

# **West Coast Interim Planning Scheme 2013**

## Planning scheme amendments

No	Description	Effective date	Text/Map
22	01-21 - Rezone 10 Sticht Street, Queenstown from General Residential to General Business	23 June 2021	map  Last IPS version (before TPS effective)
21	Interim Planning Directive No. 4 – Exemptions, Application Requirements, Special Provisions and Zone Provisions	22 February 2021	text
20	PSA 01-2020 - Insert Bushfire-Prone Areas Overlay maps	22 July 2020	map
19	Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes	1 July 2018	text
18	WCO UA3-2017 - Amend Clause 9.6 - Access Over Land in Another Zone	25 January 2018	text
17	WCO UA4-2016 - Rezone part of 1 Peters Street, Tullah from Environmental Management to General Residential	21 November 2017	map
16	New code provisions applied under Planning Directive No. 5.1 – Bushfire-Prone Areas Code	1 September 2017	text
15	WCO UA2-2017 - Amend Clause 10.4.10 to restore a permitted pathway for single dwelling development on lots larger than 830m <sup>2</sup>	18 July 2017	text
14	Interim Planning Directive No. 2 – Exemption and Standards for Visitor Accommodation in Planning Schemes. No legislative amendment to the scheme. A note indicates that a planning directive applies.	1 July 2017	text
13	WCO UA1-2017 - Rezone part of Tasports operations area from Environmental Management to Port and Shipping zone	6 March 2017	map
12	Minister issues Interim Planning Directive No. 1.1 – Bushfire-Prone Areas Code to apply to all interim planning schemes - see E1.0	23 February 2017	text

11	WCO UA5-2016 - Correction of drafting errors in subdivision provisions under the General Residential, Low Density Residential, Rural Living, Environmental Living, Village and Community Purpose zones	8 February 2017	text
10	WCO UA2/2016 - Correction of zoning translation errors, anomalies, clarifications and the removal of inconsistencies	13 September 2016	text
9	WCO UA1/2016 - Correction of zoning translation errors, anomalies, clarifications and the removal of inconsistencies	24 August 2016	text map
8a	WCO UA3/2016 - Correction of error in amendment re adaptive use of State heritage listed properties	21 March 2016	text
8	Minister issues Interim Planning Directive No. 1 – Bushfire-Prone Areas Code to apply to all interim planning schemes	23 February 2016	text
7	Minister issues Planning Directive No. 1 - The Format and Structure of Planning Schemes with minor modifications	17 February 2016	text
6	WCO UA5/2015 - Enable adaptive use of State heritage listed properties in circumstances where that use would be prohibited by the relevant zone	5 February 2016	text
5	WCO UA4/2015 - Correction of errors, anomalies and inconsistencies following assessment into the Cradle Coast interim planning schemes	10 December 2015	text
4	WCO UA3/2015 - Clarify provisions in relation to the use and development of polytunnels	25 September 2015	text
3	WCO UA2/2015 - Correction of errors, anomalies and inconsistencies following assessment into the Cradle Coast interim planning schemes	25 September 2015	text
2	WCO UA1/2015 - Replace the acceptable solution (A2) and performance criteria (P2) of the suitability of a site or lot for use or development clause in each applicable zone	20 July 2015	text
1	Commencement of scheme under the <i>Land Use Planning and Approvals Act 1993</i> s80K	1 April 2015	

## **Important: Planning Directive No. 6 applies from 1 August 2018**

Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes applies and must be read in conjunction with this scheme (refer to the Planning Policy Unit website)

## **Important: Planning Directive No. 7 applies from 16 September 2020**

Planning Directive No. 7 - Permits for Temporary Housing in interim planning schemes applies and must be read in conjunction with this scheme (refer to the Planning Policy Unit website).

## **Foreword**

This planning scheme sets out the requirements for use or development of land in accordance with the *Land Use Planning and Approvals Act 1993* (the Act).

The maps show how land is zoned and the scheme sets out the provisions that apply to use or development of land.

The provisions in this planning scheme should be read together with the Act.

The foreword, footnotes and appendices are not legally part of this planning scheme. They have been added to help users understand the planning scheme and its relationship to the Act. They are a guide only and do not cover all relevant law relating to planning schemes or the planning application and assessment process.

## Part A

# Purpose and Objectives

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## 1.0 Identification of the Planning Scheme

### 1.1 Planning Scheme Title

1.1.1 This planning scheme is called the West Coast Interim Planning Scheme 2013.

### 1.2 Composition of this Planning Scheme

1.2.1 This planning scheme consists of this document and the maps identified.

1 - 18 inclusive	Zoning
19 - 36 inclusive	Code E6 - Landslide Hazard

### 1.3 Planning Scheme Area

1.3.1 The planning scheme area comprises all the land as identified on the planning scheme maps.

## 2.0 Planning Scheme Purpose

### 2.1 Purpose

2.1.1 The purpose of this planning scheme is:

- (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.

### 2.2 Regional Land Use Strategy

2.2.1 The Cradle Coast Region of Tasmania comprises the nine municipal areas of Burnie City, Central Coast, Circular Head, Devonport City, Kentish, King Island, Latrobe, Waratah Wynyard and West Coast;

2.2.2 Living on the Coast - the Cradle Coast Regional Land Use Strategy 2010 – 2030 provides a strategic and policy framework to guide the actions and outcomes required to regulate use or development of land under a municipal planning scheme;

2.2.3 This planning scheme is consistent with and likely to further the policies of the Cradle Coast Regional Land Use Strategy 2010 – 2030;

2.2.4 The purpose and provisions of this planning scheme –

- (a) are aligned to the objectives and outcomes of related strategies, policies and programs of State agencies and other economic, social, environmental,

conservation and resource management issues relevant for the Cradle Coast Region;

- (b) are coordinated with the purpose and provisions in the planning schemes applying for each of the other municipal areas of the Cradle Coast Region;
- (c) promote wise use of natural resources for economic, cultural and environmental purposes;
- (d) promote a diverse, robust and successful regional economy;
- (e) support a pattern of regional settlement to feature contained, well connected, and separate centres that each provide an attractive, efficient, safe, and liveable place in which to live, work or visit; and
- (f) require provision for utility and community service infrastructure sufficient to support the purpose for use or development

## **3.0 Planning Scheme Objectives**

### **3.1 Objectives**

3.1.1 The planning scheme is to -

- (a) Coordinate sustainable use or development of land within the municipal area in accordance with the municipal strategic principles, policies and actions contained in the documents detailed in clause 3.0.2;
- (b) Establish the purpose, outcomes and processes required for the use, development, protection and conservation of land;
- (c) Divide the municipal area into zones and assign land to zones in accordance with priority strategic purpose for use or development;
- (d) Include regulatory provisions to deliver outcomes that:
  - (i) accommodate settlement growth and development through a balance of infill, redevelopment, and contiguous expansion of established centres to make more efficient use of land;
  - (ii) support use and development by private, public, and social investment;
  - (iii) provide efficient, safe, and pleasant places in which to live, work, or visit;
  - (iv) minimise likelihood for conflict and interference between use;
  - (v) provide for diversity and choice in the form and setting for use or development to meet existing and future needs;
  - (vi) permit low-impact small business in housing development;
  - (vii) provide for facilities and services for community health, education, social welfare, physical activity, recreation, and relaxation;

- (viii) provide for daily needs of local residents while maintaining viability of a regional model for business and retail centres;
  - (ix) provide land in locations with strategic advantage for industry;
  - (x) protect the productive value of agricultural land;
  - (xi) protect access to forestry, mineral and other natural occurring resources for sustainable production;
  - (xii) include opportunity for tourism in most locations;
  - (xiii) require all new use or development has access to adequate utilities and community services;
  - (xiv) support walking, cycling, and public transport as an alternative to dependence on private transport;
  - (xv) require efficient use of available and planned infrastructure provision for utilities and community services;
  - (xvi) protect the operation, safety and security of utility corridors and facilities;
  - (xvii) provide for the efficient movement of freight by road, rail, air and sea;
  - (xviii) protect and conserve items and areas of significant ecological, scientific, cultural, heritage, or aesthetic value;
  - (xix) minimise likely risk to the community and the environment from use or development on land exposed to a natural hazard or environmental harm;
  - (xx) recognise the cumulative and likely escalating impacts of climate change; and
  - (xxi) support division or consolidation of land to establish sites suitable for intended use and development
- (e) Establish permit requirements that –
- (i) exempt from the operation of this planning scheme any use or development with minimal implication for achieving identified purpose and intended outcomes;
  - (ii) permit use or development without the need for a permit if it conforms to zone purpose and is in accordance with prescribed compliance standards;
  - (iii) determine the majority of permit applications against standards that provide a range of universally acceptable and flexible outcomes and minimise requirement for decisions by discretion;

- (iv) invite public engagement if the proposed use or development exceeds an identified threshold for likely impact on social, economic and environmental outcomes; and
- (v) identify as prohibited, use or development that is offensive to the purpose and objectives of this scheme

3.1.2 There are no specific municipal strategies, policies and actions are implemented under provisions of this planning scheme

## Part B

# Administration

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### 4.0 Interpretation

#### 4.1 Planning Terms and Definitions

- 4.1.1 Terms in this planning scheme have their ordinary meaning unless they are defined in the Act or specifically defined in subclause 4.1.3 or in a code in Part E or a specific area plan in Part F.
- 4.1.2 In this planning scheme a reference to a Use Table is a reference to the Use Table in a zone in Part D or specific area plan in Part F.
- 4.1.3 In this planning scheme, unless the contrary intention appears:

Act	means the <i>Land Use Planning and Approvals Act 1993</i> .
access strip	means land, the purpose of which is to provide access to a road.
adult sex product shop	means use of land to sell or hire sexually explicit material, including but not limited to:  (a) publications classified as restricted under the <i>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</i> ; and  (b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.
agency	means:  (a) a department or other agency of Government of the State or of the Commonwealth; or  (b) an authority of the State or of the Commonwealth established for a public purpose.
agricultural land	means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.
agricultural use	means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture, intensive tree farming and plantation forestry.

AHD	means the Australian Height Datum (Tasmania) being the vertical geodetic datum as described in Chapter 8 of the Geodetic Datum of Australia Technical Manual version 2.3(1).
amenity	means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.
amusement parlour	<p>means use of land for a building that contains:</p> <ul style="list-style-type: none"> <li>(a) 3 or more coin, card, or token operated amusement machines;</li> <li>(b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by 3 or more people simultaneously;</li> <li>(c) 2 or more coin, card, or token operated billiard, snooker, or pool tables; or</li> <li>(d) the conduct of laser games or similar.</li> </ul> <p>It does not include gambling machines or premises included in the Hotel industry use class as described in Table 8.2.</p>
ancillary dwelling	<p>means an additional dwelling:</p> <ul style="list-style-type: none"> <li>(a) with a floor area not greater than 60m<sup>2</sup>;</li> <li>(b) that is appurtenant to a single dwelling; and</li> <li>(c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.</li> </ul>
animal pound	means use of land for an enclosure for confining stray or homeless animals.
animal salesyard	means use of land to buy and sell farm animals, and hold such animals for purchase or sale.
annual exceedance probability	means the probability of an event with a certain magnitude being exceeded in any one year.
applicable standard	means as defined in subclause 7.5.2.
application	means an application for a permit made under this planning scheme.
aquaculture	means use of land to keep or breed aquatic animals, or cultivate or propagate aquatic plants, and includes the use of tanks or impoundments on land.

art and craft centre	means use of land to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings and sculpture.
basement	means a storey either below ground level or that projects no more than one metre above finished ground level.
bed and breakfast establishment	means part of a dwelling used by its resident to provide, on a short-term commercial basis, accommodation and breakfast for persons away from their normal place of residence.
boarding house	means use of land for a dwelling in which lodgers rent one or more rooms, generally for extended periods, and some parts of the dwelling are shared by all lodgers.
boat and caravan storage	means use of land to store boats, caravans, or vehicle-towed boat trailers.
building	means as defined in the Act.
building area	means the area shown on a plan or plan of subdivision to indicate where all buildings will be located.
building envelope	means the three-dimensional space within which buildings are to occur.
building height	means the vertical distance from natural ground level at any point to the uppermost part of a building directly above that point, excluding minor protrusions such as aerials, antennae, solar panels, chimneys and vents.
building line	means a line drawn parallel to a frontage along the front facade of a building or through the point of a building closest to the frontage, excluding protrusions.
camping and caravan park	means use of land to allow accommodation in caravans, cabins, motor homes, tents or the like and includes amenities provided for residents and persons away from their normal place of residence.
cinema	means use of land to display films, videos or other moving images to persons for reward.
clearance and conversion	means as defined in the <i>Forest Practices Act 1985</i> .
coastal zone	means as described in section 5 of the <i>State Coastal Policy Validation Act 2003</i> .
communal residence	means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building.

	Examples include a boarding house, residential college and residential care home.
controlled environment agriculture	means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth medium. Examples include greenhouses, polythene covered structures, and hydroponic facilities.
council	means as defined in the Act.
crop protection structure	means any structure for use in agricultural or horticultural production - (a) which is covered by netting, shade cloth or similar open-weave material; or (b) which consists of a proprietary system of tunnel frames covered with flexible non-permeable material
crop raising	means use of land to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, and vegetables.
day respite centre	means use of land for day-time respite care for the aged or persons with disabilities.
declared weeds	means as defined in the <i>Weed Management Act 1999</i>
demolition	means the intentional damaging, destruction or removal of any building or works in whole or in part.
desired future character	means the desired character for a particular area set out in the planning scheme.
development	means as defined in the Act.
development area	means the area of land occupied by development including its yards, outbuildings, car parking, driveways, storage areas, landscaping and wastewater disposal areas
dwelling	means a building, or part of a building, used as a self contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.
effective date	means the date on which the planning scheme came into effect.
employment training centre	means use of land to provide education and training to jobseekers and unemployed persons.

environmental harm	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
environmental nuisance	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
existing ground level	when used in respect of a development, means the level of a site at any point before the development occurs.
existing non-conforming use	means a use which is prohibited under the planning scheme but is one to which ss12(1)-(7) of the Act applies.
finished ground level	when used in respect of a development, means the level of a site at any point after the development has been completed.
forest practices plan	means a forest practices plan under the Forest Practices Code 2000
frontage	means a boundary of a lot which abuts a road.
function centre	means use of land, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing.
funeral parlour	means use of land to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.
gross floor area	means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.
habitable building	means a building of Class 1 - 9 of the Building Code of Australia.
habitable room	means any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.
habitat corridor	means an area or network of areas, not necessarily continuous, which enables migration, colonisation or interbreeding of flora or fauna species between two or more areas of habitat.
home-based business	means use of part of a dwelling by a resident for non-residential purposes if: <ul style="list-style-type: none"> <li>(a) no more than 50m<sup>2</sup> of floor area of the dwelling is used for the non-residential purposes;</li> <li>(b) the person conducting the business normally uses the dwelling as their principal place of residence;</li> </ul>

	<p>(c) it does not involve employment of more than 2 workers who do not reside at the dwelling;</p> <p>(d) any load on a utility is no greater than for a domestic use;</p> <p>(e) there is no activity that causes electrical interference to other land;</p> <p>(f) there is, on the site, no storage of hazardous materials;</p> <p>(g) there is, on the site, no display of goods for sale;</p> <p>(h) there is, on the site, no advertising of the business other than 1 sign (non-illuminated) not exceeding 0.2m<sup>2</sup> in area;</p> <p>(i) there is, on the site, no refuelling, servicing or repair of vehicles not owned by a resident;</p> <p>(j) not more than 2 commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and</p> <p>(k) all vehicles used by the business are parked on the site.</p>
hostel	means a supervised place of accommodation, usually supplying board and lodging for students, nurses or the like.
hours of operation	means the hours that a use is open to the public or conducting activities related to the use, not including routine activities normally associated with opening and closing or office and administrative tasks.
intensive animal husbandry	means use of land to keep or breed farm animals, including birds, within a concentrated and confined animal growing operation by importing most food from outside the animal enclosures and includes a cattle feedlot, broiler farm or piggery.
internal lot	means a lot: <p>(a) lying predominantly behind another lot; and</p> <p>(b) having access to a road by an access strip, private road or right of way.</p>
junction	means an intersection between two or more roads at a common level, including the intersections of on and off ramps, and grade-separated roads.
land	means as defined in the Act.
level crossing	means as defined in section 35 of the <i>Rail Infrastructure Act 2007</i> .
liquid fuel depot	means use of land for the storage, wholesale and distribution of liquid fuel.

local shop	means the use of land for the sale of grocery or convenience items if the gross floor area does not exceed 200m <sup>2</sup> .
local historic heritage significance	means the significance in relation to a heritage place or heritage precinct as identified in a code relating to heritage values, or in a report prepared by a suitably qualified person if not identified in the code.
lot	means a piece or parcel of land in respect of which there is only one title other than a lot within the meaning of the <i>Strata Titles Act 1998</i> .
marina	means use of land to moor boats, or store boats above or adjacent to the water. It includes boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.
market	means use of land to sell goods, including but not limited to foodstuffs, from stalls.
medical centre	means use of land to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only.
mezzanine	means an intermediate floor within a room.
minor utilities	means use of land for utilities for local distribution or reticulation of services and associated infrastructure such as a footpath, cycle path, stormwater channel, water pipes, retarding basin, telecommunication lines or electricity substation and power lines up to but not exceeding 110Kv.
motel	means use of land to provide accommodation in serviced rooms for persons away from their normal place of residence, where provision is made for parking of guests' vehicles convenient to their rooms.
motor repairs	means use of land to repair or service motor vehicles, and includes the fitting of motor vehicle accessories.
motor vehicle, boat or caravan sales	means use of land to sell or hire motor vehicles, boats, or caravans. It includes the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories for motor vehicles, boats or caravans.
multiple dwellings	means 2 or more dwellings on a site.
museum	means use of land to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.

native vegetation	means plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes
natural ground level	means the natural level of a site at any point.
office	means use of land for administration, or clerical, technical, professional or other similar business activities.
outbuilding	means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.
outdoor recreation facility	means use of land for outdoor leisure, recreation, or sport.
overnight camping area	means the use of land which is open to public use for holiday and recreational purposes, which purposes involve primarily the setting up and use of tents for overnight accommodation.
panel beating	means use of land to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.
permit	means as defined in the Act.
planning authority	means the West Coast Council.
plantation forestry	means the use of land for planting, management and harvesting of trees for commercial wood production, but does not include the milling or processing of timber, or the planting or management of areas of a farm for shelter belts, firewood, erosion or salinity control or other environmental management purposes, or other activity directly associated with and subservient to another form of agricultural use.
plot ratio	means the gross floor area of all buildings on the site divided by the area of the site.
primary frontage	means, where there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.
primary produce sales	means use of land to sell unprocessed primary produce grown on the land or adjacent land.
prime agricultural land	means agricultural land classified as Class 1, 2 or 3 land using the Class Definitions and methodology from the Land Capability Handbook, Second Edition, C J Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.

private garden	means land adjacent to a dwelling that has been modified with landscaping or vegetation, including ornamental or edible plants, or the like.
private open space	means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling.
protrusion	means a protrusion from a building such as awnings, steps, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services.
public art gallery	means use of land to display works of art including ceramics, furniture, glass, paintings, sculptures and textiles, which land is maintained at the public expense, under public control and open to the public generally.
public land	means land owned or managed by the Crown, a State authority or a council.
public open space	means land for public recreation or public gardens or for similar purposes.
rail authority	means the agency, authority or business enterprise which has responsibility for rail infrastructure in Tasmania.
railway	means as defined in the <i>Rail Infrastructure Act 2007</i> .
refuse disposal	means use of land to dispose of refuse by landfill, incineration, or other means.
regional land use strategy	means as defined in the Act.
remand centre	means use of land for an institution to which accused persons are sent for detention while awaiting appearance before a court.
reserve management plan	means a management plan prepared under the <i>National Parks and Reserves Management Act 2002</i> or the <i>Living Marine Resources Management Act 1995</i> , or a plan of management prepared for an area reserved under the <i>Crown Lands Act 1976</i>
residential aged care facility	means use of land for accommodation and personal or nursing care for the aged. It includes recreational, health or laundry facilities and services for residents of the facility.
retirement village	means use of land to provide permanent accommodation for retired people or the aged and includes communal recreational or medical facilities for residents of the village.

ribbon development	means a band of development extending along one or both sides of a road or along the coast.
road	means land over which the general public has permanent right of passage, including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes.
road authority	means for State highways or subsidiary roads, within the meaning of the <i>Roads and Jetties Act 1935</i> , the Minister administering that Act and in relation to all other roads, the Council having the control of such road.
scrap yard	mean use of land where disused vehicles, materials and machinery or parts are collected and either sold or prepared for being used again, and includes the use or onselling of scrap materials.
sensitive use	means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school.
service station	means use of land to sell motor vehicle fuel from bowsers, and vehicle lubricants and if such use is made of the land, includes: <ul style="list-style-type: none"> <li>(a) selling or installing of motor vehicle accessories or parts;</li> <li>(b) selling of food, drinks and other convenience goods;</li> <li>(c) hiring of trailers; and</li> <li>(d) servicing or washing of motor vehicles.</li> </ul>
serviced apartment	means use of land to provide accommodation for persons, who are away from their normal place of residence, in a furnished, self-contained room or suite of rooms designed for short-term and long-term stays, which provides amenities for daily use such as kitchen and laundry facilities.
setback	means the distance from any lot boundary to a building on the lot.
shipping container storage	means use of land to store shipping containers and if such use is made of the land, includes the cleaning, repair, servicing, painting or fumigation of the shipping containers.
sign	means a device that is intended to give information, advertise or attract attention to a place, product, service or event.
single dwelling	means a dwelling on a lot on which no other dwelling is situated, or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.

site	means the lot or lots on which a use or development is located or proposed to be located.
site area per dwelling	means the area of the site (excluding any access strip) divided by the number of dwellings.
site coverage	means the proportion of a site (excluding any access strip) covered by roofed buildings.
solar energy installation	means a solar panel, evacuated tube solar collectors, or the like.
solid fuel depot	means use of land to sell solid fuel, such as briquettes, coal, and firewood.
standard	means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.
State authority	means as defined in the Act.
State-reserved land	means: <ul style="list-style-type: none"> <li>(a) land owned by the Crown or a State authority and reserved for any purpose under the <i>Nature Conservation Act 2002</i>, or the <i>Crown Lands Act 1976</i>; or</li> <li>(b) fee simple land reserved for any purpose under the <i>Nature Conservation Act 2002</i> where the Director of Parks and Wildlife is the managing authority.</li> </ul>
State waters	means as defined in s.5 of the <i>Living Marine Resources Management Act 1995</i> .
storey	means that part of a building between floor levels, excluding a mezzanine level. If there is no floor above, it is the part between the floor level and the ceiling.
streetscape	means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.  For the purposes of determining streetscape with respect to a particular site, the above factors are relevant only if within 100m of the site
subdivide	means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by:

	<p>(a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;</p> <p>(b) a lease of airspace around or above a building;</p> <p>(c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;</p> <p>(d) the creation of a lot on a strata scheme or a staged development scheme under the <i>Strata Titles Act 1998</i>; or</p> <p>(e) an order adhering existing parcels of land.</p>
subdivision	means the act of subdividing or the lot subject to an act of subdividing.
suitably qualified person	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience in a recognised field of knowledge, expertise or practice with direct relevance to the matter under consideration.
take away food premises	means use of land to prepare and sell food and drink primarily for immediate consumption off the premises.
threatened vegetation	means a threatened native vegetation community that is listed in Schedule 3A of the <i>Nature Conservation Act 2002</i> or a threatened native ecological community that is listed under the <i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i> .
turf growing	means use of land for growing grass which is cut into sods or rolls containing the roots and some soil for direct transplanting.
use	means as defined in the Act.
vehicle crossing	means a driveway for vehicular traffic to enter or leave a road carriageway from land adjoining a road.
veterinary centre	<p>means land used to:</p> <p>(a) diagnose animal diseases or disorders;</p> <p>(b) surgically or medically treat animals; or</p> <p>(c) prevent animal diseases or disorders, and includes keeping animals on the premises for those purposes.</p>
video shop	means use of land to hire out videos, films and computer games.
visitor centre	means land used for the principal purpose of providing information to tourists and may include incidental retail sales and supplementary services to tourism

wall height	means the vertical distance from natural ground level immediately below the wall to the uppermost part of the wall excluding any roof element.
waste transfer station	means use of land to receive and temporarily store waste before it is disposed of elsewhere.
waterbody	means an artificial or natural body of water of any size or configuration, bordered or surrounded by land, being perennial, intermittent or tidal in character and containing fresh, brackish or saline water; but does not include a facility for storage, detention or treatment of sewage, liquid trade waste or other waste water.
watercourse	means a defined channel with a natural or modified bed and banks that carries surface water flows.
wetland	means a depression in the land, or an area of poor drainage, that holds water derived from ground water and surface water runoff and supports plants adapted to partial or full inundation and includes an artificial wetland.
wharf	means use of land to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.
winery	means use of land for the manufacture of vineyard products and if land is so used, includes the display and sale of vineyard products, and the preparation and sale of food and drink for consumption on the premises.
works	means as defined in the Act.

## 5.0 Exemptions

- 5.0.1 Use or development described in Table 5.1 – 5.6 is exempt from requiring a permit under this planning scheme provided it meets the corresponding requirements.
- 5.0.2 Use or development which, under the provisions of the Act, including ss12(1) – (4) a planning scheme is not to prevent, does not require a permit.
- 5.0.3 Excluding the exemption for emergency works at 5.3.1, in the coastal zone, no development listed in Table 5.1 – 5.6 is exempt from this planning scheme if it is to be undertaken on actively mobile landforms as referred to in clause 1.4 of the *Tasmanian State Coastal Policy 1996*. Development must not be located on actively mobile landforms in the coastal zone, unless for engineering or remediation works to protect land, property and human life in accordance with clause 1.4.1 and 1.4.2 in the *State Coastal Policy 1996*.

Table 5.1 Exempt use

	Use	Requirements
5.1.1	bee keeping	The use of land for bee keeping.
5.1.2	occasional use	If for infrequent or irregular sporting, social or cultural events.
5.1.3	home occupation	<p>If:</p> <ul style="list-style-type: none"> <li>(a) not more than 40m<sup>2</sup> of gross floor area of the dwelling is used for non-residential purposes;</li> <li>(b) the person conducting the home occupation normally uses the dwelling as their principal place of residence;</li> <li>(c) it does not involve employment of persons other than a resident;</li> <li>(d) any load on a utility is no more than for a domestic use;</li> <li>(e) there is no activity that causes electrical interference to other land;</li> <li>(f) it does not involve display of goods for sale that are visible from any road or public open space adjoining the site;</li> <li>(g) it involves no more than 1 advertising sign (that must be non-illuminated) and not more than 0.2m<sup>2</sup> in area;</li> <li>(h) it does not involve refuelling, servicing, detailing or repair of vehicles not owned by the resident on the site;</li> <li>(i) no more than 1 commercial vehicle is on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and</li> </ul> <p>any vehicle used solely for non-residential purposes must be parked on the site.</p>
5.1.4	markets	If on public land.

Table 5.2 Exempt infrastructure use or development

	Use or development	Requirements
5.2.1	dam construction works	Works that are directly associated with construction of a dam approved under the <i>Water Management Act 1999</i> , including the construction of vehicular access, vegetation removal and bulk soil excavations, are exempt if contained on the same site as the dam.

5.2.2	stormwater infrastructure	Provision, removal, maintenance and repair of pipes, open drains and pump stations for the reticulation or removal of stormwater by, or on behalf of, the Crown, a council or a State authority unless a code relating to landslip hazards applies and requires a permit for the use or development.
5.2.3	irrigation pipes	<p>The laying or installation in the Rural Resource Zone or the Significant Agricultural Zone, of irrigation pipes, that are directly associated with, and a subservient part of, an agricultural use, provided no pipes are located within a wetland, unless there is:</p> <ul style="list-style-type: none"> <li>(a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken;</li> <li>(b) a code in this planning scheme which expressly regulates impacts on scenic or landscape values and requires a permit for the use or development that is to be undertaken;</li> <li>(c) a code in this planning scheme which expressly regulates impacts on biodiversity values and requires a permit for the use or development that is to be undertaken;</li> <li>(d) disturbance of more than 1m<sup>2</sup> of land that has been affected by a potentially contaminating activity;</li> <li>(e) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme; or</li> <li>(f) the removal of any threatened vegetation.</li> </ul>
5.2.4	road works	<p>Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including:</p> <ul style="list-style-type: none"> <li>(a) widening or narrowing of existing carriageways;</li> <li>(b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development; or</li> <li>(c) repair of bridges, or replacement of bridges of similar size in the same or adjacent location.</li> </ul>
5.2.5	vehicle crossings, junctions and level crossings	<p>If:</p> <ul style="list-style-type: none"> <li>(a) development of a vehicle crossing, junction or level crossing: <ul style="list-style-type: none"> <li>(i) by the road or rail authority; or</li> </ul> </li> </ul>

		<p>(ii) in accordance with the written consent of the relevant road or rail authority; or</p> <p>(b) use of a vehicle crossing, junction or level crossing by a road or railway authority.</p>
5.2.6	minor communications infrastructure	<p>If:</p> <p>(a) development of low impact facilities as defined in Parts 2 and 3 of the Telecommunications (Low-Impact Facilities) Determination 2018;</p> <p>(b) works involved in the inspection of land to identify suitability for telecommunications infrastructure;</p> <p>(c) development of a facility that has been granted a facility installation permit by the Australian Communications and Media Authority;</p> <p>(d) works involved in the maintenance of telecommunication infrastructure;</p> <p>(e) works meeting the transitional arrangements as defined in Part 2 of Schedule 3 of the <i>Telecommunications Act 1997</i>;</p> <p>(f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles;</p> <p>(g) the connection of a line forming part of a telecommunications network to a building, caravan or mobile home including drop cabling of optic fibre networks; or</p> <p>(h) works involved in the installation, for purposes in connection with the installation of the National Broadband Network, of a:</p> <p>(i) galvanised steel service pole, no more than 6.6m in height above existing ground level, and 0.2m in diameter; or</p> <p>(ii) timber service pole, no more than 10.2m in height above existing ground level, and 0.42m in diameter,</p> <p>unless a code relating to the protection of airports applies and requires a permit for the use or development.</p>
5.2.7	provision of linear and minor utilities and infrastructure	<p>If by or on behalf of the State Government, a Council, a Statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a Statutory authority, of electricity, gas, sewerage, and water reticulation to individual streets, lots or buildings, unless there is:</p>

		<ul style="list-style-type: none"> <li>(a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken;</li> <li>(b) disturbance of more than 1m<sup>2</sup> of land that has been affected by a potentially contaminating activity;</li> <li>(c) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme;</li> <li>(d) the removal of any threatened vegetation; or</li> <li>(e) land located within 30m of a wetland or watercourse.</li> </ul>
5.2.8	upgrades of linear and minor utilities and infrastructure	<p>If minor upgrades by or on behalf of the State government, a Council, or a statutory authority or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of infrastructure (excluding stormwater infrastructure under subclause 5.2.2 and road works under subclause 5.2.3) such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines including:</p> <ul style="list-style-type: none"> <li>(a) minor widening or narrowing of existing carriageways; or</li> <li>(b) making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices and markings, street lighting and landscaping,</li> </ul> <p>unless the following apply:</p> <ul style="list-style-type: none"> <li>(c) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken; or</li> <li>(d) the removal of any threatened vegetation.</li> </ul>
5.2.9	maintenance and repair of linear and minor utilities and infrastructure	<p>If by or on behalf of the State Government, a council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, maintenance and repair of:</p> <ul style="list-style-type: none"> <li>(a) electricity, gas, sewerage and water reticulation to individual streets, lots or buildings;</li> <li>(b) infrastructure (excluding stormwater infrastructure under subclause 5.2.2 and road works under subclause 5.2.3) such as roads, rail lines, drains, sewers, power lines and pipelines; and</li> <li>(c) jetties, wharfs, boat ramps or airports.</li> </ul>
5.2.10	minor infrastructure	Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus

		shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, rubbish bins, public art, and the like by, or on behalf of, the Crown, a council or a State authority.
5.2.11	navigation aids	Provision, maintenance and modification of any sort of marker which aids in navigation of nautical or aviation craft such as lighthouses, buoys, fog signals, landing lights, beacons, and the like, unless a code relating to the protection of airports applies and requires a permit for the use or development.
5.2.12	electric car charger	Provision and maintenance if in a car park.
5.2.13	nautical and aviation infrastructure	Minor upgrades by or on behalf of the State government, a Council, or a statutory authority or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of infrastructure only for jetties, wharfs, boat ramps and airstrips including: <ul style="list-style-type: none"> <li>(a) minor widening or narrowing of existing carriageways; or</li> <li>(b) making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices and markings, street lighting and landscaping</li> </ul>

Table 5.3 Exempt building and works

	Use or development	Requirements
5.3.1	emergency works	Urgent works, that are undertaken for public safety or to protect property or the environment as a result of an emergency situation, that are required or authorised by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority.
5.3.2	maintenance and repair of buildings	Maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does not contravene a condition of an existing permit which applies to a site.
5.3.3	temporary buildings or works	The erection of temporary buildings or works to facilitate development for which a permit has been granted or for which no permit is required provided they are not occupied for residential use and are removed within 14 days of completion of development.
5.3.4	unroofed decks	If:

		<p>(a) not attached to or abutting a habitable building; and</p> <p>(b) the floor level is less than 1m above existing ground level, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.</p>
5.3.5	outbuildings	<p>Outbuildings if:</p> <p>(a) there are not more than 2 on a lot with:</p> <ul style="list-style-type: none"> <li>(i) a gross floor area not more than 10m<sup>2</sup>;</li> <li>(ii) no side is more than 3.2m; and</li> <li>(iii) building height is not more than 2.4m;</li> </ul> <p>(b) there are not more than 1 on a lot with:</p> <ul style="list-style-type: none"> <li>(i) a gross floor area not more than 18m<sup>2</sup>;</li> <li>(ii) a roof span not more than 3m;</li> <li>(iii) building height is not more than 2.4m;</li> <li>(iv) a distance of not less than 0.9m from a building;</li> <li>(v) a setback of not less than 0.9m;</li> <li>(vi) no change in existing ground level as a result of cut or fill of more than 0.5m; and</li> </ul> <p>(c) not between a frontage and the building line or on a lot with no buildings, not less than the relevant setback from a frontage,</p> <p>unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.</p>
5.3.6	buildings and works in the Rural Resource Zone or Significant Agricultural Zone	<p>If for:</p> <p>(a) the construction of buildings or works, other than a dwelling, that are directly associated with, and a subservient part of, an agricultural use if:</p> <ul style="list-style-type: none"> <li>(i) individual buildings do not exceed 100m<sup>2</sup> in gross floor area;</li> <li>(ii) the setback from all property boundaries is not less than 30m;</li> <li>(iii) no part of the building or works are located within 30m of a wetland or watercourse;</li> </ul>

		<p>(iv) no part of the building or works encroach within any service easement or within 1m of any underground service; and</p> <p>(v) the building or works are not located on prime agricultural land,</p> <p>unless there is:</p> <p>(b) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken;</p> <p>(c) a code in this planning scheme which expressly regulates impacts on scenic or landscape values and requires a permit for the use or development that is to be undertaken;</p> <p>(d) a code in this planning scheme which expressly regulates impacts on biodiversity values and requires a permit for the use or development that is to be undertaken;</p> <p>(e) disturbance of more than 1m<sup>2</sup> of land that has been affected by a potentially contaminating activity;</p> <p>(f) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme; or</p> <p>(g) the removal of any threatened vegetation.</p>
5.3.7	demolition of exempt buildings	The demolition in whole or in part of a building, the erection of which would be exempt under this planning scheme.
5.3.8	garden structures	<p>Garden structures, such as a pergola, garden arch, trellis or frame, if:</p> <p>(a) the total area is no greater than 20m<sup>2</sup>;</p> <p>(b) the height is no more than 3m above ground level; and</p> <p>(c) it is uncovered or covered by an open-weave permeable material that allows water through,</p> <p>unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.</p>

Table 5.4 Vegetation exemptions

	Use or development	Requirements
5.4.1	vegetation removal for safety or in accordance with other Acts	<p>If for:</p> <ul style="list-style-type: none"> <li>(a) clearance and conversion of a threatened native vegetation community, or the disturbance of a vegetation community, in accordance with a forest practices plan certified under the <i>Forest Practices Act 1985</i> , unless for the construction of a building or the carrying out of any associated development;</li> <li>(b) harvesting of timber or the clearing of trees, or the clearance and conversion of a threatened native vegetation community, on any land to enable the construction and maintenance of electricity infrastructure in accordance with the Forest Practices Regulations 2017;</li> <li>(c) fire hazard management in accordance with a bushfire hazard management plan approved as part of a use or development;</li> <li>(d) fire hazard reduction required in accordance with the <i>Fire Service Act 1979</i> or an abatement notice issued under the <i>Local Government Act 1993</i>;</li> <li>(e) fire hazard management works necessary to protect existing assets and ensure public safety in accordance with a plan for fire hazard management endorsed by the Tasmanian Fire Service, Sustainable Timbers Tasmania, the Parks and Wildlife Service, or council;</li> <li>(f) clearance within 2m of lawfully constructed buildings or infrastructure including roads, tracks, footpaths, cycle paths, drains, sewers, power lines, pipelines and telecommunications facilities, for maintenance, repair and protection;</li> <li>(g) safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building; or</li> <li>(h) within 1.5m of a lot boundary for the purpose of erecting or maintaining a boundary fence.</li> </ul>
5.4.2	planting, clearing or modification of vegetation on pasture or cropping land	<p>If for the landscaping and the management of vegetation on pasture or cropping land, other than for plantation forestry on prime agricultural land, provided the vegetation is not protected by permit condition, an agreement made under Part 5 of the Act, covenant or other legislation, unless there is:</p>

		<p>(a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development to be undertaken;</p> <p>(b) a code in this planning scheme which expressly regulates impacts on scenic or landscape values and requires a permit for the use or development that is to be undertaken;</p> <p>(c) a code in this planning scheme which expressly regulates impacts on biodiversity values and requires a permit for the use or development that is to be undertaken;</p> <p>(d) disturbance of more than 1m<sup>2</sup> of land that has been affected by a potentially contaminating activity;</p> <p>(e) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme;</p> <p>(f) the removal of any threatened vegetation; or</p> <p>(g) land located within 30m of a wetland or watercourse.</p>
5.4.3	landscaping and vegetation management	<p>Landscaping and vegetation management within a private garden, public garden or park, or within State-reserved land or a council reserve, if:</p> <p>(a) the vegetation is not protected by legislation, a permit condition, an agreement made under section 71 of the Act, or a covenant; or</p> <p>(b) the vegetation is not specifically listed and described as part of a historic heritage place or a significant trees in the relevant interim planning schemes,</p> <p>unless the management is incidental to the general maintenance.</p>
5.4.4	vegetation rehabilitation works	<p>The planting, clearing or modification of vegetation for:</p> <p>(a) soil conservation or rehabilitation works including Landcare activities and the like, provided that ground cover is maintained and erosion is managed;</p> <p>(b) the removal or destruction of declared weeds or environmental weeds listed under a strategy or management plan approved by a council;</p> <p>(c) water quality protection or stream bank stabilisation works approved by the relevant State authority or a council;</p> <p>(d) the implementation of a vegetation management agreement or a natural resource, catchment, coastal, reserve or property management plan or the like, provided the agreement or plan</p>

		<p>has been endorsed or approved by the relevant State authority or a council; or</p> <p>(e) the implementation of a mining and rehabilitation plan approved under the terms of a permit, an Environment Protection Notice, or rehabilitation works approved under the <i>Mineral Resources Development Act 1995</i>.</p>
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Table 5.5 Renewable energy exemptions

	Use or development	Requirements
5.5.1	ground mounted solar energy installations	If covering an area of not more than 18m <sup>2</sup> , unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.
5.5.2	roof mounted solar energy installations	Unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.

Table 5.6 Miscellaneous exemptions

	Use or development	Requirements
5.6.1	use or development in a road reserve or on public land	<p>If:</p> <p>(a) for outdoor dining facilities, signboards, roadside vendors and stalls on a road that is managed by a relevant council; or</p> <p>(b) a community garden on public land used for growing vegetables, fruit or ornamentals.</p>
5.6.2	fences not within 4.5m of a frontage in the General Residential Zone or Inner Residential Zone	<p>The construction or demolition of:</p> <p>(a) side and rear boundary fences not adjoining a road or public reserve or not within 4.5m of the site's primary frontage and not more than a total height of 2.1m above natural ground level;</p> <p>(b) boundary fences adjoining a road or public reserve or within 4.5m of the site's primary frontage (excluding a fence under subclause 5.6.3) and not more than a total height of 1.2m above natural ground level;</p> <p>(c) fencing of agricultural land or for protection of wetlands and watercourses;</p> <p>(d) fencing for security purposes, no higher than 2.8m, that is within the Port and Marine Zone;</p>

		<p>(e) fencing for security purposes, no higher than 2.8m, at an airport,</p> <p>unless there is:</p> <p>(f) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken;</p> <p>(g) the removal of any threatened vegetation; or</p> <p>(h) land located within 30m of a wetland or watercourse.</p>
5.6.3	fences within 4.5m of a frontage in the General Residential Zone or Inner Residential Zone	<p>Fences (including free-standing walls) within 4.5m of a frontage, if located in the General Residential Zone or Inner Residential Zone if not more than a height of:</p> <p>(a) 1.2m above existing ground level if the fence is solid; or</p> <p>(b) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights),</p> <p>unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.</p>
5.6.4	temporary fencing	If for public safety, construction works or occasional sporting, social or cultural events.
5.6.5	retaining walls	<p>Retaining walls, excluding any land filling, if:</p> <p>(a) it has a setback of not less than 1.5m from any boundary; and</p> <p>(b) it retains a difference in ground level of less than 1m,</p> <p>unless a code relating to historic heritage values, significant trees, or landslip hazards, applies and requires a permit for the use or development.</p>
5.6.6	hot water cylinders	If attached, or located, to the side or rear of a building, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.
5.6.7	minor structures	<p>If:</p> <p>(a) they are at least 1m from any boundary, minor attachments to the side or rear of a building that are incidental to any use or development such as heat pumps, rain water tanks with a capacity of less than 45 kilolitres and on a stand no higher than 1.2m, and air-conditioners; or</p> <p>(b) they are incidental to any use or development including:</p>

		<p>(i) a maximum of 2 masts for telecommunications or flagpoles provided each are no more than 6m in length;</p> <p>(ii) one satellite dish no more than 2m in diameter,</p> <p>unless there is a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken.</p>
5.6.8	strata division	Division by strata titles of lawfully constructed or approved buildings for a use granted a permit under this planning scheme or previously lawfully approved.

## 6.0 Limited Exemptions

This clause number is not used in this planning scheme.

## 7.0 Planning Scheme Operation

### 7.1 Special Provisions

7.1.1 Part C sets out provisions, for certain types of use or development, that are not specific to any zone, specific area plan, or area to which a code applies.

7.1.2 Where there is a conflict between a provision in a zone, specific area plan or code and a special provision in Part C, the special provision in Part C prevails.

### 7.2 Operation of Zones

7.2.1 The planning scheme area is divided into zones in respect of which the primary controls for the use or development of land are set out.

7.2.2 The planning scheme maps show how land is zoned.

7.2.3 Part D sets out the zones and the use and development standards applying to each zone.

### 7.3 Operation of Codes

7.3.1 Part E specifies codes that identify areas or planning issues which require compliance with additional provisions set out in the codes.

7.3.2 Overlays on the maps may be used to indicate the areas where codes apply.

7.3.3 Codes set out provisions for:

- (a) particular types of use or development that may apply to more than one zone; and
- (b) matters that affect land that cannot be described by zone boundaries.

7.3.4 Where there is a conflict between a provision in a code and a provision in a zone, the code provision prevails.

### 7.4 Operation of Specific Area Plans

7.4.1 Part F sets out specific area plans, which plans identify areas either within a single zone or covered by a number of zones, and set out more detailed planning provisions for use or development in those areas.

7.4.2 Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails.

## 7.5 Compliance with Applicable Standards

7.5.1 A use or development must comply with each applicable standard in a zone, specific area plan or code.

7.5.2 A standard in a zone, specific area plan or code is an applicable standard if:

- (a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and
- (b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

7.5.3 Compliance for the purposes of subclause 7.5.1 consists of complying with the acceptable solution or the performance criterion for that standard.

7.5.4 The planning authority may consider the relevant objective in an applicable standard to help determine whether a use or development complies with the performance criterion for that standard.

## 8.0 Assessment of an Application for Use or Development

### 8.1 Application Requirements

8.1.1 An application must be made for any use or development for which a permit is required under this planning scheme.

8.1.2 An application must include:

- (a) a signed application form;
- (b) any written permission and declaration of notification required under s.52 of the Act and, if any document is signed by the delegate, a copy of the delegation;
- (c) details of the location of the proposed use or development;
- (d) a copy of the current certificate of title for all land to which the permit sought is to relate, including the title plan; and
- (e) a full description of the proposed use or development.

8.1.3 In addition to the information that is required by clause 8.1.2, a planning authority may, in order to enable it to consider an application, require such further or additional information as the planning authority considers necessary to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or a specific area plan, applicable to the use or development including:

- (a) any schedule of easements if listed in the folio of the title and appear on the plan, where applicable;
- (b) a site analysis and site plan at a scale acceptable to the planning authority showing, where applicable:
  - (i) the existing and proposed use(s) on the site;
  - (ii) the boundaries and dimensions of the site;
  - (iii) topography including contours showing AHD levels and major site features;
  - (iv) natural drainage lines, watercourses and wetlands on or adjacent to the site;
  - (v) soil type;
  - (vi) vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
  - (vii) the location and capacity and connection point of any existing services and proposed services;
  - (viii) the location of easements on the site or connected to the site;
  - (ix) existing pedestrian and vehicle access to the site;
  - (x) the location of existing and proposed buildings on the site;
  - (xi) the location of existing adjoining properties, adjacent buildings and their uses;
  - (xii) any natural hazards that may affect use or development on the site;
  - (xiii) proposed roads, driveways, parking areas and footpaths within the site;
  - (xiv) any proposed open space, common space, or facilities on the site; and
  - (xv) proposed subdivision lot boundaries;
- (c) where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 as required by the planning authority showing, where applicable:
  - (i) the internal layout of each building on the site;
  - (ii) the private open space for each dwelling;
  - (iii) external storage spaces;
  - (iv) parking space location and layout;
  - (v) major elevations of every building to be erected;

- (vi) the relationship of the elevations to existing ground level, showing any proposed cut or fill;
- (vii) shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites; and
- (viii) materials and colours to be used on roofs and external walls.

