

# **Burnie Interim Planning Scheme 2013**

## Planning Scheme amendments

No.	Description	Effective date	Map/Text
29	2019-3 - Amend clause 25.2 General Industrial Zone Use Table to insert Community meeting and entertainment and Sports and Recreation as permitted use classes subject to a site-specific qualification for 10 Smith Street and 17, 19 & 21 Anglesea Street, Wivenhoe. Amend the overlay maps to include a reference to the site specific qualifications.	1 July 2020	Map Text  Last IPS version (before TPS effective)
28	BUR UA1-2019 - Rezone part of 'Romaine Reserve', 13 Amanda Court, Romaine from Rural Resource to Open Space	28 November 2019	Map
27	2019-2 - Insert Bushfire-Prone Areas Overlay maps	4 October 2019	Map
26	BUR UA2-2018 - Amend site specific qualifications in 29.2 Use Table of the Environmental Management Zone for land at West Park, Burnie and modify the overlay maps to include a reference to the site specific qualification	4 January 2019	Map Text
25	BUR UA1-2018 - Rezone 3 Evans Street, Cooe (CT 126898/3) from General Residential to Commercial	10 August 2018	Map
24	Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes	1 July 2018	Text
23	BUR UA4-2017 - Amend Clause 9.6 - Access Over Land in Another Zone	25 January 2018	Text
22	BUR UA3-2017 - Rezone properties and associated roads at Terrylands Street, Hillcrest from General Residential to Local Business	25 September 2017	Text
21	BUR UA2-2017 - Insert the Airport Impact Management Code for the North West Regional Hospital Helipad	13 September 2017	Text
20	New code provisions applied under Planning Directive No. 5.1 – Bushfire-Prone Areas Code	1 September 2017	Text
19	BUR UA1-2017 - Rezone 136-138 Mount Street, Burnie from Open Space to Low Density Residential	18 July 2017	Map
18	BUR 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	Map
17	Interim Planning Directive No. 2 – Exemption and Standards for Visitor Accommodation in Planning Schemes	1 July 2017	Text

16	Minister issues Interim Planning Directive No. 1.1 – Bushfire-Prone Areas Code to apply to all interim planning schemes	23 February 2017	Text
15	BUR UA3-2016 - 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
14a	2016-72 - Rezone 2-4 Uplands Place, Park Grove from Community Purposes to General Residential.	7 November 2016	Map
14	BUR UA2-2016 - Correction of zoning translation errors, anomalies, clarifications and the removal of inconsistencies	13 September 2016	Text Map
13	BUR UA1-2016 - Correction of zoning translation errors, anomalies, clarifications and the removal of inconsistencies	24 August 2016	Text Map
12	Minister issues Interim Planning Directive No. 1 – Bushfire-Prone Areas Code to apply to all interim planning schemes	23 February 2016	Text
11	Minister issues Planning Directive No. 1 - The Format and Structure of Planning Schemes with minor modifications - see	17 February 2016	Text
10	BUR UA7-2015 - Enable adaptive use of State heritage listed properties in circumstances where that use would be prohibited by the relevant zone	5 February 2016	Text
9	BUR UA6-2015 - Amend the Port and Marine zone to include the entire Burnie operational port area, alter the Local Area Objectives and the planning scheme boundary	28 January 2016	Text Map
8	BUR UA5-2015 - Correction of errors, anomalies and inconsistencies following assessment into the Cradle Coast interim planning schemes	10 December 2015	Text
7	1 - Amend the planning scheme maps by inserting the Low Density Residential zone on CT 147655/1 and CT 66774/2	3 December 2015	Map
6	BUR UA4-2015 - Clarify provisions in relation to the use and development of polytunnels	25 September 2015	Text
5	BUR UA3-2015 - Correction of errors, anomalies and inconsistencies following assessment into the Cradle Coast interim planning schemes	25 September 2015	Text
4	BUR UA2-2015 - Amend the Environmental Living zone provisions to enable development on the Heybridge Estate	7 August 2015	Text

3	BUR 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
2	BUR UA2-2014 - Rezone Shorewell Plaza Shopping Centre, Shorewell from General Residential to Local Business	10 June 2015	Map
1	Commencement of scheme under the <i>Land Use Planning and Approvals Act 1993</i> s80K	1 April 2015	Version 1

## **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: Interim Planning Directive No. 3 applies from 4 September 2019**

Interim Planning Directive No. 3 – 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 Burnie 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.

Sheets 1 – 15 inclusive	Zoning
Sheets 16 – 30 inclusive	Code E6 – Landslide Hazard
Sheets 31 – 38 inclusive	Code E3 – Clearing and Conversion of Vegetation – clause E3.6.2

### 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 The following municipal strategies, policies and actions are implemented under provisions of this planning scheme -

- (a) Burnie Settlement and Investment Strategy to 2026 AEC May 2007
- (b) Burnie West Coastal Strategy (incorporating Master Planning for Camdale and Cooee Point) Ferndene Studio 2011
- (c) South Burnie Paper Mill Site Strategic Analysis AEC 2011
- (d) Burnie Industrial Land Strategy BCC 2006
- (e) Burnie Open Space Plan Inspiring Place 2011



## 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.
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.
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> <li>(c) it does not involve employment of more than 2 workers who do not reside at the dwelling;</li> <li>(d) any load on a utility is no greater than for a domestic use;</li> <li>(e) there is no activity that causes electrical interference to other land;</li> </ul>

	<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.
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	<p>means a lot:</p> <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>
land	means as defined in the Act.
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> .
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 Burnie City 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 open space	means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling.
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 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 bowzers, and vehicle lubricants and if such use is made of the land, includes:

	<p>(a) selling or installing of motor vehicle accessories or parts;</p> <p>(b) selling of food, drinks and other convenience goods;</p> <p>(c) hiring of trailers; and</p> <p>(d) servicing or washing of motor vehicles.</p>
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.
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 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.
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</i> (Commonwealth).
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.
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 General Exemptions

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.

5.0.1 Use or development described in subclauses 5.1 – 5.10 is exempt from requiring a permit under this planning scheme.

### 5.1 Occasional Use

5.1.1 The use of land for occasional sporting, social and cultural events.

### 5.2 Home Occupation

5.2.1 Use of part of a dwelling by a resident for non-residential purposes if:

- (a) no more than 40m<sup>2</sup> of floor area of the dwelling is used for non-residential purposes;
- (b) the person conducting the home occupation normally uses the dwelling as their principal place of residence;
- (c) it does not involve employment of persons other than a resident;
- (d) there is no more than the occasional visitor to the site for non-residential purposes;
- (e) any load on a utility is no greater than for a domestic use;
- (f) there is no activity that causes electrical interference to other land;
- (g) there is, on the site, no storage of hazardous materials;
- (h) there is, on the site, no display of goods for sale;
- (i) there is, on the site, no advertising of the home occupation other than 1 sign (non-illuminated) not exceeding 0.2m<sup>2</sup> in area;
- (j) there is, on the site, no refuelling, servicing or repair of vehicles not owned by a resident;
- (k) not more than 1 commercial vehicle is on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and
- (l) any vehicle used for non-residential purposes is parked on the site.

### 5.3 Minor Telecommunications

5.3.1 Telecommunications works within the scope of any of the following:

- (a) development of low impact facilities as defined in Part 3 of the Telecommunications (Low-impact Facilities) Determination 1997;
- (b) works involved in the inspection of land to identify suitability for telecommunications infrastructure;
- (c) development of a facility that has been granted a facility installation permit by the Australian Communications and Media Authority;

- (d) works involved in the maintenance of telecommunication infrastructure;
- (e) works meeting the transitional arrangements as defined in Part 2 of Schedule 3 of the *Telecommunications Act 1997*;
- (f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles; or
- (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.

## 5.4 Maintenance and Repair of Linear and Minor Utilities and Infrastructure

5.4.1 Maintenance and repair 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:

- (a) electricity, gas, sewerage, stormwater and water reticulation to individual streets, lots or buildings;
- (b) infrastructure such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines; and
- (c) minor infrastructure such as footpaths and cycle paths, playground equipment, seating and shelters, telephone booths, post boxes, bike racks, fire hydrants, drinking fountains, rubbish bins, public art, traffic control devices and markings, and the like on public land.

5.4.2 Maintenance and repair of jetties, wharfs, navigation aids, boat ramps or airports

## 5.5 Maintenance and Repair of Buildings

5.5.1 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.

## 5.6 Temporary Buildings or Works

5.6.1 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.

## 5.7 Emergency Works

5.7.1 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.

## 5.8 Strata Division

5.8.1 Division by strata titles of lawfully constructed or approved buildings for a use granted a permit under this planning scheme or previously lawfully approved.

## 5.9 Demolition of exempt buildings

5.9.1 The demolition in whole or in part of a building, the erection of which would be exempt under this planning scheme.

## 5.10 Change of Individual Use

5.10.1 This clause applies for a change of an individual use within a use class –

- (a) from a permitted type of business and professional services or general retail and hire to any other permitted type of business and professional services or general retail and hire on land in the Local Business, General Business or Central Business zone; or
- (b) from a permitted type of bulky goods and sales, equipment and machinery sales and hire, or service industry to another permitted type of bulky goods and sales, equipment and machinery sales and hire, or service industry on land in the Commercial zone; or
- (c) from a permitted type of manufacturing or processing, transport depot and distribution, service industry or storage to another permitted type of manufacturing or processing, transport depot and distribution, service industry or storage on land in the Light Industry or General Industry zones; or
- (d) from a permitted type of resource development dependent on the soil as a growth medium to another permitted type of resource development dependent on the soil as a growth medium on land in the Rural Resource zone.

5.10.2 A change in individual use is exempt if -

- (a) the changed use complies with the terms and conditions of a previously granted and lawful permit;
- (b) the changed use is not prohibited or is not a use for which a permit is discretionary under any other provision of this planning scheme;
- (c) the existing or changed use is not a Level 2 activity; and
- (d) there is no change in –
  - (i) gross floor area of the development for the use;
  - (ii) arrangements for traffic management and site access;
  - (iii) arrangements for provision and layout of on-site car parking;
  - (iv) arrangements for the loading or servicing of vehicles of the site;
  - (v) arrangements for the use of external areas on the site for display, operational activity or storage;
  - (vi) site treatment, including areas specified for location of landscaping and signs;
  - (vii) required capacity in utility services;
  - (viii) existing hours of operation if otherwise than between 8.00 am and 8.00 pm Monday to Saturday inclusive; and
  - (ix) the title description of the site on which the use is located.

## 5.11 Vehicle Crossings, Junctions and Level Crossings

5.11.1 Use or development of a vehicle crossing, junction or level crossing on a road or railway by or in accordance with the written consent of the relevant road or rail authority.

