section 33 of the Land Use Planning and Approvals Act 1993 (former provisions) which states the requirements to be considered in assessing a scheme amendment. The proposed scheme amendment is considered to be in accordance with all statutory requirements.
APPENDIX A

Draft Hobart LPS
Light Industrial Zone Specific Area Plan
HOB-S5.0 Hobart Light Industrial Zone Specific Area Plan

HOB-S5.1 Plan Purpose

The purpose of the Hobart Light Industrial Zone Specific Area Plan is:

HOB-S5.1.1 To provide for uses that are compatible with the unique, existing pattern of use in the area.

HOB-S5.1.1 To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.

HOB-S5.2 Application of this Plan

HOB-S5.2.1 The specific area plan applies to the area of land designated as Hobart Light Industrial Zone Specific Area Plan on the overlay maps.

HOB-S5.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for the provisions of the Light Industrial Zone as specified in the relevant provision.

HOB-S5.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

HOB-S5.4 Definition of Terms

This sub-clause is not used in this specific area plan.

HOB-S5.5 Use Table

This clause is a substitution for Light Industrial Zone – clause 18.2 Use Table.

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Permit Required</td>
<td></td>
</tr>
<tr>
<td>Natural and Cultural Values Management</td>
<td></td>
</tr>
<tr>
<td>Passive Recreation</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>Not for minor utilities.</td>
</tr>
<tr>
<td>Permitted</td>
<td></td>
</tr>
<tr>
<td>Emergency Services</td>
<td></td>
</tr>
<tr>
<td>Equipment and Machinery Sales and Hire</td>
<td>If for hire of machinery and equipment</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Manufacturing and Processing</td>
<td></td>
</tr>
<tr>
<td>Research and Development</td>
<td></td>
</tr>
<tr>
<td>Service Industry</td>
<td></td>
</tr>
<tr>
<td>Storage</td>
<td></td>
</tr>
<tr>
<td><strong>Discretionary</strong></td>
<td></td>
</tr>
<tr>
<td>Community Meeting and Entertainment</td>
<td></td>
</tr>
<tr>
<td>Educational and Occasional Care</td>
<td>If for alterations or extensions to existing Educational and Occasional Care.</td>
</tr>
<tr>
<td>Food Services</td>
<td></td>
</tr>
<tr>
<td>General Retail and Hire</td>
<td>If for alterations or extensions to existing General Retail and Hire.</td>
</tr>
<tr>
<td>Resource Processing</td>
<td>If for food and beverage production.</td>
</tr>
<tr>
<td>Sports and Recreation</td>
<td></td>
</tr>
<tr>
<td>Transport Depot and Distribution</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>If not listed as No Permit Required.</td>
</tr>
<tr>
<td>Vehicle Fuel Sales and Service</td>
<td></td>
</tr>
<tr>
<td><strong>Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td>All other uses</td>
<td></td>
</tr>
</tbody>
</table>

**HOB-S5.6  Use Standards**

This sub-clause is not used in this specific area plan.

**HOB-S5.7  Development Standards for Buildings and Works**

This sub-clause is not used in this specific area plan.
HOB-S5.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

HOB-S5.9 Tables

This sub-clause is not used in this specific area plan.

HOB-S5.10 Figures

This sub-clause is not used in this specific area plan.
PSA-19-4 AMENDMENTS

The Common Seal of the City of Hobart
is fixed hereon, pursuant to
Council’s resolution of ????
in the presence of:

...........................................General Manager

...........................................Deputy General Manager
AMENDMENTS TO THE PLANNING SCHEME ORDINANCE

Amendment PSA-19-4-1

Amend 24.2 Use Table under 24.0 Light Industrial Zone of the Hobart Interim Planning Scheme 2015 by omitting the qualification for ‘Food services’, which states ‘Only if take away food premises or café’.

Amendment PSA-19-4-2

Amend 24.2 Use Table under 24.0 Light Industrial Zone of the Hobart Interim Planning Scheme 2015 by inserting ‘Resource processing’ with the qualification ‘If for food and beverage production’ between ‘Residential’ and ‘Sports and recreation’ in the discretionary section of the table.
It is hereby certified that draft Amendment PSA-19-4 to the Hobart Interim Planning Scheme 2015 meets the requirements specified in section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993*.

The Common Seal of the Hobart City Council is fixed hereon, pursuant to Council’s resolution of ???? in the presence of

....................................................General Manager

....................................................Deputy General Manager

Date: ............................................