## 8.2 Categorising Use or Development

- 8.2.1 Each proposed use or development must be categorised into one of the use classes in Table 8.2.
- 8.2.2 A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.
- 8.2.3 If a use or development fits a description of more than one use class, the use class most specifically describing the use applies.
- 8.2.4 If a use or development does not readily fit any use class, it must be categorised into the most similar use class.
- 8.2.5 If more than one use or development is proposed, each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a use class.

Table 8.2 Use Classes

Use Class	Description
Bulky goods sales	use of land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden and landscape suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales.
Business and professional services	use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.
Community meeting and entertainment	use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.
Crematoria and cemeteries	use of land for the burial or cremation of human or animal remains, and if land is so used, the use includes a funeral chapel.

Use Class	Description
Custodial facility	use of land, other than psychiatric facilities, for detaining or reforming persons committed by the courts or during judicial proceedings. Examples include a prison, remand centre and any other type of detention facility.
Domestic animal breeding, boarding or training	use of land for breeding, boarding or training domestic animals. Examples include an animal pound, cattery and kennel.
Educational and occasional care	use of land for educational or short-term care purposes. Examples include a childcare centre, day respite facility, employment training centre, kindergarten, primary school, secondary school and tertiary institution.
Emergency services	use of land for police, fire, ambulance and other emergency services including storage and deployment of emergency vehicles and equipment. Examples include ambulance station, fire station and police station.
Equipment and machinery sales and hire	use of land for displaying, selling, hiring or leasing plant, equipment or machinery, associated with, but not limited to, cargo-handling, construction, earth-moving, farming, industry and mining.
Extractive industry	use of land for extracting or removing material from the ground, other than Resource development, and includes the treatment or processing of those materials by crushing, grinding, milling or screening on, or adjoining the land from which it is extracted. Examples include mining, quarrying, and sand mining.
Food services	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.
General retail and hire	use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, commercial art gallery, department store, hairdresser, market, primary produce sales, shop, shop front dry cleaner, supermarket and video shop
Hospital services	use of land to provide health care (including preventative care, diagnosis, medical and surgical treatment, rehabilitation, psychiatric care and counselling) to persons admitted as inpatients. If the land is so used, the use includes the care or treatment of outpatients.
Hotel industry	use of land to sell liquor for consumption on or off the premises. If the land is so used, the use may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling. Examples include a hotel, bar, bottle shop, nightclub and tavern.

Use Class	Description
Manufacturing and processing	use of land for manufacturing, assembling or processing products other than Resource processing. Examples include boat building, brick making, cement works, furniture making, glass manufacturing, metal and wood fabrication, mineral processing and textile manufacturing.
Motor racing facility	use of land (other than public roads) to race, rally, scramble or test vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports.
Natural and cultural values management	use of land to protect, conserve or manage ecological systems, habitat, species, cultural sites or landscapes.
Passive recreation	use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.
Pleasure boat facility	use of land to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation. An example is a marina.
Port and shipping	<p>use of land for:</p> <ul style="list-style-type: none"> <li>(a) berthing, navigation, servicing and maintenance of marine vessels which may include loading, unloading and storage of cargo or other goods, and transition of passengers and crew; or</li> <li>(b) maintenance dredging.</li> </ul> <p>Examples include berthing and shipping corridors, shipping container storage, hardstand loading and unloading areas, passenger terminals, roll-on roll-off facilities and associated platforms, stevedore and receipt offices, and a wharf.</p>
Recycling and waste disposal	use of land to collect, dismantle, store, dispose of, recycle or sell used or scrap material. Examples include a recycling depot, refuse disposal site, scrap yard, vehicle wrecking yard and waste transfer station.
Research and development	use of land for electronic technology, biotechnology, or any other research and development purposes, other than as part of an educational use.
Residential	use of land for self contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.
Resource development	use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may

Use Class	Description
	include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.
Resource processing	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.
Service industry	use of land for cleaning, washing, servicing or repairing articles, machinery, household appliances or vehicles. Examples include a car wash, commercial laundry, electrical repairs, motor repairs and panel beating.
Sports and recreation	use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.
Storage	use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.
Tourist operation	use of land specifically to attract tourists, other than for accommodation. Examples include a theme park, visitors centre, wildlife park and zoo.
Transport depot and distribution	use of land for distributing goods or passengers, or to park or garage vehicles associated with those activities, other than Port and shipping. Examples include an airport, bus terminal, council depot, heliport, mail centre, railway station, road or rail freight terminal and taxi depot.
Utilities	<p>use of land for utilities and infrastructure including:</p> <ul style="list-style-type: none"> <li>(a) telecommunications;</li> <li>(b) electricity generation;</li> <li>(c) transmitting or distributing gas, oil, or power;</li> <li>(d) transport networks;</li> <li>(e) collecting, treating, transmitting, storing or distributing water; or</li> <li>(f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</li> </ul> <p>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station,</p>

Use Class	Description
	railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.
Vehicle fuel sales and service	use of land primarily for the sale of motor vehicle fuel and lubricants, and if the land is so used, the use may include the routine maintenance of vehicles. An example is a service station.
Vehicle parking	use of land for the parking of motor vehicles. Examples include single and multi-storey car parks.
Visitor accommodation <sup>[S1]</sup>	use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.

#### Footnotes

[S1] This definition is suspended, for the current definition refer to Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes.

### 8.3 Qualification of Use

8.3.1 A use class may be subject to qualification in a Use Table which provides for conditions or limitations on the use class.

### 8.4 Requirement for a Permit

8.4.1 Except as provided in subclauses 8.5 and 8.6, use or development of land must not be commenced or carried out:

- (a) without a permit granted and in effect in accordance with the Act and the provisions of this planning scheme; or
- (b) in a manner contrary to the conditions and restrictions of a permit.

8.4.2 A change from an individual use to another individual use whether within the same use class or not requires a permit unless the planning scheme specifies otherwise.

### 8.5 Exempt Use or Development

8.5.1 A permit is not required to commence or carry out a use or development if it is exempt from requiring a permit under clauses 5.0 or 6.0.

### 8.6 No Permit Required

8.6.1 A permit is not required to commence or carry out a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use for which no permit is required;

- (b) the use or development does not rely on a performance criterion to comply with an applicable standard;
- (c) the use or development is not discretionary or prohibited under any other provision of the planning scheme; and
- (d) a permit for such use and development is not required by a Code.

## 8.7 Permitted Use or Development

8.7.1 A use or development must be granted a permit if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is permitted;
- (b) the use or development complies with each applicable standard and does not rely on a performance criterion to do so; and
- (c) the use or development is not discretionary or prohibited under any other provision of the planning scheme.

## 8.8 Discretionary Use or Development

8.8.1 The planning authority has a discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or
- (c) it is discretionary under any other provision of the planning scheme,
- (d) and the use or development is not prohibited under any other provision of the planning scheme.

## 8.9 Prohibited Use or Development

8.9.1 A use or development must not be granted a permit if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is prohibited;
- (b) the use or development does not comply with an acceptable solution for an applicable standard and there is no corresponding performance criterion; or
- (c) it is prohibited under any other provision of the planning scheme.

## 8.10 Determining Applications

8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by ss51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act,

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

8.10.2 In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective or desired future character statement for the applicable zone;
- (c) the purpose of any applicable code; and
- (d) the purpose of any applicable specific area plan,

but only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.

8.10.3 In determining an application for any permit the planning authority must not take into consideration matters referred to in clauses 2.0 and 3.0 of the planning scheme.

## 8.11 Conditions and Restrictions on a Permit

8.11.1 When deciding whether to attach conditions to a permit, the planning authority may consider the matters contained in subclauses 8.10.1 and 8.10.2.

8.11.2 Conditions and restrictions imposed by the planning authority on a permit may include:

- (a) requirements that specific things be done to the satisfaction of the planning authority;
- (b) staging of a use or development, including timetables for commencing and completing stages;
- (c) the order in which parts of the use or development can be commenced;
- (d) limitations on the life of the permit; and
- (e) requirements to modify the development in accordance with predetermined triggers, criteria or events.

## Part C

# Special Provisions

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### 9.0 Special provisions

#### 9.1 Changes to an Existing Non-conforming Use

9.1.1 Notwithstanding any other provision of this planning scheme, whether specific or general, the planning authority may at its discretion, approve an application:

- (a) to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or
- (b) to extend or transfer a non-conforming use and any associated development, from one part of the site to another part of that site; or
- (c) for a minor development to a non-conforming use,  
where there is -
  - (a) no detrimental impact on adjoining uses; or
  - (b) the amenity of the locality; and
  - (c) no substantial intensification of the use of any land, building or work,

In exercising its discretion, the planning authority may have regard to the purpose and provisions of the zone and any applicable codes.

#### 9.2 Development for Existing Discretionary Uses

9.2.1 Notwithstanding clause 8.8.1, proposals for development (excluding subdivision), associated with a use class specified in an applicable Use Table, as a discretionary use, must be considered as if that use class had permitted status in that Use Table, where the proposal for development does not establish a new use, or substantially intensify the use.

#### 9.3 Adjustment of a Boundary

9.3.1 An application for a boundary adjustment is permitted and a permit must be granted if:

- (a) no additional lots are created;
- (b) there is only minor change to the relative size, shape and orientation of the existing lots;
- (c) no setback from an existing building will be reduced below the applicable minimum setback requirement;
- (d) no frontage is reduced below the applicable minimum frontage requirement; and

- (e) no lot boundary that aligns with a zone boundary will be changed.

## 9.4 Demolition

- 9.4.1 Unless approved as part of another development or Prohibited by another provision in this planning scheme, or a code relating to historic heritage values applies, an application for demolition is Permitted and a permit must be granted subject to any conditions and restrictions specified in clause 8.11.2 of the relevant interim planning scheme.

## 9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place

- 9.5.1 An application for a use of a place listed on the Tasmanian Heritage Register or as a heritage place in a code relating to historic heritage values that would otherwise be Prohibited is Discretionary.
- 9.5.2 The planning authority may approve such an application if it would facilitate the restoration, conservation and future maintenance of:
  - (a) the local historic heritage significance of the heritage place; or
  - (b) the historic cultural heritage significance of the place as described in the Tasmanian Heritage Register.
- 9.5.3 In determining an application the planning authority must have regard to:
  - (a) any statement of historic cultural heritage significance for the place, as described in the Tasmanian Heritage Register;
  - (b) any statement of local historic heritage significance and historic heritage values, as described in a code relating to historic heritage values;
  - (c) any heritage impact statement prepared by a suitably qualified person setting out the effect of the proposed use and any associated development on:
    - (i) the local historic heritage significance of the heritage place or heritage precinct; and
    - (ii) the historic cultural heritage significance of the place as described in the Tasmanian Heritage Register;
  - (d) any conservation plan prepared by a suitably qualified person in accordance with The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance 7th edition, 2013;
  - (e) the degree to which the restoration, conservation and future maintenance of the heritage significance of the place is dependent upon the establishment of the proposed use;
  - (f) the likely impact of the proposed use on the amenity, or operation, of surrounding uses;

- (g) any Heritage Agreement that may be in place, in accordance with the provisions contained in the *Historic Cultural Heritage Act 1995*;
- (h) the purpose and provisions of the applicable zone; and
- (i) the purpose and provisions of any applicable code.

## 9.6 Change of Use

9.6.1 A permit is not required for a change of use from an existing lawful use to another use in the same Use Class if:

- (a) the use is not otherwise Prohibited or Discretionary under any provision of the planning scheme;
- (b) the use complies with all applicable standards and does not rely on any **Performance Criteria** to do so; and
- (c) there is no:
  - (i) increase in the gross floor area of the use;
  - (ii) increase in the requirement for parking spaces under a code relating to parking;
  - (iii) change in the arrangements for site access, parking, or for the loading and servicing of vehicles on the site;
  - (iv) change in arrangements for the use of external areas of the site for display, operational activity or storage;
  - (v) increase in emissions or change in the nature of emissions;
  - (vi) increase in the required capacity of utility services; and
  - (vii) increase in the existing hours of operation if outside the hours of 8.00am to 6.00pm Monday to Sunday inclusive.

## 9.7 Access and Provision of Infrastructure Across Land in Another Zone

9.7.1 If an application for use or development includes access or provision of infrastructure across land that is in a different zone to that in which the main part of the use or development is located, and the access or infrastructure is prohibited by the provisions of the different zone, the planning authority may at its discretion approve an application for access or provision of infrastructure over the land in the other zone, having regard to:

- (a) whether there is no practical and reasonable alternative for providing the access or infrastructure to the site;
- (b) the purpose and provisions of the zone and any applicable code for the land over which the access or provision of infrastructure is to occur; and

- (c) the potential for land use conflict with the use or development permissible under the planning scheme for any adjoining properties and for the land over which the access or provision of infrastructure is to occur.

## **9.8 Buildings Projecting onto Land in a Different Zone**

- 9.8.1 If an application for use or development includes a building that projects over land in a different zone, the status of the use for the projecting portion of the building is to be determined in accordance with the provisions of the zone in which the main part of the building is located.

## **9.9 Port and Shipping in Proclaimed Wharf Areas**

- 9.9.1 Notwithstanding any other provision in this planning scheme, an application for a use or development for Port and Shipping within a proclaimed wharf area must be considered as No Permit Required.

## Part D

# Zones

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### 10.0 General Residential Zone

#### 10.1 Zone Purpose

##### 10.1.1 Zone Purpose Statements

10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.

##### 10.1.2 Local Area Objectives

- (a) Suburban residential areas make efficient use of land and optimise available and planned infrastructure provision through a balance between infill and redevelopment of established residential areas and incremental release of new land
- (b) Suburban residential areas provide equivalent opportunity for single dwelling and multiple dwelling developments and for shared and supported accommodation through private, public, and social investment.
- (c) Suburban residential areas enable opportunity for convenient access to basic level services and facilities for education, health care, retail, social, and recreation purposes;
- (d) Suburban residential areas provide small-scale employment opportunities in home occupation and home based business.
- (e) The amenity and character of suburban residential use is commensurate with the location of housing and support activity within a shared urban setting, and is to take into account –
  - (i) the likely impact on residential use from the occurrence and operation of non-housing activity;
  - (ii) the effect of location and configuration of buildings within a site on –
    - a. apparent bulk and scale of buildings and structures;
    - b. opportunity for on-site provision of private open space and facilities for parking of vehicles;
    - c. opportunity for access to daylight and sunlight;

- d. visual and acoustic privacy of dwellings; and
  - e. consistency of the streetscape; and
- (iii) the relationship between new sensitive use and the use of land in an adjoining zone

### 10.1.3 Desired Future Character Statements

Use or development in a suburban residential area is to provide –

- (a) housing as a predominant but not exclusive form of development;
- (b) choice and diversity in the design, construction, and affordability of buildings;
- (c) buildings that are typically of one or two storeys;
- (d) buildings that are set apart from adjacent buildings to –
  - (i) reduce apparent bulk and scale;
  - (ii) enable each an opportunity for access to sunlight; and
  - (iii) assist visual and acoustic privacy between adjoining dwellings;
- (e) a streetscape in which buildings are setback consistently from the frontage;
- (f) site coverage that retains sufficient external ground area for recreation, service activity, and vehicle parking; and
- (g) an ordered pattern of lots and a well-connected internal road network

## 10.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or any outdoor area for information, interpretation, or display of items or for any other use
Passive recreation	If a public park or reserve for the local community
Residential	if a single dwelling or home based business
<b>Permitted</b>	
Business and professional services	If a medical centre – <ul style="list-style-type: none"> <li>(a) involving not more than 3 health care professionals at any one time; and</li> </ul>

Use Class	Qualification
	(b) a gross floor area of not more than 300m <sup>2</sup>
Community meeting and entertainment	<p>If –</p> <p>(a) not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition centre, function or reception centre, library, museum, music hall, or theatre; and</p> <p>(b) a gross floor area of not more than 300m<sup>2</sup></p>
Education and occasional care	<p>If –</p> <p>(a) long day care, before or after school care, occasional care, or out-of-school hours care;</p> <p>(b) a day respite centre;</p> <p>(c) pre-school, primary or secondary education to Year 10; or</p> <p>(d) an employment training centre.</p>
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration
Food services	<p>If –</p> <p>(a) not licensed premises;</p> <p>(b) not including a drive-through facility; and</p> <p>(c) seating capacity for not more than 20 people</p>
General retail and hire	If a local shop
Residential	
Resource development	If a community garden for production or ornamental purposes to service the local community; and not involving the keeping of animals
Sport and recreation	If outdoor recreation facilities comprising a single playing field or a single surface for the local community
Tourist operation	<p>If –</p> <p>(a) based on a building, area or place of regulated scientific, aesthetic, architectural or historic interests or otherwise of special cultural value; and</p> <p>(b) not a visitor's information centre</p>
Utilities	If minor utilities;

<b>Use Class</b>	<b>Qualification</b>
Visitor accommodation	If – (a) in a building; and (b) guest accommodation for not more than 16 people
<b>Discretionary</b>	
Business and professional services	If a medical centre
Community meeting and entertainment	If not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition centre, function or reception centre, library, museum, music hall, or theatre
Educational and occasional care	
Food services	If not including a drive through in take away food premises
Natural and cultural values management	
Passive Recreation	
Utilities	
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

## 10.3 Use Standards

### 10.3.1 Discretionary Permit Use

Objective:	
Use in this zone that is a discretionary permit use is to service and support the routine requirements of the local community	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There are no acceptable solutions	<b>P1</b> Discretionary permit use must –

	<ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement; and</li> <li>(c) minimise likelihood for adverse impact on amenity for use on adjacent land in the zone</li> </ul>
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### 10.3.2 Impact of Use

Objective:	
Use in this zone that is a discretionary permit use is required to serve local needs and must minimise adverse impact on the amenity of residential use	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Permitted non-residential use must adjoin at least one residential use on the same street frontage.</p>	<p><b>P1</b></p> <p>Use that is not in a residential use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement;</li> <li>(c) be required to service and support the local community; and</li> <li>(d) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone.</li> </ul>
<p><b>A2</b></p> <p>Permitted non-residential use must not generate more than 40 average daily vehicle movements.</p>	<p><b>P2</b></p> <p>Use that is not in a residential use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement;</li> <li>(c) be dependent on the site for provision of significant social, economic, or environmental benefit to the local community; and</li> <li>(d) be required to obtain vehicular and pedestrian access from a no-through road as a consequence of –</li> </ul>

	<ul style="list-style-type: none"> <li>(i) the effect of topography on ability to create access upon a through road; or</li> <li>(ii) a regulatory limit on the ability to obtain pedestrian or vehicular access upon a through road; and</li> <li>(iii) have minimal likelihood for unreasonable impact on amenity for residential use on adjacent land in the zone</li> </ul>
<p><b>A3</b></p> <p>Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm</p>	<p><b>P3</b></p> <p>Hours of operation, including for the delivery and despatch of goods and the conduct of routine cleaning, maintenance and service, must be reasonable to requirements of the use and unlikely to cause conflict or interference to the amenity of other use on adjacent land in the zone</p>

## 10.4 Development Standards for Dwellings

### 10.4.1 Residential density for multiple dwellings

Objective:	
That the density of multiple dwellings:	
<ul style="list-style-type: none"> <li>(a) makes efficient use of land for housing; and</li> <li>(b) optimises the use of infrastructure and community services.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m<sup>2</sup>.</p>	<p><b>P1</b></p> <p>Multiple dwellings must only have a site area per dwelling that is less than 325m<sup>2</sup>, if the development will not exceed the capacity of infrastructure services and:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the density of existing development on established properties in the area; or</li> <li>(b) provides for a significant social or community benefit and is:</li> </ul>

	<ul style="list-style-type: none"> <li>(i) wholly or partly within 400m walking distance of a public transport stop; or</li> <li>(ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.</li> </ul>
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10.4.2 Setbacks and building envelope for all dwellings

Objective:	
The siting and scale of dwellings:	
<ul style="list-style-type: none"> <li>(a) provides reasonably consistent separation between dwellings and their frontage within a street;</li> <li>(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</li> <li>(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and</li> <li>(d) provides reasonable access to sunlight for existing solar energy installations.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</li> <li>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</li> <li>(c) if for a vacant site and there are existing dwellings on adjoining properties on the</li> </ul>	<p><b>P1</b></p> <p>A dwelling must:</p> <ul style="list-style-type: none"> <li>(a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints; and</li> <li>(b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.</li> </ul>

<p>same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street;</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or</p> <p>(e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>	
<p><b>A2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p><b>P2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries</p>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p>

<p>to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>
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Table 10.4.2

Road	Setback (m)

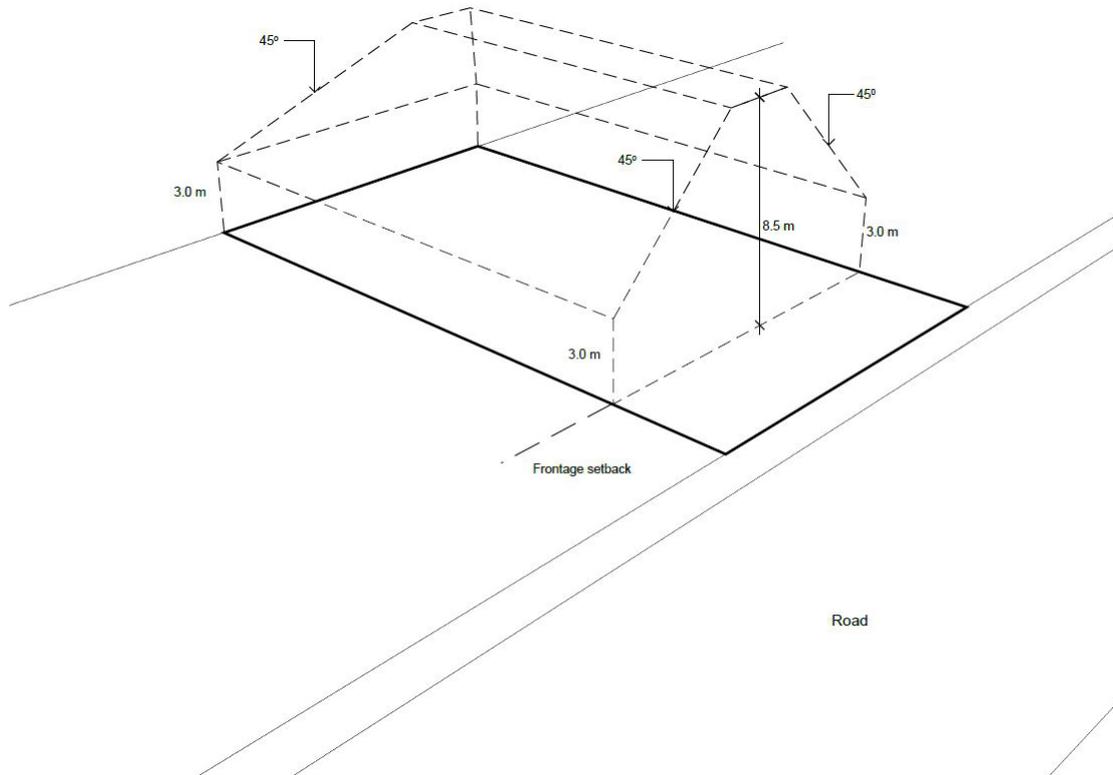


Figure 10.1 Building envelope as required by clause 10.4.2 A3(a)

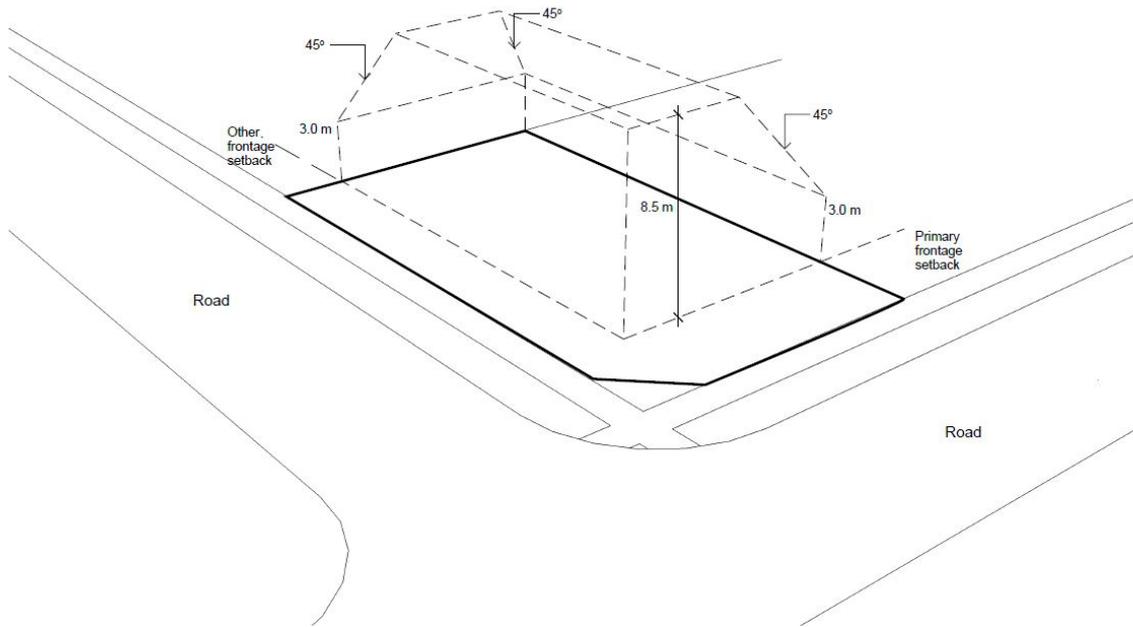


Figure 10.2 Building envelope for corner lots as required by clause 10.4.2 A3(a)

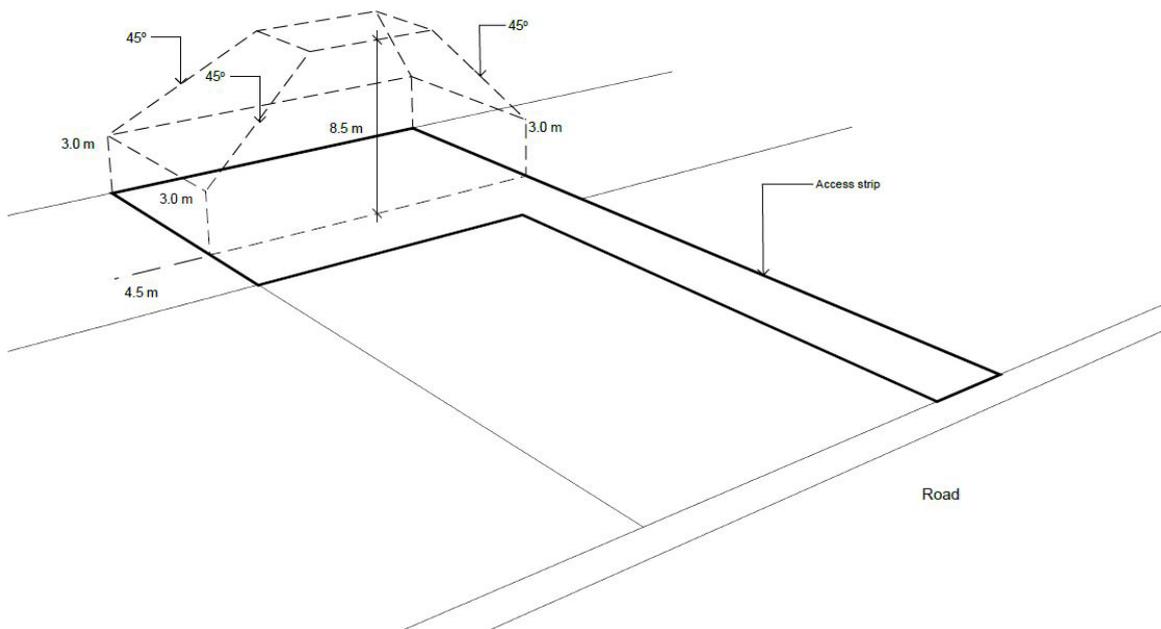


Figure 10.3 Building envelope for internal lots as required by clause 10.4.2 A3(a)

10.4.3 Site coverage and private open space for all dwellings

Objective:	
That dwellings are compatible with the amenity and character of the area and provide:	
<ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents;</li> <li>(b) opportunities for the planting of gardens and landscaping; and</li> <li>(c) private open space that is conveniently located and has access to sunlight.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</li> </ul>	<p><b>P1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) site coverage consistent with that existing on established properties in the area;</li> <li>(b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> <li>(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and</li> <li>(ii) operational needs, such as clothes drying and storage; and</li> </ul> </li> <li>(c) reasonable space for the planting of gardens and landscaping.</li> </ul>
<p><b>A2</b></p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> <li>(a) is in one location and is not less than: <ul style="list-style-type: none"> <li>(i) 24m<sup>2</sup>; or</li> <li>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and is:</p> <ul style="list-style-type: none"> <li>(a) conveniently located in relation to a living area of the dwelling; and</li> <li>(b) orientated to take advantage of sunlight.</li> </ul>

<p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	
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#### 10.4.4 Sunlight to private open space of multiple dwellings

Objective:	
That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy <b>A2</b> or <b>P2</b> of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 10.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p>	<p><b>P1</b></p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy <b>A2</b> or <b>P2</b> of clause 10.4.3 of this planning scheme.</p>

<p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height not more than 2.4m; or</li> <li>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</li> </ul>	
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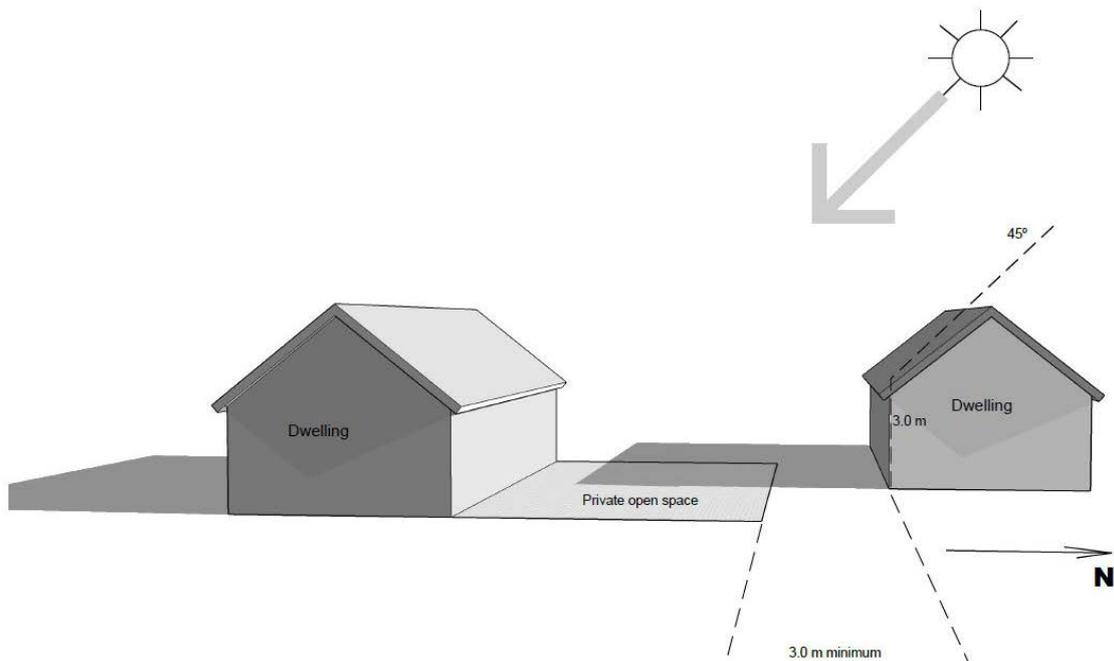


Figure 10.4 Separation from the private open space of another dwelling on the same site as required by clause 10.4.4 A1(a)

10.4.5 Width of openings for garages and carports for all dwellings

Objective:	
To reduce the potential for garage or carport openings to dominate the primary frontage.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p><b>P1</b></p> <p>A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p>

10.4.6 Privacy for all dwellings

Objective:	
To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</p>	<p><b>P1</b></p> <p>A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <p>(a) a dwelling on an adjoining property or its private open space; or</p> <p>(b) another dwelling on the same site or its private open space.</p>
<p><b>A2</b></p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p>	<p><b>P2</b></p> <p>A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p>

<ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<ul style="list-style-type: none"> <li>(a) a window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling.</li> </ul>
<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <ul style="list-style-type: none"> <li>(a) 2.5m; or</li> <li>(b) 1m if: <ul style="list-style-type: none"> <li>(i) it is separated by a screen of not less than 1.7m in height; or</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

<p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	
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#### 10.4.7 Frontage fences for all dwellings

Objective:	
<p>The height and transparency of frontage fences:</p> <p>(a) provides adequate privacy and security for residents;</p> <p>(b) allows the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(c) is reasonably consistent with that on adjoining properties.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution<sup>1</sup>.</p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>

<sup>1</sup> An exemption applies for fences in this zone – see Table 5.6 in Exemptions

#### 10.4.8 Waste storage for multiple dwellings

Objective:	
To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than</p>	<p><b>P1</b></p> <p>A multiple dwelling must have storage for waste and recycling bins that is:</p>

<p>1.5m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 4.5m from a frontage;</p> <p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>	<p>(a) capable of storing the number of bins required for the site;</p> <p>(b) screened from the frontage and dwellings; and</p> <p>(c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</p>
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10.4.9 Suitability of a site or lot for use or development

Objective:	
<p>The minimum properties of a site and of each lot on a plan of subdivision are to –</p> <p>(a) provide a suitable development area for the intended use;</p> <p>(b) provide access from a road; and</p> <p>(c) make adequate provision for connection to a water supply and for the drainage of sewage and stormwater</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <p>(a) have an area of not less than 330m<sup>2</sup> excluding any access strip; and</p> <p>(b) if intended for a building, contain a building area of not less than 10.0m x 15.0m</p> <p>(i) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(ii) clear of any applicable setback from a zone boundary;</p> <p>(iii) clear of any registered easement;</p>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <p>(a) be of sufficient area for the intended use or development without likely constraint or interference for –</p> <p>(i) erection of a building if required by the intended use;</p> <p>(ii) access to the site;</p> <p>(iii) use or development of adjacent land;</p> <p>(iv) a utility; and</p>

<ul style="list-style-type: none"> <li>(iv) clear of any registered right of way benefiting other land;</li> <li>(v) clear of any restriction imposed by a utility;</li> <li>(vi) not including an access strip;</li> <li>(vii) accessible from a frontage or access strip; and</li> <li>(viii) if a new residential lot, with a long axis within the range 30o east of north and 20o west of north</li> </ul>	<ul style="list-style-type: none"> <li>(v) any easement or lawful entitlement for access to other land; and</li> <li>(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area</li> </ul>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road - <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> </ul> </li> <li>(d) with a width of frontage and any access strip or right of way of not less than - <ul style="list-style-type: none"> <li>(i) 3.6 m for a single dwelling development; or</li> <li>(ii) 6.0 m for multiple dwelling development or development for a non-residential use; and</li> </ul> </li> <li>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide</li> </ul>	<p><b>P2</b></p> <ul style="list-style-type: none"> <li>(a) A site must have a reasonable and secure access from a road provided – <ul style="list-style-type: none"> <li>(i) across a frontage; or</li> <li>(ii) by an access strip connecting to a frontage, if for an internal lot; or</li> <li>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> <li>(iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by – <ul style="list-style-type: none"> <li>a. the intended use; and</li> <li>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</li> </ul> </li> <li>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way</li> </ul> </li> </ul>

vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan	to the site or each lot on a subdivision plan; or (b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan
<b>A3</b> A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>	<b>P3</b> It must be unnecessary to require a water supply
<b>A4</b> A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and waste water to a sewage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>	<b>P4</b> It must be unnecessary to require the drainage and disposal of sewage or waste water
<b>A5</b> A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>	<b>P5</b> It must be unnecessary to require the drainage of stormwater

#### 10.4.10 Dwelling density for single dwelling development

Objective:	
Residential dwelling density <sup>[R2]</sup> is to –	
<ul style="list-style-type: none"> <li>(a) make efficient use of suburban land for housing;</li> <li>(b) optimise utilities and community services; and</li> <li>(c) be not less than 12 and not more than 30 dwellings per hectare</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> (a) The site area per dwelling for a single dwelling must – <ul style="list-style-type: none"> <li>(i) be not less than 325m<sup>2</sup></li> </ul>	<b>P1</b> Dwelling density for a single dwelling must be on a site constrained for residential development at suburban densities as a result of – <ul style="list-style-type: none"> <li>(a) size and shape of the site;</li> <li>(b) physical and topographic conditions;</li> </ul>

	<ul style="list-style-type: none"> <li>(c) capacity of available and planned utilities;</li> <li>(d) arrangements for vehicular or pedestrian access;</li> <li>(e) unacceptable level of risk from exposure to a natural hazard listed in a Code that is part of this planning scheme;</li> <li>(f) contamination;</li> <li>(g) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(h) a utility; or <ul style="list-style-type: none"> <li>(i) any lawful and binding requirement –</li> <li>(i) the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</li> <li>(ii) an interest protected at law by an easement or other regulation</li> </ul> </li> </ul>
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**Footnotes**

[R2] The number of dwellings permitted on a site is within the range calculated by dividing the total area of the site by the minimum site area per dwelling and by the maximum site area per dwelling.

10.4.11 Development other than a single or multiple dwelling

10.4.11 does not apply to development for a single or multiple dwelling

10.4.11.1 Location and configuration of development

Objective:
<p>The location and configuration of a development is to –</p> <ul style="list-style-type: none"> <li>(a) provide consistent separation between the development area on adjacent sites and between development and a road;</li> <li>(b) provide consistency in the apparent scale, bulk, massing, and proportion of adjacent buildings;</li> <li>(c) provide sufficient site area for open space, service activity and vehicle parking;</li> <li>(d) provide for the facade of a residential building to remain the dominant architectural element in the streetscape; and</li> <li>(e) separate adjacent buildings to provide reasonable opportunity for daylight and sunlight to habitable rooms and to private open space areas</li> </ul>

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The wall of a building must be setback from a frontage –</p> <ul style="list-style-type: none"> <li>(a) not less than 4.5m from a primary frontage; and</li> <li>(b) not less than 3.0m from any secondary frontage; or</li> <li>(c) not less than and not more than the setbacks for any existing building on adjoining sites;</li> <li>(d) not less than for any building retained on the site;</li> <li>(e) in accordance with any building area shown on a sealed plan; or</li> <li>(f) if the site abuts a road shown in Table <b>A1</b> to this clause, not less than the setback specified for that road</li> </ul>	<p><b>P1</b></p> <p>The setback of a wall of a building from a frontage or boundary must be –</p> <ul style="list-style-type: none"> <li>(a) consistent with the streetscape; and</li> <li>(b) required by a constraint imposed by – <ul style="list-style-type: none"> <li>(i) size and shape of the lot;</li> <li>(ii) orientation and topography of land;</li> <li>(iii) arrangements for connection to a utility;</li> <li>(iv) arrangements for vehicular and pedestrian access;</li> <li>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(vi) a utility; or</li> <li>(vii) any lawful and binding requirement – <ul style="list-style-type: none"> <li>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</li> <li>b. an interest protected at law by an easement or other regulation</li> </ul> </li> </ul> </li> </ul>
<p><b>A2</b></p> <p>All buildings must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(a) the applicable frontage setback;</li> <li>(b) a distance of not less than 4.0m from the rear boundary or if an internal lot, a distance of 4.5m from the boundary abutting the rear boundary of the adjoining frontage site;</li> <li>(c) projecting a line at an angle of 45° from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from</li> </ul>	<p><b>P2</b></p> <p>Building height and location of a building in relation to a frontage and site boundaries must -</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</li> <li>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</li> <li>(c) be consistent with the streetscape;</li> </ul>

<p>the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback -</p> <ul style="list-style-type: none"> <li>(i) not less than 1.5m from each side boundary; or</li> <li>(ii) less than 1.5m from a side boundary if – <ul style="list-style-type: none"> <li>a. built against an existing wall of an adjoining building; or</li> <li>b. the wall or walls - <ul style="list-style-type: none"> <li>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</li> <li>ii. there is no door or window in the wall of the building; and</li> <li>iii. overshadowing does not result in 50% of the private open space of an adjoining dwelling receiving less than 3 hours of sunlight between 9:00am and 3:00pm on 21st June.</li> </ul> </li> </ul> </li> </ul> <p>(d) in accordance with any building envelope shown on a sealed plan of subdivision</p>	<ul style="list-style-type: none"> <li>(d) respond to the effect of the slope and orientation of the site; and</li> <li>(e) provide separation between buildings to attenuate impact</li> </ul>
<p><b>A3</b></p> <p>Site coverage must -</p> <ul style="list-style-type: none"> <li>(a) not be more than 50%; or</li> <li>(b) not be more than any building area shown on a sealed plan of subdivision</li> </ul>	<p><b>P3</b></p> <p>Site coverage must –</p> <ul style="list-style-type: none"> <li>(a) provide a usable area for private open space, landscaping, vehicle parking, and service activity; and</li> <li>(b) be consistent with the streetscape</li> </ul>
<p><b>A4</b></p> <p>A garage, car port or external parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building</p>	<p><b>P4</b></p> <p>A, garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with the streetscape;</li> </ul>

	<p>(b) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</p> <p>(c) provide durable physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</p>
<p><b>A5</b></p> <p>Other than for a dwelling, the total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of –</p> <p>(a) 6.0m; or</p> <p>(b) half the width of the frontage</p>	<p><b>P5</b></p> <p>Other than for a dwelling the frontage elevation of a garage or carport (whether freestanding or part of any other building) must minimise potential to dominate the streetscape</p>

Table to A1

	Locality - Queenstown	Frontage Setback (m)
	Street	2
(a)	Batchelor Street	2
(b)	Beardsley Street	2
(c)	Bowes Street	2
(d)	Crotty Street	2
(e)	Cutten Street between Sticht Street and Peter Street	2
(f)	Dixon Street east of Crotty Street	2
(g)	Dixon Street on north side west of Crotty Street	2
(h)	Driffield Street	2
(i)	Duff Street	2
(j)	Esplanade Street off King Street	2
(k)	Hunter Street	

(l)	King Street	2
(m)	Knox Street	2
(n)	Little Orr Street	2
(o)	Little Sticht Street	
(p)	McNamara Street northwest side	2
(q)	Orr Street	2
(r)	Peter Street	2
(s)	Preston Street east side between King Street and the Esplanade	2
(t)	Preston Street north of King Street	2
(u)	Provis Street	2
(v)	Russell Street	2
(w)	William Ave	2
(x)	Wilmot Street	2
(y)	Wilsden Street between Bachelor Street and Sedgewick Street	2

#### 10.4.11.2 Visual and acoustic privacy for residential development

Objective:	
The location and configuration of development is to minimise likelihood for –	
(a) overlooking of a habitable room, balcony, deck, or roof garden in an adjacent dwelling;	
(b) intrusion of vehicle noise from an access strip or communal driveway	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building must –</p> <p>(a) if the finished floor level is more than 1.0m above natural ground level -</p>	<p><b>P1</b></p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport of a building must be minimised by –</p> <p>(a) physical separation from the door, window balcony, deck, roof garden, parking space, or carport in an adjacent dwelling;</p>

<ul style="list-style-type: none"> <li>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li> <li>(ii) be not less than 3.0m from a side boundary;</li> <li>(iii) be not less than 4.0m from a rear boundary; and</li> <li>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or</li> </ul> <p>(b) if less than the setbacks in clause <b>A1(a)</b> -</p> <ul style="list-style-type: none"> <li>(i) be off-set by not less than 1.5m from the edge of any door or window of another dwelling;</li> <li>(ii) have a window sill height of not less than 1.8m above floor level;</li> <li>(iii) have fixed glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above floor level; or</li> <li>(iv) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport</li> </ul>	<ul style="list-style-type: none"> <li>(b) off-set from a door or window to a habitable room in an adjacent dwelling;</li> <li>(c) effective use of screening other than vegetation; or</li> <li>(d) effect of topography and natural features</li> </ul>
<p><b>A2</b></p> <p>An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p><b>P2</b></p> <p>An access strip or communal driveway, including any pedestrian pathway and parking area, must minimise likelihood for impact from over-viewing and noise disturbance on the amenity of any dwelling.</p>

### 10.4.11.3 Frontage fences

Objective:	
Other than for a dwelling, a frontage fence is to –	
<ul style="list-style-type: none"> <li>(a) assist privacy and security for occupants of a site;</li> <li>(b) contribute to consistency of height and transparency of structures on or within a frontage</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>The height of a fence, including any supporting retaining wall, on or within a frontage setback must be –</p> <ul style="list-style-type: none"> <li>(a) not more than 1.2m if the fence is solid; or</li> <li>(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.</li> </ul>	<p><b>P1</b></p> <p>The height of a fence on or within a frontage setback must be reasonably required for the security and privacy of the site.</p>

### 10.4.12 Setback of development for sensitive use

Objective:	
Development for a sensitive use is to –	
<ul style="list-style-type: none"> <li>(a) minimise likelihood for conflict, interference, and constraint between the sensitive use and the use or development of land in a zone that is not for a residential purpose; and</li> <li>(b) minimise unreasonable impact on amenity of the sensitive use through exposure to emission of noise, fumes, light and vibration from road, rail, or marine transport</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A building containing a sensitive use must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(a) the setback distance from the zone boundary as shown in the Table to this clause; and</li> <li>(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the</li> </ul>	<p><b>P1</b></p> <p>The location of a building containing a sensitive use must –</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</li> <li>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</li> </ul>

required setback distance from the zone boundary	
<p><b>A2</b></p> <p>Development for a sensitive use must be not less than 50m from –</p> <p>(a) a major road identified in the Table to this clause;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area</p>	<p><b>P2</b></p> <p>Development for a sensitive use must –</p> <p>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</p> <p>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</p> <p>(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years</p>

Table to Clause 10.4.12 A1

<b>Adjoining Zone</b>	<b>Setback distance (m) 1</b>
Local Business	4.0
General Business	4.0
Central Business	4.0
Commercial	4.0
Light Industrial	4.0
General Industrial	4.0
Rural Resource	<p>(a) 50.0; or</p> <p>(b) 4.0 if the site is a lot approved for residential use on a plan of subdivision sealed before this planning scheme came into effect</p>
Utilities	10.0
Port and Marine	50.0

Note - If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

Table to Clause 10.4.12 A2

<b>Road</b>	<b>Setback (m)</b>
This clause does not apply	

10.4.13 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the General Residential zone	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) for a purpose permissible in the zone</p>
<p><b>A2</b></p> <p>A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot</p>	<p><b>P2</b></p> <p>(a) An internal lot on a plan of subdivision must be –</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by –</p> <p>a. slope, shape, orientation and topography of land;</p> <p>b. an established pattern of lots and development;</p> <p>c. connection to the road network;</p> <p>d. connection to available or planned utilities;</p> <p>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or</p>

	<p>f. exposure to an unacceptable level of risk from a natural hazard; and</p> <p>(ii) without likely impact on the amenity of adjacent land</p>
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#### 10.4.14 Reticulation of an electricity supply to new lots on a plan of subdivision

Objective:	
Distribution and connection of reticulated electricity supply to new lots on a plan of subdivision is to be without visual intrusion on the streetscape or landscape qualities of the residential area	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Electricity reticulation and site connections must be installed underground</p>	<p><b>P1</b></p> <p>It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground</p>

## 11.0 Inner Residential Zone

The zone is not used in this planning scheme

## 12.0 Low Density Residential Zone

### 12.1 Zone Purpose

#### 12.1.1 Zone Purpose Statements

12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.