## 5.12 Navigational Aids

- 5.12.1 The erection, maintenance or repair of navigation aids, other than a lighthouse, 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

## 6.0 Limited Exemptions

### 6.1 Minor Structures and Outbuildings

- 6.1.1 A permit under this planning scheme is not required for a use or development described in subclauses 6.1.2 and 6.1.3 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.
- 6.1.2 If 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, hot water cylinders and air-conditioners.
- 6.1.3 Minor structures that are incidental to any use or development including:
- (a) a maximum of 2 masts for telecommunications or flagpoles provided each are no more than 6m in length;
  - (b) one satellite dish no more than 2m in diameter; and
  - (c) solar collector panels and photovoltaic cells on a roof.
- 6.1.4 A permit under this planning scheme is not required for a use or development described in subclauses 6.1.5 and 6.1.6 unless there is:
- (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;
  - (b) disturbance of more than 1m<sup>2</sup> of land that has been affected by a potentially contaminating activity;
  - (c) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area as shown in the planning scheme;
  - (d) the removal of any threatened vegetation; or
  - (e) land located within 30m of a wetland or watercourse.
- 6.1.5 Construction, placement or demolition of minor outbuildings or structures if:
- (a) no new outbuilding is closer to a street frontage than the main building is;
  - (b) the gross floor area of each outbuilding or structure does not exceed 9m<sup>2</sup> and a combined total area of such buildings or structures does not exceed 20m<sup>2</sup>;
  - (c) no side is longer than 3m;
  - (d) no part of the outbuilding or structure is higher than 2.4m above natural ground level;
  - (e) the maximum change of level as a result of cut or fill is 1m; and
  - (f) no part of the outbuilding encroaches on any service easement or is within 1m of any underground service.

- 6.1.6 Construction, placement or demolition of an unroofed deck not attached to or abutting a building, that has a floor level less than 1m above natural ground level and is at least 1m from any boundary.

## 6.2 Provision and Upgrades of Linear and Minor Utilities and Infrastructure

- 6.2.1 A permit under this planning scheme is not required for a use or development described in subclause 6.2.2 unless there is:

- (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;
- (b) disturbance of more than 1m<sup>2</sup> of land that has been affected by a potentially contaminating activity;
- (c) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme;
- (d) the removal of any threatened vegetation; or
- (e) land located within 30m of a wetland or watercourse.

- 6.2.2 The provision 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 the following utilities and infrastructure:

- (a) electricity, gas, sewerage, stormwater and water reticulation to individual streets, lots or buildings; and
- (b) footpaths and cycle paths, playground equipment, seating and shelters, telephone booths, post boxes, bike racks, fire hydrants, drinking fountains, rubbish bins, public art, traffic control devices and markings, and the like on public land.

- 6.2.3 A permit under this planning scheme is not required for a use or development described in subclause 6.2.4 unless there is:

- (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; or
- (b) the removal of any threatened vegetation.

- 6.2.4 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 such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines including:

- (a) minor widening or narrowing of existing carriageways; or
- (b) making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices and markings, street lighting and landscaping.

- 6.2.5 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 such as roads, rail lines, jetties, wharfs, navigation aids, boat ramps, airstrips, footpaths, cycle paths, drains, sewers, power lines and pipelines including:

- (a) minor widening or narrowing of existing carriageways; or

- (b) making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices and markings, street lighting and landscaping

### 6.3 Vegetation planting, clearing or modification

6.3.1 A permit under this planning scheme is not required for a use or development described in subclause 6.3.2 unless there is:

- (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;
- (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;
- (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;
- (d) disturbance of more than 1m<sup>2</sup> of land that has been affected by a potentially contaminating activity;
- (e) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme;
- (f) the removal of any threatened vegetation; or
- (g) land located within 30m of a wetland or watercourse.

6.3.2 The planting, clearing or modification of vegetation for any of the following purposes:

- (a) the landscaping and the management of vegetation:
  - (i) on pasture or cropping land, other than for plantation forestry on prime agricultural land; or
  - (ii) within a garden, national park, public park or state-reserved land, provided the vegetation is not protected by permit condition, an agreement made under Part 5 of the Act, covenant or other legislation;
- (b) clearance or conversion of a vegetation community in accordance with a forest practices plan certified under the Forest Practices Act 1985;
- (c) fire hazard management in accordance with a bushfire hazard management plan approved as part of subdivision or development;
- (d) fire hazard reduction required in accordance with the Fire Service Act 1979 or an abatement notice issued under the Local Government Act 1993;
- (e) fire hazard management in accordance with a bushfire hazard management plan endorsed by the Tasmanian Fire Service, Forestry Tasmania or the Parks and Wildlife Service;
- (f) to provide clearance of up to 1m for the maintenance, repair and protection of lawfully constructed buildings or infrastructure including roads, tracks, footpaths, cycle paths, drains, sewers, power lines, pipelines and telecommunications facilities;
- (g) for soil conservation or rehabilitation works including Landcare activities and the like and, provided that ground cover is maintained and erosion is managed, the removal or destruction of weeds declared under the Weed Management Act 1999;

- (h) the implementation of a vegetation management agreement or a natural resource, catchment, coastal, reserve or property management plan provided the agreement or plan has been endorsed or approved by the relevant agency;
- (i) 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;
- (j) within 1m of a title boundary for the purpose of erecting or maintaining a boundary fence.

## 6.4 Fences

6.4.1 A permit under this planning scheme is not required for a use or development described in subclause 6.4.2 unless there is:

- (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;
- (b) the removal of any threatened vegetation; or
- (c) land located within 30m of a wetland or watercourse.

6.4.2 The construction or demolition of:

- (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;
- (b) boundary fences adjoining a road or public reserve or within 4.5m of the site's primary frontage, and not more than a total height of 1.2m above natural ground level;
- (c) retaining walls, set back more than 1.5m from a boundary, and which retain a difference in ground level of less than 1m;
- (d) fencing of agricultural land or for protection of wetlands and watercourses;
- (e) fencing for security purposes, no higher than 2.8m, that is within the Port and Marine Zone;
- (f) fencing for security purposes, no higher than 2.8m, at an airport; and
- (g) temporary fencing associated with occasional sporting, social and cultural events, construction works and for public safety.

## 6.5 Buildings and Works in the Rural Resource Zone or Significant Agricultural Zone

6.5.1 A permit under this planning scheme is not required for a use or development described in subclauses 6.5.2 and 6.5.3 unless there is:

- (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;
- (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;
- (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;



- (d) disturbance of more than 1m<sup>2</sup> of land that has been affected by a potentially contaminating activity;
  - (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
  - (f) the removal of any threatened vegetation.
- 6.5.2 The construction of buildings or works, other than a dwelling, in the Rural Resource Zone or the Significant Agricultural Zone, that are directly associated with, and a subservient part of, an agricultural use if:
- (a) individual buildings do not exceed 100m<sup>2</sup> in gross floor area;
  - (b) the setback from all property boundaries is not less than 30m;
  - (c) no part of the building or works are located within 30m of a wetland or watercourse;
  - (d) no part of the building or works encroach within any service easement or within 1m of any underground service; and
  - (e) the building or works are not located on prime agricultural land.
- 6.5.3 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.

## **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) details of the location of the proposed use or development;
  - (b) a copy of the current certificate of title for the site to which the permit sought is to relate, including the title plan and any schedule of easements;
  - (c) a full description of the proposed use or development; and
  - (d) a description of the manner in which the proposed use or development will operate.
- 8.1.3 In addition to the information that is required by clause 8.1.2 to be included in an application, a planning authority may, in order to enable it to consider an application, request such further or additional information as the planning authority considers necessary or desirable to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or specific area plan, applicable to the use or development including:
  - (a) a site analysis and site plan at an acceptable scale showing:
    - (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, and trees and vegetation to be removed;
  - (vii) the location and capacity of any existing services or easements on the site or connected to the site;
  - (viii) existing pedestrian and vehicle access to the site;
  - (ix) the location of existing and proposed buildings on the site;
  - (x) the location of existing adjoining properties, adjacent buildings and their uses;
  - (xi) any natural hazards that may affect use or development on the site;
  - (xii) proposed roads, driveways, car parking areas and footpaths within the site;
  - (xiii) any proposed open space, communal space, or facilities on the site;
  - (xiv) main utility service connection points and easements;
  - (xv) proposed subdivision lot boundaries, where applicable.
- (b) 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 showing:
- (i) the internal layout of each building on the site;
  - (ii) the private open space for each dwelling;
  - (iii) external storage spaces;
  - (iv) car parking space location and layout;
  - (v) major elevations of every building to be erected;
  - (vi) the relationship of the elevations to natural 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;
  - (viii) materials and colours to be used on roofs and external walls.
- (c) where it is proposed to erect buildings, a plan of the proposed landscaping:
- (i) planting concept;
  - (ii) paving materials and drainage treatments and lighting for vehicle areas and footpaths; and
  - (iii) plantings proposed for screening from adjacent sites or public places.

## 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
- 8.2.2 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.
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.
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.
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.
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 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	use of land for utilities and infrastructure including: <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> </ul>

	<p>(f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</p> <p>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.</p>
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 [S1]	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 in 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 a 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, an application for demolition may be approved at the discretion of the planning authority having regard to:

- (a) the purpose of the applicable zone;

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

## 9.5 Change of Use of a Heritage Place

9.5.1 Notwithstanding any other provision of this planning scheme, whether specific or general, the planning authority may at its discretion approve an application for a site containing a building, area or place included on the Tasmanian Heritage Register in accordance with the *Historic Cultural Heritage Act 1995* for one or both of the following –

- (a) a use that would otherwise be prohibited;
- (b) development that would otherwise not be permitted.

9.5.2 The planning authority may approve such an application if the proposed use or development would facilitate the restoration, conservation and future maintenance of the historic cultural heritage significance under the *Historic Cultural Heritage Act 1995* for the building, area or place, provided the approved use or development does not conflict with any mandatory provision required under the *Land Use Planning and Approvals Act 1993*.

9.5.3 In determining an application the planning authority must have regard to all of the following –

- (a) the purpose and provisions of the zone and any applicable codes;
- (b) the potential for land use conflicts with the use and development permissible under the planning scheme applying for the site and for land in the vicinity of the site;
- (c) the degree to which the restoration, conservation and future maintenance of the historic cultural heritage significance of the place is dependent upon the establishment of the proposed use or development.

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

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.

# 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

This zone applies for land at -

- (a) Suburban residential area 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

No Permit Required	
Use Class	Qualification
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
Permitted	
Use Class	Qualification
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><li>(b) a gross floor area of not more than 300m<sup>2</sup></li></ul>
Community meeting and entertainment	If – <ul style="list-style-type: none"><li>(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</li></ul>

	(b) a gross floor area of not more than 300m <sup>2</sup>
Education and occasional care	<p>If –</p> <ul style="list-style-type: none"> <li>(a) long day care, before or after school care, occasional care, or out-of-school hours care;</li> <li>(b) a day respite centre;</li> <li>(c) pre-school, primary or secondary education to Year 10; or</li> <li>(d) an employment training centre.</li> </ul>
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> <ul style="list-style-type: none"> <li>(a) not licensed premises;</li> <li>(b) not including a drive-through facility; and</li> <li>(c) seating capacity for not more than 20 people</li> </ul>
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> <ul style="list-style-type: none"> <li>(a) based on a building, area or place of regulated scientific, aesthetic, architectural or historic interests or otherwise of special cultural value; and</li> <li>(b) not a visitor's information centre</li> </ul>
Utilities	If minor utilities;
Visitor accommodation	<p>If –</p> <ul style="list-style-type: none"> <li>(a) in a building; and</li> <li>(b) guest accommodation for not more than 16 people</li> </ul>
<b>Discretionary</b>	

Use Class	Qualification
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>	
Use Class	Qualification
All other uses	

### 10.3 Use Standards

#### 10.3.1 Discretionary Permit Use

<b>Objective:</b>	
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>

#### 10.3.2 Impact of Use

<b>Objective:</b>	
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	<b>P1</b> Use that is not in a residential use must –

least one residential use on the same street frontage.	<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>
<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> <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 – <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> </li> </ul>
<b>A3</b>  Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm	<b>P3</b>  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

## 10.4 Development Standards

### 10.4.1 Residential density for multiple dwellings

<b>Objective:</b>
To provide for suburban densities for multiple dwellings that: <ul style="list-style-type: none"> <li>(a) make efficient use of suburban land for housing; and</li> </ul>



(b) optimise the use of infrastructure and community services.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m<sup>2</sup>; or</p> <p>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</p>	<p><b>P1</b></p> <p>Multiple dwellings must only have a site area per dwelling that is less than 325 m<sup>2</sup>, or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:</p> <p>(a) is compatible with the density of the surrounding area; or</p> <p>(b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:</p> <p>(i) the site is wholly or partially within 400 m walking distance of a public transport stop;</p> <p>(ii) the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone.</p>

Table 10.4.1

Density area	Site area per dwelling (m <sup>2</sup> )
This clause does not apply	

#### 10.4.2 Setbacks and building envelope for all dwellings

<b>Objective:</b>	
<p>To control the siting and scale of dwellings to:</p> <p>(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and</p> <p>(b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and</p> <p>(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and</p> <p>(d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more</p>	<p><b>P1</b></p> <p>A dwelling must:</p> <p>(a) have a setback from a frontage that is compatible with the existing dwellings in</p>

<p>than 0.6 m 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, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</li> <li>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</li> <li>(c) if for a vacant site with existing dwellings on adjoining sites on the 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; or</li> <li>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</li> </ul>	<p>the street, taking into account any topographical constraints; and</p> <ul style="list-style-type: none"> <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><b>A2</b></p> <p>A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> <li>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</li> </ul>	<p><b>P2</b></p> <p>A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.</p>
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> <li>(a) not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</li> </ul> </li> </ul>

<p>distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</p> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>(iii) overshadowing of an adjoining vacant lot; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</p> <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
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Table 10.4.2

Road	Setback (m)
Bass Highway	50
Burnie Truck Route (Massy-Greene Drive)	50

Diagram 10.4.2A. Building envelope as required by subclause 10.4.2 A3 (a).

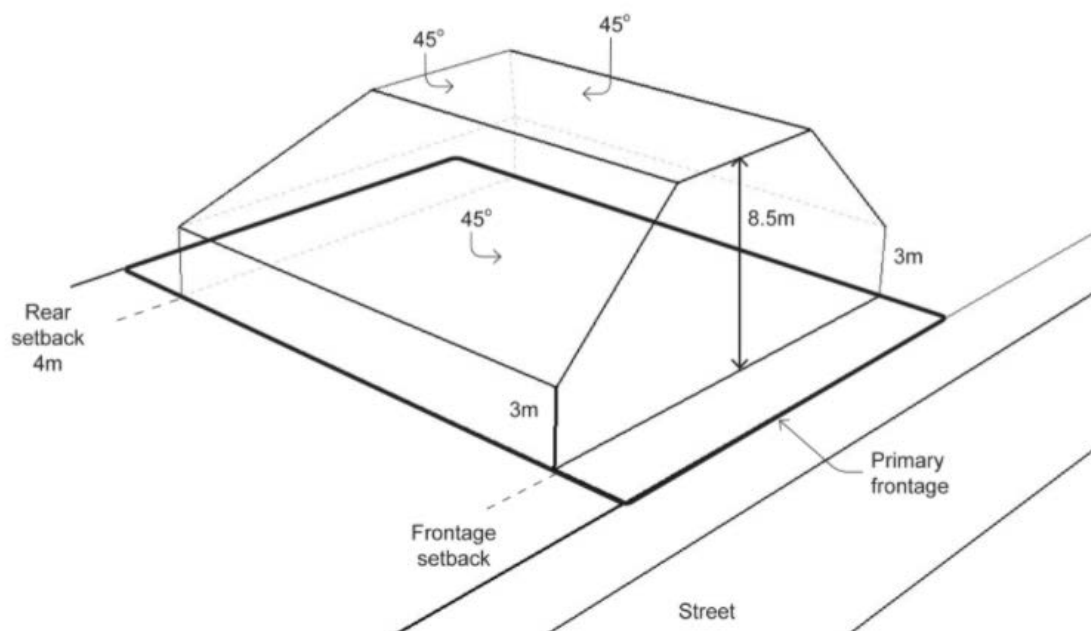


Diagram 10.4.2B. Building envelope for sloping sites as required by subclause 10.4.2 A3(a).

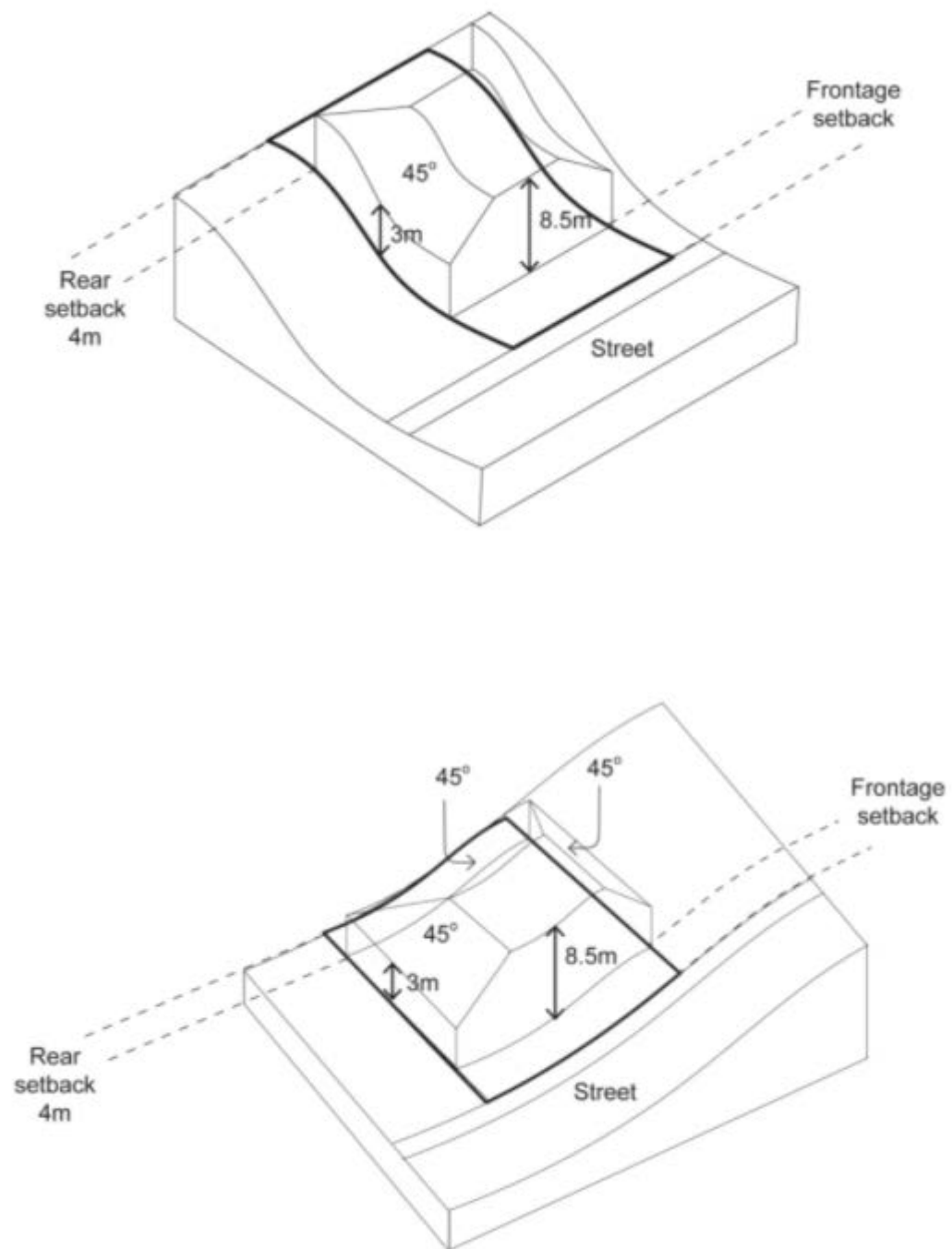


Diagram 10.4.2C. Building envelope for corner lots as required by subclause 10.4.2 A3(a).