12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.

#### 12.1.2 Local Area Objectives

- (a) Land is available for residential use in urban and semi-urban settings;
- (b) Low density residential areas make efficient use of land and optimise available infrastructure provision through a balance between infill and redevelopment of established residential areas and by incremental release of new land;
- (c) The type, scale, and intensity of use or development are consistent with the level of permanent constraint on residential use at suburban densities.
- (d) New or intensified use or development is restricted if the limit of a known constraint on residential use is uncertain;

- (e) Low density residential areas provide equivalent opportunity for single dwelling and multiple dwelling developments and for shared and supported accommodation through private, public, and social investment.
- (f) Low density residential areas enable opportunity for convenient access to basic level services and facilities for education, health care, retail, social, and recreation purposes;
- (g) Low density residential areas provide small-scale employment opportunities in home occupation and home based business.
- (h) The amenity and character of low density residential areas is commensurate with the location of housing and support activity within a shared urban or semi-urban living space, and is to take into account –
  - (i) the likely impact on residential use from the occurrence and operation of non-housing activity;
  - (ii) suitability of a site for intended use;
  - (iii) possible absence in provision or capacity of community services, transport infrastructure and utilities;
  - (iv) restriction imposed by an environmental constraint;
  - (v) the level of risk from exposure to a natural hazard; and
  - (vi) the effect of location and configuration of buildings within a site on -
    - a. apparent bulk and scale of buildings and structures;
    - b. opportunity for on-site provision of private open space and facilities for parking of vehicles;
    - c. opportunity for access to daylight and sunlight;
    - d. visual and acoustic privacy between adjacent dwellings; and
    - e. consistency of the streetscape; and
    - f. the relationship between new sensitive use and the use of land in an adjoining zone

### 12.1.3 Desired Future Character Statements

Use or development in a low density residential area is to provide –

- (a) sites that are typically larger than suburban lots, although size is dependent on availability of utilities and land capability;
- (b) choice and diversity in the design, construction, and affordability of buildings;
- (c) housing as a predominant but not exclusive form of development;

- (d) buildings that are typically of one or two storeys;
- (e) a streetscape in which buildings are setback consistently from the frontage;
- (f) buildings that are set apart from adjacent buildings to –
  - (i) reduce apparent bulk and scale;
  - (ii) enable each an opportunity for access to sunlight; and
  - (iii) assist visual and acoustic privacy of adjoining residents;
- (g) site coverage that retains unbuilt area for recreation, service activity, vehicle parking, and on-site disposal of sewage or stormwater; and
- (h) an ordered pattern of lots and an internal road network

Desired Future Character Statements	Implementation Strategy
<p>The type, scale, and intensity of use or development is appropriate for the level of permanent constraint on residential use at suburban densities as a result of -</p> <ul style="list-style-type: none"> <li>(a) capacity in existing or planned provision of utilities at Granville Harbour and Trial Harbour;</li> <li>(b) capacity of a road network to provide direct, efficient, reliable, or safe vehicular, cycle and pedestrian access to destinations required to service regular and routine residential needs at Trial Harbour and Granville Harbour;</li> <li>(c) an unacceptable level of risk from exposure to an amenity, natural or environmental hazard at Granville Harbour and Trial Harbour;</li> <li>(d) a requirement of this planning scheme to provide security and efficient operation and safety for a utility asset at Trial Harbour and Granville Harbour</li> </ul>	

## 12.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or external activity area for information, interpretation, or display of items or for any other use

<b>Use Class</b>	<b>Qualification</b>
Passive recreation	If a public park or reserve for the local community
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Business and professional services	If a medical centre - (a) involving not more than 3 health care professionals at any one time; and (b) a gross floor area of not more than 300m <sup>2</sup>
Community meeting and entertainment	If - (a) not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition centre, function or reception centre, library, museum, music hall, or theatre; and (b) a gross floor area of not more than 300m <sup>2</sup>
Education and occasional care	If – (a) long day care, before or after school care, occasional care, or out-of-school hours care; (b) a day respite centre; (c) pre-school, primary or secondary education to Year 10; or (d) an employment training centre.
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administrative function
Food services	If - (a) not licensed premises; (b) not including a drive-through facility; and (c) seating capacity for not more than 20 people
General retail and hire	If a local shop
<b>Residential</b>	
Resource development	If a community garden for production or ornamental purposes to service the local community; and not involving the keeping of animals

<b>Use Class</b>	<b>Qualification</b>
Sport and recreation	If outdoor recreation facilities comprising a single playing field or a single surface for the local community
Tourist operation	If – (a) based on a building, area, or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; and (b) not a visitor’s information centre
Utilities	If minor utilities
Visitor accommodation	If – (a) in a building; and (b) guest accommodation for not more than 16 people
<b>Discretionary</b>	
Business and professional services	If a medical centre
Community meeting and entertainment	If not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition centre, function or reception centre, library, museum, music hall, or theatre
Educational and occasional care	
Food services	
Natural and cultural values management	
Passive Recreation	
Utilities	
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

## 12.3 Use Standards

### 12.3.1 Discretionary Permit Use

Objective:	
Use in this zone that is a discretionary permit use is to service and support the routine requirements of the local community	
Acceptable Solutions	Performance Criteria
<b>A1</b> There are no acceptable solutions	<b>P1</b> Discretionary permit use must – <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement; and</li> <li>(c) minimise likelihood for adverse impact on amenity for use on adjacent land in the zone</li> </ul>

### 12.3.2 Impact of Use

Objective:	
Use in this zone that is a discretionary permit use is required to serve local needs and must minimise adverse impact on the amenity of residential use.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Permitted non-residential use must adjoin at least one residential use on the same street frontage.	<b>P1</b> Use that is not in a residential use must – <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statements;</li> <li>(c) be required to service and support the local community; and</li> <li>(d) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone</li> </ul>
<b>A2</b> Permitted non-residential use must not generate more than 40 average daily vehicle movements.	<b>P2</b> Use that is not in a residential use must – <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> </ul>

	<ul style="list-style-type: none"> <li>(b) be consistent with any applicable desired future character statements;</li> <li>(c) be required to service and support the local community; be dependent on the site for provision of significant social, economic, or environmental benefit to the local community;</li> <li>(d) be required to obtain vehicular and pedestrian access from a no-through road as a consequence of – <ul style="list-style-type: none"> <li>(i) the effect of topography on ability to create access upon a through road; or</li> <li>(ii) a regulatory limit on the ability to obtain pedestrian or vehicular access upon a through road; and</li> </ul> </li> <li>(e) have minimal likelihood for unreasonable impact on amenity for residential use on adjacent land in the zone</li> </ul>
<p><b>A3</b></p> <p>Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm</p>	<p><b>P3</b></p> <p>Hours of operation, including for the delivery and despatch of goods and the conduct of routine cleaning, maintenance and service, must be reasonable to requirements of the use and unlikely to cause conflict or interference to the amenity of other use on adjacent land in the zone</p>

## 12.4 Development Standards

### 12.4.1 Suitability of a site or lot for use or development

Objective:	
<p>The minimum properties of a site and of each lot on a plan of subdivision are to –</p> <ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> <li>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <p>(a) have an area of -</p> <ul style="list-style-type: none"> <li>(i) not less than 500m<sup>2</sup> excluding any access strip; or</li> <li>(ii) if in a locality shown in the Table to this clause, not less than the site area shown for that locality; and</li> </ul> <p>(b) contain a building area of not less than 10.0m x 15.0m -</p> <ul style="list-style-type: none"> <li>(i) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefitting other land;</li> <li>(v) clear of any restriction imposed by a utility;</li> <li>(vi) not including an access strip;</li> <li>(vii) accessible from a frontage or access strip; and</li> <li>(viii) if a new residential lot, with a long axis within the range 30o east of north and 20o west of north</li> </ul>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must</p> <p>(a) be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> <li>(i) erection of a building if required by the intended use;</li> <li>(ii) access to the site;</li> <li>(iii) use or development of adjacent land;</li> <li>(iv) a utility; and</li> <li>(v) any easement or lawful entitlement for access to other land; and</li> </ul> <p>(b) if a new residential lot, be orientated to maximise opportunity for solar access to a building area</p>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p>	<p><b>P2</b></p> <p>(a) A site must have a reasonable and secure access from a road provided –</p> <ul style="list-style-type: none"> <li>(i) across a frontage; or</li> <li>(ii) by an access strip connecting to a frontage, if for an internal lot; or</li> <li>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with</li> </ul>

<ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> </ul> <p>(d) with a width of frontage and any access strip or right of way of not less than –</p> <ul style="list-style-type: none"> <li>(i) 3.6m for single dwelling development; or</li> <li>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</li> </ul> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>the acceptable solution in any applicable standard; and</p> <ul style="list-style-type: none"> <li>(iv) the dimensions of the frontage and any access strip or the right-of-way must be adequate for the type and volume of traffic likely to be generated by – <ul style="list-style-type: none"> <li>a. the intended use; and</li> <li>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</li> </ul> </li> <li>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</li> </ul> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <ul style="list-style-type: none"> <li>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) from a rechargeable drinking water system <sup>[R4]</sup> with a storage capacity of not less than 10,000 litres if– <ul style="list-style-type: none"> <li>(i) there is not a reticulated water supply; and</li> <li>(ii) development is for – <ul style="list-style-type: none"> <li>a. a single dwelling; or</li> </ul> </li> </ul> </li> </ul>	<p><b>P3</b></p> <ul style="list-style-type: none"> <li>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</li> <li>(b) It must be unnecessary to require a water supply</li> </ul>

<p>b. a use with an equivalent population of not more than 10 people per day</p>	
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development -</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>c. creates a total sewage and waste water flow of not more than 1,000l per day; and</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</p>	<p><b>P4</b></p> <p>A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p> <p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</p>

	(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface; and</p> <p>(iii) the development is for a single dwelling</p>	<p><b>P5</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater -</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>

Table to Clause 12.4.1 A1

Locality	Site area
This clause does not apply	

#### Footnotes

[R4] Rechargeable drinking water system may include rain water collection, a bore, a spring, a stream, or a water body such as freshwater dam or lake with an appropriate level of reliability, quality and quantity to provide a water supply to the use or development

#### 12.4.2 Dwelling density

Objective:	
Residential dwelling density is to –	
<ul style="list-style-type: none"> <li>(a) make efficient use of land for housing;</li> <li>(b) optimise utilities and community services; and</li> <li>(c) be consistent with any constraint on suitability of the land for residential use</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>The site area per dwelling must –</p> <ul style="list-style-type: none"> <li>(a) be not less than 500m<sup>2</sup> if the site has – <ul style="list-style-type: none"> <li>(i) connection to a reticulated water supply;</li> <li>(ii) connection to a reticulated sewer system; and</li> <li>(iii) connection to a stormwater system; or</li> </ul> </li> <li>(b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.</li> </ul>	<p><b>P1</b></p> <p>The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of –</p> <ul style="list-style-type: none"> <li>(a) a suitable building area;</li> <li>(b) access from a road;</li> <li>(c) provision of a water supply;</li> <li>(d) disposal of sewage;</li> <li>(e) disposal of stormwater; and</li> <li>(f) a tolerable level of risk from a natural hazard.</li> </ul>

Table to Clause 12.4.2 A1

Locality	Site Area
This table is not used in this scheme	

#### 12.4.3 Location and configuration of development

Objective:
The location and configuration of development is to –
<ul style="list-style-type: none"> <li>(a) be consistent with land capability;</li> <li>(b) provide a consistent separation between the development area on adjacent sites and between development and a road;</li> <li>(c) provide consistency in the apparent scale, bulk, massing, and proportion of adjacent buildings;</li> <li>(d) provide sufficient site area for open space, utilities, and vehicle parking;</li> </ul>

<p>(e) provide for the facade of a residential building to remain the dominant architectural element in the streetscape; and</p> <p>(f) separate adjacent buildings to provide reasonable opportunity for daylight and sunlight to habitable rooms and to private open space areas; and</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>The wall of a building must be setback from a frontage –</p> <p>(a) not less than 4.5m from a primary frontage; and</p> <p>(b) not less than 3.0m from any secondary frontage; or</p> <p>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</p> <p>(d) not less than for any building retained on the site;</p> <p>(e) in accordance with any building area shown on a sealed plan; or</p> <p>(f) if the site abuts a road shown in the Table to this Clause, the setback specified for that road.</p>	<p><b>P1</b></p> <p>The setback of a wall of a building from a frontage must be –</p> <p>(a) consistent with the streetscape; and</p> <p>(b) required by a constraint imposed by –</p> <p>(i) size and shape of the site;</p> <p>(ii) orientation and topography of land;</p> <p>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</p> <p>(iv) arrangements for vehicular or pedestrian access;</p> <p>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</p> <p>(vi) a utility; or</p> <p>(vii) any lawful and binding requirement –</p> <p>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</p> <p>b. an interest protected at law by an easement or other regulation</p>
<p><b>A2</b></p> <p>All buildings must be contained within a building envelope determined by-</p> <p>(a) the applicable frontage setback;</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not less than the setback</p>	<p><b>P2</b></p> <p>Building height and location of a building in relation to a frontage and site boundaries must -</p> <p>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</p>

<p>distance specific from the feature specified;</p> <p>(c) projecting a line at an angle of 45° from the horizontal at a height of 3.0m above natural ground level at each side boundary and at a distance of 4.0m from the rear boundary to a building height of not more than 8.5m above natural ground level if walls are setback -</p> <p>(i) not less than 1.5m from each side boundary; or</p> <p>(ii) less than 1.5m from a side boundary if wall height is not more than 3.0m; and –</p> <p>a. built against an existing wall of an adjoining building; or</p> <p>b. the wall or walls -</p> <p>i. have the lesser of a total length of 9.0m or one-third of the boundary with the adjoining land;</p> <p>ii. there is no door or window in the wall of the building; and</p> <p>iii. overshadowing does not result in -</p> <p>a. less than 2 hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21st June; or</p> <p>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent</p>	<p>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</p> <p>(c) be consistent with the streetscape;</p> <p>(d) respond to the effect of the slope and orientation of the site; and</p> <p>(e) provide separation between buildings to attenuate impact</p>
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<p style="text-align: center;">dwelling if already less than 2 hours between 9.00am and 3.00pm on 21st June; or</p> <p>(d) in accordance with any building envelope shown on a sealed plan</p>	
<p><b>A3</b></p> <p>Site coverage must -</p> <p>(a) not be more than 50%; or</p> <p>(b) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and</p> <p>(c) not include any part of a site required for the disposal of sewage or stormwater; or</p> <p>(d) be not more than any building area shown on a sealed plan</p>	<p><b>P3</b></p> <p>Site coverage must –</p> <p>(a) provide a usable area for private open space, landscaping, and vehicle parking and service activity;</p> <p>(b) retain capacity in any area required for disposal of sewage or stormwater; and</p> <p>(c) be consistent with the streetscape</p>
<p><b>A4</b></p> <p>A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage of a building</p>	<p><b>P4</b></p> <p>A garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must –</p> <p>(a) not dominate the architectural or visual frontage of the site;</p> <p>(b) be consistent with the streetscape;</p> <p>(c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</p> <p>(d) provide durable physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</p>
<p><b>A5</b></p> <p>Total width of openings in the frontage elevation of a garage or carport (whether freestanding or part of any other building) must be the lesser of –</p>	<p><b>P5</b></p> <p>The frontage elevation of a garage or carport (whether freestanding or part of any other building) must minimise potential to dominate the streetscape</p>

(a) 6.0m; or	
(b) half the width of the frontage	

Table to Clause 12.4.3 A1

Road	Setback (m)
Trial Harbour – Ernies Drive	2
Trial Harbour – Cliffs Road	2
Trial Harbour – Edith Lane	2

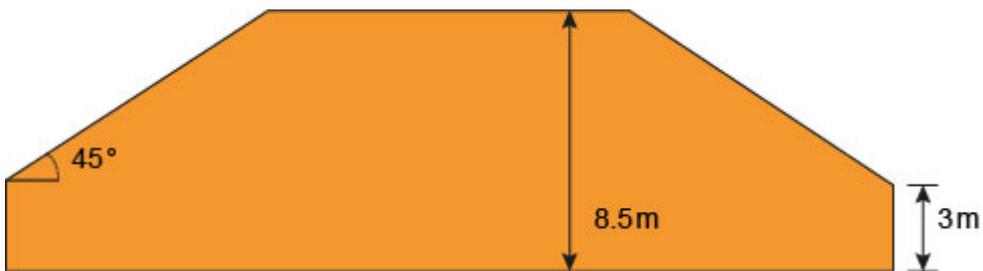
Table to Clause 12.4.3 A2

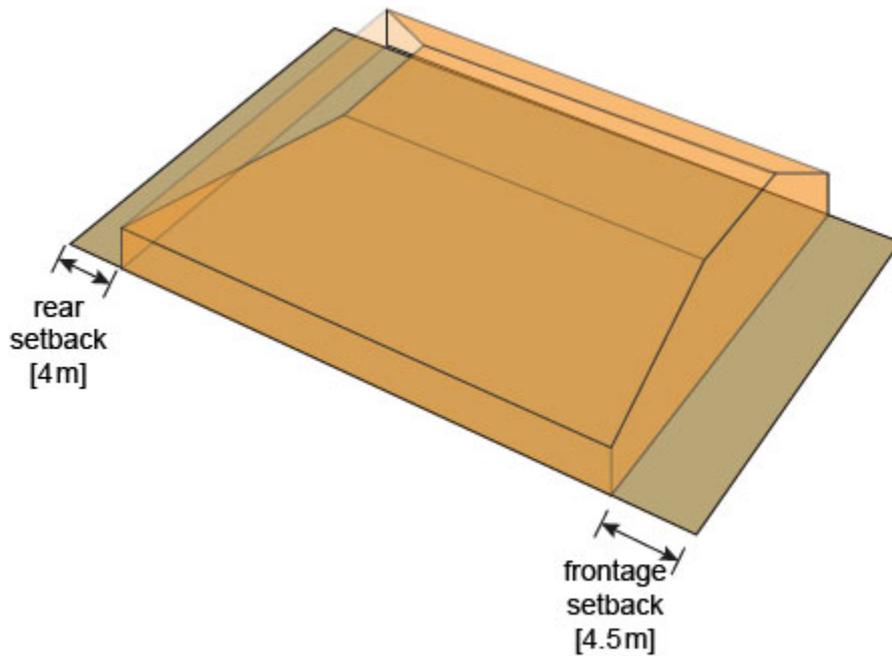
Locality	Feature	Setback distance (m)
This clause does not apply		

Table to Clause 12.4.3 A3

Locality	Site coverage (%)
This clause does not apply	

Figure 12.4.3. Building envelope described by acceptable solution A2(b) in relation to front and rear setbacks.





12.4.4 Visual and acoustic privacy for residential development

Objective:	
The location and configuration of development is to minimise likelihood for –	
<ul style="list-style-type: none"> <li>(a) overlooking of a habitable room, balcony, deck, or roof garden in an adjacent dwelling;</li> <li>(b) intrusion of vehicle noise from an access strip or communal driveway</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport of a building must –</p> <ul style="list-style-type: none"> <li>(a) if the finished floor level is more than 1.0m above natural ground level - <ul style="list-style-type: none"> <li>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in a dwelling on the same site;</li> <li>(ii) be not less than 3.0m from a side boundary;</li> <li>(iii) be not less than 4.0m from a rear boundary; and</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport of a building must be minimised by –</p> <ul style="list-style-type: none"> <li>(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;</li> <li>(b) off-set from a door or window to a habitable room in an adjacent dwelling;</li> <li>(c) effective use of screening other than vegetation; or</li> <li>(d) effect of topography and natural features</li> </ul>

<p>(iv) if an internal lot, be not less than 4.5m from the boundary abutting a rear boundary of an adjacent frontage site; or</p> <p>(b) if less than the setbacks in clause <b>A1(a)</b> -</p> <p>(i) be off-set by not less than 1.5m from the edge of any door or window in another dwelling;</p> <p>(ii) a have a window sill height of not less than 1.8m above finished floor level;</p> <p>(iii) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.7m above finished floor level; or</p> <p>(iv) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level and with a uniform transparency of not more than 25% located for the full width of the door, window, balcony, deck, roof garden, parking space, or carport</p>	
<p><b>A2</b></p> <p>An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 1.5m horizontally and 1.5m vertically from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p><b>P2</b></p> <p>An access strip or communal driveway, including any pedestrian pathway and parking area, must minimise likelihood for impact from over-viewing and noise disturbance on the amenity of any dwelling</p>

12.4.5 Private open space for residential use

<p>Objective:</p>	
<p>Private open space is available in development for residential use to meet the reasonable private and communal needs of residents for garden, recreation, service, and storage purposes.</p>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p>	<p><b>P1</b></p>

<p>Each dwelling must provide private open space –</p> <p>(a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area –</p> <ul style="list-style-type: none"> <li>(i) located adjoining the rear or side of the dwelling;</li> <li>(ii) accessible from the dwelling;</li> <li>(iii) of not less than 25m<sup>2</sup>;</li> <li>(iv) with a minimum dimension of 4.0m;</li> <li>(v) on a single level; and</li> <li>(vi) with a gradient of not more than 1 in 10; and</li> </ul> <p>(b) if a dwelling with a floor level of more than 2.5m above finished ground level, as an alternative to a ground level area, a private balcony, deck, terrace or roof garden –</p> <ul style="list-style-type: none"> <li>(i) of not less than 25m<sup>2</sup>;</li> <li>(ii) with a minimum dimension of 4.0m; and</li> <li>(iii) accessible from the dwelling</li> </ul>	<p>Private open space must –</p> <p>(a) have size and dimension appropriate for the projected requirements of the residents of the dwelling; and</p> <p>(b) provide a usable area taking into account –</p> <ul style="list-style-type: none"> <li>(i) the effect of shape, orientation, and topography of the site;</li> <li>(ii) the availability, accessibility, purpose, and characteristics of – <ul style="list-style-type: none"> <li>a. any other recreation and service area within the site;</li> <li>b. any external communal open space area; and</li> <li>c. public open space</li> </ul> </li> </ul>
<p><b>A2</b></p> <p>The required minimum private open space area must be capable of receiving at least 3 hours of sunlight between 9.00am and 3.00pm on 21st June.</p>	<p><b>P2</b></p> <p>Each required private open space area must maximise opportunity for access to sunlight having regard for –</p> <ul style="list-style-type: none"> <li>(a) aspect, orientation, size, shape, slope, and topography of the site;</li> <li>(b) desirable to retain existing vegetation on the site; and</li> <li>(c) the impact of overshadowing by existing development on adjacent land</li> </ul>
<p><b>A3</b></p> <p>Unless there is a ground level private open space area directly accessible at grade to a shared driveway or pedestrian pathway, each dwelling in a</p>	<p><b>P3</b></p> <p>Arrangements must be made for the storage of waste –</p> <ul style="list-style-type: none"> <li>(a) with sufficient size and area to serve requirements of the site;</li> </ul>

multiple dwelling development must have access to a waste storage area –	(b) screened to view from the frontage and from dwellings; and
(a) located behind the applicable frontage setback;	(c) separated from a dwelling to attenuate noise and odour.
(b) of not less than 1.5m <sup>2</sup> per dwelling;	
(c) screened to view from the frontage and any dwelling by a wall of height not less than 1.2m above finished ground level; and	
(d) not less than 6.0 from a window, door, balcony, deck, roof garden or private open space area of a dwelling.	

#### 12.4.6 Frontage fences

Objective:	
A frontage fence is to –	
(a) assist privacy and security for occupants of a dwelling;	
(b) assist to attenuate likely impact from activity on a road, on the site, or on adjacent land;	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
The height of a fence, including any supporting retaining wall, on a frontage or within a frontage setback must be –	The height of a fence on a frontage or within a frontage setback must be reasonably required for the security and privacy of the site
(a) not more than 1.2m if the fence is solid; or	
(b) not more than 1.8m provided that part of the fence above 1.2m has openings that provide a uniform transparency of not less than 30%.	

#### 12.4.7 Setback of development for sensitive use

Objective:
Development for a sensitive use is to –
(a) minimise likelihood for conflict, interference, and constraint between the sensitive use and the use or development of land in a zone that is not for a residential purpose; and
(b) minimise unreasonable impact on amenity of the sensitive use through exposure to emission of noise, fumes, light and vibration from road, rail, or marine transport

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A building containing a sensitive use must be contained within a building envelope determined by –</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary</p>	<p><b>P1</b></p> <p>The location of a building containing a sensitive use must –</p> <p>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</p> <p>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</p>
<p><b>A2</b></p> <p>Development for a sensitive use must be not less than 50m from –</p> <p>(a) a major road identified in the Table to this clause;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area</p>	<p><b>P2</b></p> <p>Development for a sensitive use must –</p> <p>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</p> <p>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</p> <p>(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years</p>

Table to Clause 12.4.7 A1

Adjoining Zone	Setback distance (m)
Local Business	4.0
General Business	4.0
Light Industrial	4.0
General Industrial	4.0

Rural Resource	(a) 50.0; or  (b) 4.0 if the site is a lot approved for residential use on a plan of subdivision sealed before this planning scheme came into effect
Utilities	10.0

Note - If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

Table to Clause 12.4.7 A2

Road	Setback (m)
This Clause does not apply	

#### 12.4.8 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Low Density Residential zone	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) for a purpose permissible in the zone</p>
<p><b>A2</b></p> <p>A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot</p>	<p><b>P2</b></p> <p>(a) An internal lot on a plan of subdivision must be –</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by –</p> <p>a. slope, shape, orientation and topography of land;</p>

	<ul style="list-style-type: none"> <li>b. an established pattern of lots and development;</li> <li>c. connection to the road network;</li> <li>d. connection to available or planned utilities;</li> <li>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or</li> <li>f. exposure to an unacceptable level of risk from a natural hazard; and</li> </ul> <p>(ii) without likely impact on the amenity of adjacent land</p>
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12.4.9 Reticulation of an electricity supply to new lots on a plan of subdivision

Objective:	
Distribution and connection of reticulated electricity supply to new lots on a plan of subdivision is to be without visual intrusion on the streetscape or landscape qualities of the residential area	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Electricity reticulation and site connections must be installed underground	<b>P1</b> It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground

## 13.0 Rural Living Zone

### 13.1 Zone Purpose

#### 13.1.1 Zone Purpose Statements

13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.

13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.

#### 13.1.2 Local Area Objectives

13.1.2.1 (a) Use and development retains a rural setting

- (b) Rural living areas make efficient use of land and optimise available infrastructure through a balance between infill and redevelopment of established rural living areas and release of new land
- (c) The type, scale and intensity of use or development is consistent with the capacity of infrastructure services, land capability, the level of risk from exposure to natural hazards, and the protection of land significant for primary production;
- (d) Rural living areas provide opportunity for housing in single and multiple dwellings for individual, shared, and supported accommodation through private, public, and social investment;
- (e) Rural living areas enable small-scale employment opportunities in home occupation and home based-business;
- (f) New or intensified use or development is restricted if the limit of a constraint on residential use is unknown or uncertain.
- (g) Rural living areas have no priority purpose for primary industry use
- (h) The amenity and character of residential use is commensurate with the location of housing and support activity within a rural setting and is to take into account –
  - (i) likely compromise as a result of factors arising from –
    - a. occupational and operational practices of primary industry and other use on adjacent rural land;
    - b. possible absence or under-provision of transport infrastructure and utilities;
    - c. possible absence of facilities for convenience retail, education, entertainment, health and social support, and for sports and recreation;
    - d. likelihood for exposure to a natural hazard; and
    - e. relative remoteness from an urban centre
  - (ii) the effect of location and configuration of buildings within a site on –
    - a. apparent bulk and scale of buildings and structures within the rural setting;
    - b. opportunity for on-site provision of private open space and facilities for parking of vehicles;
    - c. opportunity for access to daylight and sunlight;
    - d. visual and acoustic privacy between adjacent dwellings; and
    - e. consistency of the streetscape

- 13.1.3.1
- (a) occur as discrete, contiguous, and ordered clusters of dwellings and associated buildings embedded in a rural setting;
  - (b) provide sites that are larger than suburban lots, although size is dependent on availability of utilities, land capability, and retention of a rural setting;
  - (c) provide housing as a predominant but not exclusive use;
  - (d) provide choice and diversity in the type and form of buildings for housing and non-housing development;
  - (e) provide buildings that are typically of one or two storeys;
  - (f) provide a landscape in which buildings are set well apart from buildings on adjacent sites and from the frontage road;
  - (g) have very low site coverage and sufficient unbuilt area to accommodate any requirement for on-site disposal or sewage or stormwater; and
  - (h) may be self-sufficient with respect to water supply and arrangements for the treatment and disposal of sewage and stormwater

13.1.3.2

Desired Future Character Statements	Implementation Strategy
<p>The scale, density, and type of rural living residential development is appropriate for -</p> <ul style="list-style-type: none"> <li>(a) capacity in provision of utilities or the capability of a site to be self sufficient at Henty Road Strahan;</li> <li>(b) an intolerable level of risk from exposure to an amenity, natural or environmental hazard;</li> <li>(c) likelihood to unreasonably increase demand for improved provision of reticulated utilities, road access or community facilities; and</li> <li>(d) relative proximity to an urban settlement and a reliable passenger transport network between the land and daily destinations for employment, education, health care, retail, and social and recreation activity.</li> </ul>	

## 13.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or external activity area for information, interpretation, or display of items or for any other use
Passive Recreation	If a public park or reserve for the local community
Resource Development	if for grazing or bee keeping
<b>Permitted</b>	
Community meeting and entertainment	If - (a) not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition centre, function or reception centre, library, museum, music hall, or theatre; and (b) a gross floor area of not more than 300m <sup>2</sup>
Domestic animal breeding, boarding and training	If - (a) not for commercial activity; and (b) not for an animal pound.
Education and occasional care	If – (a) long day care, before or after school care, occasional care, or out-of-school hours care; (b) a day respite centre; (c) school education to Year 6
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration
Food services	If - (a) not licensed premises; (b) including a drive through in take away food premises; (c) gross floor area of not more than 300m <sup>2</sup> ; or (d) seating capacity for not more than 20 people
General retail and hire	If a local shop

<b>Use Class</b>	<b>Qualification</b>
Residential	
Resource development	if crop raising compatible with residential use
Sport and recreation	If outdoor recreation facilities comprising a single playing field or a single surface for the local community
Tourist operation	If – (a) based on a building, area, or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; and (b) not a visitor's information centre
Utilities	If minor utilities
Visitor accommodation	If - (a) in a building; and (b) guest accommodation for not more than 16 people
<b>Discretionary</b>	
Business and professional services	If for a medical centre
Community meeting and entertainment	If not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition centre, function or reception centre, library, museum, music hall, or theatre
Domestic animal breeding, boarding and training	
Food services	If not including a drive through in take away food premises
Natural and cultural values management	
Passive Recreation	
Resource development	compatible with residential use and not for plantation forestry or intensive animal husbandry or aquaculture
Utilities	

Use Class	Qualification
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

### 13.3 Use Standards

#### 13.3.1 Discretionary permit use

Objective:	
Use in this zone that is a discretionary permit use is to service and support the routine requirements of the local community	
Acceptable Solutions	Performance Criteria
<b>A1</b> There are no acceptable solutions	<b>P1</b> Discretionary permit use must - <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement; and</li> <li>(c) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone</li> </ul>

#### 13.3.2 Impact of use

Objective:	
Use in this zone that is a discretionary permit use is required to serve local needs and must minimise adverse impact on the amenity of residential use	
Acceptable Solutions	Performance Criteria
<b>A1</b> Permitted non-residential use must adjoin at least one residential use on the same street frontage.	<b>P1</b> Use that is not a residential use must – <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statements;</li> <li>(c) be required to service and support the local community; and</li> </ul>

	(d) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone
<p><b>A2</b></p> <p>Permitted non-residential use must not generate more than 40 average daily vehicle movements.</p>	<p><b>P2</b></p> <p>Use that is not a residential use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statements; be required to obtain vehicular and pedestrian access from a no-through road to service and support the local community; be dependent on the site for provision of significant social, economic, or environmental benefit to the local community;</li> <li>(c) be required as a consequence of – <ul style="list-style-type: none"> <li>(i) the effect of topography on ability to create access upon a through road; or</li> <li>(ii) a regulatory limit on the ability to obtain pedestrian or vehicular access upon a through road; and</li> </ul> </li> <li>(d) have minimal likelihood for unreasonable impact on amenity for residential use on adjacent land in the zone</li> </ul>
<p><b>A3</b></p> <p>Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm</p>	<p><b>P3</b></p> <p>Other than for emergency services, residential, and visitor accommodation, hours of operation, including for the delivery and despatch of goods and the conduct of routine cleaning, maintenance and service, must be reasonable to requirements of the use and unlikely to cause conflict or interference to other use on adjacent land in the zone</p>

## 13.4 Development Standards

### 13.4.1 Suitability of a site or lot for use or development

Objective:	
The minimum properties of a site and of each lot on a plan of subdivision are to –	
<ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> <li>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than – <ul style="list-style-type: none"> <li>(i) 1.0 ha excluding any access strip; or</li> <li>(ii) if in a locality shown in the Table to this Clause, not less than the site area shown for that locality; and</li> </ul> </li> <li>(b) if intended for a building, contain a building area – <ul style="list-style-type: none"> <li>(i) of not more than 1,000m<sup>2</sup>;</li> <li>(ii) clear of any applicable setback from a frontage, side or rear boundary</li> <li>(iii) clear of any applicable setback from a zone boundary;</li> <li>(iv) clear of any registered easement;</li> <li>(v) clear of any registered right of way benefiting other land;</li> <li>(vi) clear of any restriction imposed by a utility;</li> <li>(vii) not including any access strip;</li> <li>(viii) clear of any area required for the on-site disposal of sewage or stormwater; and</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> <li>(a) if intended for residential use be of sufficient size to be consistent with clauses 13.1.1, 13.1.2 and 13.1.3 having regard to – <ul style="list-style-type: none"> <li>(i) the number, size and distribution of existing and approved lots on land in the vicinity;</li> <li>(ii) the pattern, intensity and character of established use and development on other lots in the vicinity;</li> <li>(iii) the capacity of any available or planned utilities; and</li> <li>(iv) capability of the land to accommodate residential use; and</li> </ul> </li> <li>(b) be of sufficient size for the intended use having regard to the effect of one or more of the following as are relevant to the size of a site or lot – <ul style="list-style-type: none"> <li>(i) topography of the land and land in the vicinity;</li> <li>(ii) natural drainage of the land and land in the vicinity;</li> <li>(iii) the desirability of protecting native vegetation, landscape features, natural and cultural values;</li> </ul> </li> </ul>

<p>(ix) accessible from a frontage or access strip</p>	<p>(iv) provision for management of exposure to natural hazards;</p> <p>(v) provision of an accessible building area;</p> <p>(vi) compliance to the acceptable solution criteria in any applicable standard for location and separation of a building;</p> <p>(vii) arrangements for the convenient provision of roads and access to the land;</p> <p>(viii) arrangements for the provision of a water supply and for the drainage and disposal of sewage and stormwater;</p> <p>(ix) any restriction or requirement of a lawful easement or statutory interest in the land; and</p> <p>(x) opportunity for solar access to a building area.</p>
<p><b>A2</b></p>	<p><b>P2</b></p> <p>(a) A site must have a reasonable and secure access from a road provided –</p> <p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires</p>

<p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road – <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> </ul> </li> <li>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</li> <li>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</li> </ul>	<p>use of the access as the means of access for that land; and</p> <ul style="list-style-type: none"> <li>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</li> <li>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</li> </ul>
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <ul style="list-style-type: none"> <li>(a) from a connection to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) from a rechargeable drinking water system R6 with a storage capacity of not less than 10,000 litres if– <ul style="list-style-type: none"> <li>(i) there is not a reticulated water supply; and</li> </ul> </li> </ul>	<p><b>P3</b></p> <ul style="list-style-type: none"> <li>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</li> <li>(b) It must be unnecessary to require a water supply</li> </ul>

<p>(ii) development is for –</p> <ul style="list-style-type: none"> <li>a. a single dwelling; or</li> <li>b. a use with an equivalent population of not more than 10 people per day</li> </ul>	
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and trade waste –</p> <ul style="list-style-type: none"> <li>(a) to a reticulated sewer system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) by on-site disposal if – <ul style="list-style-type: none"> <li>(i) sewage or trade waste cannot be drained to a reticulated sewer system; and</li> <li>(ii) the development - <ul style="list-style-type: none"> <li>a. is for a single dwelling; or</li> <li>b. provides for an equivalent population of not more than 10 people per day; or</li> <li>c. creates a total sewage and waste water flow of not more than 1,000l per day; and</li> </ul> </li> <li>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</li> </ul> </li> </ul>	<p><b>P4</b></p> <ul style="list-style-type: none"> <li>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and trade waste – <ul style="list-style-type: none"> <li>(i) in accordance with any prescribed emission limits for discharge of waste water;</li> <li>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</li> <li>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</li> <li>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</li> <li>(v) with appropriate safeguards to minimise contamination if the use or development has potential to – <ul style="list-style-type: none"> <li>a. indirectly cause the contamination of surface or ground water; or</li> <li>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</li> </ul> </li> </ul> </li> </ul>

	(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or trade waste
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <p>(a) for discharge to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface; and</p> <p>(iii) the development is for a single dwelling</p>	<p><b>P5</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater -</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>

Table to Clause 13.4.1 A1

Locality	Site Area
This clause does not apply	

### 13.4.2 Dwelling density

Objective:	
Residential dwelling density <sup>[R7]</sup> is to –	
<ul style="list-style-type: none"> <li>(a) make efficient use of land for housing;</li> <li>(b) optimise utilities and community services; and</li> <li>(c) be consistent with any constraint on suitability of the land for residential use</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The site area per dwelling must –</p> <ul style="list-style-type: none"> <li>(a) be not less than 1.0 ha; or</li> <li>(b) if the site is in a locality shown in the Table to this Clause, the site area for that locality</li> </ul>	<p><b>P1</b></p> <p>The number of dwellings on a lot or site must be consistent with:</p> <ul style="list-style-type: none"> <li>(a) clauses 13.1.1, 13.1.2 and 13.1.3 having regard to – <ul style="list-style-type: none"> <li>(i) the size of any existing or approved lot or site on land in the vicinity; and</li> <li>(ii) the pattern, intensity and character of established use and development on other lots in the vicinity; and</li> </ul> </li> <li>(b) the capability of the land for residential use having regard to the effect of one or more of the following as are relevant to the size of a site or lot – <ul style="list-style-type: none"> <li>(i) topography;</li> <li>(ii) natural drainage;</li> <li>(iii) the desirability of protecting native vegetation, landscape features, natural and cultural values;</li> <li>(iv) provision for management of exposure to natural hazards;</li> <li>(v) provision for access to the building area;</li> <li>(vi) compliance to the acceptable solution criteria in any applicable standard for location and separation of a building in relation to a frontage, side or rear boundary or zone</li> </ul> </li> </ul>

	<p>boundary and from adjacent buildings;</p> <p>(vii) arrangements for the convenient provision of roads and access to the land;</p> <p>(viii) arrangements for the provision of a water supply and for the drainage and disposal of sewage and stormwater;</p> <p>(ix) any restriction or requirement of a lawful easement or statutory interest in the land; and</p> <p>(x) opportunity for solar access to each building.</p>
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Table to Clause 13.4.2 A1

<b>Locality</b>	<b>Site Area per dwelling</b>
This clause does not apply	

#### Footnotes

[R7] The maximum number of dwellings permitted on a site is calculated by dividing the total area of the site by the minimum site area per dwelling.

#### 13.4.2 Location and configuration of development

Objective:	
<p>The location and configuration of development is to –</p> <p>(a) provide for retention of the rural setting;</p> <p>(b) be consistent with land capability;</p> <p>(c) provide a consistent separation between the development area on adjacent sites and between development and a road;</p> <p>(d) provide consistency in the apparent scale, bulk, massing, and proportion of adjacent buildings;</p> <p>(e) provide sufficient site area for open space, utilities, and vehicle parking; and</p> <p>(f) assist to attenuate likely impact on amenity of residential use on adjacent land</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

<p>A building, utility structure, garage or carport must be setback from a frontage –</p> <ul style="list-style-type: none"> <li>(a) not less than 20.0m;</li> <li>(b) not less than or not more than the setbacks for any existing building on each of the immediate adjoining sites;</li> <li>(c) not less than for any building retained on the site;</li> <li>(d) in accordance with any building area shown on a sealed plan of subdivision; or</li> <li>(e) if the site abuts a road shown in the Table to this clause, the setback specified for that road</li> </ul>	<p>The setback of a building, utility structure or carport from a frontage must be –</p> <ul style="list-style-type: none"> <li>(a) consistent with the rural setting and streetscape; and</li> <li>(b) required by a constraint imposed by – <ul style="list-style-type: none"> <li>(i) size and shape of the site;</li> <li>(ii) orientation and topography of land;</li> <li>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</li> <li>(iv) arrangements for vehicular or pedestrian access;</li> <li>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(vi) a utility; or</li> <li>(vii) any lawful and binding requirement – <ul style="list-style-type: none"> <li>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</li> <li>b. an interest protected at law by an easement or other regulation</li> </ul> </li> </ul> </li> </ul>
<p><b>A2</b></p> <p>All buildings must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(a) the applicable frontage setback;</li> <li>(b) a setback of not less than 10.0m from each side boundary;</li> <li>(c) a setback of not less than 10.0m from the rear boundary;</li> <li>(d) a setback of not less than 20.0m from any designated building area on each adjacent site; or</li> </ul>	<p><b>P2</b></p> <p>Building height and location of a building in relation to site boundaries must –</p>

<p>(e) any building area shown on a sealed plan; and</p> <p>(f) building height of not more than 8.5m</p>	<p>(a) minimise likelihood for overshadowing of a habitable room in an adjacent dwelling on the site;</p> <p>(b) take account of the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</p> <p>(c) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</p> <p>(d) be consistent with the rural setting and the streetscape;</p> <p>(e) respond to the effect of the slope and orientation of the site to attenuate impact on adjacent land</p>
<p><b>A3</b></p> <p>Site coverage must -</p> <p>(a) be not more than 500m<sup>2</sup> ; and</p> <p>(b) not include any part of a site required for the disposal and drainage of sewage or stormwater; or</p> <p>(c) be not more than any building area shown on a sealed plan</p>	<p><b>P3</b></p> <p>Site coverage must –</p> <p>(a) retain capacity in any area required for disposal of sewage or stormwater; and</p> <p>(b) be consistent with the rural setting and streetscape</p>
<p><b>A4</b></p> <p>(a) A utility structure must be a power pole, antenna or a single domestic-scale turbine to a maximum of 10m in height which is –</p> <p>(i) not part of a wind farm;</p> <p>(ii) not sited on a skyline; and</p> <p>(iii) if a wind turbine, not located within 60m of a dwelling in other ownership nor within 30m of a public road.</p> <p>(b) A building, except a utility structure must be –</p> <p>(i) located not less than 15m below the level of any adjoining ridgeline; and</p>	<p><b>P4</b></p> <p>(a) A utility structure may be a single domestic-scale turbine or wind powered pump, if –</p> <p>(i) not sited on a skyline; and</p> <p>(ii) not located within 30m of a public road.</p> <p>(b) The location, height and visual appearance of a building or structure (except a single domestic-scale turbine or wind powered pump) must have regard to –</p> <p>(i) minimising the visual impact on the skyline;</p>

<ul style="list-style-type: none"> <li>(ii) not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland; and</li> <li>(iii) clad and roofed with materials with a light reflectance value of less than 40%.</li> </ul>	<ul style="list-style-type: none"> <li>(ii) minimising height above the adjacent vegetation canopy;</li> <li>(iii) minimising visual impact on the shoreline or a marine or aquatic water body, water course, or wetland where possible; and</li> <li>(iv) minimising excessive reflection of light from an external surface.</li> </ul>
<p><b>A5</b></p> <p>Area for the display, handling of good, storage or waste must not be located in front of the building line.</p>	<p><b>P5</b></p> <p>Area for the display, handling or storage of good must have regard to the nature of the material, distance from the frontage and any screening that is available</p>

Table to Clause 13.4.3 A1

Road	Setback
This clause does not apply	

13.4.3 Acoustic and visual privacy for residential development

Objective:	
The location and configuration of development is to minimise likelihood for –	
<ul style="list-style-type: none"> <li>(a) overlooking of a habitable room, balcony, deck, or roof garden in an adjacent dwelling;</li> <li>(b) intrusion of vehicle noise from an access strip or communal driveway</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building must –</p> <ul style="list-style-type: none"> <li>(a) be not less than 10.0m from a side boundary and 10.0 m from a rear boundary to adjoining land in any zone for residential purposes; or</li> <li>(b) be not less than 10.0m from a door or window to a habitable room or any part of a balcony, deck, or roof garden in an adjacent dwelling</li> </ul>	<p><b>P1</b></p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport of a building must be minimised by –</p> <ul style="list-style-type: none"> <li>(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;</li> <li>(b) off-set from a door or window to a habitable room in an adjacent dwelling;</li> </ul>

	<p>(c) effective use of screening other than vegetation; or</p> <p>(d) effect of topography and natural features</p>
<p><b>A2</b></p> <p>An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 5.0m horizontally from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.</p>	<p><b>P2</b></p> <p>An access strip or shared driveway, including any pedestrian pathway and parking area, must minimise likelihood for impact from over-viewing and noise disturbance on the amenity of any dwelling</p>

#### 13.4.4 Private open space for multiple dwelling residential use

Objective:	
Private open space is available in development for residential use to meet the reasonable private and communal needs of residents for garden, recreation, service and storage purposes.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each dwelling in a multiple dwelling must have external private open space that –</p> <p>(a) is accessible from the dwelling;</p> <p>(b) comprises an area of not less than 50m<sup>2</sup>;</p> <p>(c) has a minimum dimension of 5.0m; and</p> <p>(d) has a gradient of not more than 1 in 10</p>	<p><b>P1</b></p> <p>Private open space must be appropriate for the projected requirements of the residents of a dwelling.</p>
<p><b>A2</b></p> <p>The required minimum private open space area must be capable of receiving at least 3 hours of sunlight between 9.00am and 3.00pm on 21st June.</p>	<p><b>P2</b></p> <p>Each private open space area must maximise opportunity for access to sunlight having regard for -</p> <p>(a) aspect, orientation, size, shape, slope, and topography of the site;</p> <p>(b) desirability of retaining existing vegetation; and</p> <p>(c) the impact of overshadowing by existing development on adjacent land</p>

13.4.5 Setback of development for sensitive use

Objective:	
Development for a sensitive use is to -	
<p>(a) minimise likelihood for conflict, interference, and constraint between the sensitive use and the use or development of land in a zone that is not for a residential purpose; and</p> <p>(b) minimise unreasonable impact on amenity of the sensitive use through exposure to emission of noise, fumes, light and vibration from road, rail, or marine transport</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A building containing a sensitive use must be contained within a building envelope determined by –</p> <p>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(b) projecting upward and away from the zone boundary at an angle of 45o above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary</p>	<p><b>P1</b></p> <p>The location of a building containing a sensitive use must –</p> <p>(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and</p> <p>(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use</p>
<p><b>A2</b></p> <p>Development for a sensitive use must be not less than 50m from –</p> <p>(a) a major road identified in the Table to this clause;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area</p>	<p><b>P2</b></p> <p>Development for a sensitive use must –</p> <p>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</p> <p>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</p> <p>(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years</p>

Table to Clause 13.4.6 A1

<b>Adjoining Zone</b>	<b>Setback (m)</b>
Local Business	10.0
General Business	10.0
Light Industrial	10.0
General Industrial	10.0
Rural Resource	(a) 50.0; or (b) 10.0 if the site is a single lot approved for residential use on a plan of subdivision sealed before this planning scheme came into effect
Utilities	10.0

Note - If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

Table to Clause 13.4.6 A2

<b>Road</b>	<b>Setback (m)</b>
This clause does not apply	

### 13.4.6 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Rural Living zone	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) intended for residential use;</p> <p>(b) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) for a purpose permissible in the zone</p>

<p><b>A2</b></p> <p>A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot</p>	<p><b>P2</b></p> <p>(a) An internal lot on a plan of subdivision must be –</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by –</p> <ul style="list-style-type: none"> <li>a. slope, shape, orientation and topography of land;</li> <li>b. an established pattern of lots and development;</li> <li>c. connection to the road network;</li> <li>d. connection to available or planned utilities;</li> <li>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or</li> <li>f. exposure to an unacceptable level of risk from a natural hazard; and</li> </ul> <p>(ii) without likely impact on the amenity of adjacent land</p>
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13.4.7 Reticulation of an electricity supply to new lots on a plan of subdivision

Objective:	
Distribution and connection of reticulated electricity supply to new lots on a plan of subdivision is to be without visual intrusion on the streetscape or landscape qualities of the residential area	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Electricity reticulation and site connections must be installed underground</p>	<p><b>P1</b></p> <p>It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground</p>

## 14.0 Environmental Living Zone

The zone is not used in this planning scheme

## 15.0 Urban Mixed Use Zone

The zone is not used in this planning scheme

## 16.0 Village Zone

The zone is not used in this planning scheme

## 17.0 Community Purpose Zone

### 17.1 Zone Purpose

#### 17.1.1 Zone Purpose Statements

17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.