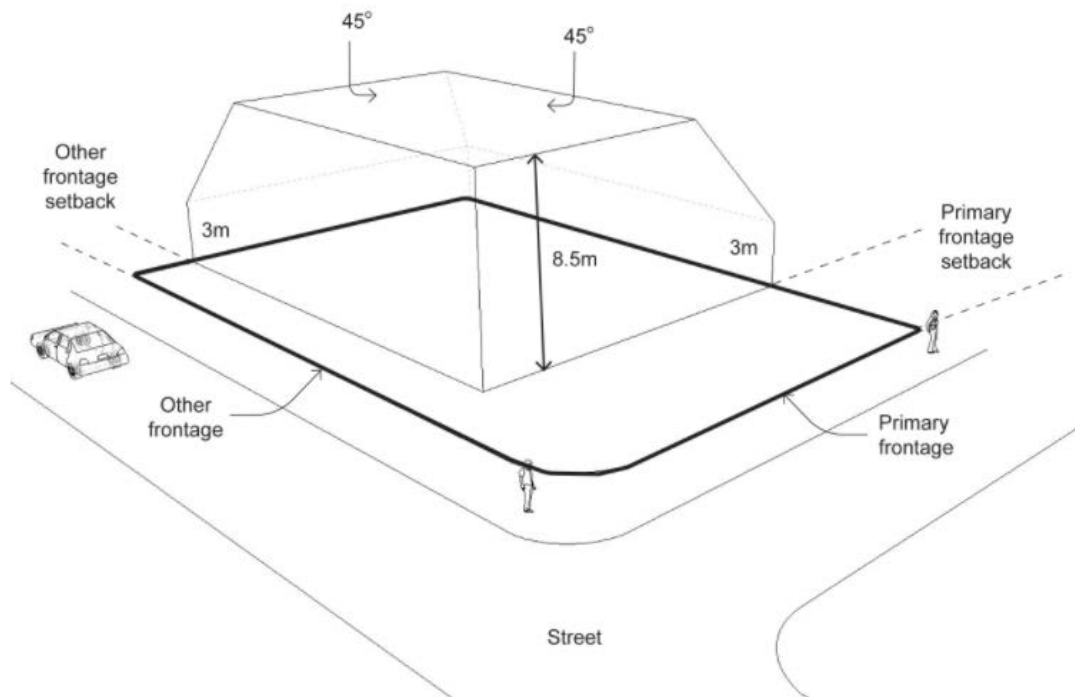
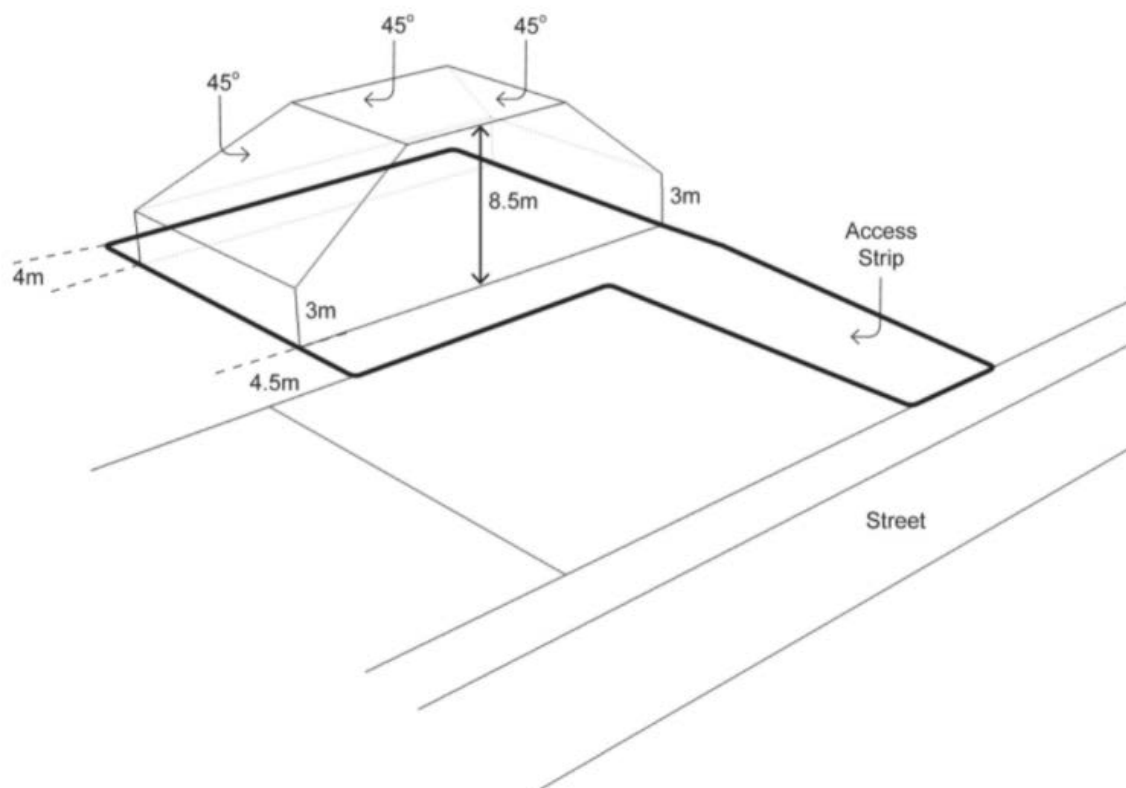


Diagram 10.4.2D. Building envelope for internal lots as required by subclause 10.4.2 A3(a).



#### 10.4.3 Site coverage and private open space for all dwellings

<b>Objective:</b>	
<p>To provide:</p> <ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents; and</li> <li>(b) opportunities for the planting of gardens and landscaping; and</li> <li>(c) private open space that is integrated with the living areas of the dwelling; and</li> <li>(d) private open space that 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 0.6 m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>	<p><b>P1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) private open space that is of a size and 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 communal 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>(b) reasonable space for the planting of gardens and landscaping.</li> </ul>
<p><b>A2</b></p> <p>A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> <li>(a) is in one location and is at least: <ul style="list-style-type: none"> <li>(i) 24 m<sup>2</sup>; or</li> <li>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> <li>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is: <ul style="list-style-type: none"> <li>(i) conveniently located in relation to a living area of the dwelling; and</li> <li>(ii) orientated to take advantage of sunlight.</li> </ul> </li> </ul>

<p>the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	
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#### 10.4.4 Sunlight and overshadowing for all dwellings

<b>Objective:</b>	
<p>To provide:</p> <p>(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and</p> <p>(b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>	<p><b>P1</b></p> <p>A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p><b>A2</b></p> <p>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p>	<p><b>P2</b></p> <p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>

<ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>	
<p><b>A3</b></p> <p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>	<p><b>P3</b></p> <p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3.</p>



Diagram 10.4.4A. Orientation of a window of a habitable room as specified in subclause 10.4.4 A1, A2 and P2.

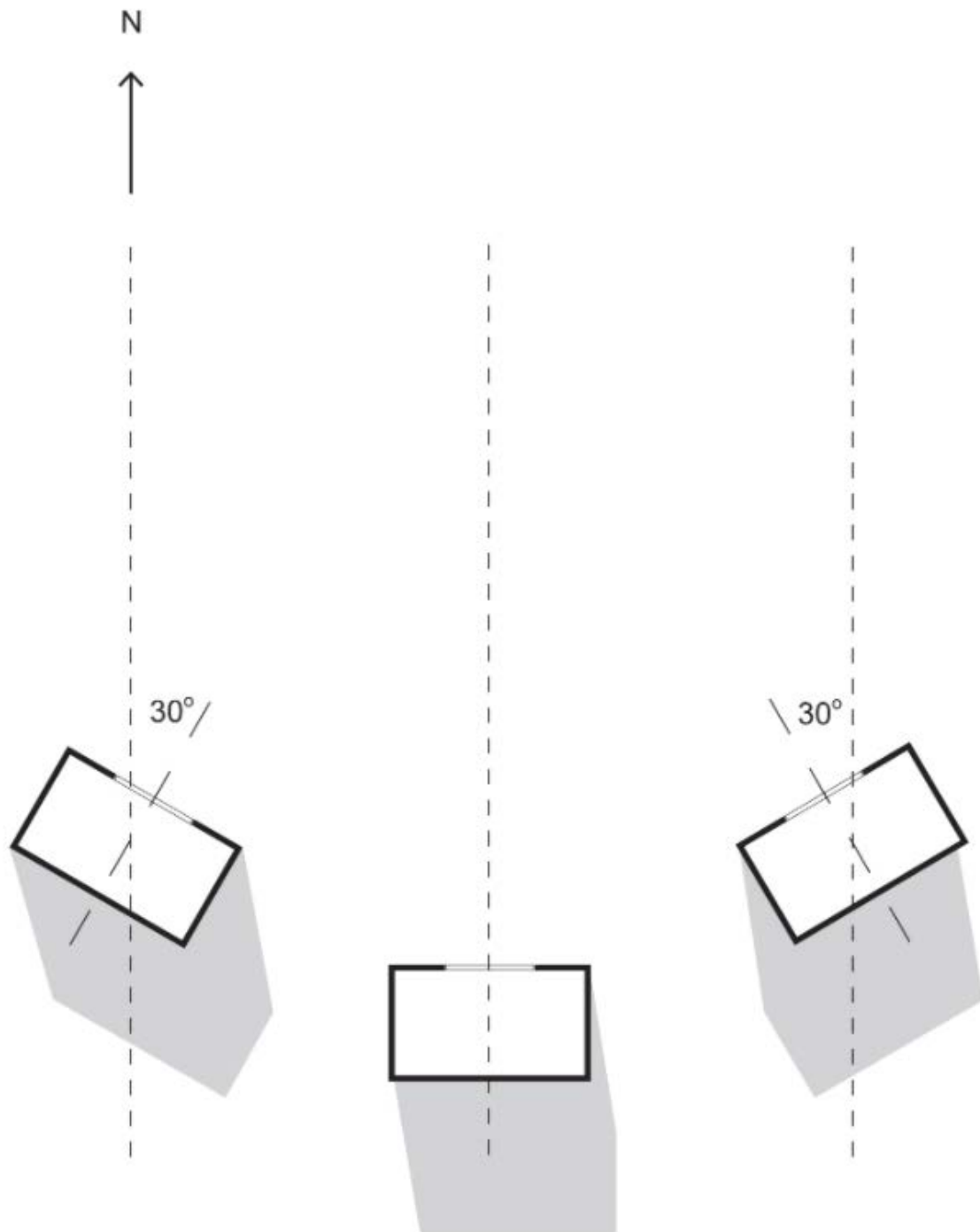


Diagram 10.4.4B. Separation from a north-facing window of a habitable room, of another dwelling on the same site, as required by subclause 10.4.4 A2(a).