#### 17.1.2 Local Area Objectives

Local Area Objectives	Implementation Strategy
<p>(a) Provide conveniently located and accessible facilities and services of strategic importance for the health and wellbeing of municipal, sub-regional, or regional communities;</p> <p>(b) Provide primary and complementary facilities and services for –</p> <ul style="list-style-type: none"><li>(i) senior and tertiary education;</li><li>(ii) vocational training;</li><li>(iii) health and hospital care;</li><li>(iv) aged, children, family, youth, and special need groups;</li><li>(v) cultural, social, and spiritual purposes;</li><li>(vi) emergency response to protect the health, safety, and security of people and property.</li></ul>	<p>Implementation is in accordance with the requirement in Clause 8.10.2 to have regard to the purpose of the zone in determining a permit for a discretionary use.</p>

#### 17.1.3 Desired Future Character Statements

Use or development for a community purpose –

- (a) may involve a diverse range of building type, form, and scale, including as a complex of distinctive and individual buildings, and associated facilities and vehicle parking;
- (b) is not required to be comparable with use or development on adjacent land; and

- (c) may impact on the amenity of use on adjacent land through factors such as high traffic volume, duration and frequency of activity, provision for expansive vehicle parking, a large workforce or client base, extended or intermittent hours of operation, and a readily apparent visual or operational presence within an urban or rural setting

## 17.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If conservation, rehabilitation, or protection against degradation, but must not include a building or outdoor area for information, interpretation or display of items or for any other use
Passive recreation	If a public park or reserve for the local, municipal or regional community
<b>Permitted</b>	
Business and professional services	If – (a) medical centre; (b) office for civic or public purposes; or (c) funeral parlour
Community meeting and entertainment	
Crematoria and cemeteries	
Custodial facility	
Educational and occasional care	
Emergency services	
Hospital services	
Research and development	If for a purpose of a type complementary to the community purpose on land in the zone
Residential	If – (a) supported accommodation for aged, children, family, youth, and special need groups; or

Use Class	Qualification
	(b) accommodation for staff and students of a use conducted in whole or part on the site.
Tourist operation	If – (a) related to a building, area, or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; or (b) a visitor’s information centre
Utilities	If minor utilities
Vehicle parking	If for a community purpose on the land in accordance with the parking provision requirement in E9 Traffic Generating Use and Parking Code
Visitor accommodation	If - (a) for participants of a use on land in the zone; and (b) in a building
<b>Discretionary</b>	
Business and professional services	If complementary to a community use on land in the zone
Food services	If – (a) for the participants of a use of land in the zone; and (b) not including a drive through in a take away food premises
General retail and hire	If – (a) sale of goods of a kind associated with a use on land within the zone; and (b) an occasional market retailing goods by independent stall holders
Manufacturing and processing	If complementary to supported accommodation on land within the zone
Natural and cultural values management	
Passive recreation	
Service industry	If complementary to supported accommodation on land within the zone

Use Class	Qualification
Utilities	
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

### 17.3 Use Standards

#### 17.3.1 Discretionary permit use

Objective:	
Use in this zone that is a discretionary permit use is to support a purpose of the Community Purpose zone and service the municipal and regional community.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Discretionary permit use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement for the zone; and</li> <li>(c) be required to - <ul style="list-style-type: none"> <li>(i) meet likely needs of the municipal, sub-regional, or regional community; and</li> <li>(ii) not have a potential to distort or displace existing and likely use on the site or on adjacent land</li> </ul> </li> </ul>

### 17.4 Development Standards

#### 17.4.1 Suitability of a site or lot for use or development

Objective:
<p>The minimum properties of a site and of each lot on a plan of subdivision are to –</p> <ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> </ul>

<p>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</p>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must -</p> <p>(a) have an area of not less than 500m<sup>2</sup>; and</p> <p>(b) if intended for a building, have a building area -</p> <p>(i) not less than 10.0m x 15.0m;</p> <p>(ii) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(iii) clear of any applicable setback from a zone boundary;</p> <p>(iv) clear of any registered easement;</p> <p>(v) clear of any registered right of way benefitting other land;</p> <p>(vi) clear of any restriction imposed by a utility;</p> <p>(vii) not including an access strip;</p> <p>(viii) clear of any area required for on-site disposal of sewage or stormwater; and</p> <p>(ix) accessible from a frontage or access strip</p>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <p>(a) erection of a building if required by the intended use;</p> <p>(b) access to the site;</p> <p>(c) use or development of adjacent land;</p> <p>(d) a utility; and</p> <p>(e) any easement or lawful entitlement for access to other land</p>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access with a width of not less than 10.0m; and;</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land with a width of not less than 6.0m; or</p>	<p><b>P2</b></p> <p>(a) A site must have a reasonable and secure access from a road provided –</p> <p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with</p>

<p>(c) by a right of way connecting to a road –</p> <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land;</li> <li>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> <li>(iii) with a width of not less than 6.0m; and</li> </ul> <p>(d) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan</p>	<p>the acceptable solution in any applicable standard; and</p> <ul style="list-style-type: none"> <li>(iv) the dimensions of the frontage and any access strip or the right-of-way must be adequate for the type and volume of traffic likely to be generated by – <ul style="list-style-type: none"> <li>a. the intended use; and</li> <li>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</li> </ul> </li> <li>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</li> </ul> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <ul style="list-style-type: none"> <li>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) from a rechargeable drinking water system R17 with a storage capacity of not less than 10,000 litres if– <ul style="list-style-type: none"> <li>(i) there is not a reticulated water supply; and</li> <li>(ii) development is for a use with an equivalent population of not more than 10 people per day</li> </ul> </li> </ul>	<p><b>P3</b></p> <ul style="list-style-type: none"> <li>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</li> <li>(b) It must be unnecessary to require a water supply</li> </ul>

<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development -</p> <p>a. provides for an equivalent population of not more than 10 people per day; or</p> <p>b. creates a total sewage and waste water flow of not more than 1,000l per day; and</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</p>	<p><b>P4</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p> <p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste</p>
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p>	<p><b>P5</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p>

<p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if storm water cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface;</p>	<p>(i) to accommodate the anticipated stormwater -</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>
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#### 17.4.2 Location and configuration of development

Objective:	
<p>The location and configuration of development is to –</p> <p>(a) provide a consistent separation between the development area on adjacent community purpose sites and between development and a road;</p> <p>(b) provide sufficient site area for open space, service activity and vehicle parking; and</p> <p>(c) provide for the facade of a community building to remain the dominant architectural element in the streetscape</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A building must be setback from a frontage –</p>	<p><b>P1</b></p> <p>The setback of a building from a frontage must be –</p>

<ul style="list-style-type: none"> <li>(a) not less than 4.5m from a primary frontage; and</li> <li>(b) not less than 3.0m from any secondary frontage; or</li> <li>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</li> <li>(d) not less than for any building retained on the site;</li> <li>(e) in accordance with any building area shown on a sealed plan; or</li> <li>(f) if the site abuts a road shown in the Table to this clause, the setback specified for that road</li> </ul>	<ul style="list-style-type: none"> <li>(a) consistent with the streetscape; an</li> <li>(b) required by a constraint imposed by – <ul style="list-style-type: none"> <li>(i) size and shape of the site;</li> <li>(ii) orientation and topography of land;</li> <li>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</li> <li>(iv) arrangements for vehicular or pedestrian access;</li> <li>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(vi) a utility; or</li> <li>(vii) any lawful and binding requirement – <ul style="list-style-type: none"> <li>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</li> <li>b. an interest protected at law by an easement or other regulation</li> </ul> </li> </ul> </li> </ul>
<p><b>A2</b></p> <p>Building height must not be more than 10.0m</p>	<p><b>P2</b></p> <p>Building height must -</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</li> <li>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</li> <li>(c) be consistent with the streetscape;</li> <li>(d) respond to the effect of the slope and orientation of the site; and</li> <li>(e) provide separation between buildings to attenuate impact</li> </ul>

<p><b>A3</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage elevation of a building</p>	<p><b>P3</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must –</p> <ul style="list-style-type: none"> <li>(a) not dominate the architectural or visual frontage of the site;</li> <li>(b) be consistent with the streetscape;</li> <li>(c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</li> <li>(d) provide durable screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</li> </ul>
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Table to Clause 17.4.2 A1

Road	Setback (m)
Queenstown - Dixon Street	2
Queenstown - Little Orr Street	1
Queenstown - Orr Street	0

17.4.3 Visual and acoustic privacy for residential use

Objective:	
The location and configuration of development is to minimise likelihood for –	
<ul style="list-style-type: none"> <li>(a) overlooking of a habitable room, balcony, deck, or roof garden in an adjacent dwelling;</li> <li>(b) intrusion of vehicle noise from an access strip or communal driveway</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport must –</p> <ul style="list-style-type: none"> <li>(a) be not less than 3.0m from a side boundary and 4.0m from a rear boundary to land in a zone for residential purposes;</li> </ul>	<p><b>P1</b></p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport must be minimised by –</p>

(b) be off-set by not less than 1.5m from the edge of any door or window in an adjacent dwelling;	(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;
(c) have a window sill height of not less than 1.8m above finished floor level;	(b) off-set from a door or window to a habitable room in an adjacent dwelling;
(d) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.8m above finished floor level; or	(c) effective use of screening other than vegetation; or
(e) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport	(d) effect of topography and natural features

#### 17.4.4 Setback of development for sensitive use

Objective:	
<p>Development -</p> <p>(a) of land adjoining land in another zone is to minimise –</p> <p>(i) likelihood for conflict, interference, and constraint between the use and the sensitive use or development for a sensitive use of land in an adjoining zone; and</p> <p>(ii) unreasonable impact on the amenity of sensitive use on land beyond the boundary of the zone; and</p> <p>(b) for a sensitive use is to –</p> <p>(i) minimise likelihood for conflict, interference, and constraint between the sensitive use and the use or development of land in a zone that is not for a residential purpose; and</p> <p>(ii) minimise unreasonable impact on amenity of the sensitive use through exposure to emission of noise, fumes, light and vibration from road, rail, or marine transport</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Development of land with a boundary to a zone must –</p> <p>(a) be setback from the boundary of land in an adjoining zone by not less than the</p>	<p><b>A1</b></p> <p>The location of development must –</p> <p>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</p>

<p>distance for that zone shown in the Table to this Clause;</p> <p>(b) not include within the setback area required from a boundary to land in a zone shown on the Table –</p> <ul style="list-style-type: none"> <li>(i) a building or work;</li> <li>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage;</li> <li>(iii) vehicle loading or parking area;</li> <li>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</li> <li>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</li> <li>(vi) a sign orientated to view from land in another zone; or</li> <li>(vii) external lighting for operational or security purposes; and</li> </ul> <p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(i) the setback distance from the zone boundary as shown on the Table to this clause; and</li> <li>(ii) projecting upward and away from the zone boundary at an angle of 45o above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and</li> </ul> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit,</p>	<p>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone</p>
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including a door, window to a habitable room, loading bay, or vehicle entry	
<p><b>A2</b></p> <p>Development for a sensitive use must be not less than 50m from –</p> <p>(a) a major road identified in the Table to this clause;</p> <p>(b) a railway;</p> <p>(c) land designated in the planning scheme for future road or rail purposes; or</p> <p>(d) a proclaimed wharf area</p>	<p><b>P2</b></p> <p>Development for a sensitive use must –</p> <p>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</p> <p>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</p> <p>(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years</p>

Table to Clause 17.4.4 A1

Adjoining Zone	Setback (m)
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0

Note – If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

Table to Clause 17.4.4 A2

Road	Setback (m)
This clause does not apply	

#### 17.4.5 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Community Purpose zone	
Acceptable Solutions	Performance Criteria

<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) for a purpose permissible in the zone</p>
<p><b>A2</b></p> <p>A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot</p>	<p><b>P2</b></p> <p>(a) An internal lot on a plan of subdivision must be –</p> <p>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by –</p> <ul style="list-style-type: none"> <li>a. slope, shape, orientation and topography of land;</li> <li>b. an established pattern of lots and development;</li> <li>c. connection to the road network;</li> <li>d. connection to available or planned utilities;</li> <li>e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or</li> <li>f. exposure to an unacceptable level of risk from a natural hazard; and</li> </ul> <p>(ii) without likely impact on the amenity of adjacent land</p>

## 18.0 Recreation Zone

### 18.1 Zone Purpose

#### 18.1.1 Zone Purpose Statements

18.1.1.1 To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.

#### 18.1.2 Local Area Objectives

Provide convenient and accessible opportunity for organised recreation events, structured physical activity, competitive sport, and hobbies or pursuits to meet municipal, sub-regional or regional requirements

18.1.3 Desired Future Character Statements

Use or development on recreation land –

- (a) may occur on natural and modified sites in urban and rural settings for indoor and outdoor activity;
- (b) is not required to be comparable with development on adjacent land;
- (c) may involve large outdoor facilities and highly modified sites, and include buildings and structures for administration, club room and change facilities, grandstands and spectator mounds, light towers and score boards, and facilities for vehicle parking;
- (d) may involve indoor facilities in large buildings with distinctive typology, bulk and height, and include expansive external area for vehicle parking; and
- (e) may impact on amenity of use on adjacent land through factors associated with the occupational and operational practices of recreation, including attendance by large numbers of people, high traffic volume and expansive vehicle parking, a large workforce or client base, duration and frequency of events, extended or intermittent hours of operation, and a readily apparent visual or operational presence within an urban or rural setting

18.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or facilities for information, interpretation or display of items or for any other use
Passive recreation	If a public park, reserve, or garden, or a building or structure for use by the local, municipal or regional community
<b>Permitted</b>	
Business and professional services	If for sports and recreation administration, promotion, or sponsorship of a type complementary to sports and recreation use on land within the zone
Community meeting and entertainment	If complementary to sports and recreation use on land within the zone

Use Class	Qualification
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration
Pleasure boat facility	If a boat launch and recovery ramp primarily for trailer borne recreational vessels
Sports and recreation	
Tourist operation	If based on a building, area or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value
Utilities	If minor utilities
Vehicle parking	If for participants and spectators of a sport or recreation activity conducted on the land and in accordance with the parking provision requirement in E9 Traffic Generating Development Code
Visitor accommodation	<p>If -</p> <p>(a) for participants and spectators of a sports and recreation activity on land within the zone; and</p> <p>(b) in a building</p>
<b>Discretionary</b>	
Educational and occasional care	<p>If –</p> <p>(a) for a sports and recreation use of a type conducted on land within the zone; or</p> <p>(b) for the care of the children of participants and spectators at a sports or recreation use</p>
Food services	<p>If –</p> <p>(a) provide for the participants and spectators of a sports and recreation use on land within the zone; and</p> <p>(b) not including a drive through in take away food premises</p>
General retail and hire	<p>If –</p> <p>(a) clothing, equipment, and souvenir items for a sports and recreation use on land within the zone; and</p> <p>(b) an occasional market retailing goods by independent stall holders</p>

<b>Use Class</b>	<b>Qualification</b>
Hotel services	If for the consumption of liquor on the site by participants and spectators of a sports and recreation use on land within the zone
Passive recreation	
Pleasure boat facility	
Motor racing facility	
Research and development	If for a sports or recreation use of a type conducted on land within the zone
Service industry	If maintenance and servicing of clothing, equipment, vehicles or vessels for a sports and recreation use conducted on land within the zone
Storage	If for equipment, vehicles, or vessels of a kind directly associated with a recreation use conducted on land within the zone
Utilities	
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

## 18.3 Use Standards

### 18.3.1 Discretionary permit use

Objective:	
Use in this zone that is a discretionary permit use is to service and support the municipal or regional community	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There is no acceptable solution	<b>P1</b> Discretionary permit use must - (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statement; and

	(c) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone
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## 18.4 Development Standards

### 18.4.1 Suitability of a site or lot for use or development

Objective:	
The minimum properties of a site and of each lot on a plan of subdivision are to –	
<ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> <li>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must -</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 1000m<sup>2</sup> excluding any access strip; and</li> <li>(b) if intended for a building, have a building area - <ul style="list-style-type: none"> <li>(i) not less than 300m<sup>2</sup>;</li> <li>(ii) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(iii) clear of any applicable setback from a zone boundary;</li> <li>(iv) clear of any registered easement;</li> <li>(v) clear of any registered right of way benefitting other land;</li> <li>(vi) clear of any restriction imposed by a utility;</li> <li>(vii) not including an access strip;</li> <li>(viii) clear of any area required for on-site disposal of sewage or stormwater; and</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> <li>(a) erection of a building if required by the intended use;</li> <li>(b) access to the site;</li> <li>(c) use or development of adjacent land;</li> <li>(d) a utility; and</li> <li>(e) any easement or lawful entitlement for access to other land</li> </ul>

<p>(ix) accessible from a frontage or access strip</p>	
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access with a width of not less than 10.0m; and;</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land with a width of not less than 6.0m; or</p> <p>(c) by a right of way connecting to a road –</p> <p>(i) over land not required as the means of access to any other land;</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iii) with a width of not less than 6.0m; and</p> <p>(d) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p><b>P2</b></p> <p>(a) A site must have a reasonable and secure access from a road provided –</p> <p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or right-of-way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p>	<p><b>P3</b></p> <p>(a) There must be a water supply available for the site or for each lot on a plan of</p>

<p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system R19 with a storage capacity of not less than 10,000 litres if–</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for a use with an equivalent population of not more than 10 people per day</p>	<p>subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply</p>
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development -</p> <p>a. provides for an equivalent population of not more than 10 people per day; or</p> <p>b. creates a total sewage and waste water flow of not more than 1,000l per day; and</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</p>	<p><b>P4</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p> <p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities</p>

	<p>of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste</p>
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if storm water cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface;</p>	<p><b>P5</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater -</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>

18.4.2 Location and configuration of development

Objective:	
<p>The location and configuration of development is to –</p> <ul style="list-style-type: none"> <li>(a) provide a consistent separation between the development area on adjacent recreation sites and between development and a road;</li> <li>(b) provide sufficient site area for open space, service activity and vehicle parking;</li> <li>(c) provide consistency in the apparent scale, bulk, massing, and proportion of adjacent recreation buildings;</li> <li>(d) provide for the facade of a recreation building to remain the dominant architectural element in the streetscape</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A building must be setback from a frontage –</p> <ul style="list-style-type: none"> <li>(a) not less than 4.5m from a primary frontage; and</li> <li>(b) not less than 3.0m from any secondary frontage; or</li> <li>(c) not less than and not more than the setbacks for any existing building on each of the immediate adjoining sites;</li> <li>(d) not less than for any building retained on the site;</li> <li>(e) in accordance with any building area shown on a sealed plan; or</li> <li>(f) if the site abuts a road shown in the Table to this clause, the setback specified for that road</li> </ul>	<p><b>P1</b></p> <p>The setback of a building from a frontage must be –</p> <ul style="list-style-type: none"> <li>(a) consistent with the streetscape; and</li> <li>(b) required by a constraint imposed by – <ul style="list-style-type: none"> <li>(i) size and shape of the site;</li> <li>(ii) orientation and topography of land;</li> <li>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</li> <li>(iv) arrangements for vehicular or pedestrian access;</li> <li>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(vi) a utility; or</li> <li>(vii) any lawful and binding requirement – <ul style="list-style-type: none"> <li>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</li> <li>b. an interest protected at law by an easement or other regulation</li> </ul> </li> </ul> </li> </ul>

<p><b>A2</b></p> <p>Building height must not be more than 15.0m</p>	<p><b>P2</b></p> <p>Building height must -</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</li> <li>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</li> <li>(c) be consistent with the streetscape;</li> <li>(d) respond to the effect of the slope and orientation of the site; and</li> <li>(e) provide separation between buildings to attenuate impact</li> </ul>
<p><b>A3</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage elevation of a building</p>	<p><b>P3</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must –</p> <ul style="list-style-type: none"> <li>(a) not dominate the architectural or visual frontage of the site;</li> <li>(b) be consistent with the streetscape;</li> <li>(c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</li> <li>(d) provide durable screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</li> </ul>

Table to Clause 18.4.2 A1

<b>Road</b>	<b>Setback (m)</b>
This Clause does not apply	

18.4.3 Setback from zone boundaries

Objective:	
Use or development of land adjoining land in another zone is to minimise –	
<p>(a) likelihood for conflict, interference, and constraint between the use or development of land in the zone and sensitive use of land in an adjoining zone; and</p> <p>(b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Development of land with a boundary to a zone must –</p> <p>(a) be setback from the boundary of land in an adjoining zone by not less than the distance for that zone shown the Table to this Clause;</p> <p>(b) not include within the setback area required from a boundary to land in a zone shown in the Table to this clause –</p> <p>(i) a building or work;</p> <p>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage;</p> <p>(iii) vehicle loading or parking area;</p> <p>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</p> <p>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</p> <p>(vi) a sign orientated to view from land in another zone; or</p> <p>(vii) external lighting for operational or security purposes; and</p>	<p><b>P1</b></p> <p>The location of development must –</p> <p>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</p> <p>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone</p>

<p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by –</p> <p>(i) the setback distance from the zone boundary as shown in the Table to this clause; and</p> <p>(ii) projecting upward and away from the zone boundary at an angle of 45o above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and</p> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit, including a door, window to a habitable room, loading bay, or vehicle entry</p>	
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Table to Clause 18.4.3

<b>Adjoining Zone</b>	<b>Setback (m)</b>
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0

Note - If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

#### 18.4.4 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Recreation zone	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p>	<p><b>P1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) for a purpose permissible in the zone</p>

<p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	
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## 19.0 Open Space Zone

The zone is not used in this planning scheme

## 20.0 Local Business Zone

### 20.1 Zone Purpose

#### 20.1.1 Zone Purpose Statements

20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.

#### 20.1.2 Local Area Objectives

Provide an urban activity centre offering a mix of convenience services of a type and scale appropriate to satisfy daily routine requirements of the immediate resident population and visitors to the locality.

Table to Local Area Objective 20.1.2

This clause applies for local business centres at –
Rosebery, Strahan, Zeehan

#### 20.1.3 Desired Future Character Statements

(a) Local business areas –

(i) are a cluster of close-spaced buildings typically of one to two storeys in both attached and detached configuration;

(ii) provide development that is typically orientated onto a frontage or plaza;

(iii) encourage retail and direct service use to maximise occupation of road and pedestrian frontage;

(iv) include signage as an integrated element of streetscape and business activity; and

(v) may operate extended hours of operation for trade and hospitality

(b) Use and development for local business –

(i) provide convenient arrangements for pedestrian and vehicular access and circulation;

- (ii) provide facilities for delivery of goods and for parking, preferably to the side or rear of buildings;
- (iii) manage built form and development to be comparable with the context and form of housing or other development in the locality; and
- (iv) may impact on the amenity of use or development on adjacent land through factors associated with the operational characteristics of permitted use, including higher traffic volume, duration and frequency of activity, provision for vehicle parking, the presence and movement of people, extended or intermittent hours of operation, and a readily apparent visual or functional presence within an urban setting.

## 20.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or development area for information, interpretation or display of items or for any other use
Passive recreation	If be a public park, reserve, or garden, or a building or structure for use by the local, community
<b>Permitted</b>	
Bulky goods sales	If – <ul style="list-style-type: none"> <li>(a) a garden centre for the retail sale of plants, landscaping, and gardening supplies and equipment;</li> <li>(b) floor coverings, furniture, or white goods;</li> <li>(c) building supplies and hardware;</li> <li>(d) office and hospitality supplies; and</li> <li>(e) gross floor area of not more than 300m<sup>2</sup></li> </ul>
Business and professional services	If - <ul style="list-style-type: none"> <li>(a) office for administrative, clerical, technical, professional or similar activity that does not include direct and regular dealings with members of the public;</li> <li>(b) medical centre;</li> <li>(c) veterinary centre; and</li> <li>(d) gross floor area of not more than 300m<sup>2</sup></li> </ul>

Use Class	Qualification
Community meeting and entertainment	If gross floor area of not more than 300m <sup>2</sup>
Educational and occasional care	If – (a) day care facilities for children; (b) day respite centre; or (c) pre-school and primary school education
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration
Food services	If not a take-away food premises with a drive-through facility
General retail and hire	If – (a) grocery and convenience goods; or (b) personal services; and (c) an occasional market retailing goods by independent stall holders
Hotel industry	If no drive-through sales
Pleasure boat facility	If a boat launch and recovery ramp primarily for trailer borne recreational vessels
Residential	If located on a floor above road or pedestrian level or to the rear of active frontage premises
Service industry	If not motor repairs and panel beating
Sports and recreation	If – (a) an indoor facility; and (b) a gross floor area of not more than 300m <sup>2</sup>
Tourist operation	If – (a) based on a building, area or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; or (b) a visitors information centre; or (c) gross floor area of not more than 500m <sup>2</sup>
Utilities	If minor utilities

Use Class	Qualification
Visitor accommodation	If – <ul style="list-style-type: none"> <li data-bbox="504 333 724 367">(a) in a building;</li> <li data-bbox="504 394 1358 465">(b) located on a floor above road or pedestrian level or to the rear of active frontage premises; and</li> <li data-bbox="504 492 1211 526">(c) guest accommodation is for not more than 16 people</li> </ul>
<b>Discretionary</b>	
Bulky goods sales	
Business and professional services	
Community meeting and entertainment	
Educational and occasional care	
Food services	
General retail and hire	
Hotel industry	
Passive recreation	
Pleasure boat facility	
Residential	
Service industry	
Sports and recreation	
Storage	
Transport depot and distribution	If – <ul style="list-style-type: none"> <li data-bbox="504 1774 1362 1845">(a) loading or unloading of goods and passengers by bus, rail, ferry or taxi; and</li> <li data-bbox="504 1872 1378 1944">(b) courier and cartage of goods produced or sold from land within the applicable Local Business zone</li> </ul>

Use Class	Qualification
Tourist operation	
Utilities	
Vehicle fuel sales and service	If a service station
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

## 20.3 Use Standards

### 20.3.1 Discretionary permit use

Objective:	
Use in this zone that is a discretionary permit use is to primarily service and support the routine requirements of the local resident and visitor population for convenience grocery and general retailing, personal care, refreshment, and basic business and professional services	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Discretionary permit use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement for the zone; and</li> <li>(c) be required to service requirements of the local resident and visitor population; and</li> <li>(d) minimise potential to – <ul style="list-style-type: none"> <li>(i) service a population beyond the local community;</li> <li>(ii) have immediate, incremental or cumulative adverse effect on the regional pattern of retail and service provision; and</li> </ul> </li> </ul>

	(iii) to displace retail, business, and professional use
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## 20.4 Development Standards

### 20.4.1 Suitability of a site or lot for use or development

Objective:	
The minimum properties of a site and of each lot on a plan of subdivision are to –	
<ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> <li>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> <li>(a) have a site area of not less than 45m<sup>2</sup>; and</li> <li>(b) if intended for a building, contain a building area of not less than 45m<sup>2</sup> – <ul style="list-style-type: none"> <li>(i) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefiting other land;</li> <li>(v) not including land required as part of access to the site;</li> <li>(vi) accessible from a frontage or access strip; and</li> <li>(vii) clear of any area required for the on-site disposal of sewage or stormwater</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> <li>(a) erection of a building if required by the intended use;</li> <li>(b) access to the site;</li> <li>(c) use or development of adjacent land;</li> <li>(d) a utility; and</li> <li>(e) any easement or lawful entitlement for access to other land</li> </ul>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p>	<p><b>P2</b></p> <ul style="list-style-type: none"> <li>(a) A site must have a reasonable and secure access from a road provided –</li> </ul>

<p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p> <p style="padding-left: 20px;">(i) over land not required as the means of access to any other land; and</p> <p style="padding-left: 20px;">(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 3.6m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by –</p> <p style="padding-left: 20px;">a. the intended use; and</p> <p style="padding-left: 20px;">b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must have a water supply –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system R23 with a storage capacity of not less than 10,000 litres if–</p>	<p><b>P3</b></p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p>

<ul style="list-style-type: none"> <li>(i) there is not a reticulated water supply; and</li> <li>(ii) development is for a use with an equivalent population of not more than 10 people per day</li> </ul>	<ul style="list-style-type: none"> <li>(b) It must be unnecessary to require a water supply</li> </ul>
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must drain sewage and liquid trade waste –</p> <ul style="list-style-type: none"> <li>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) by on-site disposal if – <ul style="list-style-type: none"> <li>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</li> <li>(ii) the development - <ul style="list-style-type: none"> <li>a. provides for an equivalent population of not more than 10 people per day; or</li> <li>b. creates a total sewage and waste water flow of not more than 1,000l per day; and</li> </ul> </li> <li>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</li> </ul> </li> </ul>	<p><b>P4</b></p> <ul style="list-style-type: none"> <li>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste – <ul style="list-style-type: none"> <li>(i) in accordance with any prescribed emission limits for discharge of waste water;</li> <li>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</li> <li>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</li> <li>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</li> <li>(v) with appropriate safeguards to minimise contamination if the use or development has potential to – <ul style="list-style-type: none"> <li>a. indirectly cause the contamination of surface or ground water; or</li> <li>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</li> </ul> </li> </ul> </li> </ul>

	(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must drain stormwater –</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i></p> <p>(b) if storm water cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface</p>	<p><b>P5</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater -</p> <p>a. currently entering from beyond its boundaries; and</p> <p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>

#### 20.4.2 Location and configuration of development

Objective:
<p>The location and configuration of development is to –</p> <p>(a) provide for buildings, service activity and vehicle parking to accommodate local business use;</p> <p>(b) provide for the facade of a building to remain the dominant architectural or visual element to the frontage; and</p> <p>(c) assist to attenuate likely impact on amenity of use on adjacent land</p>

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must not be more than 10.0m with the exception of -</p> <p>(a) land within the Strahan Wharf if shown as area "A" on the planning scheme map in which area the building height must not be more than 8.0m; and</p> <p>(b) land within the Strahan Wharf if shown as area "B" on the planning scheme map in which area the building height must be not more than 6.0m.</p>	<p><b>P1</b></p> <p>Building height must -</p> <p>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</p> <p>(b) minimise the apparent scale, bulk, massing and proportion of any adjacent building;</p> <p>(c) be consistent with the streetscape;</p> <p>(d) respond to the effect of the slope and orientation of the site; and</p> <p>(e) take account of the apparent building height when viewed from a road or land adjacent the Macquarie Harbour foreshore</p>
<p><b>A2</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage elevation of a building</p>	<p><b>P2</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must –</p> <p>(a) not dominate the architectural or visual frontage of the site;</p> <p>(b) be consistent with the streetscape;</p> <p>(c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</p> <p>(d) provide durable screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</p>

20.4.3 Visual and acoustic privacy for residential development

Objective:	
The location and configuration of development is to minimise likelihood for overlooking a habitable room, balcony, deck or roof garden in an adjacent dwelling	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport must –</p> <p>(a) be not less than 3.0m from a side boundary and 4.0 m from a rear boundary to land in a zone for residential purposes;</p> <p>(b) be not less than 6.0m from any door, window, balcony deck or roof garden in an adjacent dwelling;</p> <p>(c) be off-set by not less than 1.5m from the edge of any door or window in an adjacent dwelling;</p> <p>(d) have a window sill height of not less than 1.8m above finished floor level;</p> <p>(e) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or window less than 1.8m above finished floor level; or</p> <p>(f) have a fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport</p>	<p><b>P1</b></p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport must be minimised by –</p> <p>(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;</p> <p>(b) off-set from a door or window to a habitable room in an adjacent dwelling;</p> <p>(c) effective use of screening other than vegetation; or</p> <p>(d) effect of topography and natural features</p>

#### 20.4.4 Private open space for residential use

Objective:	
Private open space is to be available in development for residential use to meet the reasonable private and communal needs of residents for garden, recreation, service and storage purposes.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each dwelling must provide –</p> <p>(a) external private open space that –</p> <ul style="list-style-type: none"> <li>(i) is accessible from the dwelling;</li> <li>(ii) comprises an area of not less than 25m<sup>2</sup> for each dwelling;</li> <li>(iii) has a gradient of not more than 1 in 10; and</li> <li>(iv) has a minimum dimension of 4.0m; or</li> </ul> <p>(b) private open space provided as a private balcony, deck or terrace -</p> <ul style="list-style-type: none"> <li>(i) of area not less than 25m<sup>2</sup>;</li> <li>(ii) a minimum dimension of 2.0m; and</li> <li>(iii) accessible from the dwelling</li> </ul>	<p><b>P1</b></p> <p>Private open space must -</p> <p>(a) be a size and dimension appropriate for the projected requirements of the residents of the dwelling; and</p> <p>(b) be usable taking into account –</p> <ul style="list-style-type: none"> <li>(i) the effect of shape, orientation, and topography of the site;</li> <li>(ii) the availability, accessibility, purpose, and characteristics of – <ul style="list-style-type: none"> <li>a. any other recreation and service area within the site;</li> <li>b. any external communal open space area; and</li> <li>c. public open space</li> </ul> </li> </ul>

#### 20.4.5 Setback from zone boundaries

Objective:	
Use or development of land adjoining land in another zone is to minimise –	
<p>(a) likelihood for conflict, interference, and constraint between the use or development of land in the zone and sensitive use of land in an adjoining zone; and</p> <p>(b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Development of land with a boundary to a zone must –</p> <p>(a) be setback from the boundary of land in an adjoining zone by not less than the</p>	<p><b>P1</b></p> <p>The location of development must –</p>

<p>distance for that zone shown in the Table to this Clause;</p> <p>(b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause –</p> <ul style="list-style-type: none"> <li>(i) a building or work;</li> <li>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage;</li> <li>(iii) vehicle loading or parking area;</li> <li>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</li> <li>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</li> <li>(vi) a sign orientated to view from land in another zone; or</li> <li>(vii) external lighting for operational or security purposes; and</li> </ul> <p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(i) the setback distance from the zone boundary as shown in the Table to this Clause; and</li> <li>(ii) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and</li> </ul> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit,</p>	<ul style="list-style-type: none"> <li>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</li> <li>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone</li> </ul>
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including a door, window to a habitable room, loading bay, or vehicle entry	
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Table to Clause 20.4.5 A1

<b>Adjoining Zone</b>	<b>Setback (m)</b>
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Community Purpose	5.0

Note - If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

#### 20.4.6 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Local Business zone	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) for a purpose permissible in the zone</p>

#### 20.4.7 Reticulation of an electricity supply

Objective:	
Distribution and connection of reticulated electricity supply is to be without visual intrusion on the streetscape	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
Electricity reticulation and site connections must be installed underground	It must not be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground

## 21.0 General Business Zone

### 21.1 Zone Purpose

#### 21.1.1 Zone Purpose Statements

21.1.1.1 To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.

#### 21.1.2 Local Area Objectives

- (a) Provide an urban activity centre offering in one accessible location a mix of services of a type and range appropriate to service regular and some specialist needs of the immediate and wider resident population and visitors to the municipal area;
- (b) Make efficient use of land and optimise available infrastructure through a priority for infill and redevelopment and adaptive re-use of existing sites and buildings; and
- (c) Provide opportunity for residential use as an integrated and subordinate component of the activity within a district business centre

This zone applies for the general business area at Queenstown
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#### 21.1.3 Desired Future Character Statements

- (a) General Business areas –
  - (i) are typically a cluster of close spaced commercial and retail buildings in both attached and detached configuration;
  - (ii) provide development that is typically orientated onto a frontage or plaza;
  - (iii) make independent and/or shared arrangements for external ground level car parking;
  - (iv) give priority for retail and direct service uses to maximise occupation of a road and pedestrian frontage;
  - (v) include signage as an integral element of streetscape and business activity; and
  - (vi) operate extended hours for trade and hospitality;
- (b) Use and development for general business –
  - (i) provide convenient arrangements for pedestrian and vehicular access and circulation;
  - (ii) typically incorporate facilities for delivery of goods and for parking located internally or to the rear of buildings;

- (iii) is not required to be comparable with the type and form of development on adjacent land;
- (iv) have potential to transition abruptly at the boundary with an adjoining zone; and
- (v) may potentially impact on the amenity of use or development on adjacent land through factors associated with the operational characteristics of permitted use, including higher traffic volume, duration and frequency of activity, the type, form and scale of buildings, provision for vehicle parking, the presence and movement of people, extended or intermittent hours of operation, and a readily apparent visual or functional presence within an urban setting

## 21.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If conservation, rehabilitation, or protection against degradation, but must not include a building or outdoor area for information, interpretation, or display of items or for any other use
Passive recreation	If a public park or reserve for the local community
<b>Permitted</b>	
Bulky goods sales	If – <ul style="list-style-type: none"> <li>(a) garden centre for the retail sale of plants, landscaping, and gardening supplies and equipment;</li> <li>(b) floor coverings, furniture, or white goods; or</li> <li>(c) building supplies and hardware</li> <li>(d) office and hospitality supplies</li> </ul>
Business and professional services	
Community meeting and entertainment	
Educational and occasional care	
Emergency services	

<b>Use Class</b>	<b>Qualification</b>
Food services	
General retail and hire	
Hotel services	
Pleasure boat facility	If be a boat launch and recovery ramp primarily for trailer borne recreational vessels
Research and development	If for business, commercial, community or civic purposes
Service industry	If not motor repairs and panel beating
Sports and recreation	If an indoor facility
Tourist operation	
Utilities	If minor utilities
Vehicle parking	If for vehicles attending the business centre
Visitor accommodation	If – (a) in a building; and (b) located on a floor above road or pedestrian level or to the rear of active frontage premises
<b>Discretionary</b>	
Bulky goods sales	
Passive recreation	
Natural and cultural values management	
Storage	
Research and development	
Residential	If located on a floor above road or pedestrian level or to the rear of active frontage premises
Tourist operation	

Use Class	Qualification
Transport depot and distribution	If – (a) loading or unloading of goods and passengers by bus, rail, ferry or taxi; or (b) courier and cartage of goods produced or sold from land within the applicable General Business zone
Utilities	
Vehicle fuel sales and service	If a service station
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

## 21.3 Use Standards

### 21.3.1 Discretionary permit use

Objective:	
Use in this zone that is a discretionary permit use is to service and support the local and surrounding district or municipal resident and visitor population	
Acceptable Solutions	Performance Criteria
<b>A1</b> There is no acceptable solution	<b>P1</b> Discretionary permit use must – (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statement for the zone; and (c) be required to service requirements of the local and district resident and visitor population; (d) minimise potential to - (i) service a population beyond the local, district, or municipal community;

	<ul style="list-style-type: none"> <li>(ii) have immediate, incremental or cumulative adverse effect on the regional pattern of retail and service provision; and</li> <li>(iii) displace retail, business, and professional use</li> </ul>
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## 21.4 Development Standards

### 21.4.1 Suitability of a site or lot for use or development

Objective:	
The minimum properties of a site and of each lot on a plan of subdivision are to –	
<ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> <li>(c) make adequate provision for connection to a water supply and for the drainage of sewage and stormwater</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each use or development site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> <li>(a) have a site area of not less than 45m<sup>2</sup>; and</li> <li>(b) if intended for a building, contain a building area of not less than 45m<sup>2</sup> – <ul style="list-style-type: none"> <li>(i) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefitting other land;</li> <li>(v) not including land required as part of access to the site;</li> <li>(vi) accessible from a frontage or access strip; and</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> <li>(a) erection of a building if required by the intended use;</li> <li>(b) access to the site;</li> <li>(c) use or development of adjacent land;</li> <li>(d) a utility; and</li> <li>(e) any easement or lawful entitlement for access to other land</li> </ul>

<p>(vii) clear of any area required for the on-site disposal of sewage or stormwater</p>	
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road –</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 3.6m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p><b>P2</b></p> <p>(a) A site must have a reasonable and secure access from a road provided –</p> <p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or right-of-way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>

<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must have a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p>	<p><b>P3</b></p> <p>It must be unnecessary to require a water supply</p>
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must drain sewage and waste water to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p>	<p><b>P4</b></p> <p>It must be unnecessary to require the drainage and disposal of sewage or waste water</p>
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must drain stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i></p>	<p><b>P5</b></p> <p>It must be unnecessary to require the drainage of stormwater</p>

21.4.2 Location and configuration of development

Objective:	
<p>The location and configuration of development is to –</p> <p>(a) provide for buildings, service activity and vehicle parking to accommodate business use;</p> <p>(b) provide for the facade of a building to remain the dominant architectural or visual element to the frontage; and</p> <p>(c) assist to attenuate likely impact on amenity of use on adjacent land</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Building height must not be more than 10.0m</p>	<p><b>P1</b></p> <p>Building height must -</p> <p>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</p> <p>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</p> <p>(c) be consistent with the streetscape;</p> <p>(d) respond to the effect of the slope and orientation of the site</p>

<p><b>A2</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must be located behind the primary frontage elevation of a building</p>	<p><b>P2</b></p> <p>An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must –</p> <ul style="list-style-type: none"> <li>(a) not dominate the architectural or visual frontage of the site</li> <li>(b) be consistent with the streetscape;</li> <li>(c) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</li> <li>(d) provide durable screening to attenuate appearance of the a parking or loading area from a frontage and adjacent land</li> </ul>
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21.4.3 Visual and acoustic privacy for residential use

<p>Objective:</p>	
<p>The location and configuration of development is to minimise likelihood for overlooking a habitable room, balcony, deck, or roof garden in an adjacent dwelling</p>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>A door or window to a habitable room, or any part of a balcony, deck, roof garden, parking space or carport must –</p> <ul style="list-style-type: none"> <li>(a) be not less than 3.0m from a side boundary and 4.0 m from a rear boundary to land in a zone for residential purposes;</li> <li>(b) be not less than 6.0m from any door, window, balcony deck or roof garden in an adjacent dwelling;</li> <li>(c) be off-set by not less than 1.5m from the edge of any door or window in an adjacent dwelling;</li> <li>(d) have a window sill height of not less than 1.8m above finished floor level;</li> <li>(e) have fixed and durable glazing or screening with a uniform transparency of not more than 25% in that part of a door or</li> </ul>	<p><b>P1</b></p> <p>Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport must be minimised by –</p> <ul style="list-style-type: none"> <li>(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;</li> <li>(b) off-set from a door or window to a habitable room in an adjacent dwelling;</li> <li>(c) effective use of screening other than vegetation; or</li> <li>(d) effect of topography and natural features</li> </ul>

<p>window less than 1.8m above finished floor level; or</p> <p>(f) have fixed and durable external screen other than vegetation of not less than 1.8m height above the finished floor level with a uniform transparency of not more than 25% for the full width of the door, window, balcony, deck, roof garden, parking space, or carport</p>	
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21.4.4 Private open space for residential use

Objective:	
External area is to be available in residential developments to meet the reasonable private and communal needs of residents for garden, recreation, service and storage purposes.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each dwelling must provide –</p> <p>(a) external private open space that –</p> <ul style="list-style-type: none"> <li>(i) is accessible from the dwelling;</li> <li>(ii) comprises an area of not less than 25m<sup>2</sup> for each dwelling;</li> <li>(iii) has a gradient of not more than 1 in 10; and</li> <li>(iv) has a minimum dimension of 4.0m; or</li> </ul> <p>(b) private open space provided as a private balcony, deck or terrace -</p> <ul style="list-style-type: none"> <li>(i) of area not less than 25m<sup>2</sup></li> <li>(ii) minimum dimension of 2.0m; and</li> <li>(iii) accessible from the dwelling</li> </ul>	<p><b>P1</b></p> <p>Private open space must -</p> <p>(a) have size and dimension appropriate for the projected requirements of the residents of the dwelling; and</p> <p>(b) be usable taking into account –</p> <ul style="list-style-type: none"> <li>(i) the effect of shape, orientation, and topography of the site;</li> <li>(ii) the availability, accessibility, purpose, and characteristics of – <ul style="list-style-type: none"> <li>a. any other recreation and service area within the site;</li> <li>b. any external communal open space area; and</li> <li>c. public open space</li> </ul> </li> </ul>
<p><b>A2</b></p> <p>The required minimum private open space area must be capable of receiving at least 3 hours of sunlight between 9.00am and 3.00pm on 21st June</p>	<p><b>P2</b></p> <p>Each private open space area must maximise opportunity for access to sunlight having regard for -</p> <p>(a) aspect, orientation, size, shape, slope, and topography of the site;</p>

	<ul style="list-style-type: none"> <li>(b) desirable to retain existing vegetation on the site; and</li> <li>(c) the impact of overshadowing by existing development on adjacent land</li> </ul>
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#### 21.4.5 Setback from zone boundaries

Objective:	
Use or development of land adjoining land in another zone is to minimise –	
<ul style="list-style-type: none"> <li>(a) likelihood for conflict, interference, and constraint between the use or development of land in the zone and sensitive use of land in an adjoining zone; and</li> <li>(b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Development of land with a boundary to a zone must –</p> <ul style="list-style-type: none"> <li>(a) be setback from the boundary of land in an adjoining zone by not less than the distance for that zone shown in the Table to this Clause;</li> <li>(b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause – <ul style="list-style-type: none"> <li>(i) a building or work;</li> <li>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage;</li> <li>(iii) vehicle loading or parking area;</li> <li>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</li> <li>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>The location of development must –</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</li> <li>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone</li> </ul>

<ul style="list-style-type: none"> <li>(vi) a sign orientated to view from land in another zone; or</li> <li>(vii) external lighting for operational or security purposes; and</li> </ul> <p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(i) the setback distance from the zone boundary as shown in the Table to this Clause; and</li> <li>(ii) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and</li> </ul> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit, including a door, window to a habitable room, loading bay, or vehicle entry</p>	
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Table to Clause 21.4.5

<b>Adjoining Zone</b>	<b>Setback (m)</b>
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Community Purpose	5.0

Note - If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

#### 21.4.6 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the General Business zone	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There is no acceptable solution	<b>P1</b> Each new lot on a plan of subdivision must be – (a) a lot required for public use by the State government, a Council, a statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority; or (b) for a purpose permissible in the zone

#### 21.4.7 Reticulation of an electricity supply

Objective:	
Distribution and connection of reticulated electricity supply is to be without visual intrusion on the streetscape	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Electricity reticulation and site connections must be installed underground	<b>P1</b> It must not be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground

## 22.0 Central Business Zone

The zone is not used in this planning scheme

## 23.0 Commercial Zone

The zone is not used in this planning scheme

## 24.0 Light Industrial Zone

### 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.

24.1.2 Local Area Objectives

- (a) Light industrial use or development is clustered into one or more locations with strategic advantage for industrial activity resulting from availability of suitable land, proximity to consumer demand, efficient access for freight transport, adequate provision for utilities, and capacity to buffer use or development from land in an adjacent zone.
- (b) Restrict use that competes for and displaces availability of land for industrial use, including general retail and hire, bulky goods sales, large format retail, community meeting and entertainment, and sports and recreation.