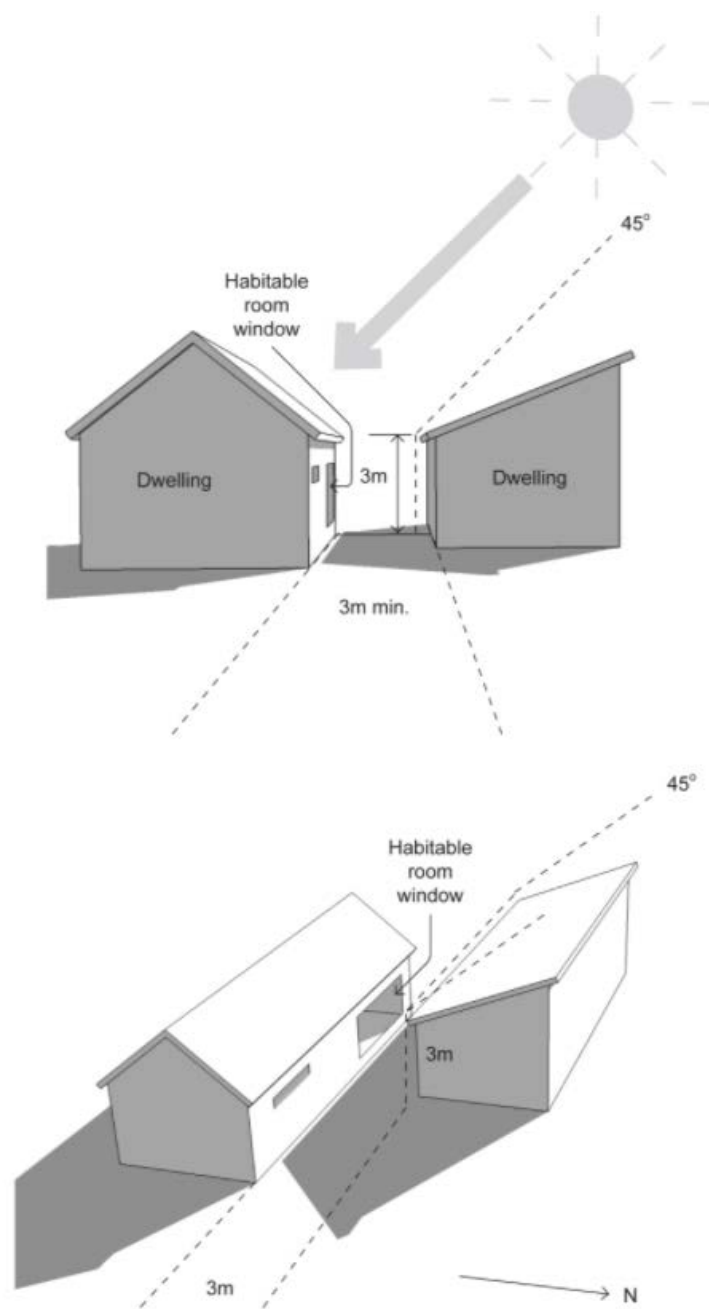
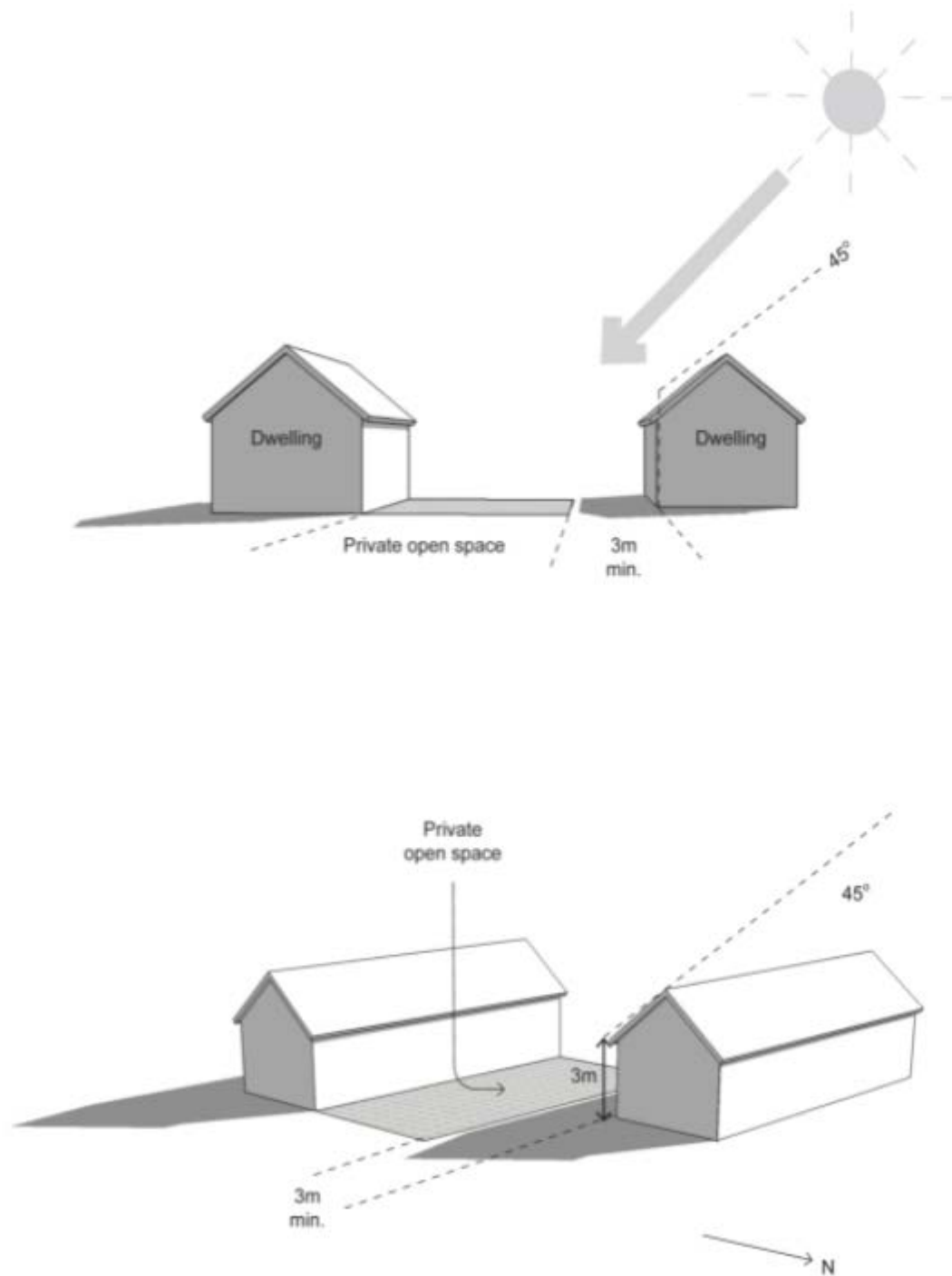


Diagram 10.4.4C. Separation from the private open space of another dwelling on the same site as required by subclause 10.4.4 A3(a).



#### 10.4.5 Width of openings for garages and carports for all dwellings

<b>Objective:</b>	
To reduce the potential for garage or carport openings to dominate the primary frontage.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

A garage or carport within 12 m 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 6 m or half the width of the frontage (whichever is the lesser).	A garage or carport 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.
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#### 10.4.6 Privacy for all dwellings

<b>Objective:</b>	
To provide 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 (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <ul style="list-style-type: none"> <li>(a) a dwelling on an adjoining lot or its private open space; or</li> <li>(b) another dwelling on the same site or its private open space; or</li> <li>(c) an adjoining vacant residential lot.</li> </ul>
<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 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> <li>(a) The window or glazed door:</li> </ul>	<p><b>P2</b></p> <p>A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural 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 at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4 m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m 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 at least 6 m 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, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m 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 at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<ul style="list-style-type: none"> <li>(a) window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling; and</li> <li>(c) an adjoining vacant residential lot.</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 at least:</p> <ul style="list-style-type: none"> <li>(a) 2.5 m; or</li> <li>(b) 1 m if: <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7 m in height; or</li> <li>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a</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 detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

height of at least 1.7 m above the floor level.	
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#### 10.4.7 Frontage fences for all dwellings

<b>Objective:</b>	
To control the height and transparency of frontage fences to:	
(a) provide adequate privacy and security for residents; and (b) allow the potential for mutual passive surveillance between the road and the dwelling; and (c) provide reasonably consistent height and transparency.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	<b>P1</b> A fence (including a free-standing wall) within 4.5 m of a frontage must: (a) provide for the security and privacy of residents, while allowing for mutual passive surveillance between the road and the dwelling; and (b) be compatible with the height and transparency of fences in the street, taking into account the: (i) topography of the site; and (ii) traffic volumes on the adjoining road.

#### 10.4.8 Waste storage for multiple dwellings

<b>Objective:</b>	
To provide for the storage of waste and recycling bins for multiple dwellings.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m <sup>2</sup> per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and	<b>P1</b> A multiple dwelling development must provide storage, for waste and recycling bins, that is: (a) capable of storing the number of bins required for the site; and (b) screened from the frontage and dwellings; and (c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.

(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	
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#### 10.4.9 Suitability of a site or lot for use or development

<b>Objective:</b>	
<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>(iv) clear of any registered right of way benefiting other land;</p> <p>(v) clear of any restriction imposed by a utility;</p> <p>(vi) not including an access strip;</p> <p>(vii) accessible from a frontage or access strip; and</p> <p>(viii) if a new residential lot, with a long axis within the range 30o east of north and 20o west of north</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> <p>(v) any easement or lawful entitlement for access to other land; and</p> <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>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>(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> <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) 3.6 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> <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>	<ul style="list-style-type: none"> <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 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 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 sewage 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 be capable of draining and disposing of</p>	<p><b>P5</b></p> <p>It must be unnecessary to require the drainage of stormwater</p>



stormwater to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>	
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#### 10.4.10 Dwelling density for single dwelling development

##### **Objective:**

Residential dwelling density [R2] is to –

- (a) make efficient use of suburban land for housing;
- (b) optimise utilities and community services; and
- (c) be not less than 12 and not more than 30 dwellings per hectare

##### **Acceptable Solutions**

###### **A1**

- (a) The site area per dwelling for a single dwelling must –
  - (i) be not less than 325m<sup>2</sup>

##### **Performance Criteria**

###### **P1**

- Dwelling density for a single dwelling must be on a site constrained for residential development at suburban densities as a result of –
- (a) size and shape of the site;
  - (b) physical and topographic conditions;
  - (c) capacity of available and planned utilities;
  - (d) arrangements for vehicular or pedestrian access;
  - (e) unacceptable level of risk from exposure to a natural hazard listed in a Code that is part of this planning scheme;
  - (f) contamination;
  - (g) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;
  - (h) a utility; or
  - (i) any lawful and binding requirement –
    - (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
    - (ii) an interest protected at law by an easement or other regulation

##### **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

<b>Objective:</b>	
<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>	
<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> <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 A1 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> </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</li> </ul>

<p>(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;</p> <p>(c) projecting a line at an angle of 45o 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 –</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 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.</p> <p>(d) in accordance with any building envelope shown on a sealed plan of subdivision</p>	<p>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) provide separation between buildings to attenuate impact</p>
<p><b>A3</b></p> <p>Site coverage must -</p> <p>(a) not be more than 50%; or</p> <p>(b) not be more than any building area shown on a sealed plan of subdivision</p>	<p><b>P3</b></p> <p>Site coverage must –</p> <p>(a) provide a usable area for private open space, landscaping, vehicle parking, and service activity; and</p> <p>(b) be consistent with the streetscape</p>
<p><b>A4</b></p> <p>A garage, car port or external parking area and any area for the display, handling, or storage of</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>

goods, materials or waste, must be located behind the primary frontage of a building	<ul style="list-style-type: none"> <li>(a) be consistent with the streetscape;</li> <li>(b) be required by a constraint imposed by size, shape, slope, orientation, and topography on development of the site; and</li> <li>(c) provide durable physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</li> </ul>
<b>A5</b> 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 – <ul style="list-style-type: none"> <li>(a) 6.0m; or</li> <li>(b) half the width of the frontage</li> </ul>	<b>P5</b> 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

Table to Clause 10.4.11.1 A1

Road	Setback (m)
Bass Highway	50
Burnie Truck Route (Massy-Greene Drive)	50
Ridgley Highway	50

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

<b>Objective:</b>	
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>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> 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 – <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> </ul> </li> </ul>	<b>P1</b> 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 – <ul style="list-style-type: none"> <li>(a) physical separation from the door, window balcony, deck, roof garden, parking space, or carport 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> </ul>

<ul style="list-style-type: none"> <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>	<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 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

<p><b>Objective:</b></p>	
<p>Other than for a dwelling, a frontage fence is to –</p> <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>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<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> </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>

(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%.	
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#### 10.4.12 Setback of development for sensitive use

<b>Objective:</b>	
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	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> A building containing a sensitive use must be contained within a building envelope determined by – (a) the setback distance from the zone boundary as shown in the Table to this clause; and (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 required setback distance from the zone boundary	<b>P1</b> The location of a building containing a sensitive use must – (a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and (b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use
<b>A2</b> Development for a sensitive use must be not less than 50m from – (a) a major road identified in the Table to this clause; (b) a railway; (c) land designated in the planning scheme for future road or rail purposes; or (d) a proclaimed wharf area	<b>P2</b> Development for a sensitive use must – (a) have minimal impact for safety and efficient operation of the transport infrastructure; and (b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or (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

Table to Clause 10.4.12 A1

Adjoining Zone	Setback distance (m) 1
Local Business	4.0
Central Business	4.0
Commercial	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
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

Road	Setback (m)
Bass Highway	50
Burnie Truck Route (Massy-Greene Drive)	50
Ridgley Highway	

#### 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	
Acceptable Solutions	Performance Criteria
<b>A1</b> Each new lot on a plan of subdivision must be – (a) intended for residential use; (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	<b>P1</b> Each new lot on a plan of subdivision must be – (a) for a purpose permissible in the zone
<b>A2</b> A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot	<b>P2</b> (a) An internal lot on a plan of subdivision must be –

	<ul style="list-style-type: none"> <li>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by – <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> </li> <li>(ii) without likely impact on the amenity of adjacent land</li> </ul>
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#### 10.4.1 Reticulation of an electricity supply to new lots on a plan of subdivision

<b>Objective:</b>	
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

## 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

## 12.2 Use Table

No Permit Required	
Use Class	Qualification
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
Permitted	
Use Class	Qualification
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> <li>(b) a gross floor area of not more than 300m<sup>2</sup></li> </ul>
Community meeting and entertainment	If - <ul style="list-style-type: none"> <li>(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</li> <li>(b) a gross floor area of not more than 300m<sup>2</sup></li> </ul>
Education and occasional care	If – <ul style="list-style-type: none"> <li>(a) long day care, before or after school care, occasional care, or out-of-school hours care;</li> <li>(b) a day respite centre;</li> <li>(c) pre-school, primary or secondary education to Year 10; or</li> </ul>

	(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
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	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>	
<b>Use Class</b>	<b>Qualification</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>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 12.3 Use Standards

### 12.3.1 Discretionary Permit Use

<b>Objective:</b>	
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>

### 12.3.2 Impact of Use

<b>Objective:</b>	
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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<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>	<b>P2</b> Use that is not in a residential use must –

Permitted non-residential use must not generate more than 40 average daily vehicle movements.	<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; 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>
<b>A3</b> Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm	<b>P3</b> 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

## 12.4 Development Standards

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

<b>Objective:</b>	
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>
<b>A1</b> A site or each lot on a plan of subdivision must – <ul style="list-style-type: none"> <li>(a) have an area of -</li> </ul>	<b>P1</b> A site or each lot on a plan of subdivision must <ul style="list-style-type: none"> <li>(a) be of sufficient area for the intended use or development without likely constraint or interference for –</li> </ul>

<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>	<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> <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 –</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 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</li> </ul> </li> </ul> </li> </ul>

<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> <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) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) from a rechargeable drinking water system [R4] 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> <li>b. a use with an equivalent population of not more than 10 people per day</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>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> <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 -</li> </ul> </li> </ul>	<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> <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> </ul> </li> </ul>

<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> <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>	<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 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 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> <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 stormwater 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> <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> </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 and dispose of 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 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> </ul> </li> </ul>



d. the disposal area is not within any access strip; and e. not more than 50% of the site is impervious surface; and (iii) the development is for a single dwelling	(vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or (b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater
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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 – (a) make efficient use of land for housing; (b) optimise utilities and community services; and (c) be consistent with any constraint on suitability of the land for residential use	
Acceptable Solutions	Performance Criteria
<b>A1</b> The site area per dwelling must – (a) be not less than 500m <sup>2</sup> if the site has – (i) connection to a reticulated water supply; (ii) connection to a reticulated sewer system; and (iii) connection to a stormwater system; or (b) if the site is in a locality shown in the Table to this Clause, not less than the site area for that locality.	<b>P1</b> The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of – (a) a suitable building area; (b) access from a road; (c) provision of a water supply; (d) disposal of sewage; (e) disposal of stormwater; and (f) a tolerable level of risk from a natural hazard.

Table to Clause 12.4.2 A1

Locality	Site Area per dwelling (m <sup>2</sup> )
1 Young Street, South Burnie (CT 43539/1)	2500
2A Brooklyn Road, South Burnie (CT 124801/1)	2500

### 12.4.3 Location and configuration of development

<b>Objective:</b>	
<p>The location and configuration of development is to –</p> <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> <li>(e) provide for the facade of a residential building to remain the dominant architectural element in the streetscape; and</li> <li>(f) separate adjacent buildings to provide reasonable opportunity for daylight and sunlight to habitable rooms and to private open space areas; and</li> </ul>	
<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> <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 wall 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>All buildings must be contained within a building envelope determined by-</p>	<p><b>P2</b></p>

<ul style="list-style-type: none"> <li>(a) the applicable frontage setback;</li> <li>(b) if the site is in a locality shown in the Table to this Clause, not less than the setback distance specific from the feature specified;</li> <li>(c) projecting a line at an angle of 45o 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 - <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 wall height is not more than 3.0m; and – <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 - <ul style="list-style-type: none"> <li>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</li> <li>b. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21st June; or</li> </ul> </li> </ul> </li> </ul> </li> </ul> </li> <li>(d) in accordance with any building envelope shown on a sealed plan</li> </ul>	<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> <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>
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<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) if the site is in a locality shown in the Table to this Clause, not more than the site coverage for that locality; and</li> <li>(c) not include any part of a site required for the disposal of sewage or stormwater; or</li> <li>(d) be not more than any building area shown on a sealed plan</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, and vehicle parking and service activity;</li> <li>(b) retain capacity in any area required for disposal of sewage or stormwater; and</li> <li>(c) be consistent with the streetscape</li> </ul>
<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> <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 physical screening to attenuate appearance of the parking or loading area from a frontage and adjacent land</li> </ul>
<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> <ul style="list-style-type: none"> <li>(a) 6.0m; or</li> <li>(b) half the width of the frontage</li> </ul>	<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>

Table to Clause 12.4.3 A1

Road	Setback (m)
Bass Highway	50
Burnie Truck Route (Massy-Greene Drive) between Bass Highway and Old Surrey Road	50

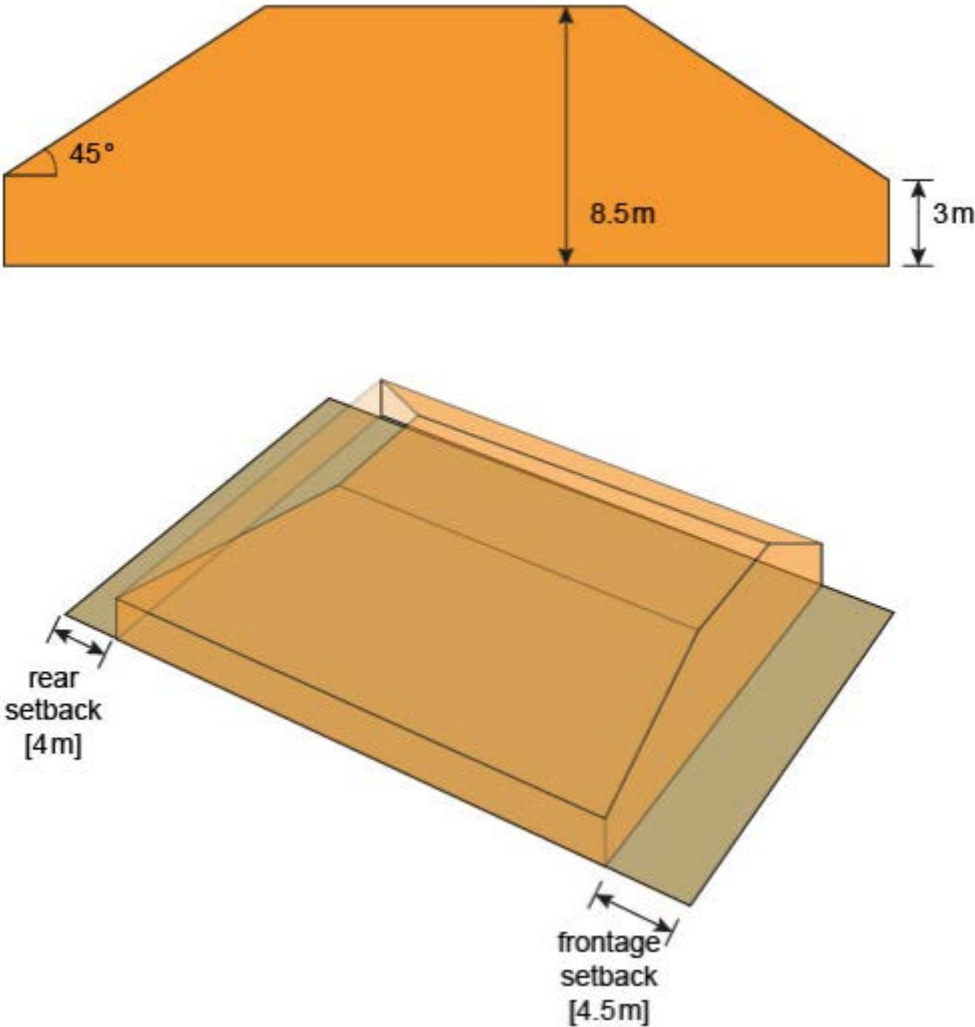
Table to Clause 12.4.3 A2

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 – (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	
Acceptable Solutions	Performance Criteria
<b>A1</b> 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 –	<b>P1</b> Likelihood for overlooking from a door or window in a habitable room or from any part of