24.1.3 Desired Future Character Statements

- (a) Use or development for light industry –
  - (i) occur on a site of sufficient size to fully accommodate all building and development areas;
  - (ii) may attract a high volume of freight transport, light commercial, and passenger vehicles;
  - (iii) may provide utilitarian buildings and structures of various size and construction;
  - (iv) create a site with a well define frontage access;
  - (v) may include hard-seal and illuminated car parking and loading areas, and areas for the display, storage and handling of goods and materials exposed to view from a road internal to the industrial estate; and
  - (vi) are required to screen and buffer at zone boundaries to minimise likely impact on amenity of use on land in an adjacent zone
- (b) The operating practices and outputs of light industrial use has minimal likelihood to interfere with the amenity of land beyond the zone boundary by reason of –
  - (i) emission to air, land or water of light, noise, odour, particulates, radiation, or vibration;
  - (ii) visual prominence of buildings and external activity areas;
  - (iii) hours of operation;
  - (iv) overlooking and overshadowing; and
  - (v) traffic generation and the efficient operation and safety of a road network

## 24.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If conservation, rehabilitation, or protection against degradation, but must not include a building or outdoor area for information, interpretation, or display of items or for any other use
<b>Permitted</b>	
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration
Equipment and machinery sales and hire	
Manufacturing and processing	
Recycling and waste disposal	If not a refuse disposal site
Research and development	If for manufacturing and processing, service industry, storage or transport purposes
Service industry	
Storage	
Transport depot and distribution	
Utilities	If minor utilities
Vehicle fuel sales and service	If not a service station
<b>Discretionary</b>	
Bulky goods sales	If wholesale of building materials, construction aggregates, and garden and landscape material
Educational and occasional care	If for trade training
Food services	If -

Use Class	Qualification
	(a) not licensed premises; (b) not including a drive through in take away food premises; and (c) a seating capacity for not more than 20 people
Passive recreation	
Research and development	
Resource processing	
Utilities	
<b>Prohibited</b>	
All other uses	

## 24.3 Use Standards

### 24.3.1 Discretionary permit use

Objective:	
Use that is a discretionary use in this zone is to be without likely conflict or impact on the amenity of use on any other land	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Discretionary permit use must -</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement; and</p> <p>(c) avoid any likely conflict or impact on amenity for existing and potential use of adjacent land for –</p> <p>(i) manufacturing, processing, service, repair, storage, and transport activity within the zone boundaries; and</p> <p>(ii) use on land beyond the boundaries of the zone</p>

## 24.4 Development Standards

### 24.4.1 Suitability of a site or lot for use or development

Objective:	
The minimum properties of a site and of each lot on a plan of subdivision are to –	
<ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> <li>(c) make adequate provision for connection to a water supply and for the drainage of sewage and stormwater</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> <li>(a) have a site area of not less than 500m<sup>2</sup> excluding any access strip; and</li> <li>(b) if intended for a building, contain a building area of not less than 250m<sup>2</sup> – <ul style="list-style-type: none"> <li>(i) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefitting other land;</li> <li>(v) not including land required as part of access to the site;</li> <li>(vi) accessible from a frontage or access strip; and</li> <li>(vii) clear of any area required for the on-site disposal of sewage or stormwater</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> <li>(a) erection of a building if required by the intended use;</li> <li>(b) access to the site;</li> <li>(c) use or development of adjacent land;</li> <li>(d) a utility; and</li> <li>(e) any easement or lawful entitlement for access to other land</li> </ul>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> </ul>	<p><b>P2</b></p> <ul style="list-style-type: none"> <li>(a) A site must have a reasonable and secure access from a road provided – <ul style="list-style-type: none"> <li>(i) across a frontage; or</li> </ul> </li> </ul>

<p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</p> <p>(c) by a right of way connecting to a road -</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 10.0m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or the right-of-way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p>	<p><b>P3</b></p> <p>It must be unnecessary to require a water supply</p>
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and waste water to a sewerage system provided</p>	<p><b>P4</b></p> <p>It must be unnecessary to require the drainage and disposal of sewage or waste water</p>

in accordance with the <i>Water and Sewerage Industry Act 2008</i>	
<b>A5</b> A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>	<b>P5</b> It must be unnecessary to require the drainage of stormwater

#### 24.4.2 Location and configuration of development

Objective:	
The location and configuration of development is to –	
<ul style="list-style-type: none"> <li>(a) provide for the efficient use of land;</li> <li>(b) assist to minimise visual prominence if exposed to likely view from a major transport corridor;</li> <li>(c) provide for buildings, service activity and vehicle parking of suitable size to accommodate industrial use</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1.1</b></p> <p>A building is not required to setback from a frontage or boundary unless –</p> <ul style="list-style-type: none"> <li>(a) the development is on land that abuts a road specified in the table to this clause, in which case the setback must be as specified from that road; or</li> <li>(b) there is a building area shown on a sealed plan, in which case the building must be setback from the frontage and from each side or rear boundary so as to be contained within the building area.</li> </ul> <p><b>A1.2</b></p> <p>Where a building is setback from a road the area between a building and the frontage must be landscaped and treated to assist screening of development from the road by:</p> <ul style="list-style-type: none"> <li>(a) retention, replacement, or provision of trees or plantings of a type consistent with the established vegetation character of adjacent land;</li> </ul>	<p><b>P1</b></p> <p>The setback of a building must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with prevailing frontage setbacks for any existing and approved building on the site or on adjacent land from the frontage to a road identified in the Table to clause 24.4.1 A1(b);</li> <li>(b) provide a transitional space between the road and any industrial use on the site sufficient to buffer or screen the site to view from a road; and</li> <li>(c) provide measures to attenuate visual impact of the site</li> </ul>

<p>(b) provision of screening devices such as earth mounds and fencing; or</p> <p>(c) a combination of (a) and (b).</p>	
<p><b>A2</b></p> <p>Building height must not be more than 10.0m</p>	<p><b>P2</b></p> <p>Building height must -</p> <p>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</p> <p>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</p> <p>(c) be consistent with the streetscape;</p> <p>(d) respond to the effect of the slope and orientation of the site; and</p> <p>(e) take into account the effect and durability of screening other than vegetation to attenuate impact</p>

Table to Clause 24.4.2 A1

<b>Road</b>	<b>Setback (m)</b>
Zeehan – Main street	5

24.4.3 Setback from zone boundaries

Objective:	
<p>Use or development of land adjoining land in another zone is to minimise –</p> <p>(a) likelihood for conflict, interference, and constraint between the use or development of land in the zone and on the use of land in an adjoining zone; and</p> <p>(b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Development of land with a boundary to a zone must –</p> <p>(a) be setback from the boundary of land in an adjoining zone by not less than the</p>	<p><b>P1</b></p> <p>The location of development must –</p>

<p>distance for that zone shown in the Table to this Clause</p> <p>(b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause –</p> <ul style="list-style-type: none"> <li>(i) a building or work;</li> <li>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage;</li> <li>(iii) vehicle loading or parking area;</li> <li>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</li> <li>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</li> <li>(vi) a sign orientated to view from land in another zone; or</li> <li>(vii) external lighting for operational or security purposes; and</li> </ul> <p>(c) a building with an elevation to a zone boundary must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(i) the setback distance from the zone boundary as shown in the Table to this clause; and</li> <li>(ii) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and</li> </ul> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit,</p>	<ul style="list-style-type: none"> <li>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</li> <li>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone</li> </ul>
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including a door, window to a habitable room, loading bay, or vehicle entry	
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Table to Clause 24.4.3 A1

Adjoining Zone	Setback (m)
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Community Purpose	5.0

Note – If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

#### 24.4.4 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Light Industrial zone	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) for a purpose permissible in the zone</p>

## 25.0 General Industrial Zone

### 25.1 Zone Purpose

#### 25.1.1 Zone Purpose Statements

25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.

#### 25.1.2 Local Area Objectives

- (a) General industrial use is clustered into one or more locations with strategic advantage for industrial activity resulting from availability of suitable land, efficient access for freight transport and adequate provision for utilities;

- (b) Provide for industry that requires separation from other use due to likelihood for conflict and impact to extend beyond the zone boundary.
- (c) Restrict use that competes for and displaces availability of land for industrial use, including general retail and hire, bulky goods sales, large format retail, community meeting and entertainment, and sports and recreation.

#### 25.1.3 Desired Future Character Statements

- (a) Use or development for general industry –
  - (i) is to occur on a site of sufficient size to fully accommodate all buildings and external activity areas;
  - (ii) is to create a site with well-defined frontage access;
  - (iii) typically provide utilitarian industrial style buildings and structures of large floor area and bulk;
  - (iv) may include expansive hard-seal and illuminated parking and loading areas and areas for the display, storage and handling of goods and materials exposed to view from a road internal to the industrial estate ;  
and
  - (v) may include an activity, process, good, material, product or plant that if undertaken, operated, handled, or stored in accordance with all measures to minimise impact could create likely risk to human health, life or property, or to the biophysical environment
- (b) Use on industrial land is likely to include activities that conflict with or impact on the amenity of use on land external to the industrial zone boundary by reason of –
  - (i) emission to air, land or water of light, noise, odour, particulates, radiation or vibration;
  - (ii) hours of operation;
  - (iii) level of freight transport activity; or
  - (iv) visual prominence of buildings, structures and external activity areas

## 25.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If conservation, rehabilitation, or protection against degradation, but must not include a building or outdoor area for information, interpretation, or display of items or for any other use
<b>Permitted</b>	
Emergency services	
Equipment and machinery sales and hire	
Manufacturing and processing	
Recycling and waste disposal	If not a refuse disposal site
Research and development	If for a manufacturing and processing, service industry, storage or transport purpose
Service industry	
Storage	
Transport depot and distribution	
Utilities	
Vehicle fuel sales and service	If not a service station
<b>Discretionary</b>	
Bulky goods sales	If wholesale of building materials, construction aggregates, and garden and landscape material
Educational and occasional care	If for trade training
Food services	If - (a) not licensed premises;

Use Class	Qualification
	(b) not including a drive through in take away food premise; and (c) a seating capacity for not more than 20 people
Passive recreation	
Research and development	
Resource processing	
<b>Prohibited</b>	
All other uses	

## 25.3 Use Standards

### 25.3.1 Discretionary permit use

Objective:	
Use that is a discretionary use in this zone is to minimise likely adverse impact on use on any other land	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Discretionary permit use must –</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement for the zone; and</p> <p>(c) minimise likely adverse impact for existing and potential –</p> <p>(i) manufacturing, processing, service, repair, storage, and transport activities within the zone boundaries; and</p> <p>(ii) use on land beyond the boundaries of the zone</p>

## 25.4 Development Standards

### 25.4.1 Suitability of a site or lot for use or development

Objective:	
The minimum properties of a site and of each lot on a plan of subdivision are to –	
<ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> <li>(b) provide access from a road; and</li> <li>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <ul style="list-style-type: none"> <li>(a) have a site area of not less than 1,000m<sup>2</sup> excluding any access strip; and</li> <li>(b) if intended for a building, contain a building area of not less than 500m<sup>2</sup> – <ul style="list-style-type: none"> <li>(i) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(ii) clear of any applicable setback from a zone boundary;</li> <li>(iii) clear of any registered easement;</li> <li>(iv) clear of any registered right of way benefitting other land;</li> <li>(v) not including land required as part of access to the site ;</li> <li>(vi) accessible from a frontage or access strip; and</li> <li>(vii) clear of any area required for the on-site disposal of sewage or stormwater</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> <li>(a) erection of a building if required by the intended use;</li> <li>(b) access to the site;</li> <li>(c) use or development of adjacent land;</li> <li>(d) a utility; and</li> <li>(e) any easement or lawful entitlement for access to other land</li> </ul>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access with a width of not less than 20.0m; and</li> </ul>	<p><b>P2</b></p> <ul style="list-style-type: none"> <li>(a) A site must have a reasonable and secure access from a road provided – <ul style="list-style-type: none"> <li>(i) across a frontage; or</li> </ul> </li> </ul>

<p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land with a width of not less than 10.0m; or</p> <p>(c) by a right of way connecting to a road –</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iii) with a width of not less than 10.0m; and</p> <p>(d) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan</p>	<p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p>	<p><b>P3</b></p> <p>(a) There must be a water supply with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply</p>

<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i></p>	<p><b>P4</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <ul style="list-style-type: none"> <li>(i) in accordance with any prescribed emission limits for discharge of waste water;</li> <li>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</li> <li>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</li> <li>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</li> <li>(v) with appropriate safeguards to minimise contamination if the use or development has potential to - <ul style="list-style-type: none"> <li>a. indirectly cause the contamination of surface or ground water; or</li> <li>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</li> </ul> </li> </ul> <p>(b) It must be unnecessary to require drainage and disposal of sewage or liquid trade waste</p>
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of</p>	<p><b>P5</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p>

<p>stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i></p>	<ul style="list-style-type: none"> <li>(i) to accommodate the anticipated stormwater - <ul style="list-style-type: none"> <li>a. currently entering from beyond its boundaries; and</li> <li>b. from the proposed development;</li> </ul> </li> <li>(ii) without likelihood for concentration on adjacent land;</li> <li>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</li> <li>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</li> <li>(v) to manage the quality of stormwater discharged to receiving waters; and</li> <li>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</li> </ul> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>
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25.4.2 Location and configuration of development

Objective:	
<p>The location and configuration of development is to –</p> <ul style="list-style-type: none"> <li>(a) provide for the efficient use of land;</li> <li>(b) assist to minimise visual prominence if exposed to likely view from a major transport corridor; and</li> <li>(c) provide for buildings, service activity and vehicle parking of suitable size to accommodate industrial use</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1.1</b></p> <p>A building is not required to setback from a frontage or boundary unless –</p>	<p><b>P1</b></p> <p>The setback of a building must –</p>

<p>(a) the development is on land that abuts a road specified in the table to this clause, in which case the setback must be as specified from that road; or</p> <p>(b) there is a building area shown on a sealed plan, in which case the building must be setback from the frontage and from each side or rear boundary so as to be contained within the building area.</p> <p><b>A1.2</b></p> <p>Where a building is setback from a road the area between a building and the frontage must be landscaped and treated to assist screening of development from the road by:</p> <p>(a) retention, replacement, or provision of trees or plantings of a type consistent with the established vegetation character of adjacent land;</p> <p>(b) provision of screening devices such as earth mounds and fencing; or</p> <p>(c) a combination of (a) and (b).</p>	<p>(a) be consistent with prevailing frontage setbacks for any existing and approved building on the site or on adjacent land;</p> <p>(b) provide a transitional space between the road and any industrial use on the site sufficient to buffer or screen the site to view from a road; and</p> <p>(c) provide measures to attenuate visual impact of the site</p>
<p><b>A2</b></p> <p>Building height must not be more than 20.0m</p>	<p><b>P2</b></p> <p>Building height must -</p> <p>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</p> <p>(b) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</p> <p>(c) be consistent with the streetscape;</p> <p>(d) respond to the effect of the slope and orientation of the site; and</p> <p>(e) take into account the effect and durability of screening other than vegetation to attenuate impact</p>

Table to Clause 25.4.2 A1

Road	Setback (m)
Zeehan - Henty Road	20

25.4.3 Setback from zone boundaries

Objective:	
Use or development of land adjoining land in another zone is to minimise –	
<ul style="list-style-type: none"> <li>(a) likelihood for conflict, interference, and constraint between the use or development of land in the zone and sensitive use of land in an adjoining zone; and</li> <li>(b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Development of land with a boundary to a zone must –</p> <ul style="list-style-type: none"> <li>(a) be setback from the boundary of land in an adjoining zone by not less than the distance for that zone shown in the Table to this Clause</li> <li>(b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause – <ul style="list-style-type: none"> <li>(i) a building or work;</li> <li>(ii) vehicular or pedestrian access from a road if the boundary is not a frontage;</li> <li>(iii) vehicle loading or parking area;</li> <li>(iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste;</li> <li>(v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility;</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>The location of development must –</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and</li> <li>(b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone</li> </ul>

<ul style="list-style-type: none"> <li>(vi) a sign orientated to view from land in another zone; or</li> <li>(vii) external lighting for operational or security purposes; and</li> </ul> <p>(c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> <li>(i) the setback distance from the zone boundary as shown in the Table to this Clause; and</li> <li>(ii) projecting upward and away from the zone boundary at an angle of 45° above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and</li> </ul> <p>(d) the elevation of a building to a zone boundary must not contain an external opening other than an emergency exit, including a door, window to a habitable room, loading bay, or vehicle entry</p>	
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Table to Clause 25.4.3 A1

<b>Adjoining Zone</b>	<b>Setback (m)</b>
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Community Purpose	5.0

Note – If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

#### 25.4.4 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the General Industry zone	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Each new lot on a plan of subdivision must be – (a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority	<b>P1</b> Each new lot on a plan of subdivision must be – (a) for a purpose permissible in the zone

## 26.0 Rural Resource Zone

### 26.1 Zone Purpose

#### 26.1.1 Zone Purpose Statements

26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

#### 26.1.2 Local Area Objectives

- (a) The priority purpose for rural land is primary industry dependent upon access to a naturally occurring resource;
- (b) Air, land and water resources are of importance for current and potential primary industry and other permitted use;
- (c) Air, land and water resources are protected against –
  - (i) permanent loss to a use or development that has no need or reason to locate on land containing such a resource; and
  - (ii) use or development that has potential to exclude or unduly conflict, constraint, or interfere with the practice of primary industry or any other use dependent on access to a naturally occurring resource;
- (d) Primary industry is diverse, dynamic, and innovative; and may occur on a range of lot sizes and at different levels of intensity;

- (e) All agricultural land is a valuable resource to be protected for sustainable agricultural production;
- (f) Rural land may be used and developed for economic, community, and utility activity that cannot reasonably be accommodated on land within a settlement or nature conservation area;
- (g) Rural land may be used and developed for tourism and recreation use dependent upon a rural location or undertaken in association with primary industry
- (h) Residential use and development on rural land is appropriate only if –
  - (i) required by a primary industry or a resource based activity; or
  - (ii) without permanent loss of land significant for primary industry use and without constraint or interference to existing and potential use of land for primary industry purposes

### 26.1.3 Desired Future Character Statements

Use or development on rural land –

- (a) may create a dynamic, extensively cultivated, highly modified, and relatively sparsely settled working landscape featuring –
  - (i) expansive areas for agriculture and forestry;
  - (ii) mining and extraction sites;
  - (iii) utility and transport sites and extended corridors; and
  - (iv) service and support buildings and work areas of substantial size, utilitarian character, and visual prominence that are sited and managed with priority for operational efficiency
- (b) may be interspersed with –
  - (i) small-scale residential settlement nodes;
  - (ii) places of ecological, scientific, cultural, or aesthetic value; and
  - (iii) pockets of remnant native vegetation
- (c) will seek to minimise disturbance to –
  - (i) physical terrain;
  - (ii) natural biodiversity and ecological systems;
  - (iii) scenic attributes; and
  - (iv) rural residential and visitor amenity;
- (d) may involve sites of varying size –

- (i) in accordance with the type, scale and intensity of primary industry; and
  - (ii) to reduce loss and constraint on use of land important for sustainable commercial production based on naturally occurring resources;
- (e) is significantly influenced in temporal nature, character, scale, frequency, and intensity by external factors, including changes in technology, production techniques, and in economic, management, and marketing systems

## 26.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If conservation, rehabilitation, or protection against degradation, but must not include a building for information, interpretation, or display of items or for any other use
Resource development	If agricultural use – <ul style="list-style-type: none"> <li>(a) is dependent on the soil as a growth medium; or</li> <li>(b) is conducted in a manner which does not alter, disturb or damage the existing soil profile if not dependent on the soil as a growth medium</li> </ul>
<b>Permitted</b>	
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration
Extractive industry	If not on prime agricultural land
Residential	If – <ul style="list-style-type: none"> <li>(a) Not a new residential use; or</li> <li>(b) Home based business in an existing dwelling</li> </ul>
Resource development	If – <ul style="list-style-type: none"> <li>(a) aquaculture or intensive animal husbandry; and</li> <li>(b) conducted in a manner which does not alter, disturb or damage the existing soil profile</li> </ul>

Use Class	Qualification
Service industry	If – (a) not on prime agricultural land; and (b) for repair or maintenance of equipment, plant or vehicles associated with a primary industry use of a type conducted on land in the zone
Storage	If – (a) a depot for the storage of plant, machinery, equipment, materials, and other goods if required for primary industry use on land in the zone; or (b) a warehouse primarily or exclusively used for storage and handling of the products of primary industry use produced or required on land in the zone pending distribution for sale or use on another site; and (c) not be a liquid fuel depot or a solid fuel depot
Transport depot and distribution	If for goods and materials of a primary industry use produced or required on land in the zone
Utilities	If minor utilities
Visitor accommodation	If – (a) farm stay accommodation; and (b) guest accommodation of not more than 16 people
<b>Discretionary</b>	
Bulky goods sales	If wholesale of agricultural product or supplies, construction aggregate, harvested native resources, landscape or garden material, plants, or timber produced on land in the zone
Business and professional services	If for services related to primary industry use on land in the zone
Community meeting and entertainment	
Custodial facility	If a prison farm associated with a primary industry use of land in the zone
Crematoria and cemeteries	

Use Class	Qualification
Domestic animal breeding, boarding or training	
Educational and occasional care	If for vocational training in a primary industry use of a kind conducted on land in the zone
Equipment and machinery sales and hire	If related to requirements of a primary industry of a type conducted on land in the zone
Extractive industry	
Food services	If not including a drive-through
General retail and hire	If – (a) primary produce sales; or (b) door sales of products from a vineyard, dairy, farm, orchard or similar primary production enterprise
Manufacturing and processing	
Motor racing facility	
Passive recreation	
Pleasure boat facility	
Natural and cultural values management	
Recycling and waste disposal	
Research and development	
Residential	
Resource development	Note: R26
Resource processing	
Sports and recreation	

<b>Use Class</b>	<b>Qualification</b>
Tourist operation	If – (a) based on a building, area or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value on the site; or (b) based on a primary industry use of a type conducted on land in the zone
Transport depot and distribution	If related to primary industry use on land in the zone
Utilities	
Vehicle fuel sales and service	
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

R26 Resource development is required to be assessed through a discretionary pathway if it cannot meet either the no-permit-required or the permitted qualifications

## 26.3 Use Standards

### 26.3.1 Requirement for discretionary non-residential use to locate on rural resource land

Objective:	
Other than for residential use, discretionary permit use of rural resource land is to minimise – (a) unnecessary loss of air, land and water resources of significance for sustainable primary industry and other permitted use, including for agricultural use dependent on the soil as a growth medium; and (b) unreasonable conflict or interference to existing or potential primary industry use, including agricultural use, by other land use	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There is no acceptable solution	<b>P1</b> Other than for residential use, discretionary permit use must – (a) be consistent with the local area objectives;

	<ul style="list-style-type: none"><li>(b) be consistent with any applicable desired future character statement;</li><li>(c) be required to locate on rural resource land for operational efficiency –<ul style="list-style-type: none"><li>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</li><li>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</li><li>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</li><li>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</li><li>(v) if required –<ul style="list-style-type: none"><li>a. to acquire access to a mandatory site area not otherwise available in a zone intended for that purpose;</li><li>b. for security;</li><li>c. for public health or safety if all measures to minimise impact could create an unacceptable level of risk to human health, life or property if located on land in a zone intended for that purpose;</li></ul></li><li>(vi) to provide opportunity for diversification, innovation, and value-adding to secure existing or potential primary industry use of the site or of adjacent land;</li><li>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</li></ul></li></ul>
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	<ul style="list-style-type: none"> <li>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</li> <li>(d) minimise likelihood for – <ul style="list-style-type: none"> <li>(i) permanent loss of land for existing and potential primary industry use;</li> <li>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</li> <li>(iii) loss of land within a proclaimed irrigation district under <i>Part 9 Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development</li> </ul> </li> </ul>
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26.3.2 Required residential use

Objective:	
Residential use <sup>[R29]</sup> –	
<ul style="list-style-type: none"> <li>(a) is required as part of a resource development or other non-residential use; and</li> <li>(b) does not confine or restrain use of land for resource development or other non-residential use</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Residential use required as part of a use must –</p> <ul style="list-style-type: none"> <li>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</li> <li>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</li> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) replace a lawful existing residential use;</li> <li>(e) not create a new residential use through conversion of an existing building; or</li> </ul>	<p><b>P1</b></p> <p>Residential use required as part of a use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement;</li> <li>(c) be required to locate on rural resource land if – <ul style="list-style-type: none"> <li>(i) the type, scale, intensity, or operational characteristics of a permitted use make it necessary for a person to live on the site for the purpose of undertaking such use;</li> <li>(ii) residential use will be integral and subservient to the principal use; and</li> </ul> </li> </ul>

<p>(f) be home based business in association with occupation of an existing lawful and structural sound residential building; and</p> <p>(g) there is no change in the title description of the site on which the residential use is located</p>	<p>(iii) there is no other available dwelling on the site; and</p> <p>(d) if the required residential use relies on land in two or more titles in different ownership, the written consent of the owner of each title to enter into a Part 5 agreement to be registered on the title for each of the lots and providing -</p> <p>(i) the dwelling is required as part of a nominated permitted use; and</p> <p>(ii) the lots are not to be sold separately</p>
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### Footnotes

[R29] For the purpose of this clause residential use is not categorized as a use directly associated with and a subservient part of a primary production or other permitted use. The requirements of Principle 3 and Principle 5 of State Policy for the Protection of Agricultural Land 2009 intend residential use is categorized as a separate use class regardless of any association with an agricultural use of the land. The outcome of the PAL principles are applied in this planning scheme for all forms of primary production and other permitted use.

#### 26.3.3 Residential use

Objective:	
Residential use that is not required as a part of other use –	
<p>(a) minimises the permanent and unnecessary loss of land with potential for resource development or an extractive industry; and</p> <p>(b) minimises likelihood to interfere with or constrain the existing or potential use of land for resource development or an extractive industry</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Residential use that is not required as part of an other use must –</p> <p>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</p> <p>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</p>	<p><b>P1</b></p> <p>Residential use that is not required as a part of other use must –</p> <p>(a) be consistent with local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p> <p>(c) be on a site within which the existing or proposed development area –</p> <p>(i) is not capable by reason of one or more of factors of topography,</p>

<p>(c) not intensify an existing lawful residential use;</p> <p>(d) not replace an existing residential use;</p> <p>(e) not create a new residential use through conversion of an existing building;</p> <p>(f) be an outbuilding with a floor area of not more than 100m<sup>2</sup> appurtenant to an existing lawful and structurally sound residential building; or</p> <p>(g) be home based business in association with occupation of an existing lawful and structural sound residential building; and</p> <p>(h) there is no change in the title description of the site on which the residential use is located</p>	<p>resource capability, size or shape of being utilised for resource development or extractive industry use; and</p> <p>(ii) is not capable of utilisation in the operations of a resource development or extractive industry enterprise, regardless of ownership; and</p> <p>(iii) does not constrain or interfere with existing or potential resource development or extractive industry use of land including the balance area on the site.</p> <p>(d) not be likely to impose an immediate demand or contribute to a cumulative requirement for public provision or improvement in reticulated or alternate arrangements for utilities, road access, or community service.</p>
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## 26.4 Development Standards

### 26.4.1 Suitability of a site or lot on a plan of subdivision for use or development

Objective:	
<p>The minimum properties of a site and of each lot on a plan of subdivision are to –</p> <p>(a) provide a suitable development area for the intended use;</p> <p>(b) provide access from a road; and</p> <p>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must –</p> <p>(a) unless for agricultural use, have an area of not less than 1 hectare not including any access strip; and</p> <p>(b) if intended for a building, contain a building area –</p>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <p>(a) erection of a building if required by the intended use;</p>

<ul style="list-style-type: none"> <li>(i) of not more than 2000m<sup>2</sup> or 20% of the area of the site, whichever is the greater unless a crop protection structure for an agricultural use;</li> <li>(ii) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(iii) clear of any applicable setback from a zone boundary;</li> <li>(iv) clear of any registered easement;</li> <li>(v) clear of any registered right of way benefiting other land;</li> <li>(vi) clear of any restriction imposed by a utility;</li> <li>(vii) not including an access strip;</li> <li>(viii) accessible from a frontage or access strip</li> </ul>	<ul style="list-style-type: none"> <li>(b) access to the site;</li> <li>(c) use or development of adjacent land;</li> <li>(d) a utility; and</li> <li>(e) any easement or lawful entitlement for access to other land</li> </ul>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road – <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> </ul> </li> <li>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</li> <li>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act</i></li> </ul>	<p><b>P2</b></p> <ul style="list-style-type: none"> <li>(a) A site must have a reasonable and secure access from a road provided – <ul style="list-style-type: none"> <li>(i) across a frontage; or</li> <li>(ii) by an access strip connecting to a frontage, if for an internal lot; or</li> <li>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> <li>(iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by – <ul style="list-style-type: none"> <li>a. the intended use; and</li> <li>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</li> </ul> </li> </ul> </li> </ul>

<p><i>1982 or the Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.</p>	<p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p> <p>Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system R31 with a storage capacity of not less than 10,000 litres if–</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for –</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day</p>	<p><b>P3</b></p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply</p>
<p><b>A4</b></p> <p>Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be</p>	<p><b>P4</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p>

<p>capable of draining and disposing of sewage and liquid trade waste –</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development -</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</p>	<p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p> <p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</p> <p>(b) It must be unnecessary to require the drainage and disposal of sewage or liquid trade waste</p>
<p><b>A5</b></p> <p>Unless for agricultural use other than controlled environment agriculture which permanently precludes the land for an agricultural use dependent on the soil as a growth medium, a site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p>	<p><b>P5</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater -</p> <p>a. currently entering from beyond its boundaries; and</p>

<p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface</p>	<p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require the drainage and disposal of stormwater</p>
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Table to Clause 26.4.1 A1

Locality	Site Area
This Clause does not apply	

26.4.2 Location and configuration of development

Objective:	
The location and configuration of development is to provide a reasonable consistency between sites for setback from a boundary, height of buildings, and location within the landscape	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A building or a utility structure, other than a crop protection structure for an agricultural use, must be setback –</p> <p>(a) not less than 20.0m from the frontage; or</p> <p>(b) if the development is for sensitive use on land that adjoins a road specified in the</p>	<p><b>P1</b></p> <p>The setback of a building or utility structure must be –</p> <p>(a) consistent with the streetscape; and</p> <p>(b) required by a constraint imposed by –</p>

<p>Table to this Clause, not less than the setback specified from that road;</p> <p>(c) not less than 10.0m from each side boundary; and</p> <p>(d) not less than 10.0m from the rear boundary; or</p> <p>(e) in accordance with any applicable building area shown on a sealed plan</p>	<p>(i) size and shape of the site;</p> <p>(ii) orientation and topography of land;</p> <p>(iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;</p> <p>(iv) arrangements for vehicular or pedestrian access;</p> <p>(v) a utility; or</p> <p>(vi) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</p> <p>(vii) any lawful and binding requirement –</p> <p>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</p> <p>b. an interest protected at law by an easement or other regulation</p>
<p><b>A2</b></p> <p>Building height must be not be more than 8.5m</p>	<p><b>P2</b></p> <p>Building height must -</p> <p>(a) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</p> <p>(b) minimise apparent scale, bulk, massing and proportion in relation to any adjacent building;</p> <p>(c) be consistent with the streetscape and rural landscape;</p> <p>(d) respond to the effect of the slope and orientation of the site; and</p> <p>(e) take into account the effect and durability of screening other than vegetation to attenuate impact</p>
<p><b>A3.1</b></p>	<p><b>P3.1</b></p>

<p>A building or utility structure, other than a crop protection structure for an agricultural use or wind power turbines or wind power pumps, must –</p> <ul style="list-style-type: none"> <li>(a) not project above an elevation 15m below the closest ridgeline;</li> <li>(b) be not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</li> <li>(c) be below the canopy level of any adjacent forest or woodland vegetation; and</li> <li>(d) clad and roofed with materials with a light reflectance value of less than 40%.</li> </ul> <p><b>A3.2</b></p> <p>Wind power turbines and wind power pumps must not exceed 20m in height.</p>	<p>The location, height and visual appearance of a building or structure except for wind power turbines or wind power pumps must have regard to –</p> <ul style="list-style-type: none"> <li>(a) minimising the visual impact on the skyline;</li> <li>(b) minimising height above the adjacent vegetation canopy;</li> <li>(c) minimising visual impact on the shoreline or a marine or aquatic water body, water course, or wetland where possible; and</li> <li>(d) minimising reflection of light from an external surface.</li> </ul> <p><b>P3.2</b></p> <p>Wind power turbines or wind power pumps must minimise their impacts on the broader landscape having regard to –</p> <ul style="list-style-type: none"> <li>(a) the visual impacts of the development;</li> <li>(b) the characteristics of the vicinity of the site;</li> <li>(c) the characteristics of the wind resource;</li> <li>(d) the topography of the site and how that location affords access to wind; and</li> <li>(e) potential impacts on birds.</li> </ul>
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Table to Clause 26.4.2 A1

Road	Setback (m)
B28 - Anthony Main Road	50

26.4.3 Location of development for sensitive uses

Objective:
<p>The location of development for sensitive uses on rural land does not unreasonably interfere with or otherwise constrain –</p> <ul style="list-style-type: none"> <li>(a) agricultural land for existing and potential sustainable agricultural use dependent on the soil as a growth medium,;</li> <li>(b) agricultural use of land in a proclaimed irrigation district under <i>Part 9 Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development;</li> </ul>

<p>(c) use of land for agricultural production that is not dependent on the soil as a growth medium, including aquaculture, controlled environment agriculture, and intensive animal husbandry;</p> <p>(d) conservation management;</p> <p>(e) extractive industry;</p> <p>(f) forestry; and</p> <p>(g) transport and utility infrastructure</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must –</p> <p>(a) be located not less than –</p> <p>(i) 200m from any agricultural land;</p> <p>(ii) 200m from aquaculture or controlled environment agriculture;</p> <p>(iii) 500m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does not occur; or</p> <p>(iv) 1000m from the operational area boundary established by a mining lease issued in accordance with the <i>Mineral Resources Development Act 1995</i> if blasting does occur; or</p> <p>(v) 500m from intensive animal husbandry;</p> <p>(vi) 100m from land under a reserve management plan;</p> <p>(vii) 100m from land designated for production forestry;</p> <p>(viii) 50m from a boundary of the land to a road identified in Clause 26.4.2 or to a railway line; and</p> <p>(ix) clear of any restriction imposed by a utility; and</p>	<p><b>P1</b></p> <p>New development, except for extensions to existing sensitive use where the extension is no greater than 30% of the existing gross floor area of the sensitive use, must minimise –</p> <p>(a) permanent loss of land for existing and potential primary industry use;</p> <p>(b) likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;</p> <p>(c) permanent loss of land within a proclaimed irrigation district under <i>Part 9 Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development; and</p> <p>(d) adverse effect on the operability and safety of a major road, a railway or a utility</p>

(b) not be on land within a proclaimed irrigation district under <i>Part 9 Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development	
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26.4.4 Subdivision

Objective:	
The division and consolidation of estates and interests in rural resource land is to create lots that are consistent with the purpose of the Rural Resource zone	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>(a) A plan of subdivision to reconfigure land must –</p> <p>(i) be required to restructure, re-size, or reconfigure land for primary industry use; and</p> <p>(ii) not create an additional lot;</p> <p>(b) A plan of subdivision to create a new lot must –</p> <p>(i) be required for a purpose permissible in the zone;</p> <p>(ii) be of a size and configuration that is not more than is required to accommodate the nominated use in accordance with the applicable standards of this planning scheme for such use;</p> <p>(iii) retain the balance area for primary industry use;</p> <p>(iv) minimise unnecessary and permanent loss of rural resource land for existing and potential primary industry use;</p> <p>(v) minimise constraint or interference to existing and potential primary industry use on the site and of adjacent land in the zone; and</p>

	<ul style="list-style-type: none"> <li>(vi) minimise unnecessary and permanent loss of land within a proclaimed irrigation district under <i>Part 9 Water Management Act 1999</i> or land that may benefit from the application of broad-scale irrigation development; or</li> <li>(c) A plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use must – <ul style="list-style-type: none"> <li>(i) not be land containing a residential use approved by a permit granted under the <i>Land Use Planning and Approvals Act 1993</i> as a required part of a permitted use;</li> <li>(ii) incorporate the excised area into an existing primary industry lot by amalgamation in a manner acceptable to the Recorder of Titles R32;</li> <li>(iii) minimise likelihood for the existing use on the reduced area lot to further constrain or interfere with use of the balance area or adjacent land for an existing or potential primary industry use; and</li> <li>(iv) retain a lot with a size and shape that – <ul style="list-style-type: none"> <li>a. can accommodate the lawful existing use or development in accordance with the applicable standards for that use; or</li> <li>b. does not further increase any non-compliance for use or development on the existing lot</li> </ul> </li> </ul> </li> </ul>
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R32 Registration of a Sealed Plan consolidating the land to create a new single lot; or by registration of an Adhesion Order made in accordance with *the Local Government (Building and Miscellaneous Provisions) Act 1993*

## 26.4.5 Buildings for Controlled Environment Agriculture

Objective:	
A building for controlled environment agriculture use is to minimise –	
<ul style="list-style-type: none"> <li>(a) permanent loss of agricultural land; and</li> <li>(b) conflict or interference with existing or potential agricultural use</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A building for controlled environment agriculture use must be a crop protection structure and the agricultural use inside the building must satisfy one of the following –</p> <ul style="list-style-type: none"> <li>(a) rely on the soil as a growth medium into which plants are directly sown;</li> <li>(b) not alter, disturb or damage the existing soil profile if conducted in a manner which does not rely on the soil as a growth medium</li> </ul>	<p><b>P1</b></p> <p>A building for controlled environment agriculture use must satisfy all of the following –</p> <ul style="list-style-type: none"> <li>(a) the controlled environment agriculture use is reasonably required to locate on the site for operational efficiency in terms of one or more of the following – <ul style="list-style-type: none"> <li>(i) to access a specific resource on the site or on land in the vicinity of the site;</li> <li>(ii) to access infrastructure only available on the site or on land in the vicinity of the site;</li> <li>(iii) to access a product of another agricultural use from the site or from land in the vicinity of the site;</li> <li>(iv) for security or impact reasons</li> </ul> </li> <li>(b) minimise the amount of agricultural land permanently precluded from return to agricultural use; and</li> <li>(c) minimise adverse impact on the site and on the land in the vicinity of the site for agricultural use</li> </ul>

## 27.0 Significant Agricultural Zone

The zone is not used in this planning scheme

## 28.0 Utilities Zone

### 28.1 Zone Purpose

#### 28.1.1 Zone Purpose Statements

28.1.1.1 To provide land for major utilities installations and corridors.

28.1.1.2 To provide for other compatible uses where they do not adversely impact on the utility.

28.1.2 Local Area Objectives

- (a) Sites and corridors for existing and planned major utility installations of strategic significance to the municipal area, region, or Tasmania are identified for -
  - (i) electricity generation and substation facilities;
  - (ii) sewage and waste water treatment and disposal facilities;
  - (iii) goods yards and inter-modal transport facilities;
  - (iv) waste management and disposal;
  - (v) airports; and
  - (vi) road and railway networks
- (b) Operation, safety, and security of major utility installations and corridors are protected against conflict or interference from other use;
- (c) Non-utility use may be permitted if dependent on an attribute in the land, harmonious with the utility use, and without consequence for the health, safety or security of the utility, people, property, or the biophysical environment; and
- (d) Utilities are buffered and screened to attenuate risk to the health, safety, and peaceful enjoyment of people, property, and the environment on adjacent land.

28.1.3 Desired Future Character Statements

Use or development for utilities occur as site specific or linear development with distinctive physical, visual and operational characteristics and potential to be prominent, discordant, or otherwise incomparable with the purpose and objectives for adjacent land and the amenity of adjoining use.

28.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	If for care, conservation, rehabilitation, or protection against degradation, but must not include a building or outdoor area for information, interpretation or display of items or for any other use
<b>Permitted</b>	
Emergency services	
Recycling and waste disposal	

<b>Use Class</b>	<b>Qualification</b>
Research and development	If for a utility of a type conducted on land in the zone
Storage	If for equipment, plant, vehicles or vessels associated with a utility use of a type conducted on the site, including goods and materials in transit or awaiting dispatch or distribution to another site
Transport depot and distribution	
Utilities	
Vehicle parking	
<b>Discretionary</b>	
Business and professional services	
Educational and occasional care	
Food services	
General retail and hire	If a local shop to meet the day-to-day needs of participants in a use conducted on land in the zone
Passive recreation	If a public park or reserve
Pleasure boat facility	
Sports and recreation	
Tourist operation	
<b>Prohibited</b>	
All other uses	

## 28.3 Use Standards

### 28.3.1 Discretionary permit use

Objective:	
Use that is a discretionary use in this zone is to be –	
<ul style="list-style-type: none"> <li>(a) harmonious with the occupational and operational characteristics of the utility;</li> <li>(b) without consequence for the efficient operation, safety or security of the utility; and</li> <li>(c) without risk to the health and safety of people, property and the environment</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Discretionary permit use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement for the zone; and</li> <li>(c) be appropriate within the utility site taking into account - <ul style="list-style-type: none"> <li>(i) the nature and intensity of the use;</li> <li>(ii) the relationship between the occupational and operational characteristics of the use and any existing or potential utility; and</li> <li>(iii) the extent and nature of measures to buffer against conflict or interference to a utility and use or development on adjacent land; and</li> <li>(iv) any advice or decision of the relevant utility entity</li> </ul> </li> </ul>

## 28.4 Development Standards

### 28.4.1 Suitability of a site or lot on a plan of subdivision for use or development

Objective:
The minimum properties of a site and of each lot on a plan of subdivision are to –
<ul style="list-style-type: none"> <li>(a) provide a suitable development area for the intended use;</li> </ul>

<p>(b) provide access from a road; and</p> <p>(c) make adequate provision for a water supply and for the drainage and disposal of sewage</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must contain a development area -</p> <p>(a) clear of any applicable setback from a frontage, side or rear boundary;</p> <p>(b) clear of any applicable setback from a zone boundary;</p> <p>(c) clear of any registered easement;</p> <p>(d) clear of any registered right of way benefitting other land;</p> <p>(e) clear of any restriction imposed by a utility;</p> <p>(f) not including an access strip</p> <p>(g) accessible from a frontage or access strip</p>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for erection of a building if required by the intended use;</p> <p>(a) access to the site;</p> <p>(b) use or development of adjacent land;</p> <p>(c) a utility; and</p> <p>(d) any easement or lawful entitlement for access to other land</p>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <p>(a) across a frontage over which no other land has a right of access with a width of not less than 20.0m; and</p> <p>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land with a width of not less than 10.0m; or</p> <p>(c) by a right of way connecting to a road –</p> <p>(i) over land not required as the means of access to any other land; and</p> <p>(ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p>	<p><b>P2</b></p> <p>(a) A site must have a reasonable and secure access from a road provided –</p> <p>(i) across a frontage; or</p> <p>(ii) by an access strip connecting to a frontage, if for an internal lot; or</p> <p>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(iv) the dimensions of the frontage and any access strip or the right-of-way must be adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires</p>

<p>(iii) with a width of not less than 10.0m; and</p> <p>(d) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan</p>	<p>use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000 litres if –</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for a use with an equivalent population of not more than 10 people per day</p>	<p><b>P3</b></p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply</p>
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p> <p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p>	<p><b>P4</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p> <p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p>

<ul style="list-style-type: none"> <li>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</li> <li>(ii) the development provides for an equivalent population of not more than 10 people per day; or</li> <li>(iii) creates a total sewage and waste water flow of not more than 1,000l per day; and</li> <li>(iv) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</li> </ul>	<ul style="list-style-type: none"> <li>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</li> <li>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</li> <li>(v) with appropriate safeguards to minimise contamination if the use or development has potential to – <ul style="list-style-type: none"> <li>a. indirectly cause the contamination of surface or ground water; or</li> <li>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</li> </ul> </li> <li>(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste.</li> </ul>
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <ul style="list-style-type: none"> <li>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</li> <li>(b) if storm water cannot be drained to a stormwater system – <ul style="list-style-type: none"> <li>(i) for discharge to a natural drainage line, water body, or watercourse; or</li> <li>(ii) for disposal within the site if – <ul style="list-style-type: none"> <li>a. the site has an area of not less than 5000m<sup>2</sup>;</li> </ul> </li> </ul> </li> </ul>	<p><b>P5</b></p> <ul style="list-style-type: none"> <li>(a) A site or each lot on a plan of subdivision must drain stormwater – <ul style="list-style-type: none"> <li>(i) to accommodate the anticipated stormwater - <ul style="list-style-type: none"> <li>a. currently entering from beyond its boundaries; and</li> <li>b. from the proposed development;</li> </ul> </li> <li>(ii) without likelihood for concentration on adjacent land;</li> <li>(iii) without creating an unacceptable level of risk for the safety of life or for</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>b. the disposal area is not within any defined building area;</li> <li>c. the disposal area is not within any area required for the disposal of sewage;</li> <li>d. the disposal area is not within any access strip; and</li> <li>e. not more than 50% of the site is impervious surface; and</li> </ul>	<p>use or development on the land and on adjacent land;</p> <ul style="list-style-type: none"> <li>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</li> <li>(v) to manage the quality of stormwater discharged to receiving waters; and</li> <li>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</li> </ul> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>
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28.4.2 Location and configuration of development

Objective:	
The location and configuration of development within a site is not to dominate or otherwise unreasonably detract from the appearance, amenity, and character of adjacent land	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A building or a utility structure excluding bridges must be setback –</p> <ul style="list-style-type: none"> <li>(a) not less than 20.0m from the frontage; or</li> <li>(b) if the development is on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road; and</li> <li>(c) not less than 10.0m from each side boundary;</li> <li>(d) not less than 10.0m from the rear boundary; or</li> <li>(e) in accordance within any building area shown on a sealed plan of subdivision</li> </ul>	<p><b>P1</b></p> <p>The setback of a building or a utility structure excluding a bridge must be –</p> <ul style="list-style-type: none"> <li>(a) consistent with the streetscape; and</li> <li>(b) required by a constraint imposed by - <ul style="list-style-type: none"> <li>(i) size and shape of the site;</li> <li>(ii) orientation and topography of land;</li> <li>(iii) arrangements for connection to a utility;</li> <li>(iv) arrangements for vehicular or pedestrian access;</li> <li>(v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</li> <li>(vi) a utility; or</li> <li>(vii) any lawful and binding requirement –</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or</li> <li>b. an interest protected at law by an easement or other regulation</li> </ul>
<p><b>A2</b></p> <p>Building height or the height of a utility structure must be not more than 10.0m</p>	<p><b>P2</b></p> <p>Building height or the height of a utility structure must -</p> <ul style="list-style-type: none"> <li>(a) be consistent with the local area objectives;</li> <li>(b) consistent with any applicable desired future character statements;</li> <li>(c) minimise likelihood for overshadowing of a habitable room or a required minimum area of private open space in any adjacent dwelling;</li> <li>(d) take account of the scale, bulk, massing and proportion of any adjacent building;</li> <li>(e) take account of the streetscape;</li> <li>(f) take account of the effect of the slope and orientation of the site; and</li> <li>(g) take into account the effect and durability of screening other than vegetation to attenuate impact</li> </ul>

Table to Clause 28.4.2 A1

Road	Setback (m)
B28 - Anthony Main Road	50

28.4.3 Subdivision

Objective:
<p>The division and consolidation of estates and interests in land is to –</p> <ul style="list-style-type: none"> <li>(a) adjust the boundaries or size of a lot to improve the use of land for utilities;</li> <li>(b) create a lot for utilities;</li> </ul>

<p>(c) create new lots for a nominated permitted use only if without adverse impact for utilities; or</p> <p>(d) redeem land to assist a utility use</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>Each lot on a plan of subdivision must –</p> <p>(a) be required to restructure, re-size, or reconfigure land for utility purposes;</p> <p>(b) create a lot for a utility; or</p> <p>(c) be for a purpose permissible in the zone if -</p> <p>(i) consistent with local area objectives;</p> <p>(ii) consistent with any applicable desired future character statement; and</p> <p>(iii) be of a size and configuration sufficient for the intended use but that is not more than is necessary to minimise -</p> <p>a. permanent loss of land to utility purposes; and</p> <p>b. likely interference or constraint for existing and potential utility use on the site and on adjacent land; and</p> <p>(iv) retain the balance area for utility purposes</p>

## **29.0 Environmental Management Zone**

### **29.1 Zone Purpose**

#### **29.1.1 Zone Purpose Statements**

29.1.1.1 To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.

29.1.1.2 To only allow for complementary use or development where consistent with any strategies for protection and management.

#### **29.1.2 Local Area Objectives**

Environmental management land is protected, conserved and managed to –

- (a) sustain biodiversity and ecological process;
- (b) retain habitat value for native vegetation communities and fauna species;
- (c) protect significant geological features, natural landforms, and aesthetic or scenic landscape, including within the coastline and waterways;
- (d) protect places of special cultural value or heritage importance;
- (e) retain capacity of naturally occurring or renewable resources for productive economic use;
- (f) support recreation and tourism use;
- (g) minimise against intrusion and impact of conflicting use such as settlement and intensive primary production; and
- (h) Restrict new use or development on land with a high level of risk from exposure to a natural hazard.

#### 29.1.3 Desired Future Character Statements

- (a) Use or development –
  - (i) is in accordance with any conservation management requirement applying for the land in accordance with a law of or an agreement enforceable by the Commonwealth of Australia;
  - (ii) is in accordance with any reserve management plan applying for the land;
  - (iii) is in accordance with a municipal management plan for protection or conservation applying for the land and incorporated as a document forming part of this planning scheme; or
  - (iv) is in accordance with best practice management principles for protection and conservation of an area of significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard; or
- (b) Use or development on land of significant ecological, scientific, cultural, or aesthetic value –
  - (i) is required to enhance conservation and protection; or
  - (ii) may involve an activity dependent on access to land of significant ecological, scientific, cultural, or aesthetic value;
  - (iii) involves minimal clearing and conversion of native vegetation and modification of natural topography; and
  - (iv) is typically self-sufficient with respect to provision for a water supply and for drainage and disposal of sewage and stormwater

## 29.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	
<b>Permitted</b>	
Business and professional services	If for a conservation or natural resource management purpose of a type conducted on land in the zone
Community meeting and entertainment	If required for the protection, conservation, and management of land in the zone
Educational and occasional care	If – (a) vocational training in conservation and resource management of a type conducted on land in the zone; (b) interpretation and information for people visiting land in the zone; or (c) requires location in a natural setting
Emergency services	If specialist response capability for the health and safety of people and property on land in the zone
Passive recreation	
Research and development	If for conservation or hazard management on land in the zone
Resource development	If – (a) agricultural use dependent on the soil as a growth medium; or (b) in accordance with an approval given under a regulation applicable for management of a statutory conservation reserve
Sports and recreation	If dependent on an attribute of the site
Tourist operation	If – (a) complementary to an environmental management purpose of land in the zone; or

Use Class	Qualification
	(b) based on a building, area or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value
Utilities	If minor utilities
Visitor accommodation	If for patrons of a conservation, sports and recreation or tourist operation use on land in the zone
<b>Discretionary</b>	
Extractive industry	
Food services	If not including a drive-through facility
General retail and hire	If basic grocery, convenience, or souvenir items complementary to a conservation or natural resource management use on land in the zone
Pleasure boat facility	
Residential	
Resource development	if for aquaculture
Service industry	If for repair or maintenance of equipment, plant or vehicles associated with a conservation or hazard management use of a type conducted on land in the zone
Storage	If a plant, machinery, equipment, materials, and other goods required for conservation or hazard management use on land in the zone
Utilities	
Vehicle parking	If for vehicles associated with an environmental management purpose on the site or on adjacent land in the zone
<b>Prohibited</b>	
All other uses	

## 29.3 Use Standards

### 29.3.1 Use in a statutory conservation reserve

Objective:	
Use in a statutory conservation reserve is to –	
<ul style="list-style-type: none"> <li>(a) be consistent with any applicable prescribed statutory conservation outcome, including a reserve management plan; and</li> <li>(b) support and service a conservation or hazard management purpose</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The relevant conservation management agency must advise –</p> <ul style="list-style-type: none"> <li>(a) the use is in accordance with any applicable reserve management plan;</li> <li>(b) it is satisfied the health and safety of people, property and the environment is not at risk from the use; and</li> <li>(c) any conditions and requirements for protection, conservation, or management</li> </ul>	<p><b>P1</b></p> <p>There is no performance criteria</p>

### 29.3.2 Discretionary permit use

Objective:	
Use of land that is a discretionary use in this zone, other than residential use, is to –	
<ul style="list-style-type: none"> <li>(a) protect, conserve and manage significant ecological, scientific, cultural or aesthetic value; or</li> <li>(b) minimise likelihood of significant risk from exposure to a natural hazard</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Discretionary permit use, other than residential use, must be –</p> <ul style="list-style-type: none"> <li>(a) on a site that is not located in an area of significant ecological, scientific, cultural or aesthetic value; or</li> <li>(b) consistent with any advice or decision of the relevant entity for a statutory outcome applying for protection, conservation and</li> </ul>	<p><b>P1</b></p> <p>Discretionary permit use, other than residential use, must –</p> <ul style="list-style-type: none"> <li>(a) be required to locate in an area of significant ecological, scientific, cultural or aesthetic value – <ul style="list-style-type: none"> <li>(i) to provide immediately access to a specific naturally occurring resource;</li> </ul> </li> </ul>

<p>management of a significant ecological, scientific, cultural, or aesthetic value of the land or adjacent land</p>	<ul style="list-style-type: none"> <li>(ii) to facilitate conservation, protection or management of a significant ecological, scientific, cultural or aesthetic value;</li> <li>(iii) to provide opportunity for diversification, innovation, and value-adding to secure a conservation outcome;</li> <li>(iv) to provide utility infrastructure of critical importance for the municipal or regional community or for Tasmania; or</li> <li>(v) to provide significant social, economic or environmental benefit to the Region or Tasmania; and</li> </ul> <p>(b) have regard to any advice or decision of the relevant entity for a statutory outcome applying for protection, conservation and management of a significant ecological, scientific, cultural, or aesthetic value of the land or adjacent land</p>
<p><b>A2</b></p> <p>There is no acceptable solution</p>	<p><b>P2</b></p> <p>Use on land with a high level of risk from exposure to a natural hazard must be required to provide an overriding social, economic or environmental benefit to the Region or Tasmania; and</p> <ul style="list-style-type: none"> <li>(a) no suitable alternate site is available; and</li> <li>(b) a hazard risk assessment in accordance with Code E2 - Bushfire Prone Areas and Code E6 - Hazard Management indicates – <ul style="list-style-type: none"> <li>(i) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measures; or</li> <li>(ii) a hazard management plan demonstrates a tolerable level of risk can be achieved and maintained for the type, scale and intensity of the use</li> </ul> </li> </ul>

29.3.3 Required residential use

Objective:	
Residential use is –	
<ul style="list-style-type: none"> <li>(a) required to support and service a conservation or hazard management purpose;</li> <li>(b) does not unreasonably interfere with or otherwise constrain conservation, protection or management of a significant ecological, scientific, cultural or aesthetic value or natural hazard; and</li> <li>(c) without risk to the health and safety of people, property, and the environment</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Residential use required as part of a protection and conservation, or hazard management use must –</p> <ul style="list-style-type: none"> <li>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</li> <li>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</li> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) replace an existing lawful residential use;</li> <li>(e) not create a new residential use through conversion of an existing building; or</li> <li>(f) be home based business in association with occupation of an existing lawful and structural sound residential building; and</li> <li>(g) there is no change in the title description of the site on which the residential use is located</li> </ul>	<p><b>P1</b></p> <p>Residential use that is required as part of a protection and conservation, or hazard management use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with any applicable desired future character statement; and</li> <li>(c) be required if – <ul style="list-style-type: none"> <li>(i) the type, scale, or operational characteristics of the use make it necessary for a person to live on the site for the purpose of undertaking that use;</li> <li>(ii) residential use will be integral and subservient; and</li> <li>(iii) there is no other available dwelling on the site; and</li> </ul> </li> <li>(d) if the required residential use relies on land in two or more titles in different ownerships the written consent of the owner of each title to enter into a Part 5 agreement to be registered on the title for each of the lots and providing - <ul style="list-style-type: none"> <li>(i) the dwelling is required as part of a nominated ecological, scientific, cultural or aesthetic or hazard management use; and</li> </ul> </li> </ul>

	(ii) the lots are not to be sold separately
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29.3.4 Residential use

Objective:	
Residential use –	
<ul style="list-style-type: none"> <li>(a) does not result in the permanent loss of land with a conservation value;</li> <li>(b) does not unreasonably interfere with or otherwise constrain conservation and protection of a significant ecological, scientific, cultural or aesthetic value or management of a natural hazard; and</li> <li>(c) is without risk to the health and safety of people, property, and the environment</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Residential use that is not required as part of a protection and conservation or hazard management use must –</p> <ul style="list-style-type: none"> <li>(a) be an alteration or addition to an existing lawful and structurally sound residential building;</li> <li>(b) be an ancillary dwelling to an existing lawful and structurally sound single dwelling;</li> <li>(c) not intensify an existing lawful residential use;</li> <li>(d) replace an existing lawful residential use;</li> <li>(e) not create a new residential use through conversion of an existing building;</li> <li>(f) be home based business in association with occupation of an existing lawful and structural sound residential building; and</li> <li>(g) there is no change in the title description of the site on which the residential use is located</li> </ul>	<p><b>P1</b></p> <p>Residential use must –</p> <ul style="list-style-type: none"> <li>(a) be consistent with local area objectives;</li> <li>(b) be consistent with the any applicable desired future character statement; and</li> <li>(c) be on a site that– <ul style="list-style-type: none"> <li>(i) has been assessed to have no potential or benefit for protection and conservation or hazard management use;</li> <li>(ii) is unduly restricted in potential for protection, and conservation or hazard management use by its size and shape and is not capable of inclusion with any other land, regardless of ownership, for protection and conservation or hazard management use; or</li> <li>(iii) cannot be redeemed or returned to protection and conservation or hazard management use by reason of an existing use or development or by proximity to an adjoining non-protection and conservation or hazard management use; and</li> <li>(iv) does not constrain or interfere with protection and conservation or</li> </ul> </li> </ul>

	<p>hazard management use on other land; and</p> <p>(d) not be likely to impose an immediate or to contribute to a cumulative requirement for public provision or improvement in reticulated or alternate arrangements for utilities, road access, or community services</p>
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## 29.4 Development Standards

### 29.4.1 Development in a statutory conservation area

Objective:	
Development in a statutory conservation reserve is to –	
<p>(a) be consistent with any applicable prescribed statutory conservation outcome, including a reserve management plan; and</p> <p>(b) support and service a conservation or hazard management purpose</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The relevant conservation management agency must advise –</p> <p>(a) the development is in accordance with any applicable reserve management plan;</p> <p>(b) it is satisfied the health and safety of people, property and the environment is not at risk from the development; and</p> <p>(c) any conditions and requirements for protection, conservation, or management</p>	<p><b>P1</b></p> <p>There is no performance criteria</p>

### 29.4.2 Suitability of a site or lot for use or development

Objective:
The minimum properties of a site and of each lot on a plan of subdivision are to –
<p>(a) provide a suitable development area for the intended use;</p> <p>(b) provide access from a road; and</p> <p>(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater</p>

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must -</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 1000m<sup>2</sup> excluding any access strip; and</li> <li>(b) if intended for a building, have a building area - <ul style="list-style-type: none"> <li>(i) of not more than 2000m<sup>2</sup> or 20% of the area of the site, whichever is the greater;</li> <li>(ii) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(iii) clear of any applicable setback from a zone boundary;</li> <li>(iv) clear of any registered easement;</li> <li>(v) clear of any registered right of way benefitting other land;</li> <li>(vi) clear of any restriction imposed by a utility;</li> <li>(vii) not including an access strip; and</li> <li>(viii) accessible from a frontage or access strip</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –</p> <ul style="list-style-type: none"> <li>(a) erection of a building if required by the intended use;</li> <li>(b) access to the site;</li> <li>(c) use or development of adjacent land;</li> <li>(d) a utility; and</li> <li>(e) any easement or lawful entitlement for access to other land</li> </ul>
<p><b>A2</b></p> <p>A site or each lot on a subdivision plan must have a separate access from a road –</p> <ul style="list-style-type: none"> <li>(a) across a frontage over which no other land has a right of access; and</li> <li>(b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or</li> <li>(c) by a right of way connecting to a road - <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</li> <li>(ii) not required to give the lot of which it is a part the minimum properties of</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>(a) A site must have a reasonable and secure access from a road provided –</p> <ul style="list-style-type: none"> <li>(i) across a frontage; or</li> <li>(ii) by an access strip connecting to a frontage, if for an internal lot; or</li> <li>(iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and</li> <li>(iv) the dimensions of the frontage and any access strip or the right-of-way must be</li> </ul>

<p>a lot in accordance with the acceptable solution in any applicable standard; and</p> <p>(d) with a width of frontage and any access strip or right of way of not less than 6.0m; and</p> <p>(e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on the subdivision plan.</p>	<p>adequate for the type and volume of traffic likely to be generated by –</p> <p>a. the intended use; and</p> <p>b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and</p> <p>(v) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or</p> <p>(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
<p><b>A3</b></p> <p>A site or each lot on a plan of subdivision must be capable of connecting to a water supply –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000 litres if–</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for –</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day</p>	<p><b>P3</b></p> <p>(a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or</p> <p>(b) It must be unnecessary to require a water supply</p>
<p><b>A4</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and liquid trade waste –</p>	<p><b>P4</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of sewage and liquid trade waste –</p>

<p>(a) to a sewerage system provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by on-site disposal if –</p> <p>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development -</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>c. creates a total sewage and waste water flow of not more than 1,000l per day; and</p> <p>(iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</p>	<p>(i) in accordance with any prescribed emission limits for discharge of waste water;</p> <p>(ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;</p> <p>(iii) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and</p> <p>(v) with appropriate safeguards to minimise contamination if the use or development has potential to –</p> <p>a. indirectly cause the contamination of surface or ground water; or</p> <p>b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or liquid trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or liquid trade waste</p>
<p><b>A5</b></p> <p>A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p>	<p><b>P5</b></p> <p>(a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –</p> <p>(i) to accommodate the anticipated stormwater -</p> <p>a. currently entering from beyond its boundaries; and</p>

<p>(b) if storm water cannot be drained to a stormwater system –</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if –</p> <p>a. the site has an area of not less than 5000m<sup>2</sup>;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface; and</p> <p>(iii) the development is for a single dwelling</p>	<p>b. from the proposed development;</p> <p>(ii) without likelihood for concentration on adjacent land;</p> <p>(iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(iv) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(v) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or</p> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</p>
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Table to Clause 29.4.2 A1

Locality	Site Area
This Clause does not apply	

29.4.3 Location and configuration of development

Objective:	
The location and configuration of development does not dominate or otherwise detract from the performance, appearance, and character of an area of significant ecological, scientific, cultural or aesthetic value or unreasonably intrude onto the occupation of adjacent land	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A building and any development area must be setback –</p> <p>(a) not less than 20.0m from the frontage to a road; or</p> <p>(b) if the development is on land that adjoins a road specified in the Table to this Clause,</p>	<p><b>P1</b></p> <p>The setback of a building and development area from the frontage or from a side or rear boundary must –</p> <p>(a) be consistent with prevailing frontage setbacks for any existing and approved</p>

<p>not less than the setback specified from that road; and</p> <p>(c) not less than 10.0m from each side boundary;</p> <p>(d) not less than 10.0m from the rear boundary; or</p> <p>(e) in accordance with any building area shown on a sealed plan.</p>	<p>building or structure on the site or on adjacent land;</p> <p>(b) provide a sufficient physical and visual separation between the road and any use on the site sufficient to buffer or screen the site to view from a road or public place; and</p> <p>(c) provide measures to attenuate visual impact of the site</p>
<p><b>A2</b></p> <p>Building height or the height of a utility structure must be not more than 8.5m</p>	<p><b>P2</b></p> <p>Building height or the height of a utility structure must –</p> <p>(a) minimise likely impact of the building on the ecological, scientific, cultural or aesthetic value of the land and of adjacent land; or</p> <p>(b) building height must –</p> <p>(i) provide an overriding community benefit; or</p> <p>(ii) be required by an exceptional circumstance</p>
<p><b>A3</b></p> <p>A building or a utility structure must be –</p> <p>(a) not less than 15m below the level of any adjoining ridgeline;</p> <p>(b) not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</p> <p>(c) below the canopy level of any adjacent forest or woodland vegetation; and</p> <p>(d) clad and roofed with materials with a light reflectance value of less than 40%.</p>	<p><b>P3</b></p> <p>(a) a building or structure must –</p> <p>(i) not be visually apparent on a skyline;</p> <p>(ii) not be visually apparent above the adjacent vegetation canopy;</p> <p>(iii) not be visually apparent on the shoreline or a marine or aquatic water body, water course, or wetland where possible; and</p> <p>(iv) not be visually apparent as a result of the reflection of light from an external surface; or</p> <p>(b) the location of a visually apparent building or structure must –</p>

	<ul style="list-style-type: none"> <li>(i) be essential and unavoidable in order to provide an overriding community benefit; or</li> <li>(ii) incapable of change due to an exceptional circumstance.</li> </ul>
<p><b>A4</b></p> <p>(a) Clearing and conversion of native vegetation, and any change in natural ground level must not occur on any part of a site outside the designated building area; and</p> <p>(b) Rehabilitation must use vegetation of a type consistent with the native vegetation of the locality</p>	<p><b>P4</b></p> <p>Clearing and conversion of native vegetation, and any change in natural ground level –</p> <ul style="list-style-type: none"> <li>(a) must be consistent with the objective for any conservation management regulation or reserve management plan applying for the land; and</li> <li>(b) must - <ul style="list-style-type: none"> <li>(i) retained sufficient vegetation to maintain an intact tree canopy and provide screening to cleared and converted areas;</li> <li>(ii) minimise impact on the visual qualities of a shoreline, skyline, ridge and other prominent landform feature;</li> <li>(iii) minimise exposure to view from a road, public place, or settlement area; or</li> </ul> </li> <li>(c) must – <ul style="list-style-type: none"> <li>(i) provide an overriding community benefit; or</li> <li>(ii) be required by an exceptional circumstance</li> </ul> </li> </ul>

Table to Clause 29.4.3 A1

Road	Setback (m)
Anthony Main Road	50

29.4.4 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of Environmental management zone	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <p>(a) a lot required for public use by the State government, a Council, a Statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority</p>	<p><b>P1</b></p> <p>(a) A plan of subdivision to reconfigure land must –</p> <p>(i) be required to restructure, re-size, or reconfigure land for natural and cultural value management; and</p> <p>(ii) not create a new lot;</p> <p>(b) A plan of subdivision to create a new lot must –</p> <p>(i) be required for a purpose permissible in the zone;</p> <p>(ii) be of a size and configuration that is not more than is required to accommodate the nominated use in accordance with the applicable standards of this planning scheme for such use;</p> <p>(iii) retained the balance area for ecological, scientific, cultural or aesthetic purposes;</p> <p>(iv) minimise unnecessary and permanent loss of land for existing and potential ecological, scientific, cultural or aesthetic purposes; and</p> <p>(v) minimise constraint or interference to existing and potential ecological, scientific, cultural or aesthetic purposes on the site and adjacent land in the zone; or</p> <p>(c) A plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful use, including a residential use, must –</p>

	<ul style="list-style-type: none"> <li>(i) not be land containing a residential use approved by a permit granted under the <i>Land Use Planning and Approvals Act 1993</i> as a required part of a permitted use;</li> <li>(ii) incorporate the excised area into an existing ecological, scientific, cultural or aesthetic purposes lot by amalgamation in a manner acceptable to the Recorder of Titles;</li> <li>(iii) minimise likelihood for the existing use on the reduced area lot to further constrain or interfere with use of the balance area or adjacent land for an existing or potential ecological, scientific, cultural or aesthetic purposes; and</li> <li>(iv) retain a lot with a size and shape to— <ul style="list-style-type: none"> <li>a. accommodate the lawful existing use or development in accordance with the applicable standards for that use; or</li> <li>b. not further increase any non-compliance for use or development on the existing lot</li> </ul> </li> </ul>
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### **30.0 Major Tourism Zone**

The zone is not used in this planning scheme

### **31.0 Port and Marine Zone**

The zone is not used in this planning scheme

### **32.0 Particular Purpose Zone**

# Part E

## Codes

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### E1.0 Bushfire-Prone Areas Code

#### E1.1 Purpose of the Bushfire-Prone Areas Code

The purpose of this code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

#### E1.2 Application of this Code

E1.2.1 This code applies to:

- (a) subdivision of land that is located within, or partially within, a bushfire-prone area; and
- (b) a use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use.

E1.2.2 A permit is required for all use and development to which this code applies that is not exempt from this code under clause E1.4.

#### E1.3 Definition of Terms in this Code

E1.3.1 In this code, unless the contrary intention appears:

Term	Definition
accredited person	means as defined in the Act.
bushfire attack level (BAL)	means the bushfire attack level as defined in Australian Standard AS3959–2009 Construction of buildings in bushfire-prone areas.
bushfire hazard management plan	means as defined in the Act.
bushfire protection measures	means the measures that might be used to reduce the risk of bushfire attack and the threat to life and property in the event of bushfire.
bushfire-prone area	means: <ul style="list-style-type: none"><li>(a) land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or</li></ul>

	(b) where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1ha.
bushfire-prone vegetation	means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.
carriageway	means the section of road formation which is used by traffic, and includes all the area of the traffic lane pavement together with the formed shoulders.
contiguous	means separated by less than 20m.
fire fighting water point	means the point where a fire appliance is able to connect to a water supply for fire fighting purposes. This includes a coupling in the case of a fire hydrant, offtake or outlet, or the minimum water level in the case of a static water body.
fire hydrant	means as defined in Australian Standard AS 2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning.
group home	means use of land for residential accommodation for people with disabilities.
hardstand	means as defined in Australian Standard AS 2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning.
hazard management area	means the area, between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for fire fighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.
hazardous use	means a use where: <ul style="list-style-type: none"> <li>(a) the amount of hazardous chemicals used, handled, generated or stored on a site exceeds the manifest quantity as specified in the Work Health and Safety Regulations 2012; or</li> <li>(b) explosives are stored on a site and where classified as an explosives location or large explosives location as specified in the <i>Explosives Act 2012</i>.</li> </ul>
hose lay	means the distance between two points established by a fire hose laid out on the ground, inclusive of obstructions.

property access	means the carriageway which provides vehicular access from the carriageway of a road onto land, measured along the centre line of the carriageway, from the edge of the road carriageway to the nearest point of the building area.
respite centre	means use of land for respite care for the sick, aged or persons with disabilities.
static water supply	means water stored in a tank, swimming pool, dam, or lake, that is available for fire fighting purposes at all times.
tolerable risk	means the lowest level of likely risk from the relevant hazard: (a) to secure the benefits of a use or development in a relevant hazard area; and (b) which can be managed through: (i) routine regulatory measures; or (ii) by specific hazard management measures for the intended life of each use or development.
TFS	means Tasmania Fire Service.
vulnerable use	means a use that is within one of the following Use Classes: (a) Custodial Facility; (b) Educational and Occasional Care; (c) Hospital Services; (d) Residential if for respite centre, residential aged care home, retirement home, and group home.
water corporation	means the corporation within the meaning of the <i>Water and Sewerage Corporation Act 2012</i> .

#### E1.4 Use or Development Exempt from this Code

The following use or development is exempt from this code:

- (a) any use or development that the TFS or an accredited person, having regard to the objective of all applicable standards in this code, certifies there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures; and
- (b) adjustment of a boundary in accordance with clause 9.3 of this planning scheme.

## E1.5 Use Standards

### E1.5.1 Vulnerable Uses

Objective:	
Vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the location, characteristics, nature and scale of the use;</li> <li>(b) whether there is an overriding benefit to the community;</li> <li>(c) whether there is no suitable alternative lower-risk site;</li> <li>(d) the emergency management strategy and bushfire hazard management plan; and</li> <li>(e) other advice, if any, from the TFS.</li> </ul>
<p><b>A2</b></p> <p>An emergency management strategy, endorsed by the TFS or accredited person, that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use considering:</p> <ul style="list-style-type: none"> <li>(a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</li> <li>(b) the ability of occupants of the vulnerable use to: <ul style="list-style-type: none"> <li>(i) protect themselves and defend property from bushfire attack;</li> <li>(ii) evacuate in an emergency; and</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>No Performance Criterion.</p>

<p>(iii) understand and respond to instructions in the event of a bushfire; and</p> <p>(c) any bushfire protection measures available to reduce risk to emergency service personnel.</p>	
<p><b>A3</b></p> <p>A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.</p>	<p><b>P3</b></p> <p>No Performance Criterion.</p>

#### E1.5.2 Hazardous Uses

<p>Objective:</p>	
<p>Hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.</p>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A hazardous use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the location, characteristics, nature and scale of the use;</li> <li>(b) whether there is an overriding benefit to the community;</li> <li>(c) whether there is no suitable alternative lower-risk site;</li> <li>(d) the emergency management strategy and bushfire hazard management plan as specified in <b>A2</b> and <b>A3</b> of this Standard; and</li> <li>(e) other advice, if any, from the TFS.</li> </ul>
<p><b>A2</b></p> <p>An emergency management strategy, endorsed by the TFS or accredited person, that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>

<p>developed to address the characteristics, nature and scale of the use having regard to:</p> <p>(a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; and</p> <p>(b) available fire protection measures to:</p> <p>(i) prevent the hazardous use from contributing to the spread or intensification of bushfire;</p> <p>(ii) limit the potential for bushfire to be ignited on the site;</p> <p>(iii) prevent exposure of people and the environment to the hazardous chemicals, explosives or emissions as a consequence of bushfire; and</p> <p>(iv) reduce risk to emergency service personnel.</p>	
<p><b>A3</b></p> <p>A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.</p>	<p><b>P3</b></p> <p>No Performance Criterion.</p>

## E1.6 Development Standards

### E1.6.1 Subdivision: Provision of hazard management areas

Objective:	
<p>Subdivision provides for hazard management areas that:</p> <p>(a) facilitate an integrated approach between subdivision and subsequent building on a lot;</p> <p>(b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and</p> <p>(c) provide protection for lots at any stage of a staged subdivision.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard</p>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the</p>

<p>management areas as part of a subdivision; or</p>	<p>building areas shown on lots within a bushfire-prone area, having regard to:</p>
<p>(b) The proposed plan of subdivision:</p> <ul style="list-style-type: none"> <li>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;</li> <li>(ii) shows the building area for each lot;</li> <li>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</li> <li>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</li> </ul>	<ul style="list-style-type: none"> <li>(a) the dimensions of hazard management areas;</li> <li>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</li> <li>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</li> <li>(d) the topography, including site slope;</li> <li>(e) any other potential forms of fuel and ignition sources;</li> <li>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</li> <li>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</li> <li>(h) any advice from the TFS.</li> </ul>
<p>(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	

E1.6.2 Subdivision: Public and fire fighting access

Objective:	
Access roads to, and the layout of roads, tracks and trails, in a subdivision:	
<ul style="list-style-type: none"> <li>(a) allow safe access and egress for residents, firefighters and emergency service personnel;</li> <li>(b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;</li> <li>(c) are designed and constructed to allow for fire appliances to be manoeuvred;</li> <li>(d) provide access to water supplies for fire appliances; and</li> <li>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <ul style="list-style-type: none"> <li>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</li> <li>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that: <ul style="list-style-type: none"> <li>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</li> <li>(ii) is certified by the TFS or an accredited person.</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <ul style="list-style-type: none"> <li>(a) appropriate design measures, including: <ul style="list-style-type: none"> <li>(i) two way traffic;</li> <li>(ii) all weather surfaces;</li> <li>(iii) height and width of any vegetation clearances;</li> <li>(iv) load capacity;</li> <li>(v) provision of passing bays;</li> <li>(vi) traffic control devices;</li> <li>(vii) geometry, alignment and slope of roads, tracks and trails;</li> <li>(viii) use of through roads to provide for connectivity;</li> <li>(ix) limits on the length of cul-de-sacs and dead-end roads;</li> <li>(x) provision of turning areas;</li> <li>(xi) provision for parking areas;</li> <li>(xii) perimeter access; and</li> <li>(xiii) fire trails;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(b) the provision of access to: <ul style="list-style-type: none"> <li>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</li> <li>(ii) fire fighting water supplies; and</li> </ul> </li> <li>(c) any advice from the TFS.</li> </ul>
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Table E1 Standards for roads

Element		Requirement
A.	Roads	<p>Unless the development standards in the zone require a higher standard, the following apply:</p> <ul style="list-style-type: none"> <li>(a) two-wheel drive, all-weather construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 2m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;</li> <li>(h) curves have a minimum inner radius of 10m;</li> <li>(i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7m in width;</li> <li>(j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and</li> <li>(k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with Australian Standard AS1743-2001 Road signs-Specifications.</li> </ul>

Table E2 Standards for property access

Element		Requirement
A.	Property access length is less than 30m; or	There are no specified design and construction requirements.

	access is not required for a fire appliance to access a firefighting water point.	
B.	Property access length is 30m or greater; or access is required for a fire appliance to a fire fighting water point.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) all-weather construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width of 4m;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 0.5m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</li> <li>(h) curves with a minimum inner radius of 10m;</li> <li>(i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and</li> <li>(j) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> <li>(i) a turning circle with a minimum outer radius of 10m; or</li> <li>(ii) a property access encircling the building; or</li> <li>(iii) a hammerhead 'T' or 'Y' turning head 4m wide and 8m long.</li> </ul> </li> </ul>
C.	Property access length is 200m or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) the requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</li> </ul>
D.	Property access length is greater than 30m, and access is provided to 3 or more properties.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) complies with requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.</li> </ul>

Table E3 Standards for fire trails

Element		Requirement
A.	All fire trails	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> <li>(a) all-weather, 4-wheel drive construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width of 4m;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 2m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</li> <li>(h) curves with a minimum inner radius of 10m;</li> <li>(i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed fire trails, and 10 degrees (1:5.5 or 18%) for unsealed fire trails;</li> <li>(j) gates if installed at fire trail entry, have a minimum width of 3.6m, and if locked, keys are provided to TFS; and</li> <li>(k) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> <li>(i) a turning circle with a minimum outer radius of 10m; and</li> <li>(ii) a hammerhead 'T' or 'Y' turning head 4m wide and 8m long.</li> </ul> </li> </ul>
B.	Fire trail length is 200m or greater.	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> <li>(a) the requirements for A above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</li> </ul>

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

Objective:	
Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

<p>In areas serviced with reticulated water by the water corporation:</p> <ul style="list-style-type: none"> <li>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</li> <li>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</li> <li>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</li> </ul>	<p>No Performance Criterion.</p>
<p><b>A2</b></p> <p>In areas that are not serviced by reticulated water by the water corporation:</p> <ul style="list-style-type: none"> <li>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</li> <li>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or</li> <li>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</li> </ul>	<p><b>P2</b></p> <p>No Performance Criterion.</p>

Table E4 Reticulated water supply for fire fighting

Element		Requirement
A.	Distance between building area to be protected and water supply.	<p>The following requirements apply:</p> <ul style="list-style-type: none"> <li>(a) the building area to be protected must be located within 120m of a fire hydrant; and</li> <li>(b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</li> </ul>
B.	Design criteria for fire hydrants	<p>The following requirements apply:</p> <ul style="list-style-type: none"> <li>(a) fire hydrant system must be designed and constructed in accordance with TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA 2nd Edition; and</li> <li>(b) fire hydrants are not installed in parking areas.</li> </ul>
C.	Hardstand	<p>A hardstand area for fire appliances must be:</p> <ul style="list-style-type: none"> <li>(a) no more than 3m from the hydrant, measured as a hose lay;</li> <li>(b) no closer than 6m from the building area to be protected;</li> <li>(c) a minimum width of 3m constructed to the same standard as the carriageway; and</li> <li>(d) connected to the property access by a carriageway equivalent to the standard of the property access.</li> </ul>

Table E5 Static water supply for fire fighting

Element		Requirement
A.	Distance between building area to be protected and water supply.	<p>The following requirements apply:</p> <ul style="list-style-type: none"> <li>(a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and</li> <li>(b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</li> </ul>
B.	Static Water Supplies	<p>A static water supply:</p> <ul style="list-style-type: none"> <li>(a) may have a remotely located offtake connected to the static water supply;</li> <li>(b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times;</li> </ul>

		<p>(c) must be a minimum of 10,000L per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems;</p> <p>(d) must be metal, concrete or lagged by non-combustible materials if above ground; and</p> <p>(e) if a tank can be located so it is shielded in all directions in compliance with section 3.5 of Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by:</p> <ul style="list-style-type: none"> <li>(i) metal;</li> <li>(ii) non-combustible material; or</li> <li>(iii) fibre-cement a minimum of 6mm thickness.</li> </ul>
C.	Fittings, pipework and accessories (including stands and tank supports)	<p>Fittings and pipework associated with a fire fighting water point for a static water supply must:</p> <ul style="list-style-type: none"> <li>(a) have a minimum nominal internal diameter of 50mm;</li> <li>(b) be fitted with a valve with a minimum nominal internal diameter of 50mm;</li> <li>(c) be metal or lagged by non-combustible materials if above ground;</li> <li>(d) if buried, have a minimum depth of 300mm <sup>[S1]</sup>;</li> <li>(e) provide a DIN or NEN standard forged Storz 65mm coupling fitted with a suction washer for connection to fire fighting equipment;</li> <li>(f) ensure the coupling is accessible and available for connection at all times;</li> <li>(g) ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);</li> <li>(h) ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and</li> <li>(i) if a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> <li>(i) visible;</li> <li>(ii) accessible to allow connection by fire fighting equipment;</li> <li>(iii) at a working height of 450 – 600mm above ground level; and</li> <li>(iv) protected from possible damage, including damage by vehicles.</li> </ul> </li> </ul>

D.	Signage for static water connections.	<p>The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must:</p> <ul style="list-style-type: none"> <li>(a) comply with water tank signage requirements within Australian Standard AS 2304-2011 Water storage tanks for fire protection systems; or</li> <li>(b) comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service.</li> </ul>
E.	Hardstand	<p>A hardstand area for fire appliances must be:</p> <ul style="list-style-type: none"> <li>(a) no more than 3m from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);</li> <li>(b) no closer than 6m from the building area to be protected;</li> <li>(c) a minimum width of 3m constructed to the same standard as the carriageway; and</li> <li>(d) connected to the property access by a carriageway equivalent to the standard of the property access.</li> </ul>

#### Footnotes

[S1] Compliant with Australian/New Zealand Standard AS/NZS 3500.1-2003 Plumbing and drainage, Part 1: Water Services, Clause 5.23

## **E2.0 Airport Impact Management Code**

The Code is not used in this planning scheme

## **E3.0 Clearing and Conversion of Vegetation Code**

### **E3.1 Purpose of the Code**

E3.1.1 The purpose of this provision is to assist protection and conservation of –

- (a) threatened native vegetation communities within the meaning of the *Nature Conservation Act 2002*;
- (b) habitat for a threatened species within the meaning of the *Threatened Species Protection Act 1995*;
- (c) areas of vegetation identified on the planning scheme map as significant for scenic or landscape value;
- (d) vegetation on land susceptible to landslide in accordance with Code E6 – Hazard Management under this planning scheme; and

- (e) vegetation within 30m of a water body, watercourse, wetland, or coastal shoreline

## E3.2 Application of the Code

### E3.2.1 The Code applies for –

- (a) land in the Environmental Living, Environmental Management, Open Space, Rural Living or Rural Resource zones which is –
  - (i) the site of threatened native vegetation communities within the meaning of the *Nature Conservation Act 2002*; or
  - (ii) part of the habitat for a threatened species within the meaning of the *Threatened Species Protection Act 1995*; or
  - (iii) native vegetation within 30m of a named water body or watercourse; or
  - (iv) native vegetation in a wetland, or within 30 m of a coastal shoreline
- (b) land shown on the planning scheme map as significant for scenic, biodiversity or landscape value; or
- (c) land with a low, medium or high likely risk from landslide identified by Code E6 – Hazard Management under this planning scheme;

### E3.2.2 A permit is required if clearing and conversion of vegetation is for –

- (a) extractive industry; or
- (b) development associated with -
  - (i) a plan of subdivision of land to create lots for a building or group of buildings;
  - (ii) construction of a building or a group of buildings, including -
    - a. installation of water, sewerage, gas, electrical, telecommunication, and other utilities for connect to a building or group of buildings;
    - b. layout and construction of roads, footpaths and cycle paths providing access to a building or group of buildings; and
    - c. facilities to enable the use of the building or group of buildings

## E3.3 Definition of Terms

clearing and conversion of vegetation	<p>means a deliberate process to remove native vegetation from all or part of a site so as to –</p> <ul style="list-style-type: none"> <li>(a) permanently leave all or part of the site in an un-vegetated state;</li> </ul>
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	<p>(b) permanently replace native vegetation with a building or group of buildings and associated development;</p> <p>(c) permanently replace native vegetation with exotic vegetation</p>
exceptional circumstances	means as defined in the <i>Forest Practices Act 1985</i>
previously cleared and converted land	<p>means –</p> <p>(a) land that did not contain a native forest or native non-forest vegetation community for a consecutive period of not less than 5 years prior to the effective date; or</p> <p>(b) land that has been cleared and converted in accordance with –</p> <p>(i) a permit granted under the <i>Land Use Planning and Approvals Act 1993</i>; or</p> <p>(ii) a forest practices plan certified under the <i>Forest Practices Act 1985</i></p>

### E3.4 Use or Development Exempt from this Code

E3.4.1 Development is exempt if the clearing of vegetation is –

- (a) on previously cleared land; or
- (b) in accordance with a reserve management plan;
- (c) for level 2 activities or matters called in for assessment by the Board of the Environment Protection Authority, in accordance with the provisions of the *Environmental Management and Pollution Control Act 1994*;
- (d) in the Port and Marine zone; or
- (e) clearing within a road reserve.