<p>(a) if the finished floor level is more than 1.0m above natural ground level -</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 A1(a) -</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 in another dwelling;</li> <li>(ii) have a window sill height of not less than 1.8m above finished floor level;</li> <li>(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</li> <li>(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</li> </ul>	<p>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><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

<b>Objective:</b>	
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 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><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) 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</p>	<p><b>P3</b></p> <p>Arrangements must be made for the storage of waste –</p>

dwelling in a multiple dwelling development must have access to a waste storage area –	(a) with sufficient size and area to serve requirements of the site;
(a) located behind the applicable frontage setback;	(b) screened to view from the frontage and from dwellings; and
(b) of not less than 1.5m <sup>2</sup> per dwelling;	(c) separated from a dwelling to attenuate noise and odour.
(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

<b>Objective:</b>	
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> The height of a fence, including any supporting retaining wall, on a frontage or within a frontage setback must be –	<b>P1</b> 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

<b>Objective:</b>	
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	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> A building containing a sensitive use must be contained within a building envelope determined by –	<b>P1</b> The location of a building containing a sensitive use must –
	(a) minimise likelihood for conflict, constraint or interference by the sensitive use on



<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>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

<b>Adjoining Zone</b>	<b>Setback distance (m)</b>
Local 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 12.4.7 A2

Road	Setback (m)
Bass Highway	50
Burnie Truck Route (Massy-Greene Drive)	50

12.4.8 Subdivision

<b>Objective:</b>	
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> <ul style="list-style-type: none"> <li>(a) intended for residential use;</li> <li>(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</li> </ul>	<p><b>P1</b></p> <p>Each new lot on a plan of subdivision must be –</p> <ul style="list-style-type: none"> <li>(a) for a purpose permissible in the zone</li> </ul>
<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> <ul style="list-style-type: none"> <li>(a) An internal lot on a plan of subdivision must be – <ul style="list-style-type: none"> <li>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by – <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> </li> <li>(ii) without likely impact on the amenity of adjacent land</li> </ul> </li> </ul>

#### 12.4.9 Reticulation of an electricity supply to new lots on a plan of subdivision

<b>Objective:</b>	
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 Desired Future Character Statements

- 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

## 13.2 Use Table

No Permit Required	
Use Class	Qualification
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
Permitted	
Use Class	Qualification
Community meeting and entertainment	If - <ul style="list-style-type: none"> <li>(a) not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition</li> </ul>

	<p>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>
Domestic animal breeding, boarding and training	<p>If -</p> <p>(a) not for commercial activity; and</p> <p>(b) not for an animal pound.</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) school education to Year 6</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) including a drive through in take away food premises;</p> <p>(c) gross floor area of not more than 300m<sup>2</sup>; or</p> <p>(d) seating capacity for not more than 20 people</p>
General retail and hire	If a local shop
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	<p>If –</p> <p>(a) based on a building, area, or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; and</p> <p>(b) not a visitor's information centre</p>
Utilities	If minor utilities
Visitor accommodation	<p>If -</p> <p>(a) in a building; and</p>

	(b) guest accommodation for not more than 16 people
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</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	
Visitor accommodation	
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

### 13.3 Use Standards

#### 13.3.1 Discretionary permit use

<b>Objective:</b>	
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 - (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

### 13.3.2 Impact of use

<b>Objective:</b>	
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	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<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> <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 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; 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>
<b>A3</b> Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm	<b>P3</b> 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
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## 13.4 Development Standards

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

<b>Objective:</b>	
<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>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> <li>(ix) 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 –</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> <li>(iv) provision for management of exposure to natural hazards;</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>(v) provision of an accessible building area;</li> <li>(vi) compliance to the acceptable solution criteria in any applicable standard for location and separation of a building;</li> <li>(vii) arrangements for the convenient provision of roads and access to the land;</li> <li>(viii) arrangements for the provision of a water supply and for the drainage and disposal of sewage and stormwater;</li> <li>(ix) any restriction or requirement of a lawful easement or statutory interest in the land; and</li> <li>(x) 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 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><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> <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</li> </ul>

	<p>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) from a connection to a water supply provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) from a rechargeable drinking water system R6 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 trade waste –</p> <p>(a) to a reticulated sewer 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 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</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 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>accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip</p>	<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> <p>(b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or 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> <ul style="list-style-type: none"> <li>(a) for discharge to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</li> <li>(b) if stormwater 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> <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> </li> <li>(iii) the development is for a single dwelling</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 and dispose of stormwater – <ul style="list-style-type: none"> <li>(i) to accommodate the anticipated stormwater -</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> </li> <li>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</li> </ul>

Table to Clause 13.4.1 A1

Locality	Site Area
This clause does not apply	

13.4.2 Dwelling density

Objective:	
<p>Residential dwelling density [R7] is to –</p> <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 boundary and from adjacent buildings;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(vii) arrangements for the convenient provision of roads and access to the land;</li> <li>(viii) arrangements for the provision of a water supply and for the drainage and disposal of sewage and stormwater;</li> <li>(ix) any restriction or requirement of a lawful easement or statutory interest in the land; and</li> <li>(x) opportunity for solar access to each building</li> </ul>
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Table to Clause 13.4.2 A1

Locality	Site Area per dwelling
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.

13.4.3 Location and configuration of development

<b>Objective:</b>	
<p>The location and configuration of development is to –</p> <ul style="list-style-type: none"> <li>(a) provide for retention of the rural setting;</li> <li>(b) be consistent with land capability;</li> <li>(c) provide a consistent separation between the development area on adjacent sites and between development and a road;</li> <li>(d) provide consistency in the apparent scale, bulk, massing, and proportion of adjacent buildings;</li> <li>(e) provide sufficient site area for open space, utilities, and vehicle parking; and</li> <li>(f) assist to attenuate likely impact on amenity of residential use on adjacent land</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <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> </ul>	<p><b>P1</b></p> <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> </ul> </li> </ul>

<p>(d) in accordance with any building area shown on a sealed plan of subdivision; or</p> <p>(e) if the site abuts a road shown in the Table to this clause, the setback specified for that road</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> <ol style="list-style-type: none"> <li>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>an interest protected at law by an easement or other regulation</li> </ol>
<p><b>A2</b></p> <p>All buildings must be contained within a building envelope determined by –</p> <ol style="list-style-type: none"> <li>the applicable frontage setback;</li> <li>a setback of not less than 10.0m from each side boundary;</li> <li>a setback of not less than 10.0m from the rear boundary;</li> <li>a setback of not less than 20.0m from any designated building area on each adjacent site; or</li> <li>any building area shown on a sealed plan; and</li> <li>building height of not more than 8.5m</li> </ol>	<p><b>P2</b></p> <p>Building height and location of a building in relation to site boundaries must –</p> <ol style="list-style-type: none"> <li>minimise likelihood for overshadowing of a habitable room in an adjacent dwelling on the site;</li> <li>take account of the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</li> <li>minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</li> <li>be consistent with the rural setting and the streetscape;</li> <li>respond to the effect of the slope and orientation of the site to attenuate impact on adjacent land</li> </ol>
<p><b>A3</b></p> <p>Site coverage must -</p> <ol style="list-style-type: none"> <li>be not more than 500m<sup>2</sup> ; and</li> <li>not include any part of a site required for the disposal and drainage of sewage or stormwater; or</li> <li>be not more than any building area shown on a sealed plan</li> </ol>	<p><b>P3</b></p> <p>Site coverage must –</p> <ol style="list-style-type: none"> <li>retain capacity in any area required for disposal of sewage or stormwater; and</li> <li>be consistent with the rural setting and streetscape</li> </ol>

<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> <ul style="list-style-type: none"> <li>(i) not part of a wind farm;</li> <li>(ii) not sited on a skyline; and</li> <li>(iii) if a wind turbine, not located within 60m of a dwelling in other ownership nor within 30m of a public road.</li> </ul> <p>(b) A building, except a utility structure must be –</p> <ul style="list-style-type: none"> <li>(i) located not less than 15m below the level of any adjoining ridgeline; and</li> <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>	<p><b>P4</b></p> <p>(a) A utility structure may be a single domestic-scale turbine or wind powered pump, if –</p> <ul style="list-style-type: none"> <li>(i) not sited on a skyline; and</li> <li>(ii) not located within 30m of a public road.</li> </ul> <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> <ul style="list-style-type: none"> <li>(i) minimising the visual impact on the skyline;</li> <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>
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Table to Clause 13.4.3 A1

Road	Setback
Ridgley Highway	50
Emu Bay Railway	50

Acceptable Solutions	Performance Criteria
<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>

#### 13.4.4 Acoustic and visual privacy for residential development

<b>Objective:</b>	
<p>The location and configuration of development is to minimise likelihood for –</p> <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
<b>A1</b>	<b>P1</b>

<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) 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</p> <p>(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</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, 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>
<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>

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

<b>Objective:</b>	
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>



#### 13.4.6 Setback of development for sensitive use

<b>Objective:</b>	
<p>Development for a sensitive use is to -</p> <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 on the Table to this clause; and</li> <li>(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</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>
<p><b>A2</b></p> <p>Development for a sensitive use must be not less than 50m from –</p> <ul style="list-style-type: none"> <li>(a) a major road identified in the Table to this clause;</li> <li>(b) a railway;</li> <li>(c) land designated in the planning scheme for future road or rail purposes; or</li> <li>(d) a proclaimed wharf area</li> </ul>	<p><b>P2</b></p> <p>Development for a sensitive use must –</p> <ul style="list-style-type: none"> <li>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</li> <li>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</li> <li>(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</li> </ul>

Table to Clause 13.4.6 A1

<b>Adjoining Zone</b>	<b>Setback (m)</b>
Local Business	10.0
Central Business	10.0
Commercial	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
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 13.4.6 A2

Road	Setback (m)
Bass Highway	50
Ridgley Highway	50
Burnie Truck Route (Massy-Greene Drive)	50