### E3.5 Use Standards

There are no use standards

### E3.6 Development Standards

E3.6.1 Protection of a threatened native vegetation community or native vegetation providing habitat for a threatened species

Objective:
The clearing and conversion of native vegetation is to minimise likely adverse impact on biodiversity, ecological process, and habitat value

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>(a) Vegetation must not be any of the following</p> <ul style="list-style-type: none"> <li>(i) a threatened native vegetation community;</li> <li>(ii) contain threatened flora or be threatened fauna habitat; or</li> <li>(iii) be within 30m of a water body, watercourse, wetland, or coastal shoreline; or</li> </ul> <p>(b) the removal or destruction of any rare or threatened species or rare or threatened communities protected under state or commonwealth legislation must not occur unless authorised by the appropriate agency</p>	<p><b>P1</b></p> <p>The harvesting of timber or the clearing and conversion of native vegetation must –</p> <ul style="list-style-type: none"> <li>(a) be justified by exceptional circumstance; or</li> <li>(b) be necessary to deliver an overriding environmental benefit for the region; and</li> <li>(c) be unlikely to have adverse effect on – <ul style="list-style-type: none"> <li>(i) value of the habitat for a species managed under the <i>Threatened Species Protection Act 1995</i> or the <i>Nature Conservation Act 2002</i>;</li> <li>(ii) ability to contribute to the Tasmanian comprehensive, adequate, and representative vegetation conservation reserve system; or</li> <li>(iii) value of shoreline vegetation for water quality management; and</li> </ul> </li> <li>(d) have regard to any advice or decision of the relevant entity for applicable native vegetation or wildlife protection and conservation for – <ul style="list-style-type: none"> <li>(i) impact of the use or development on the objectives and outcomes for protection and conservation of native vegetation and wildlife; and</li> <li>(ii) any condition or requirement for protection or conservation of a threatened native vegetation community or of vegetation providing threatened species habitat</li> </ul> </li> </ul>

E3.6.2 Clearing of vegetation on land of scenic or landscape value

Objective:	
The clearing and conversion of vegetation is to minimise likely adverse impact on scenic or landscape value –	
<p>(a) on land in the Environmental Living zone, Environmental Management zone, Open Space zone, and Rural Living zone; or</p> <p>(b) on land identified on the planning scheme map as significant for scenic or landscape value</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>(a) Clearing and conversion of vegetation must –</p> <ul style="list-style-type: none"> <li>(i) be necessary to deliver an overriding social, economic or environmental benefit to the community; or</li> <li>(ii) be justified by exceptional circumstances; and</li> <li>(iii) there is no suitable alternative site; or</li> </ul> <p>(b) be consistent with the objectives and outcomes for any scenic or landscape management plan incorporated as a document forming part of this planning scheme; and</p> <p>(c) the extent of clearing and conversion must –</p> <ul style="list-style-type: none"> <li>(i) retain a sufficient intensity and distribution of vegetation to screen cleared and converted areas;</li> <li>(ii) not impact on the visual qualities of a shoreline, skyline, ridge, or other prominent landform feature;</li> <li>(iii) not be exposed to view from a road, public place, or settlement area; and</li> <li>(iv) include measures to minimise likely adverse impact for scenic or landscape value</li> </ul>

### E3.6.3 Clearing of vegetation on land susceptible to landslide

Objective:	
The clearing and conversion of vegetation on land in a landslide hazard area to which Code E6 – Hazard Management applies under this planning scheme is to minimise risk for activating a landslide.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The site must be within an area –</p> <p>(a) exposed to a low level of likely risk from landslide; and</p> <p>(b) a landslide hazard risk assessment as defined in E6 L1 must indicate clearing of native vegetation –</p> <p>(i) can achieve and maintain a tolerable level of risk; or</p> <p>(ii) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measures; or</p> <p>(iii) any condition or requirement for specific hazard reduction or protection measures</p>	<p><b>P1</b></p> <p>There must be a hazard risk assessment as defined in E6 L1 to indicate –</p> <p>(a) the use or development is unlikely to cause or contribute to occurrence of landslide on the site or on adjacent land; and</p> <p>(b) any condition or requirement for specific hazard reduction or protection measures</p>

E3.6.3.L1 The requirement for a hazard risk assessment does not apply if the site is on land within a declared Landslip A or Landslip B area and is controlled under Part10, Division 1 *Building Act 2000* and part 2 Division 1 *Building Regulation 2004*

## E4.0 Change in Ground Level Code

### E4.1 Purpose of the Code

The purpose of this provision is to minimise impact of change in existing or natural ground level.

### E4.2 Application of this Code

E4.2.1 This Code applies if use or development results in a change in existing ground level or natural ground level by cut or fill.

E4.2.2 A permit is required for development if this Code applies.

### E4.3 Definition of Terms

Area of influence	means an area over which any bearing pressure exerted on the ground would impact on the structural integrity of a retaining wall
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### E4.4 Development exempt from this Code

E4.4.1 Development is exempt if –

- (a) development is for –
  - (i) resource development being agricultural use dependent on the soil as a growth medium or controlled environment agriculture which does not alter, disturb or damage the existing soil profile; or
  - (ii) extractive industry;
  - (iii) for the Port and Shipping use class in the Port and Marine zone;
- (b) a change in ground level –
  - (i) if more than 1.5m from a boundary to the site –
    - a. has a depth of less than 1.0m;
    - b. is not within a water course;
    - c. is more than 1.0m from any easement, road, or right-of-way;
    - d. is more than 1.0m from an underground utility service;
    - e. involves an area of less than 200m<sup>2</sup>;
    - f. has a finished slope batter of less than 25% or is supported by a retaining wall of less than 1.0m height; and
    - g. is not on land to which Code E6 of this planning scheme applies
  - (ii) if less than 1.5m from a boundary to the site –
    - a. has a depth of not more than 0.5m; and
    - b. has a finished slope batter of less than 25% and tapering to zero depth at the boundary; or
    - c. is supported by a retaining wall of less than 0.5m height.

### E4.5 Use Standards

There are no use standards

## E4.6 Development Standards

### E4.6.1 Change in existing ground level or natural ground level

Objective:	
Change in the existing ground level or the natural ground level by cut or fill is to minimise –	
<ul style="list-style-type: none"> <li>(a) likely adverse impact on the physical, environmental, cultural, aesthetic, and amenity features of land; and</li> <li>(b) risk from a natural hazard</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Cut or fill must -</p> <ul style="list-style-type: none"> <li>(a) not be on land within the Environmental Living zone or the Environmental Management zone;</li> <li>(b) be required to - <ul style="list-style-type: none"> <li>(i) provide a construction site for buildings and structures;</li> <li>(ii) facilitate vehicular access;</li> <li>(iii) mitigate exposure to a natural or environmental hazard;</li> <li>(iv) facilitate provision of a utility;</li> <li>(v) assist the consolidation or intensification of development; or</li> <li>(vi) assist stormwater management</li> </ul> </li> <li>(c) not result in a modification of surface stormwater water flow to increase – <ul style="list-style-type: none"> <li>(i) surface water drainage onto adjacent land;</li> <li>(ii) pooling of water on the site or on adjacent land; or</li> <li>(iii) the nature or capacity of discharge from land upstream in a natural or artificial drainage channel;</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>Cut or fill must -</p> <ul style="list-style-type: none"> <li>(a) make arrangements for the drainage and disposal of stormwater;</li> <li>(b) make arrangements to stabilise any existing building or to increase the requirements for construction of any potential building on adjacent land;</li> <li>(c) manage drainage and disposal of intersected ground water;</li> <li>(d) safeguard the quality of receiving waters;</li> <li>(e) not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land unless the owner of adjacent land has provided written consent to enter into an agreement under Part 5 <i>Land Use Planning and Approvals Act 1993</i> registered on the title of adjacent land providing for the level of constraint; and</li> <li>(f) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised – <ul style="list-style-type: none"> <li>(i) it is satisfied the cut or fill will not result in harm to the utility; and</li> <li>(ii) any condition or requirement it determines are appropriate to protect the utility</li> </ul> </li> </ul>

<p>(d) not destabilise any existing building or increase the requirements for construction of any potential building on adjacent land;</p> <p>(e) manage disposal of intersected ground water;</p> <p>(f) safeguard the quality of receiving waters through measures to minimise erosion and release of sediments and other contaminants during each of the site preparation, construction and rehabilitation phase in accordance with Soil and Water Management on Building and Construction Sites 2009;</p> <p>(g) Not require a retaining or support structure that would result in an area of influence within the boundary of adjacent land; and</p> <p>(h) not encroach upon or expose, disturb, or reduce cover over an underground utility to less than 1.0m unless the relevant regulatory entity has advised –</p> <p style="padding-left: 20px;">(i) it is satisfied the cut or fill will not result in harm to the utility; and</p> <p style="padding-left: 20px;">(ii) any condition or requirement it determines are appropriate to protect the utility</p>	
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## **E5.0 Local Heritage Code**

### **E5.1 Purpose of the Code**

E5.1.1 The purpose of this provision is to –

- (a) conserve buildings, areas, and other places identified by this Code to have scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; and
- (b) support adaptive re-use of conserved buildings, areas, or other places

## E5.2 Application of this Code

- E5.2.1 (a) This Code applies –
- (i) if a building, area or other place is identified in the Table to this Code; or
  - (ii) if a site is within a conservation area identified in the Table to this Code
- (b) A permit is required for use or development if this Code applies

## E5.3 Definition of Terms

conservation area	means an area of scientific, aesthetic, architectural or historic interest or otherwise of special cultural value shown on the planning scheme map as a conservation area;
conservation outcome	means the conservation practices and management requirements for use or development of a building, area, or other place identified in the Table to this Code

## E5.4 Use or Development Exempt from this Code

- E5.4.1 Use or development is exempt from this Code if –
- (a) work is required to comply with an Emergency Order issued under Section 162 *Building Act 2000*;
  - (b) maintenance and repair not involving removal, replacement, or concealment of any attribute or feature specified for conservation in the Table to this Code;
  - (c) utility connections, including aerial cables;
  - (d) repainting or re-rendering of an exterior surface in a colour similar to the existing;
  - (e) a new grave or monument or the repair or conservation of a monument or grave marker within a cemetery or burial ground or the removal of a monument in accordance with the s21 *Burial and Cremations Act 2002*;
  - (f) buildings and building additions of less than one storey that are not visible from the frontage;
  - (g) gardening and minor landscape work not involving the removal of vegetation specified in the table for conservation;
  - (h) removal of a tree or other vegetation that is a risk to human life or property;
  - (i) If not within a frontage elevation and at least 1m from any boundary, minor attachments to the side or rear of a building that are incidental to any use or development such as heat pumps, rain water tanks with a capacity of less than

45 kilolitres and on a stand no higher than 1.2m, hot water cylinders and air conditioners;

- (j) If not within a frontage elevation, minor structures that are incidental to any use or development including:
  - (i) a maximum of 2 masts for telecommunications or flagpoles provided each are no more than 6m in length;
  - (ii) one satellite dish no more than 2m in diameter; and
  - (iii) solar collector panels and photovoltaic cells on a roof; or
- (k) crop protection structures outside of the development area of a heritage listed building

## E5.5 Use Standards

### E5.5.1 Incentive for adaptive reuse

Objective:	
Conservation is assisted through adaptive re-use of a building, area, or other place for a use class that may not otherwise be permitted within the zone applying for the site	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Use must be for a use class permitted in the zone applying for the land on which the site is located	<b>P1</b> Use must be necessary to achieve the conservation outcomes shown in Column 4 of the Table to this Code.

## E5.6 Development Standards

### E5.6.1 Incentives for adaptive reuse

Objective:	
Conservation is assisted through development that may not otherwise be permitted under one or more applicable standards of this planning scheme	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Development must comply with all applicable standards in the provisions of this planning scheme	<b>P1</b> Development must be required to achieve the conservation outcomes shown in Column 4 of the Table to this Code

E5.6.2 Demolition

Objective:	
Demolition of a building, area or other place is to occur only if there is no feasible and prudent alternative	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Demolition achieves the conservation outcomes for a building, place or conservation area shown in Column 4 of the table to this Code</p>	<p><b>P1</b></p> <p>Demolition in whole or in part of a building or place may be permitted, having regard to -</p> <ul style="list-style-type: none"> <li>(a) the heritage significance of the affected parts of the building or place;</li> <li>(b) the likely benefits of renovating, rehabilitating, reconstructing or modifying the building for an approved use; and</li> <li>(c) the impracticability and cost of retaining and conserving the building or place; or</li> <li>(d) overriding environmental, public health or economic considerations.</li> </ul>

E5.6.3 Subdivision

Objective:	
A plan of subdivision of land is to minimise likely impact for conservation of a building, area or other place.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A plan of subdivision must be for a boundary adjustment.</p>	<p><b>P1</b></p> <p>A plan of subdivision R34 must not separate buildings or works from their original context of land area having regard for -</p> <ul style="list-style-type: none"> <li>(a) the historic pattern of the development for the place or area;</li> <li>(b) the physical and cultural setting; and</li> <li>(c) the setting forming part of the attributes or features of value for the building, area or other place</li> </ul>

R34 A plan of subdivision must also comply with the applicable standards for subdivision of land in the zone

E5.6.4 Design and location of development

Objective:	
Design and location of new development is to be consistent with the attributes and features specified for conservation	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Development must comply with the conservation outcomes specified in Column 4 of the Table to this Code for the building, area, or other place</p>	<p><b>P1</b></p> <p>The design and location of buildings and development areas must maintain the architectural or historic interest or special cultural value specified in the Table to this Code for a building, area or other place having regard for –</p> <ul style="list-style-type: none"> <li>(a) integrity of the fabric and structure of the building, area, or other place;</li> <li>(b) setback, scale, and height of building elements relative to existing development on the site;</li> <li>(c) vegetation and other improvement on the site or on adjacent land;</li> <li>(d) separation of buildings and activity areas from a frontage;</li> <li>(e) separation of buildings and activity areas across a boundary; and</li> <li>(f) architectural style and features of the building, area, or other place including -             <ul style="list-style-type: none"> <li>(i) roof form and pitch;</li> <li>(ii) fenestration;</li> <li>(iii) methods and techniques of construction;</li> <li>(iv) external fabric, materials and finish;</li> <li>(v) colour scheme;</li> <li>(vi) alteration and addition;</li> <li>(vii) outbuildings;</li> <li>(viii) garden design, planting and structures;</li> </ul> </li> </ul>

	(ix) fencing; and (x) signage
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Table E5.1 Queenstown - Table to the Local Heritage Code

<b>Buildings and Places</b>			
<b>Site</b>	<b>Description Building or Place</b>	<b>Statement of Architectural or Historic Interest or Special Cultural value</b>	<b>Conservation Outcomes</b>
PID 1941777 Driffield Street	Former Mt. Lyell Mining & Railway Company, Railway Station Complex, Conservation Area	Current building is recent replacement of that burnt down in 1990's Site is significant as the railway station complex that was the primary entrance to the town prior to 1935 and has strong historic and social significance	
CID1291883 CID1291877 PID1941777 Approximately parallel to Driffield Street heading south	Former Mt. Lyell Permanent Way	Strong associations with the construction and operation of the railway line which formed Queenstown's only transport link with the outside world until 1935. Important element in demonstrating the arrangement and layout of the historic town	
PID 5881185 CT10844/1 PID 5881177 CT10844/2 30 & 32 Penghana Road	Pair of former Railway Cottages	Pair of cottages have strong association with the former railway and the lifestyle of railway workers	
CT 238475/1 PID 5881054 Penghana Rd (Zeehan Highway)	Former Single Men's Quarters	Associated with the early twentieth century expansion of the mine and illustrate the lifestyle and facilities provided for single men. Converted to tourist accommodation in 1980's in association with the towns tourist industry	
PID 7772249 Lyell Highway	Mt. Lyell Mining & Railway Company Mining Lease	Place of outstanding environmental heritage value which is held in high regard by the local community. He mine is a	

		visual and psychological icon for the people of Queenstown	
PID 5881126 17 Lyell Highway - (most northerly Lyell Highway)	Cottage	Victorian Georgian cottage has strong associations with the early period of development of the Mt Lyell Mine and is representative of the lifestyle of early workers.	
PID 5881118 15 Lyell Highway - North West of Mine Office	Cottage	Italianate cottage is a former Mount Lyell company house and has strong associations with the operations of the historic mine.	
CT214436/10 PID 5875033 26 Esplanade	Company Residence	Federation bungalow has strong associations with the Mount Lyell Mine and Railway Company and demonstrates the early expectations and lifestyle of the management personnel	
CT 252457/1 PID5875148 2 Esplanade	Mine Manager's Residence	Large residence built on a grand scale is a fine example of the mid twentieth century Queenstown bungalow.  Within Queenstown the residence is rare for its size, fine workmanship and details.	
CT 208885/8 CT 207517/9 PID 5875025 28 Esplanade	Comre	1917 residence built for the chief Metallurgist.  Large weatherboard residence has strong associations with Mt Lyell as a residence and guest house.	
PID 5878525 PID 5877493 PID 5877485 Latrobe St	Spion Kop	A local land mark associated with the towns returned soldiers from the Boer War. The hill is also an important sight seeing vantage point and has become the repository for several pieces of relocated mining equipment.	
PID 7772230 9 Penghana Rd	Former Flux Quarry	Strong associations with the earliest periods of operations of the Mount Lyell Mine. It is a well known local landmark and historic site	

CID 943544 PID 1762373 Off Alfred and off Conlan Sts	Pioneer Queenstown Cemetery	Oldest burial ground in Queenstown – has strong associations with the pioneers of the town.	
PID 1762373 Off Conlan Street, South Queenstown	Queenstown Cemetery	Cemetery has strong associations with 1912 North Lyell Mine disaster. Also contains rare surviving huon pine monuments from early 20th century.	
CT 26290/24	Queen River	Graphic illustration of the mining base of Queenstown. It is symbolic of the growth of industry in the tow	
PID 5885776 Lynchford Rd - Off Conlan Street	Queenstown Golf Course	Very attractive English picturesque landscape transplanted to the west coast. It evidences the origins of the local people and the importance of recreational pursuits	
Part CID 942746 PID 5882495 Rifle range area End of Raggedy Street (now Preston Street)	Former Brickworks	Provided bricks from 1894 for the two furnace stacks - operated till 1920 providing bricks for majority of masonry buildings in the town	
UPI 2701759 CID 972441 Cnr Penghana Road and Jakins Street	Park	Park established when site was vacated as railway yards after 1965. Part of the northern suburbs construction works coinciding with the peak copper price of the late 1960's.	
CID 972971 Cnr Driffield and Orr Street, Queenstown	War Memorial Park	Represents Queenstown's contribution to both World Wars. The small park a rare item in central Queenstown	
CT 12463/4 PID 5880801 12-14 Orr Street	Supermarket/ Jim Young Electrical	One of first store in Queenstown. Its layout and arrangements illustrate the size and arrangement of the pioneering stores.	

PID5881978 PID5878939 Powell Street (north side) including MacNamarra St corner and MacNamarra and Mellor Street corner	F.O. Henry Staff Residence Group	Group of residences have strong associations with F O Henry. Group illustrate the paternal managerial style and operation necessities of storekeeping in a mining town	
CT 225167/1 PID 5880190 1-5 Orr St Cnr Driffield and Orr Streets	Mount Lyell Motor Inn	One of the oldest buildings in Queenstown and has strong historic associations with the earliest period of development in the town. Hotel is a rare surviving two storey timber hotel with surviving original fabric particularly in the first floor façade.	
PID 5876570 CT 244312/1 13 Hunter Street	Former Dance Hall/Night Club and Caberet flats	An interesting combination of fine woodwork details to the front and ground floor and sheet materials to the rear walls. The structure has strong associations with post World War II Queenstown.	
CT 109618/1 PID 5880326 33 35 Orr Street	Former National Bank of Tasmania	Two storey masonry building in the federation free Classical style in a fine architectural composition which incorporates a number of classical motifs in a mannered and ordered way. The only early bank building left in the town.	
CT 140390/2 PID 2295172 Cutten Street	Queenstown Public School	Interwar functionalist architecture which is rare on the west coast. It was a major institution in the town and has strong associations for many Queenstown residents.	
CT 109618/5 PID 5880377 53 Orr St Corner Orr and Bowes Streets	Gaiety hall	Strong associations with the early lifestyle of Queenstown and the former arrangement and layout of the town	

PID 771304613-15 Orr Street	Queenstown Gentleman's Club	Original offices of the Mt Lyell Standard, Queenstown's local newspaper from 1996 to 1902. After this it became the Queenstown Club. Current building constructed most likely in early 20th century	
PID 5874997 CT 231708/1 34 Esplanade (off Preston Street)	Residence (former hospital)	Italianate residence occupies a landmark position in the town and exhibits fine timber and architectural details. Constructed as a residence in 1896, it was used as a hospital when Penghana Town burnt down in 1896	
PID 5870451 CT 244782/12 45 Bowes Street	Residence	Substantial residence is rare quality private home exhibiting consistent architectural style from the exterior to the interior and details. Rare architectural composition in Queenstown and on west coast.	
Sticht Street - outside Former Council Chambers	Original Street Lamps	Rare element of early arrangement of Queenstown streets and graphically illustrates the technology and style of the early township.	
PID 7483711 Driffield Street (opposite Sticht St)	Miners Siding	A local monument which has significance to the people of Queenstown especially those who helped in its construction. It attempts to represent the railway and mining history in the historic railway precinct.	
<b>Conservation Area</b>			
Locality	Description of Area	Statement of Local Heritage Significance	Conservation and Protection Outcomes
Orr and Driffield Streets	Main Street Urban Conservation Area	Rare largely intact turn of the early 20th century post and awning streetscape which exhibits to an unusual degree the frontier origins of the town and its adaptation to the prevailing climate. Contains a number of buildings notable for their fine architecture as well as rare nineteenth century timber hotels	

		and large and small retail premises with distinctive spatial qualities and facades.	
Wilsdon Street north of Glover Creek, including Huxley, Jukes and Darwin Cres.	North Queenstown Urban Conservation Precinct -	Residential precinct is a modern (1960's) equivalent of the garden suburb General character and uniformity of style and materials by its uniformity of scale and setting results in modern precinct in harmony with the historic town.	

Table E5.1.R35

Code does not apply for a building or place that is included on the Tasmanian State Heritage Register under the *Historic Cultural Heritage Act 1995*, or that is the subject of a Preservation Order made in accordance with Part 8 Division 1 *Local Government (Building and Miscellaneous Provisions) Act 1993*. Such buildings, places or areas are not regulated under a planning scheme.

Table E5.1 Strahan - Table to the Local Heritage Code

<b>Buildings and Places</b>			
<b>Site</b>	<b>Description Building or Place</b>	<b>Statement of Architectural or Historic Interest or Special Cultural value</b>	<b>Conservation Outcomes</b>
PID 5987780 9 Innes Street South-east corner Innes and Andrew Streets	Birch Cottage	An interesting modest dwelling in the Victorian Georgian style associated with the historic development of the area and its policing requirements	
PID 7138651 7 Innes Street	Police Superintendents Office	An unusual small architectural composition. The office of the area Superintendent of police - A remarkable assemblage of joinery details.	
PID 5985152 2 Bay St Corner Innes and Bay Streets	Strahan Public School	Representative of the InterWar Art Deco style school building. It is classical in its symmetry, horizontality and facade emphatic treatment to the entrance.	
PID 5985355 CT 197341/1 9 The Esplanade	Railway Cottage	Part of Zeehan-Strahan railway works. It is an example of the simple railway related architecture	

PID 5986593 CT 101363/1 CT 54659/1 1 Harold Street Corner of The Esplanade	The Royal Bank of Avram -	One of a pair, it is an interesting townscape element	
PID 5986606 CT 235798/1 3 Harold Street	AB Divers Inn now Lolly shop	A component of vestigial streetscape. One of pair which display similar characteristics - interesting example of corrugated iron and pressed metal as an external cladding	
PID 5987908 1 Innes Street west (West of Strahan School)	"Manuka" Residence	Demonstrates the process of evolution and gentrification common to the original frontier style corrugated iron dwellings.	
PID 5985400 Corner of Harold Street and The Esplanade	Strahan Council Chambers	An impressive streetscape component. A structure of considerable historic and aesthetic quality. Associated with the turn of the century boom period. A fine representative of the Victorian Free Classical style.	
PID 3010669 CT 72499/1 The Esplanade	Strahan Newsagency	Associated with the early trading and merchant pattern in Strahan.	
PID 3010669 CT 222814/1 The Esplanade	Fabulous Food Store	Associated with the early trading and merchant pattern in Strahan.	
CID 1312704 The Esplanade	Anzac memorial Park and War Memorial	Monument commemorating the Strahan dead during first and Second world Wars. An area of reclaimed land in 1890'S dedicated to public open space	

PID 5985582 Off the Esplanade	People's Park Botanical Reserve (incl. Hogarth Falls)	Historic public open space which demonstrates an early appreciation of the beauties of the natural landscape. A significant public space and natural bushland area.	
CID 1312704 The Esplanade Crown land	Gabled roofed corrugated iron shed	Part demolished - Associated with Union Steamship Company and the boom period of Strahan	
CID 1312704 The Esplanade	Risby's Jetty	Demolished - some pylons remain  Was built mainly of Huon Pine and was associated with Risby's sawmill	
CID 1312704 foreshore	Former railway line connection between Zeehan government line and the Mt. Lyell line	Significant historic foreshore element. Remaining segments now utilised as foreshore walkway	
PID 1863334 CT 143909/1 The Esplanade	Marine Board and Main Wharf	Associated with the growth of the importance of the port and the development of the railways.  Modified beyond recognition of historic elements	
PID 1820123 The Esplanade	Morrison's Huon Pine Saw Mill	Sole remnant of a number of working sawmills which once characterised the waterfront	
PID 1820123 West off Morrison's Huon Pine Mill	Backleg Crane	The backleg crane is a rare survivor of the former machinery which once dotted the foreshore.	
CID 1100710 PID 1730822 The Esplanade	Former Strahan Wharfs and Railway piles	Modified beyond recognition through wharf redevelopment and extension	
PID 5987393 CT 7413/1 90 Harvey Street	Western Softwoods Sawmill	Operating sawmill typical of sawmills that characterised the town.	

PID 3119904 Harvey Street opposite Prangley St	Former Strahan Abattoir	Indicates the extent of the townships past self sufficiency	
PID 3119904 outside Abattoir	Conveyor	Coal loader which was part of equipment at Regatta Point associated with the steam era.	
PID 2874406 CT154401-8 5 Sarson Close - off Ocean Beach Road	Strahan Lodge Ex Gormanston mine managers residence	Ex Gormanston mine managers residence transported to site  Substantial and attractive weatherboard residence of Regency and Italianate features	
PID 5986753, PID 5986761 63 Harvey Street 61 Harvey Street	Harvey Street Group	An ensemble of residences associated with the Strahan - Zeehan railway line.	
PID5989372 PID 5989364 PID 5989356 2-6 Pontifax Street	Pontifax Street Group	Former engine drivers houses Victorian Italianate cottages associated with the Strahan - Zeehan Government railway line	
PID 7836329 CT 104238/1 Meredith Street	Sawmill Relic	Remnant of the steam engine which powered the former Pine Export Company sawmill	
PID 5989188 CT 81767/1 59 Meredith Street	Cottage and rear Outbuildings	Associated with former Grinings sawmill. Good example of a simple gable and skillion roof with picturesque outbuilding	
PID 5986956 CT 222336/1 11 Harvey Street, Southern side opposite hardware	Residence	Example of a vernacular cottage in federation Italianate style	
PID 5987035	Cottage	A significant streetscape element.	

CT 93327/1 4 Harvey St Cnr of Lynch and Harvey Streets (North east)			
PID 5987043 CT 220729/14 6 Harvey St Cnr of Lynch and Harvey Streets (North west)	Residence	A fine example of a Victorian Italianate style with particularly fine and unusual detailing and joinery. A significant streetscape element.	
PID 5988775 CT164927/1 6 Lynch St Between Lynch and Harold St	Double Fronted Residence	A significant example of the vernacular Victorian Regency style. Associated with the Marine Board and the importance of Strahan Harbour. A significant townscape and cliffscape element.	
CT 39703/1 PID 7573709 8 Lynch St - Between Lynch and Harold Streets	Former Marine Board House	An elaborately decorated Victorian Italianate style. A significant townscape and cliffscape element. Associated with the Marine Board and the importance of Strahan as a port.	
PID 2113324 CT 137470/1 10 Innes Street	"Neath" Residence Behind shop	Representative vernacular Victorian Italianate style	
PID 5987916 CT 63219/1 24 Fraser St Cnr of Fraser and Innes Streets (West)	"Wiamatie" Cottage	The original F.O. Henry residence originally located behind the pioneer store. An example of a relocated home which is a practice common in the area. A Georgian vernacular cottage.	
PID 5987721 3-5 Hurst Street	Cottage	A vernacular Victorian Regency cottage. A cottage constructed of combined materials which illustrate the frontier nature of the settlement.	

PID 5987713 1 Hurst Street (South-end)	Cottage	A simple late Victorian Italianate cottage with unusual timber details.	
PID 1914306 39 Lynch St - Cnr of Lynch and Gaffney Streets	Cottage	A residence associated with the Grining family, an historic Strahan family. A simple vernacular cottage in the Victorian Regency style.	
PID7435680 41 Lynch Street Corner Gaffney and Lynch Street (north)	Cottage	A former private hospital operated by a midwife.	
PID 5988687 47 Lynch Street (Northern end)	Bow Fronted Residence	An interesting vernacular Victorian Italianate style villa (similar to Neath).	
PID 5988695 51 Lynch Street (North/west end)	Residence	A residence constructed for the manager of the Union Steamship Company. An interesting Victorian Free Classical style.	
PID 5989452 17 Reid Street - Lyell Highway	Cottage	Simple vernacular georgian style cottage with a number of original features	
PID 5989540 2-4 Reid St - Cnr Harold & Reid Streets	Cottage	A distinctive and unusual vernacular Italianate style cottage with elaborate timber detailing. A significant cliffscape element.	
PID 5985590 71 Esplanade (South-east of People's Park)	Cottage	An unusual vernacular style with transitional regency elements. this cottage demonstrates the development of architectural styles based on simple cottage forms.	
PID 5985603 73 Esplanade - Cnr Vivian St and Esplanade	Cottage	A characteristic symmetrical Georgian vernacular residence. This cottage is a significant streetscape element.	

PID 5989620 CT 223745/1 7-9 Vivian Street	Cottage	Vernacular Italianate jerkinhead gable style	
PID7669057 75-77 Esplanade - Cnr of Vivian St and Esplanade	Franklin Manor	A grand residence associated with the first Master Warden of Strahan, Captain Edward Miles. One of only two private mansions of the region. A fine example of Victorian Rustic Gothic.	
PID 7267998 CT 232672/5 3 Vivian Street	Cottage	Vernacular Italianate with a number of decorative features characteristic of the township. Associated with F.O. Henry enterprise.	
PID 5989639 CT 232183/1 5 Vivian Street	Cottage	Vernacular cottage in varied forms showing the buildings growth and evolution in a picturesque setting	
PID 7780898 CT 127682/1 Lodder Street (top end)	Cottage	Demonstrates use of readily available materials in Victorian Georgian cottage form. Also illustrate importance of facade treatment as demonstration of gentrification.	
PID 5986059 CT 231491/1 1-3 Featherstone Street (2nd cottage north-side)	Cottage	Simple vernacular Victorian cottage style - demonstrates early lifestyles of the area	
PID 5986067 CT216177/4 5 Featherstone Street	Cottage	Simple vernacular 1890 cottage originally built in Trafford St	
PID 5985646 83 Esplanade cnr Featherstone Street	Residence	The former cottage hospital for the district. This large residence has important historic association and considerable aesthetic quality	

		expressing several phases of its life. Victorian Free Classical Eclectic style.	
PID 1937436 CT 132803/2 8 Harrison Street	Residence	An interesting vernacular interpretation of the Victorian Free Classical style. An important skyline element.	
CID 1312704 The Esplanade, Regatta Point	Regatta Point Wharf	Wharf was terminus of the Mt Lyell Railway and was the trans shipment point for all ore from Mt Lyell mine. A key element of the Strahan waterfront. Regatta Point Wharf is an historical foreshore element.	
PID 7197678 The Esplanade	Former Regatta Point Turntable	Of high archaeological potential. Historical association with Mt Lyell Railway and Regatta Point wharf complex operations.	
PID 5985726 CT 8463/4 115 The Esplanade Regatta Point Railway circle	Cottage	Simple cottage in Mt Lyell railway Victorian vernacular Georgian style  Component of a circle of railway cottages for the MT Lyell Company at Regatta Point	
PID 5985742 CT 8463/2 119 The Esplanade Regatta Point Railway circle	Cottage	Stylish cottage in Mt Lyell railway vernacular Victorian regency style  Component of a circle of railway cottages for the MT Lyell Company at Regatta Point	
PID 5985734 CT8463/3 117 The Esplanade Regatta Point (second on north side) Railway circle	Cottage	Simple cottage in Mt Lyell railway vernacular Victorian Georgian style  Component of a circle of railway cottages for the MT Lyell Company at Regatta Point	
PID 7271743	Cemetery	Developed on high , not waterlogged land, thought to contain bodies of	

Bromley Street		many shipwreck victims as well as pioneers and prominent citizens	
PID 7759626 The Esplanade	Former Pyritic Ore Wharf	Little is known about the wharf except that it was the trans shipment point for Pyritic ore.	
PID 7759626 PID 5990904 Permanent Way	Mt. Lyell Abt Railway Formation	Opened in 1899 when Teepookana trans- shipment location was relocated to Regatta point	
CID 1312704 Regatta Point Wharf	Mobile Steam Crane	Steam crane No 387, Grafton and company engineers of Bedford England. relocated from Teepookana	
PID 5985021 CT 234771/1 32 Andrew Street	Residence Former Strahan bakery	Combined bakery and residence represents early town self contained period. Significant and attractive streetscape element.	
PID 5987465 CT54984/25 3 Henry St Corner Henty Road and Henry Street	Cottage	Modest Victorian Georgian style residence.	
CID 1417277 PID 5985961 Foreshore south of Bay Street	West Strahan Piers	Associated with development of the Strahan-Zeehan railway.  Piers are aesthetically pleasing elements along the shoreline.	
CID 943580 PID 5985953 The Esplanade	Megasol Products Pine Oil Distillery - West Coast Fisheries	Historically a prime industrial site of Strahan - Initially pine oil distillery site and later a crayfish and fish farm products	

Table E5.1 Other - Table to the Local Heritage Table

Site	Description of building or place	Statement of architectural or historic interest or special cultural value	Conservation outcomes
PID 7772249 Off Lyell Highway (Gormanston)	Iron Blow		
Lyell Highway (East Queenstown)  Lat 42.07621, Long 145.58839 Monument opposite Iron Blow Rd	Lyell Highway and Monument		
Centroid - Lat 42.07376, Long 145.59821 Off Lyell Highway (south side)	Gormanston		
Part PID 7192666 Macquarie Harbour	Macquarie Heads	The only entrance to Macquarie Harbour and the west Coast till the 20th Century. The symbolic point of arrival for the convicts sent to Sarah Island.	
Part PID 7192666 Macquarie Harbour	Mosquito Bay Camp	A traditional local holiday resort important local resource often involves single sex camps and hunting fishing parties	
CID 1269525 Macquarie Harbour	Smith's Cove	Location of the early transient Strahan settlement	
PID 2531702 PID 2117237 CT 137525/1  King River and Mt Lyell Junction - south side	Teepookana	Was Mt Lyell mine trans shipment location from 1896 till closed in 1899 when trans shipment was relocated to Regatta point	

## **E6.0 Hazard Management Code**

### **E6.1 Purpose of the Code**

E6.1.1 The purpose of this provision is to –

- (a) identify areas of likely risk for use or development from exposure to a natural or environmental hazard;
- (b) minimise exposure of use or development to an unacceptable level of community risk from a natural or environmental hazard;
- (c) minimise likelihood for use or development to trigger, spread, or intensify a natural or environmental hazard; and
- (d) require a tolerable level of risk can be achieved and maintained for the type, scale, intensity, and anticipated life of a use or development

### **E6.2 Application of the Code**

E6.2.1 This Code applies for use or development on land in an area exposed to risk from –

- (a) coastal inundation if shown on the map marked Coastal Inundation Map; or
- (b) coastal erosion and recession if shown on the map marked Coastal Erosion and Recession;
- (c) potential contamination as a result of previous use for an activity listed in Table E6.1 to this Code;
- (d) flooding from a watercourse, wetland or stormwater disposal system –
  - (i) if shown on the map marked Flood Prone Land;
  - (ii) if no area is shown on the planning scheme map, land within the overland flow path for the 1% annual exceedance probability flood in a watercourse, wetland or stormwater disposal system
- (e) landslide if shown on the map marked Landslide Hazard Map.

E6.2.2 A permit is required for use or development if this Clause applies.

- (d) flooding from a watercourse, wetland or stormwater disposal system -
  - (i) if shown on the map marked Flood Prone Land;
  - (ii) if no area is shown on the planning scheme map, land within the overland flow path for the 1% annual exceedance probability flood in a watercourse, wetland or stormwater disposal system

## E6.3 Definition of Terms

critical use	means emergency services and utilities for communication, energy generation and transmission, water supply, or waste water treatment that are critical to a community and that may be be relied upon during a natural hazard event or which are critical during the period of recovery from a natural hazard event
hazardous use	means as defined in E1.5.2 of this planning scheme
hazard risk assessment	<p>means an investigation undertaken by a person with appropriate expertise in the natural or environmental hazard to establish -</p> <ul style="list-style-type: none"> <li>(a) whether the use or development is likely to be at risk from the occurrence of a hazard event on the site or on adjacent land;</li> <li>(b) whether the use or development is likely to cause or contribute to the occurrence of a natural hazard event on the site or on adjacent land;</li> <li>(c) whether the use or development can achieve and maintain a tolerable level of risk for the type, scale, and intensity of the use or development over the life of the development having regard for – <ul style="list-style-type: none"> <li>(i) the nature, intensity and duration of the use, including - <ul style="list-style-type: none"> <li>a. if a critical use, the likelihood for a hazard event to - <ul style="list-style-type: none"> <li>i. impact on the ability to respond to a hazard event;</li> <li>ii. impact on ability to function and maintain service during a hazard event and the recovery period;</li> <li>iii. interruption to business continuity in locations external to the immediate impact of the hazard event; and</li> <li>iv. risk to the health or safety of a community from damage or disruption to a water or energy supply or for the drainage and treatment of waste water;</li> </ul> </li> <li>b. if a hazardous use, the likelihood for the release of dangerous substances as a consequence of a hazard event and the impact for the health and safety of people, property and the environment;</li> <li>c. if a vulnerable use, the vulnerability of people who may live, work or visit on the site and their capability in a hazard event to - <ul style="list-style-type: none"> <li>i. protect themselves and defend property;</li> <li>ii. evacuate in an emergency;</li> </ul> </li> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>iii. understand and respond to instruction in the event of an emergency;</li> <li>iv. expose emergency response personnel to an unacceptable level of risk; and</li> <li>v. recover from a hazard event</li> </ul> <p>(ii) the type, form and duration of any development, including -</p> <ul style="list-style-type: none"> <li>a. the level of disturbance required to natural or existing ground level;</li> <li>b. the extent of clearing and conversion of vegetation;</li> <li>c. whether a proposed work, building or structure is designed in accordance with the prevailing conditions and the level of risk for a hazard event;</li> <li>d. the likelihood for the work, building or structure to exacerbate or modify - <ul style="list-style-type: none"> <li>i. frequency of a hazard event; or</li> <li>ii. the nature, location, or intensity of impact from a hazard event;</li> </ul> </li> </ul> <p>(iii) likely change in the level of risk across the estimated life of the use or development;</p> <p>(iv) ability to adapt to a change in the level of risk;</p> <p>(v) ability to maintain access to utilities and services;</p> <p>(vi) hazard reduction or protection measures taking into account -</p> <ul style="list-style-type: none"> <li>a. nature and effectiveness of on-site measures in terms of - <ul style="list-style-type: none"> <li>i. complexity and cost;</li> <li>ii. knowledge and skills required by people living, working or visiting on the site to maintain and execute an emergency management plan;</li> <li>iii. access by emergency personnel and equipment;</li> <li>iv. level of change or interference required to natural processes and existing conditions;</li> <li>v. likelihood to intensify the level of risk or redirect the risk elsewhere on the site or onto other land;</li> <li>vi. likelihood for environmental harm;</li> <li>vii. likely cost to the community of -</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>a. any public intervention required to defend or evacuate during a hazard event;</li> <li>b. for recovery after an event; and</li> <li>c. interruption or damage to a utility</li> </ul> <p>viii. impact on hazard reduction measures applied to or potentially available on adjacent land;</p> <ul style="list-style-type: none"> <li>b. need for hazard reduction or protection measures beyond the boundary of the site, including - <ul style="list-style-type: none"> <li>i. whether such measures form part of an approved hazard management plan for the area in which the site is located;</li> <li>ii. the likely effect of such measures on the existing or potential use or development of land external to the site; and</li> <li>iii. whether the external land must be managed in accordance with the measures determined in the hazard risk assessment; and</li> </ul> </li> </ul> <p>(vii) any advice or decision of a relevant entity with administrative or regulatory responsibility for hazard management or from a person accredited to provide such advice –</p> <ul style="list-style-type: none"> <li>(a) that it is satisfied there is no risk to the objectives and outcomes required for hazard management; and</li> <li>(b) any condition or requirement required for hazard reduction or protection measures</li> </ul> <p>(viii) a landslide risk assessment through an assessment and report prepared by a suitably qualified person, in accordance with the Australian Geomechanics Society – Practice Note Guidelines for Landslide Risk Management 2007;</p>
natural hazard	means a condition inherent in air, land or water, the occurrence of which has a potential to permanently or occasionally present likelihood of risk to the health and safety of people, property, infrastructure assets, or the environment, and includes but is not limited to bushfire, coastal erosion and inundation, flooding, and landslide;
tolerable level of risk	means the lowest level of likely risk that is reasonably practical for society to live with so as to secure the benefits of a use or development, and which can be managed through routine regulatory measures or hazard management planning for the life of the use or development
vulnerable use	means as defined in E1.5.1 of this planning scheme

## E6.4 Use or Development Exempt from this Code

E6.4.1 Use exempt under this Code if on a site of a previous use for an activity listed in Table E6 to this Code and—

- (a) a hazard risk assessment determines -
  - (i) there is no contamination; or
  - (ii) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measure; or
- (b) the use is an intensification of an existing potentially contaminating use if it does not involve a sensitive use or a vulnerable use

E6.4.2 Development is exempt under this Code if on a site of a previous use for an activity listed in Table E6 to this Code if -

- (a) disturbance of the existing ground level is less than 1.0m<sup>3</sup>;
- (b) a hazard risk assessment determines -
  - (i) there is no contamination; or
  - (ii) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measure;
- (c) demolition of a building or structure if there is no disturbance of the existing ground level; or
- (d) adjustment of a boundary in accordance with clause 9.3 of this planning scheme

E6.4.3 Use is exempt under this Code if –

- (a) the entirety of a site is within an area shown on a natural hazard map forming part of this planning scheme to have an acceptable level of risk for that hazard;
- (b) residential use other than residential use defined as vulnerable use on land within an area shown on a natural hazard map forming part of this planning scheme to have a low level of risk from exposure to a natural hazard;
- (c) on a site –
  - (i) shown on a natural hazard map forming part of this planning scheme to be in an area with an unacceptable level of risk from exposure to a natural hazard; and
  - (ii) a hazard risk assessment determines there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measure; or
- (d) resource development dependent on the soil as a growth medium

E6.4.4 Development is exempt under this Code if -

- (a) the entirety of a site is within an area shown on a natural hazard map forming part of this planning scheme to have an acceptable level of risk for that hazard;
- (b) on a site -
  - (i) shown on a natural hazard map forming part of this planning scheme to be in an area with an unacceptable level of risk from exposure to that hazard; and
  - (ii) a hazard risk assessment determines there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measure; or
- (c) a structure or building that is not a habitable building if -
  - (i) not for a critical or hazardous use; and
  - (ii) not within an area required for hazard management
- (d) a new building and an extension to a building on land located in a Low Landslide Hazard Area shown on the planning scheme map;
- (e) demolition of a building if not required for hazard management;
- (f) a habitable building that is directly associated with and a subservient part of a resource development use if the building is not regularly occupied;
- (g) a habitable building located on land to which a reserve management plan applies; or
- (h) adjustment of a boundary in accordance with Clause 9.3 of this planning scheme
- (i) an extension to an existing building on land located in a Medium Landslide Hazard Area shown on the planning scheme map if the gross floor area of the extension is not greater than 50m<sup>2</sup>.
- (j) subdivision of land located in a Low Landslide Hazard Area shown on the planning scheme map

E6.4.5 Development is exempt under this Code if for the Port and Shipping use class in the Port and Marine zone.

## E6.5 Use Standards

### E6.5.1 Use on potentially contaminated land

Objective:	
There is a tolerable risk to health of people, property, and the environment for use on land likely to be contaminated as a consequence of a previous use	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Use must not occur on land potentially contaminated by a previous use for an activity listed in Table E6.1 unless –</p> <p>(a) soil disturbance and development is carried out in accordance with requirements in a hazard risk assessment for contamination;</p> <p>(b) a hazard risk assessment for potential contamination establishes the site can be remediated to provide a tolerable level of risk for the use; or</p> <p>(c) a hazard risk assessment establishes the site has been remediated to provide a tolerable level of risk</p>	<p><b>P1</b></p> <p>There is no performance criteria</p>

Table E6.1 Activity likely to cause contamination

Acid / alkali plant and formulation	Ammunition manufacture and usage (e.g. shooting ranges)	Asbestos production, handling or disposal
Asphalt/bitumen manufacturing	Commercial engine and machinery repair sites	Battery manufacturing or recycling
Boat/ship building, marinas, slip ways and associated boat yards	Boiler or kiln usage	Chemical manufacture and formulation (e.g. fertilisers, paints, pesticides, photography, plastics, solvents)
Drum conditioning works	Dry cleaning establishments	Electrical transformers
Ethanol production plant	Explosives industries	Fertiliser manufacturing plants
Fill material imported onto a site from a potentially contaminated source	Foundry Operations	Gas works

Herbicide manufacture	Sites of incidents involving release of hazardous materials	Industrial activities involving hazardous chemicals in significant quantities
Iron and steel works	Landfill sites, including on-site waste disposal and refuse pits	Metal treatments (e.g. electroplating) and abrasive blasting
Metal smelting, refining or finishing	Mineral processing	Mine sites involving waste rock or tailings deposits
Oil or gas production or refining	Paint formulation and manufacture	Pesticide manufacture and formulation sites
Petroleum product or oil storage	Pharmaceutical manufacture and formulation	Power stations
Printing	Radio-active material usage (e.g. hospitals)	Railway yards
Scrap yards and recycling facilities	Sewage treatment plant	Sheep and cattle dips
Sites of fires involving hazardous materials, including fire fighting foam use	Spray storage and mixing sites (e.g. for orchards)	Spray painting industries
Tanning and associated trades	Textile operations	Tyre manufacturing and retreading works
Wood preservation and storage or cutting of treated timber	Wool scouring	

#### E6.5.2 Use likely to be exposed to a natural hazard

Objective:	
The level of likely risk from exposure to a natural hazard is tolerable for the nature and duration of a use.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> If a use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme -	<b>P1</b> If use is on land within an area of risk from exposure to a natural hazard as shown on a map forming part of this planning scheme -

<p>(a) use must not be for a critical use, a hazardous use, or a vulnerable use;</p> <p>(b) use must not be residential use if the level of risk is medium or higher; and</p> <p>(c) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use</p>	<p>(a) a hazard risk assessment must demonstrate a tolerable level of risk can be achieved and maintained for the nature and duration of the use; and</p> <p>(b) if a critical use, a hazardous use, or a vulnerable use, a cost-benefit analysis in economic, environmental, and social terms must establish there is a significant benefit to the community and there is no alternate site</p>
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## E6.6 Development Standards

### E6.6.1 Development on potentially contaminated land

Objective:	
The level of likely risk from contamination is tolerable for the type, scale, and intensity of development	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Development must not occur on land potentially contaminated by a previous use for an activity listed in the Table E6.1 to this clause unless –</p> <p>(a) soil disturbance and development is carried out in accordance with the requirements of a hazard risk assessment for contamination;</p> <p>(b) a hazard risk assessment establishes the site can be remediated to provide a tolerable level of risk from the development; or</p> <p>(c) a hazard risk assessment establishes the site has been remediated to provide a tolerable level of risk from the development; and</p> <p>(d) if a hazard risk assessment establishes need to involve land on another title to manage risk consistent with the objective, the consent in writing of the owner of that land must be provided to enter into a Part 5 agreement to be registered on the</p>	<p><b>P1</b></p> <p>There is no performance criteria</p>

<p>title of the land and providing for the affected land to be managed in accordance with recommendations for contamination management</p>	
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E6.6.2 Development on land exposed to a natural hazard

<p>Objective:</p>	
<p>The level of likely risk from exposure to a natural hazard is to be tolerable for the type, form, scale and duration of each development</p>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>If the site is within an area of risk shown on a natural hazard map forming part of this planning scheme –</p> <p>(a) a hazard risk assessment must determine -</p> <ul style="list-style-type: none"> <li>(i) there is an insufficient increase in risk to warrant any specific hazard reduction or protection measure; or</li> <li>(ii) a tolerable level of risk can be achieved for the type, form, scale and duration of the development; and</li> </ul> <p>(b) if a hazard risk assessment established need to involve land on another title for hazard management consistent with the objective, the consent in writing of the owner of that land must be provided to enter into a Part 5 agreement to be registered on the title of the land and providing for the effected land to be managed in accordance with recommendations for hazard management</p>	<p><b>P1</b></p> <p>There is no performance criteria</p>

### **Map E6.1 Landslide (Low) Hazard Map**

Refer to the PDF map: West Coast Interim Planning Scheme 2013 - Overlays - Landslip Hazard Overlay

### **Map E6.2 Landslide (Medium) Hazard Map**

Refer to the PDF map: West Coast Interim Planning Scheme 2013 - Overlays - Landslip Hazard Overlay

### **Map E6.3 Landslide (High) Hazard Map**

Refer to the PDF map: West Coast Interim Planning Scheme 2013 - Overlays - Landslip Hazard Overlay

## **E7.0 Sign Code**

### **E7.1 Purpose of the Code**

E7.1.1 The purpose of this provision is to –

- (a) recognise signs are a legitimate and necessary development in rural, urban, and conservation settings for -
  - (i) providing advice, direction, and information to the travelling public;
  - (ii) protecting health and safety of people;
  - (iii) identifying the name, nature, purpose, or occupation of a building, area, or place; and
  - (iv) reasonable promotion of an activity, brand, event, idea, product, or service;
- (b) manage the likely impact of a sign for –
  - (i) function of control, navigation, safety and directional signs;
  - (ii) character of rural, urban, and conservation settings; and
  - (iii) convenience and safety of people and property

### **E7.2 Application of the Code**

E7.2.1 This Code applies for all signs

E7.2.2 A permit is required for a sign if this Code applies

### **E7.3 Definition of Terms**

There are no terms defined by this Code

### **E7.4 Use or development exempt from this Code**

- E7.4.1 Development for a sign described in E7.4.2 is exempt under this Code unless –
- (a) on land for which a Local Heritage Code forming part of this planning scheme applies;
  - (b) other than for a regulatory, visitor information, safety or emergency purpose, is located within a road or access strip;
  - (c) other than for providing advisory or safety information, is animated, changeable, flashing, or rotating;
  - (d) resembling any air or marine navigation device, or a railway or road traffic control or directional device or sign;
  - (e) located to visually obscure any sign or device required for the convenience and safety of air or marine navigation or for use of a railway or a road;
  - (f) illuminated to overspill the boundaries of the site;
  - (g) comprised of exposed brilliant intermittent lamps, or bare bulbs; and
  - (h) comprised of moving or mobile parts, including banners, bunting or flags

- E7.4.2 A sign that is –
- (a) not intended to be visible from any land outside the boundaries of the site;
  - (b) behind the glazing line of a window;
  - (c) required under a regulation to control, direct, or give advice, assistance, instruction, or notice, including for pedestrian and vehicular traffic, parking, activity on a road or within a site;
  - (d) for visitor information and destination direction if approved under the Tasmanian Visitor Information Signage system;
  - (e) for information to assist the convenience and safety of people using a building, area or place, including for hazard warning if a total display panel area of not more than 2.0m<sup>2</sup>;
  - (f) a flag or insignia of a nation;
  - (g) a flagstone, plaque, memorial sign, historic tablet, marker, interpretation panel or integral and permanent architectural feature if a display panel area of not more than 2.0m<sup>2</sup> indicating the name of a building, area or place, date of construction, or features of interest if fixed or incorporated flat to the surface of a building or the surface of the ground;
  - (h) a temporary real estate notice if a display panel area of not more than 3.0m<sup>2</sup> advising that the land or a building or buildings on the land on which it is displayed is for sale or lease;

- (i) a temporary real estate sign if a display panel area of not more than 1.0m<sup>2</sup> and providing direction to land for sale or lease;
- (j) a single temporary sign promoting a community or charity event if a display panel area of not more than 3.0m<sup>2</sup> and erected not more than 21 days prior to the date of the event and removed immediately after the event;
- (k) a single temporary sign promoting a private garage sale on the site if a display panel area of not more than 3.0 m<sup>2</sup> and erected not more than 48-hours prior to and removed immediately after the event;
- (l) a single temporary sign per frontage indicating a current development on the site with a display panel area if not more than 4.0m<sup>2</sup> per frontage and displayed only for duration of the construction period;
- (m) an election sign if a display panel area of not more than 1.5m<sup>2</sup> for a candidate or party and displayed for the period between the issue of a writ for an election and 2 weeks after the election;
- (n) a single sign indicating occupation of a site for a civic, cultural, educational, religious, recreation, or tourism purpose if a display panel area of not more than 3.0m<sup>2</sup>;
- (o) a single sign if a display panel area of not more than 2.0m<sup>2</sup> intended for display of locally relevant information about community service organisations;
- (p) a replacement display panel on a lawful existing sign structure and servicing the same purpose;
- (q) a single sign on a site in a General Residential, Low Density Residential, Rural Living or Environmental Living zone -
  - (i) indicating the name and nature of a home occupation or a home-based business;
  - (ii) total display panel area of not more than 0.2m<sup>2</sup>;
  - (iii) fixed flat to the external wall of a building or a frontage fence;
  - (iv) height above natural ground level of not more than 2.4m or below the level of any awning; and
  - (v) not illuminated
- (r) a sign on a site other than a site in a General Residential, Low Density Residential, Rural Living, or Environmental Living zone –
  - (i) indicating only -
    - a. the name of the business occupying the site;
    - b. the nature of the business carried out on the site;

- c. the address of the site;
  - d. any logo or other symbol that identifies the business conducted from the site
- (ii) a total display panel area of not more than 10.0m<sup>2</sup> whether or not contained on a single or multiple display panels;
  - (iii) fixed flat to or painted on the external wall or fascia of a building or a frontage fence; or
  - (iv) fixed to the underside of an awning or projecting from the front wall of a building and fully contained within the applicable building envelope and located behind the applicable frontage setback; or
  - (v) freestanding and fully contained within the boundaries of the site and located behind any applicable frontage boundary setback with a height above natural ground level of not more than 5.0m; and
  - (vi) not visible across the interface boundary to any land in the General Residential, Low Density Residential, Rural Living, Environmental Living, Open Space or Recreation zone

## E7.5 Use Standards

There are no use standards

## E7.6 Development Standards

Objective:	
Signs –	
(a) may be an integrated element of development on a site; and	
(b) must not have adverse effect for –	
(i) the convenience and safety of people and property, including of any road, rail, air or marine transport system;	
(ii) amenity and character of any rural, urban or conservation setting; or	
(iii) the conservation and protection of any special value identified in a provision forming part of this planning scheme	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Signs must –	A sign must be reasonable taking into account –

<p>(a) identify an activity, product, or service provided on the site;</p> <p>(b) if on a site in a General Residential, Low Density Residential, Rural Living; or Environmental Living zone, must –</p> <p>(i) comprise not more than 2 display panels;</p> <p>(ii) be fixed flat to the surface of a building below the eave line; and</p> <p>(iii) have a total combined area of not more than 5.0m<sup>2</sup>;</p> <p>(c) if on a site in any other zone, must –</p> <p>(i) comprise not more than 5 display panels;</p> <p>(ii) have a total combined area of not more than 50.0m<sup>2</sup>;</p> <p>(iii) be separated from any other freestanding or projecting sign by not less than 10.0m</p> <p>(iv) be fully contained within the applicable building envelope and –</p> <p>a. not extend above the parapet or the ridge of a roof; or</p> <p>b. if a free-standing sign, have a height above natural ground level of not more than 5.0m;</p> <p>(v) not involve a corporate livery, colour scheme, insignia or logo applied to more than 25% of the external wall surface of each elevation of a building;</p> <p>(vi) not be located in an access strip, loading area, or car park;</p> <p>(vii) not be animated, scrolling or otherwise continuously or intermittently changing, flashing or rotating as a part of the operation of the sign unless providing advisory or safety information;</p>	<p>(a) whether the sign relates to an activity, product or service provided on the site;</p> <p>(b) nature of development on the site;</p> <p>(c) purpose, location, number, size, style, and configuration of any existing and approved sign on the site and on adjacent land;</p> <p>(d) whether likely to be visually dominant or intrude on the appearance of the site or the streetscape;</p> <p>(e) whether likely to obscure the visibility of other signs in the locality;</p> <p>(f) whether visible beyond the immediate locality;</p> <p>(g) whether likely to impact on operational efficiency and safety of a railway, road, navigable water, or controlled air space in accordance with the advice and any requirement of the relevant regulatory entity;</p> <p>(h) whether likely to impact on the amenity of a habitable room or private open space in a residential development; and</p> <p>(i) the necessity for the sign to be located on the site having regard for:</p> <p>(i) proximity of the service or business being promoted to the sign location;</p> <p>(ii) proximity of other signage for the same business or service;</p> <p>(iii) ability to identify the business or service through other means; and</p> <p>(iv) flow of traffic past the sign and its likely destination</p>
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<ul style="list-style-type: none"> <li>(viii) not resemble any air or marine navigation device, or a railway or road traffic control or directional device or sign;</li> <li>(ix) not visually obscure any sign or device required for the convenience and safety of air or marine navigation or for use of a railway or a road; and</li> <li>(x) not cause illumination that overflows the boundaries of the site; and</li> <li>(d) not be on land for which a Local Heritage Code forming part of this planning scheme applies</li> </ul>	
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## **E8.0 Telecommunication Code**

### **E8.1 Purpose of the Telecommunication Infrastructure Code**

E8.1.1 The purpose of this provision is to –

- (a) recognise equitable provision and access to high-speed broadband and telecommunication networks is essential for the prosperity, security, and welfare of the community;
- (b) require proposals for the installation of telecommunication and digital facilities to form part of a local or regional network plan for all carriers to enable consideration of proposals on a broader and potentially regional basis;
- (c) encourage shared use and co-location of facilities to minimise the number of towers and antenna within the municipal area;
- (d) minimise likely adverse impact of communication systems on community health and safety; and
- (e) minimise adverse visual impact of towers and antenna in urban, rural, and conservation settings

### **E8.2 Application of this Code**

E8.2.1 This Code applies for all telecommunication facilities

E8.2.2 A permit is required if this Code applies

## E8.3 Definition of Terms

areas of environmental significance	mean as defined in Telecommunications (Low-impact Facilities) Determination 1997
infrastructure development	means, in relation to telecommunications infrastructure, the planning, design, construction, maintenance and use of telecommunications infrastructure
line	means a wire cable, optical fibre, tube, conduit, waveguide or other physical medium used, or for use, as a continuous artificial guide for, or in connection with, carrying communications by means of guided electromagnetic energy. (This adopts the <i>Telecommunications Act 1997</i> definition).
low impact facility	means, unless the site is within an area of environmental significance, a facility described in Part 3 and the Schedule of the Telecommunications (Low Impact Facilities) Determination 1997, is a low-impact facility only if it is installed, or to be installed, in the areas described in Part 2 of the Telecommunications (Low Impact Facilities) Determination 1997
telecommunications infrastructure	means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network
telecommunications network	means a system, or series of systems, that carries or is capable of carrying communications by means of guided and/ or unguided electromagnetic energy
tower	means a tower, pole, mast or similar structure used to supply a carriage service by means of Telecommunication

## E8.4 Use or development exempt from this Code

E8.4.1 Development is exempt from this Code unless Code E2 applies if –

- (a) a low-impact facility;
- (b) works involved in the inspection of land by a carrier to identify suitability for its purposes;
- (c) a facility granted a facility installation permit by the Australian Communication Authority;
- (d) works involved in the maintenance of telecommunication facilities;
- (e) works meeting the transitional arrangements defined in Part 2 of Schedule 3 of the *Telecommunications Act 1997*; or

- (f) connection of a telecommunication line forming part of a telecommunication network to a building, structure, caravan or mobile home

## E8.5 Use Standards

There are no use standards

## E8.6 Development Standards

### E8.6.1 Shared use and co-location

Objective:	
Telecommunication infrastructure is to minimise the total number of required towers and antenna within the municipal area	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A new freestanding aerial, tower, or mast must be structurally and technically designed to accommodate comparable additional users, including by the subsequent rearrangement of existing antenna and the mounting of antenna at different heights</p>	<p><b>P1</b></p> <p>It must not be possible for a new freestanding tower to include capacity for collocation of aerials for reasons of –</p> <ul style="list-style-type: none"> <li>(a) technical capacity;</li> <li>(b) structural capacity; or</li> <li>(c) security</li> </ul>
<p><b>A2</b></p> <p>New antenna must be located on an existing freestanding aerial, tower, or mast</p>	<p><b>P2</b></p> <p>There must be -</p> <ul style="list-style-type: none"> <li>(a) no existing tower or structure located within the network area with technical capacity to meet requirements for the antenna;</li> <li>(b) no existing tower or structure of sufficient height to meet the requirements of the antenna;</li> <li>(c) no existing tower or structure with sufficient structural strength to support the proposed antenna and related equipment;</li> <li>(d) risk of electromagnetic interference between the antenna and an existing antenna on the tower or structure;</li> </ul>

	<p>(e) disclosed limiting factors that render existing towers and structures unsuitable; or</p> <p>(f) no suitable alternate technologies that do not require the use of towers or structures such as a cable network. Cost of alternate systems which exceed cost of a tower are not presumed to render such technology unsuitable</p>
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E8.6.2 Health, safety and visual impact

Objective:	
Telecommunication infrastructure is to minimise likely adverse effect on –	
<p>(a) health and safety of the community; and</p> <p>(b) visual amenity of a locality by reducing prominence of telecommunications infrastructure</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Telecommunication infrastructure must –</p> <p>(a) be located within an existing utility corridor or site; or</p> <p>(b) only erect and operate aerial telecommunication lines or additional supporting structures in residential and commercial areas if overhead cables are operated by other existing utilities;</p> <p>(c) only clear vegetation if required for functional and safety requirements;</p> <p>(d) locate telecommunication infrastructure to –</p> <p>(i) avoid skyline positions and potential to be seen in silhouette;</p> <p>(ii) cross hills diagonal to the principal slope;</p> <p>(iii) cross at the low point of a saddle between hills; or</p>	<p><b>P1</b></p> <p>Telecommunication infrastructure must minimise the visual impact of infrastructure within the surrounding natural or built environment</p>

<p>(iv) be located around the base of hills or along the edge of existing clearings; and</p> <p>(e) screen equipment housing and other visually intrusive Telecommunication infrastructure to view from public areas</p>	
<p><b>A2</b></p> <p>The height of a freestanding aerial, tower, or mast must not be more than -</p> <p>(a) 60m on land within the Rural Resource or Rural Living zones;</p> <p>(b) 45m on land within the Light Industrial, General Industrial, Commercial, Utility, or Port and Marine zone;</p> <p>(c) 40m on land within the Local Business, General Business, or Central Business zone; and</p> <p>(d) 20m on land within the General Residential, Low Density Residential, Urban Mixed Use, Village, Environmental Living, Environmental Management, Major Tourism, Open Space, Community Purpose or Recreation zones</p>	<p><b>P2</b></p> <p>A freestanding aerial, tower, or mast must only exceed prescribed height limits if -</p> <p>(a) a pattern of infrastructure or vegetation above the specified height limit exists in a particular location;</p> <p>(b) it has no adverse impact on heritage or ecological value or significant visual amenity; or</p> <p>(c) required for operational efficiency of the facility within the network</p>
<p><b>A3</b></p> <p>A freestanding aerial, tower, or mast must be setback from the base of the tower to the exterior boundary of the site by –</p> <p>(a) not less than 60m or 300% of the height of the tower, whichever is the greater in any residential zone; and</p> <p>(b) not less than 30m or 100% of the height of the tower, whichever is the greater, in any other zone</p>	<p><b>P3</b></p> <p>The setback of a freestanding aerial, tower or mast must not be less than is –</p> <p>(a) necessary for operational efficiency; and</p> <p>(b) without risk for the health and safety of existing and potential use on adjacent land</p>
<p><b>A4</b></p> <p>Telecommunication infrastructure servicing a network (facilities not requiring installation on an individual street basis) must not be located on land in a residential zone</p>	<p><b>P4</b></p> <p>Location of telecommunication infrastructure servicing a network (facilities not requiring installation on an individual street basis) on land</p>

	within a residential zone must be required for operational efficiency of the network
<p><b>A5</b></p> <p>A freestanding aerial, tower, or mast must –</p> <p>(a) be finished and maintained with a galvanised steel surface or painted a neutral colour so as to reduce visual obtrusiveness;</p> <p>(b) not affix or mount a sign other than necessary warning or equipment information;</p> <p>(c) not be artificially lit or illuminated unless required for air navigation safety or for security;</p> <p>(d) if security fencing is required, such fencing must be of a design, material and colour that reflect the character of the location; and</p> <p>(e) provide a buffer not less than 2.0m wide outside the perimeter of the compound of plant material to effectively screen the tower compound from public view and from adjacent land</p>	<p><b>P5</b></p> <p>The location of the tower must be sufficiently remote from other use and unlikely to have adverse visual impact</p>
<p><b>A6</b></p> <p>If an antenna is installed on a structure other than a tower, the antenna and the support equipment must be painted a neutral colour that is identical to or closely comparable with the colour of the supporting structure so as to make the antenna and equipment as visually unobtrusive as possible</p>	<p><b>P6</b></p> <p>The location of the antenna must be sufficiently remote from other use and unlikely to have adverse visual impact</p>
<p><b>A7</b></p> <p>If an aerial, tower or mast is modified or replaced to facilitate collocation of additional antenna –</p> <p>(a) the modified or reconstructed tower must be of the same type as the existing tower unless reconstructed as a monopole tower;</p>	<p><b>P7</b></p> <p>It must be necessary for operational efficiency to –</p> <p>(a) replace an aerial, tower or mast with a structure other than a monopole;</p> <p>(b) locate a replacement aerial, tower or mast otherwise than in accordance with the</p>

<p>(b) the reconstructed tower must satisfy the applicable setback and separation distances; and</p> <p>(c) if there is more than one tower on a site, reconstruction must not occur unless the outcome is that only one tower is to remain on the site</p>	<p>applicable setback and separation distances; and</p> <p>(c) to replace an aerial, tower or mast and retain another aerial, tower or mast on the same site</p>
<p><b>A8</b></p> <p>The location of aerial telecommunication infrastructure must –</p> <p>(a) provide clearance for vehicular traffic; and</p> <p>(b) not pose a danger or encumbrance to other users or aircraft</p>	<p><b>P8</b></p> <p>There are no performance criteria</p>

## **E9.0 Traffic Generating Use and Parking Code**

### **E9.1 Purpose of the Traffic Generating Use and Parking Code**

E9.1.1 The purpose of this provision is to –

- (a) assist to protect the operational efficiency and safety of roads;
- (b) assist to protect public investment in road assets;
- (c) require on-site arrangements for –
  - (i) circulation and passage of vehicles;
  - (ii) loading and unloading of freight and people;
  - (iii) parking to service vehicles having business on the site;
- (d) specify design standards for circulation, loading and unloading, and parking areas within a site; and
- (e) accommodate Local Area Parking Schemes

### **E9.2 Application of this Code**

This Code applies for all use or development

### **E9.3 Definition of Terms**

loading area	means the place or places allocated within a site for the collection, loading and unloading of goods and materials from a delivery vehicle, and the pick-up and set-down of passengers
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local area parking scheme	means an enforceable arrangement for the provision of shared parking facilities of adequate capacity and with convenient access in a location to service all or part of the accessed parking demand for a defined spatial area such as a business and retail centre, regardless of whether operated by a public or private entity or whether parking time limits or payment apply
limited access road	means a road proclaimed as limited access under section 52A <i>Roads and Jetties Act 1935</i>
parking area	means the place or places within a site, whether in a building or external to a building, allocated and capable of use for the parking of freight and passenger transport, light passenger vehicles, motor cycles and bicycles in association with use of the site, and includes any access strip, internal circulation aisle, manoeuvring area, and parking space
parking space	means an area allocated and marked out for the parking of one vehicle and includes any manoeuvring space and access to it

## E9.4 Use or development exempt from this Code

E9.4.1 Use or development is exempt from this Code if the site is –

- (a) within an area to which a Local Area Parking Scheme applies; and
- (b) the Local Area Parking Scheme does not require that a use or development make provision for parking or for a loading area in accordance with the applicable provisions of this planning scheme

## E9.5 Use Standards

E9.5.1 Provision for parking

Objective:	
Provision is to be made for convenient, accessible, and usable vehicle parking to satisfy requirements for use or development without impact for use or development of other land or for the safety and operation of any road	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Provision for parking must be –</p> <p>(a) the minimum number of on-site vehicle parking spaces must be in accordance with the applicable standard for the use class as shown in the Table to this Code;</p>	<p><b>P1</b></p> <p>(a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or</p> <p>(b) Adequate and appropriate provision must be made for vehicle parking to meet -</p>

	<ul style="list-style-type: none"> <li>(i) anticipated requirement for the type, scale, and intensity of the use;</li> <li>(ii) likely needs and requirements of site users; and</li> <li>(iii) likely type, number, frequency, and duration of vehicle parking demand</li> </ul>
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#### E9.5.2 Provision for loading and unloading of vehicles

Objective:	
Provision is made for conveniently located and accessible areas for the loading and unloading of goods and materials and for the pick-up and set-down of passengers from vehicles	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>There must be provision within a site for -</p> <ul style="list-style-type: none"> <li>(a) on-site loading area in accordance with the requirement in Table E9A; and</li> <li>(b) passenger vehicle pick-up and set-down facilities for business, commercial, educational and retail use at the rate of 1 space for every 50 parking spaces</li> </ul>	<p><b>P1</b></p> <ul style="list-style-type: none"> <li>(a) It must be unnecessary or unreasonable to require arrangements for loading and unloading of vehicles; or</li> <li>(b) Adequate and appropriate provision must be made for the loading and unloading of vehicles to meet– <ul style="list-style-type: none"> <li>(i) likely volume, type and frequency of vehicles associated with the delivery and collection of goods and passengers; and</li> <li>(ii) likely frequency and duration of requirements for delivery and collection of goods or people</li> </ul> </li> </ul>

### E9.6 Development Standards

#### E9.6.1 Design of vehicle parking and loading areas

Objective:
<p>Vehicle circulation, loading, and parking areas–</p> <ul style="list-style-type: none"> <li>(a) protect the efficient operation and safety of the road from which access is provided;</li> <li>(b) promote efficiency, convenience, safety, and security for vehicles and users; and</li> <li>(c) provide an appropriate layout and adequate dimension to accommodate passenger or freight vehicle associated with use of the site</li> </ul>

Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>All development must provide for the collection, drainage and disposal of stormwater; and</p> <p><b>A1.2</b></p> <p>Other than for development for a single dwelling in the General Residential, Low Density Residential, Urban Mixed Use and Village zones, the layout of vehicle parking area, loading area, circulation aisle and manoeuvring area must –</p> <p>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities - Off Street Car Parking;</p> <p>(b) Be in accordance with AS/NZS2890.2 (2002) Parking Facilities - Off Street Commercial Vehicles;</p> <p>(c) Be in accordance with AS/NZS 2890.3 1993) Parking Facilities – Bicycle Parking Facilities;</p> <p>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities - Off Street Parking for People with Disabilities;</p> <p>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</p> <p>(f) Provide for the forward movement and passing of all vehicles within the site other than if entering or leaving a loading or parking space; and</p> <p>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</p>	<p><b>P1</b></p> <p>The layout and construction of a vehicle parking area, loading area, circulation aisle, and manoeuvring area must be adequate and appropriate for –</p> <p>(a) the nature and intensity of the use;</p> <p>(b) effect of size, slope and other physical characteristics and conditions of the site;</p> <p>(c) likely volume, type, and frequency of vehicles accessing the site;</p> <p>(d) likely demand and turnover for parking;</p> <p>(e) delivery and collection vehicles;</p> <p>(f) familiarity of users with the vehicle loading and vehicle parking area;</p> <p>(g) convenience and safety of access to the site from a road;</p> <p>(h) safety and convenience of internal vehicle and pedestrian movement;</p> <p>(i) safety and security of site users; and</p> <p>(j) the collection, drainage, and disposal of stormwater</p>
<p><b>A2</b></p> <p>Design and construction of an access strip and vehicle circulation, movement and standing areas for use or development on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones must be in accordance with the principles</p>	<p><b>P2</b></p> <p>Design of internal access roads and vehicle circulation, movement and standing areas for permitted use on land within the Rural Living, Environmental Living, Open Space, Rural Resource, or Environmental Management zones</p>

and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB	must be adequate and appropriate for the likely type, volume, and frequency of traffic
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Table E9.1 Provision of Parking Spaces and Loading Areas

- (a) The minimum provision for parking spaces must be calculated in accordance with the Minimum Parking Space Requirement or part thereof and rounded upwards to the nearest whole number;
- (b) The minimum provision for a loading area must be calculated in accordance with the Minimum Loading Area Requirement or part thereof and rounded upwards to the nearest whole number;
- (c) If a proposed development contains multiple uses, the parking and loading requirement must be calculated for each component use, added together, and rounded upwards to the nearest whole number;
- (d) The requirement for parking in a changed or enlarged use must be calculated as the difference between the required parking for the changed or enlarged use and any existing parking requirement (whether or not there is full compliance with this Code) provided the total number of spaces in the current parking provision is retained as part of the proposed use (albeit such spaces may be relocated within the redevelopment);
- (e) Adjacent on-road car parking space must not be included to satisfy minimum parking spaces requirements; and
- (f) Access driveways, internal circulation aisles, and loading areas must not qualify as vehicle parking space.

Use Class	Minimum Parking Space Requirement	Minimum Loading Area Requirement
Bulky goods sales	Bulky goods sales 1 x space/ 50m <sup>2</sup> gross floor area	1 x large rigid truck space / 500 m <sup>2</sup> gross floor area
	Motor showrooms and display yards (a) 1 x space / 125m <sup>2</sup> gross site area; and (b) 6 x spaces / workshop bay if workshop/servicing facilities are included	
	Plant nurseries and landscape supplies (a) 15 x spaces; or > (b) 1 x space / 200m <sup>2</sup> gross site area whichever is the greater	

Business and professional services	Funeral parlour (a) 15 x spaces / 100m <sup>2</sup> gross floor area; or (b) 1 x space / 3 seats whichever is the greater	1 x small rigid truck space / 1,000m <sup>2</sup> gross floor area; and
	Bank, office, real estate agency, travel agency  1 x space / 40m <sup>2</sup> gross floor area	
	Medical or veterinary consulting rooms  1 x space / 25m <sup>2</sup> gross floor area	
Community meeting & entertainment	a) 15 x spaces / 100m <sup>2</sup> gross floor area; or b) 1 x space per 3 seats whichever is the greater	1 x >small rigid truck space / 1,500m <sup>2</sup> gross floor area
Crematoria and cemeteries	Crematoria a) 15 x spaces / 100 m <sup>2</sup> gross floor area; or b) 1 x space per 3 seats whichever is the greater Cemetery 50 x spaces	1 x small rigid truck space / 500m <sup>2</sup> gross floor area; and
Custodial facility	1 x space / 4 inmates	1 x small rigid truck space
Domestic animal breeding, boarding or training	1 x space / 5 animals breed, boarded or trained on the land	1 x small rigid truck space
Educational and occasional care	Child care centres  1 x space / 4 licensed child care places	1 x small rigid truck space / 1500 m <sup>2</sup> gross floor area
	Schools – primary and secondary (a) 3 x spaces / classroom; (b) on-site student pick-up and set-down with queuing space for not less than 8 cars; and	(a) 1 x large rigid truck space (b) 1 x passenger bus space/4 classrooms

	(c) on-site provision for bus pick-up and set down	
	Senior college, tertiary and employment training (a) 6 x spaces / classroom; or (b) 1 x space / 30m <sup>2</sup> gross floor area whichever is the greater	
Emergency services	1 x space / 40m <sup>2</sup> gross floor area	No requirement
Equipment and machinery sales and hire	(a) 1 x space / 125m <sup>2</sup> gross site area; and (b) 1 x space / 75m <sup>2</sup> gross floor area if a service workshop is included	1 x large rigid truck space / 1500m <sup>2</sup> gross floor area
Extractive industry	No requirement  Spaces must be provided to service the likely workforce and attendance on the land	1 x articulated truck space
Food services	Drive-in take-away food outlets (a) 12 x spaces/ 100 m <sup>2</sup> gross floor area; and (b) on-site queuing space in drive-through lanes for not less than 8 vehicles	1 x small rigid truck space / 400 m <sup>2</sup> gross floor area
	Cafe or restaurant (a) 15 x spaces / 100 m <sup>2</sup> gross floor area; or (b) 1 x space / 3 seats whichever is the greater	
General retail and hire	Markets  2.5 x spaces / stall  Roadside stalls  4 x spaces / stall  Shops	(a) 1 x small rigid truck space / 400 m <sup>2</sup> gross floor area; or (b) 1 x articulated truck for supermarkets and department stores

	1 x space / 30m <sup>2</sup> gross floor area	
Hospital services	1 x space / 30m <sup>2</sup> gross floor area	1 small rigid truck space / 1500m <sup>2</sup> gross floor area
Hotel industry	Bar, nightclub or tavern (a) 15 x spaces / 100m <sup>2</sup> gross floor area; or (b) 1 x space / 3 seats whichever is the greater	1 x small rigid truck space / 1000m <sup>2</sup> gross floor area; and
	Bottle shop (a) 1 x space / 30m <sup>2</sup> gross floor area if no drive-through; or (b) drive-through lane with capacity for 1 x space / 30m <sup>2</sup> gross floor area	1 x large rigid truck space / 400m <sup>2</sup> gross floor area
Manufacturing and processing	(a) 1 x space / 75m <sup>2</sup> gross floor area for manufacturing or processing workshop; and (b) 1 x space / 40m <sup>2</sup> gross office floor area	1 x large rigid truck space / 800m <sup>2</sup> gross floor area
Motor racing facility	1 x space / 3 spectator seats	1 x large rigid truck space
Natural and cultural values management	No requirement  Spaces must be provided to service the likely workforce and attendance on the land	No requirement
Pleasure boat facility	Boat launching ramps  6 x spaces with capacity for vehicle and trailer  Marinas (a) 0.6 x spaces / wet berth; (b) 0.2 x spaces / dry storage berth; (c) 0.2 x spaces / swing mooring;	No requirement set

	<p>(d) 1 x space / 40m<sup>2</sup> gross floor area for office area; and</p> <p>(e) 1 x space / 75m<sup>2</sup> gross floor area for manufacturing or service workshop</p>	
Port and shipping	Spaces to service the likely workforce and attendance on the land	No requirement set
Recycling and waste disposal	<p>(a) 1 x space / 300m<sup>2</sup> gross floor area; and</p> <p>(b) 1 x space / 40m<sup>2</sup> gross floor area office area</p>	1 x articulated truck space / 1500m <sup>2</sup> gross floor area
Research and development	1 x space / 40m <sup>2</sup> gross floor area office or laboratory area	1 x small rigid truck space / 400 m <sup>2</sup> gross floor area
Residential	<p>Single dwelling other than in the General Residential Zone</p> <p>(a) 2 spaces / dwelling; or</p> <p>(b) 3 spaces if single dwelling includes an ancillary dwelling</p>	No requirement
	<p>Multiple dwellings other than in the General Residential Zone</p> <p>(a) 2 x spaces / dwelling; and</p> <p>(b) 1 x space / 3 dwellings for over-flow and visitor parking</p>	No requirement
	<p>If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</p> <p>(a) 1 space per dwelling</p>	No requirement
	<p>If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</p> <p>(a) 2 spaces per dwelling</p>	No requirement
	Visitor parking for multiple dwellings in the General Residential Zone	No requirement

	<p>(a) 1 dedicated space per 4 dwellings (rounded up to the nearest whole number); or</p> <p>(b) If on an internal lot or located at the head of a cul-de-sac, 1 dedicated space per 3 dwellings (rounded up to the nearest whole number)</p>	
	<p>Aged and people with a disability (other than dwellings in the General Residential Zone)</p> <p>Self-contained units</p> <p>2 x spaces / 5 units</p>	No requirement
	<p>Hostel, convalescent and nursing homes</p> <p>(a) 3 x spaces / 10 beds; and</p> <p>(b) 1 x space / ambulance</p>	No requirement
Resource development	<p>No requirement</p> <p>Spaces must be provided to service the likely workforce and attendance on the land</p>	No requirement
Resource processing	<p>(a) 1 x space / 75m<sup>2</sup> gross floor area for manufacturing or processing workshop; and</p> <p>(b) 1 x space / 40m<sup>2</sup> gross office floor area</p>	1 x articulated truck space / 800m <sup>2</sup> gross floor area
Service industry	<p>Vehicle repair or service</p> <p>6 x spaces / workshop bay</p>	1 x large rigid truck space / 800m <sup>2</sup> gross floor area
	<p>Workshop</p> <p>1 x space / 75m<sup>2</sup> gross floor area</p>	
Sports and recreation	<p>Bowling greens</p> <p>(a) 30 x spaces / green; and</p> <p>(b) 15 x spaces per additional green</p>	1 x small rigid truck space

	<p>Sports courts and indoor bowling alleys</p> <p>(a) 3 x spaces / court or lane; and</p> <p>(b) 1 x space / 3 spectator seats</p>	
	<p>Fitness centres and gymnasiums</p> <p>7 x spaces / 100 m<sup>2</sup> gross floor area</p>	
	<p>Indoor sports stadium</p> <p>(a) 15 x spaces / 100 m<sup>2</sup> gross floor area; and</p> <p>(b) 1 x space / 3 spectator seats</p>	
	<p>Outdoor sports grounds</p> <p>(a) 15 x spaces / per playing field; or</p> <p>(b) 8 x spaces/100 m<sup>2</sup> gross site area, whichever is the greater; and</p> <p>(c) 1 x space / 3 spectator seats</p>	
	<p>Swimming pool</p> <p>(a) 15x spaces / 100 m<sup>2</sup> gross site area; and</p> <p>(b) 1 x space / 3 spectator seats</p>	
Storage	<p>(a) 1 x space / 300m<sup>2</sup> gross floor area; and</p> <p>(b) 1 x space / 40m<sup>2</sup> gross floor area office area</p>	<p>(a) 1 x articulated truck space / 800m<sup>2</sup> gross floor area; or</p> <p>(b) 1 x large rigid truck for self-store units</p>
Tourist operation	<p>(a) 1 x space / 50m<sup>2</sup> gross floor area; or</p> <p>(b) 1 x space/100m<sup>2</sup> site area; or</p> <p>(c) 1 space per 3 seats</p> <p>whichever is the greater</p>	<p>(a) 1 x small rigid truck space / 1,500m<sup>2</sup> gross floor area; and</p> <p>(b) 1 x passenger bus space/1,500m<sup>2</sup></p>
Transport depot and distribution	<p>Road transport terminals</p> <p>(a) 1 x space / 300m<sup>2</sup> gross site area;</p> <p>(b) 1 x space / 40m<sup>2</sup> gross floor area for office area; and</p>	1 x articulated truck space

	(c) 1 x space / 75m <sup>2</sup> gross floor area if vehicle service workshop is included	
Utilities	No requirement set - spaces must be provided to service the likely workforce and attendance on the land	No requirement - space must be provided to service the likely workforce and attendance on the land
Vehicle fuel sales and service	<p>Service station</p> <p>(a) Drive-way apron and queuing lane for not less than 2 x vehicles for each fuel outlet;</p> <p>(b) 1 x space / 30m<sup>2</sup> gross retail floor area if convenience retail outlet attached; and</p> <p>(c) If restaurant is included –</p> <p>(i) 15 x spaces / 100m<sup>2</sup> gross floor area of restaurant; or</p> <p>(ii) 1 x space / 3 seats</p> <p>whichever is the greater</p> <p>(d) 6 x spaces/ workshop bay if mechanical or body repairs are included</p> <hr/> <p>Car tyre retail outlets</p> <p>(a) 3 x spaces / 100m<sup>2</sup>; or</p> <p>(b) 3 x spaces / workshop bay, whichever is the greater</p>	1 x articulated truck space
Vehicle parking	Not applicable	No requirement
Visitor accommodation	<p>Caravan park and camping grounds</p> <p>1 x space / caravan or tent site</p> <hr/> <p>Bed and breakfast, motel, and residential hotel</p> <p>(a) 1 x space / bedroom; and</p> <p>(b) 1 x additional space / 5 bedrooms; and</p> <p>(c) if restaurant is included –</p>	<p>(a) 1 x small rigid truck</p> <p>(b) 1 x passenger bus for motel and residential hotel</p>

	<p>(i) 15 x spaces / 100m<sup>2</sup> gross floor area of restaurant; or</p> <p>(ii) 1 x space / 3 seats</p> <p>whichever is the greater</p>	
	<p>Holiday cabins or units, or serviced apartments</p> <p>a) 1 x space / unit; and</p> <p>b) 1 x additional space / 3 units</p>	

## **E10.0 Water and Waterways Code**

### **E10.1 Purpose of the Water and Waterways Code**

E10.1.1 The purpose of this provision is to assist protection and conservation of a water body, watercourse, wetland, or coastal shoreline area for –

- (a) ecosystem diversity and habitat value of native flora and fauna;
- (b) hydraulic capacity for water quality, yield, water table retention, flood flow, and waste water assimilation;
- (c) economic and utility importance to primary industry, settlement, industrial, irrigation and energy generation purposes; and
- (d) aesthetic and recreational use

### **E10.2 Application of this Code**

E10.2.1 The Code applies for use or development –

- (a) on land within 30m of the bank of a water body, watercourse or wetland;
- (b) on land within 30m of the high water mark of a shoreline to an ocean, estuary, or tidal waters; or
- (c) wholly or partially in, over, on or under a water body, watercourse or wetland or shoreline

E10.2.2 This Code does not apply to –

- (a) land within 30m of a constructed channel or a farm dam;
- (b) land within the Port and Marine zone;
- (c) use or development in the Port and Shipping Use Class which are for navigation aids.

E10.2.3 A permit is required if this Code applies.

### E10.3 Definition of Terms

coastal zone	means as in the <i>State Coastal Policy 1996</i>
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### E10.4 Use or development exempt from this Code

E10.4.1 Use or development is exempt from this Code if -

- (a) for risk management, emergency, or rescue purposes;
- (b) works undertaken in accordance with a reserve management plan;
- (c) control of declared weeds; or
- (d) crop protection structures on existing cleared agricultural land that do not collect stormwater for concentrated disposal

### E10.5 Use Standards

There are no use standards

### E10.6 Development Standards

E10.6.1 Development in proximity to a water body, watercourse or wetland

Objective:	
Development within 30m of or located in, over, on or under a water body, water course or wetland is to have minimum impact on –	
<ul style="list-style-type: none"> <li>(a) the ecological, economic, recreational, cultural significance, water quality, and physical characteristic of a water body, watercourse or wetland;</li> <li>(b) the hydraulic capacity and quality of a water body, watercourse or wetland for ecological viability, water supply, flood mitigation, and filtration of pollutants, nutrients and sediments;</li> <li>(c) function and capacity of a water body, watercourse or wetland for recreation activity; and</li> <li>(d) aesthetic features of a water body, watercourse or wetland in the landscape</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There is no acceptable solution	<b>P1</b> Development must – <ul style="list-style-type: none"> <li>(a) minimise risk to the function and values of a water body watercourse or wetland <sup>[R37]</sup>, including for - <ul style="list-style-type: none"> <li>(i) hydraulic performance;</li> <li>(ii) economic value;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(iii) water based activity;</li> <li>(iv) disturbance and change in natural ground level;</li> <li>(v) control of sediment and contaminants;</li> <li>(vi) public access and use;</li> <li>(vii) aesthetic or scenic quality;</li> <li>(viii) water quality management arrangements for stormwater and sewage disposal;</li> <li>(ix) modification of a natural drainage channel;</li> <li>(x) biodiversity and ecological function;</li> <li>(xi) level of likely risk from exposure to natural hazards of flooding and inundation; and</li> <li>(xii) community risk and public safety; and</li> </ul> <p>(b) be consistent with any advice or decision of a relevant entity administering or enforcing compliance with an applicable protection and conservation regulation for –</p> <ul style="list-style-type: none"> <li>(i) impact of the development on the objectives and outcomes for protection of the water body, watercourse or wetland; and</li> <li>(ii) any condition or requirement for protection of the water body, water course or wetland</li> </ul>
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**Footnotes**

[R37] Regard is to be had to the level of compliance to the methodologies and recommendations of the current edition of Wetlands and Waterways Works Manual DPIPWE 2003

**E10.6.2 Development in a shoreline area**

Objective:
Coastal waters and the shoreline area <sup>[R38]</sup> are protected against likely impact of development within 30m of or located in, over, on or under the coastal waters or shoreline area on economic, ecological , scenic, cultural, and recreation values, and for processes of the coast while facilitating use dependent for operational efficiency on a coastal location.

Acceptable Solutions	Performance Criteria
<b>A1</b> There is no acceptable solution	

Footnotes

[R38] 'sea-shore' is the term used within s7 *Land Use Planning and Approvals Act 1993*

## Part F

# Specific Area Plans

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There are no Specific Area Plans

## Appendix 1 - Referenced and Incorporated Documents

'AS 2021" means Australian Standard on Acoustics – Aircraft Noise Intrusion – Building siting and construction	Establishes construction requirements to reduce noise levels within buildings adjacent to an airport
AS 1158.3.1 Road Lighting – Pedestrian Area (category P) Lighting – Performance and Installation	Establishes minimum acceptable standards for lighting of external car park areas
AS 3959 Construction of Buildings in Bushfire Prone Areas	Establishes construction requirements for buildings on land in an area subject to hazard risk from bush fire
AS/NZS 2890.1 Parking Facilities – Off-Street Parking	Establishes the minimum acceptable criteria for layout, dimension, grade and marking of off-street car park areas
AS/NZS 2890.2 Parking Facilities – Off-Street Commercial Vehicles	Establishes minimum acceptable standards for layout, dimension, grade and marking of loading and unloading areas
AS/NZS 2890.3 Parking Facilities – Bicycle Parking Facilities	Establishes minimum acceptable standards for layout, dimensions and other criteria for provision of bicycle parking
AS/NZS 2890.6 Parking Facilities – Off-street Parking for People with Disabilities	Establishes minimum acceptable standards for layout, design, grade and marking of parking spaces for people with a disability
Forest Practices Code	Establishes management principles and standards for forest practices
Soil and Water Management on Building and Construction Sites (2009)	Establishes minimum requirements to control erosion and reduce the risk of transportation of sediment and contamination from a construction site
Tasmanian Coastal Works Manual DPIPWE 2011	Establishes best practice techniques for conduct of works within the coastal zone
Unsealed Roads Manual – Guidelines to Good Practice	Provides design and construction guidelines

AS/NZS 1547:2012 On-site domestic-wastewater management	Establishes minimum standards for assessing suitability of a site for effluent disposal and for design and operational of domestic waste water disposal systems
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Incorporated Documents		
Document Title	Description	Date
insert document title	insert description	insert date

Referenced Documents		
Document Title	Description	Date
insert document title	insert description	insert date

## Appendix 2 - Planning Scheme Amendments

Number	Description	Effective Date
insert number	insert description	insert date

## Appendix 3 - Planning Purposes Notice

### Decision

Description	Effective Date
Planning Purposes Notice	22 February 2021

*Land Use Planning and Approvals Act 1993*

### PLANNING PURPOSES NOTICE

I, ROGER CHARLES JAENSCH, the Minister for Planning, in pursuance of section 30EA(9) of the *Land Use Planning and Approvals Act 1993* (the Act) and on the recommendation of the Tasmanian Planning Commission, revoke the planning purposes notice issued on 28 February 2014; and further, in pursuance of section 30EA(2) of the Act and on the recommendation of the Tasmanian Planning Commission, issue the following planning purposes notice:

- (a) a local provision contained within a code or specific area plan specified in Part 1 of Schedule 1 is, if included in a relevant scheme in relation to the municipal area for the West Coast Council, an overriding local provision where there is a conflict with any common mandatory provision in E1.0 Bushfire Prone Areas Code in the relevant scheme;
- (b) a local provision contained within a code, specific area plan, or provision specified in Part 2 of Schedule 1 is, if included in a relevant scheme in relation to the municipal area for the West Coast Council, an overriding local provision where there is a conflict with any common mandatory provision in Clause 10.0 General Residential Zone in the relevant scheme;
- (c) A local provision that:
  - (i) consists of a provision containing the wording set out in Part 3 of Schedule 1; or
  - (ii) is a provision specified in Part 3 of Schedule 1;is, if included in a relevant scheme in relation to the municipal area for the West Coast Council, a conflicting local provision.

Dated this 22nd day of February 2021

ROGER CHARLES JAENSCH  
Minister for Planning

#### Schedule 1

##### **Part 1 – Overriding local provisions – E1.0 Bushfire Prone Areas Code**

- E3.0 Clearing and Conversion of Vegetation Code
- E5.0 Local Heritage Code
- E10.0 Water and Waterways Code

##### **Part 2 – Overriding local provisions – Clause 10.0 General Residential Zone**

- E3.0 Clearing and Conversion of Vegetation Code
- E4.0 Change in Ground Level Code
- E5.0 Local Heritage Code
- E6.0 Hazard Management Code
- E10.0 Water and Waterways Code
- 10.4.12 Setback of sensitive use development

##### **Part 3 – Conflicting local provisions**

Nil