#### 13.4.7 Subdivision

<b>Objective:</b>	
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>
<b>A1</b> Each new lot on a plan of subdivision must be – <ul style="list-style-type: none"> <li>(a) intended for residential use;</li> <li>(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</li> </ul>	<b>P1</b> Each new lot on a plan of subdivision must be – <ul style="list-style-type: none"> <li>(a) for a purpose permissible in the zone</li> </ul>
<b>A2</b> A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot	<b>P2</b> <ul style="list-style-type: none"> <li>(a) An internal lot on a plan of subdivision must be – <ul style="list-style-type: none"> <li>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by – <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> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <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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#### 13.4.8 Reticulation of an electricity supply to new lots on a plan of subdivision

<b>Objective:</b>	
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

## 14.0 Environmental Living Zone

### 14.1 Zone Purpose

#### 14.1.1 Zone Purpose Statements

- 14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

#### 14.1.2 Local Area Objectives

- 14.1.2.1
- (a) Use and development retains the natural or landscape setting
  - (b) Residential use or development in a natural or landscape setting make efficient use of land and optimise available infrastructure through a balance between infill and redevelopment of established environmental living areas and release of new land;
  - (c) Use and development has a low impact on natural and landscape values;
  - (d) The type, scale, and intensity of use or development is consistent with land capability and the level of risk from exposure to natural hazards;
  - (e) Environmental living areas support a dwelling density of not more than 1 dwelling per hectare;
  - (f) New or intensified use or development is restricted if the limit of a constraint on residential use is unknown or uncertain;

- (g) Environmental living areas provide opportunity for housing in single and multiple dwellings for individual, shared, and supported accommodation through private, public, and social investment;
- (h) Environmental living areas enable small-scale employment opportunities in home occupation and home based-business;
- (i) Environmental living areas have no priority purpose for conservation management or primary industry use;
- (j) The amenity and character of residential use is commensurate with the location of housing and support activity within a natural or landscape setting and is to take into account the likely impact from –
  - (i) occupational and operational practices of conservation, primary industry, and other use on adjacent land;
  - (ii) an obligation to minimise disturbance of the natural landscape and to reduce apparent bulk and scale of buildings and structures;
  - (iii) possible absence or under-provision of transport infrastructure and utilities;
  - (iv) possible absence of facilities for convenience retail, education, entertainment, health and social support, and for sports and recreation;
  - (v) likelihood for exposure to a natural hazard; and
  - (vi) relative remoteness from an urban centre.

#### 14.1.3 Desired Future Character Statements

Use or development in an environmental living area is to –

- (a) occur as a discrete, contiguous, and ordered cluster of dwellings and associated buildings embedded in a natural or landscape setting;
- (b) involve minimal clearing and conversion of native vegetation and modification to the natural topography to maintain the natural or landscape setting;
- (c) provide opportunity for a buffer between areas of high conservation value or exposure to a high level of hazard and areas of intensive settlement use;
- (d) provide sites that are larger than suburban lots, although size is dependent on land capability and retention of natural and cultural values;
- (e) maintain a landscape in which buildings and development areas have low site coverage and profile;
- (f) provide housing as a predominant but not exclusive use;
- (g) provide choice and diversity in the type and form of buildings for housing and non-housing development;
- (h) provide buildings that are typically of one or two storeys;
- (i) provide a landscape in which buildings are set well apart from buildings on adjacent sites and from the frontage road;
- (j) be generally self-sufficient with respect to provision of utilities for water supply and disposal of sewage and stormwater

## 14.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	If for 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
Permitted	
Use Class	Qualification
Domestic animal breeding, boarding and training	If - (a) not be more than 4 adult animals; and (b) not be a animal pound
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration
Food services	Only for a restaurant or café located on CT 160924/96
Residential	
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 prescribed 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 or (c) only for Villa Holiday Cabins located on CT 160924/96
Discretionary	

Use Class	Qualification
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	
Natural and cultural values management	
Passive Recreation	
Utilities	
Visitor accommodation	
<b>Prohibited</b>	
Use Class	Qualification
All other uses	

### 14.3 Use Standards

#### 14.3.1 Discretionary permit use

<b>Objective:</b>	
Use in this zone that is a discretionary permit use is to service and support the routine requirements of the local community without impact on natural setting and residential amenity	
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 likely to further the purpose and objectives for the zone;</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>

#### 14.3.2 Impact of use

<b>Objective:</b>	
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> </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; and</li> <li>(d) minimise likelihood for adverse impact 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 unless that use is located on CT160924/96	<b>P2</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 statement;</li> <li>(c) be dependent on the site to provide significant social, economic or environmental benefit for 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>
<b>A3</b> Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm	<b>P3</b> 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

## 14.4 Development Standards

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

<b>Objective:</b>
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> </ul>

(c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each site or each lot on a plan of subdivision must –</p> <p>(a) have an area of not less than –</p> <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> <p>(b) if intended for a building, contain a building area –</p> <ul style="list-style-type: none"> <li>(i) of not more than 500m<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 the on-site disposal of sewage or stormwater; and</li> <li>(ix) accessible from a frontage or access strip</li> </ul>	<p><b>P1</b></p> <p>A site or lot on a plan of subdivision must be of sufficient area for the intended 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>(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> <ul style="list-style-type: none"> <li>(i) over land not required as the means of access to any other land; and</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> </ul>



<ul style="list-style-type: none"> <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>(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>	<ul style="list-style-type: none"> <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 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) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) from a rechargeable drinking water system [R9] 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> <li>b. a use with an equivalent population of not more than 10 people per day</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>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> <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 –</li> </ul>

<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> <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. 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>	<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 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> <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 –</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 and dispose of stormwater – <ul style="list-style-type: none"> <li>(i) to accommodate the anticipated stormwater -</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> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>a. the site has an area of not less than 5000m<sup>2</sup>;</li> <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>(iii) the development is for a single dwelling</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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Table to Clause 14.4.1 A1

Locality	Site Area
Heybridge Sea Eagle estate	In accordance with the subdivision layout for the 6 Hamlets shown in the approved Heybridge Residential Nature Reserve Master Plan, reference No 06.060 V02 dated 9 October 2006

#### Footnotes

[R9] 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

#### 14.4.2 Dwelling density

Objective:	
Residential dwelling density [R10] is to – <ul style="list-style-type: none"> <li>(a) make efficient use of land for housing; and</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
<b>A1</b> The site area per dwelling must – <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>	<b>P1</b> The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of – <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> </ul>

	(f) a tolerable level of risk from a natural hazard
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Table to Clause 14.4.2 A1

Locality	Site Area
Heybridge Sea Eagle estate	A single dwelling per lot, except on CT160924/1

#### Footnotes

[R10] 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.

#### 14.4.3 Location and configuration of development

<b>Objective:</b>	
<p>The location and configuration of development is to –</p> <ul style="list-style-type: none"> <li>(a) be consistent with land capability</li> <li>(b) provide for retention of natural and landscape values;</li> <li>(c) provide a consistent separation between the development area on adjacent sites and between development and a road;</li> <li>(d) provide sufficient site area for open space, service activity and vehicle parking;</li> <li>(e) provide consistency in the apparent scale, bulk, massing, and proportion of adjacent buildings; and</li> <li>(f) assist to attenuate likely impact on amenity of residential use on adjacent land</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <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 setback 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; or</li> <li>(e) if the site abuts a road shown in Table <b>A1</b> to this clause, the setback specified for that road</li> </ul>	<p><b>P1</b></p> <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 –</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>A building or utility structure 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; or</li> <li>(d) a setback of not less than 20.0m from a designated building area on each adjacent site; or</li> <li>(e) any building area shown on a sealed plan; and</li> <li>(f) building height of not more than 8.5m</li> </ul>	<p><b>P2</b></p> <p>Building height and location of a building in relation to site boundaries must –</p> <ul style="list-style-type: none"> <li>(a) minimise likelihood for overshadowing of a habitable room in an adjacent dwelling;</li> <li>(b) take account of the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</li> <li>(c) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building;</li> <li>(d) be consistent with the natural and landscape setting and the streetscape;</li> <li>(e) respond to the effect of the slope and orientation of the site to attenuate impact on adjacent land</li> <li>(f) utilise native vegetation to attenuate impact on adjacent land; and</li> <li>(g) minimise visibility on a skyline, above the vegetation canopy, or from a marine or aquatic water body</li> </ul>
<p><b>A3</b></p> <p>Site coverage must -</p> <ul style="list-style-type: none"> <li>(a) not be more than 500m<sup>2</sup> ; and</li> <li>(b) not include any part of a site required for drainage and disposal of sewage or stormwater; or</li> <li>(c) not more than any building area shown on a sealed plan of subdivision</li> </ul>	<p><b>P3</b></p> <p>Site coverage, excluding building eaves and access strips if less than 7.5m wide, 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) provide usable area for private open space, landscaping and vehicle parking;</li> <li>(d) retain capacity in any area required for disposal of sewage or stormwater; and</li> <li>(e) be consistent with the natural and landscape setting and the streetscape</li> </ul>

<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> <ul style="list-style-type: none"> <li>(i) not part of a wind farm;</li> <li>(ii) not sited on a skyline; and</li> <li>(iii) if a wind turbine, not located within 60m of a dwelling in other ownership nor within 30m of a public road.</li> </ul> <p>(b) A building, except a utility structure must be –</p> <ul style="list-style-type: none"> <li>(i) located not less than 15m below the level of any adjoining ridgeline; and</li> <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>	<p><b>P4</b></p> <p>(a) A utility structure may be a single domestic-scale turbine or wind powered pump, if –</p> <ul style="list-style-type: none"> <li>(i) not sited on a skyline; and</li> <li>(ii) not located within 30m of a public road.</li> </ul> <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> <ul style="list-style-type: none"> <li>(i) minimising the visual impact on the skyline;</li> <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>(a) Development must be located on land where the native vegetation cover has been removed.</p> <p>(b) Any replanting must use vegetation of a type consistent with the native vegetation of the locality.</p>	<p><b>P5</b></p> <p>Development must be located to minimise native vegetation removal and manage the natural and landscape values, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the extent of native vegetation to be removed;</li> <li>(b) any remedial or mitigation measures or revegetation requirements;</li> <li>(c) the type, growth, habit, texture and suitability of the vegetation species proposed;</li> <li>(d) provision of natural habitat for native fauna;</li> <li>(e) the preparation, planting, timing and maintenance of the vegetation and landscaping during and after construction;</li> <li>(f) weed management;</li> <li>(g) the management and treatment of the balance of the site or native vegetation areas;</li> <li>(h) the type, size and design of development, including buildings, outbuildings,</li> </ul>

	<p>structures, car parking, roads, driveways, pathways, walking trails, storage areas, signage and utility services, fences, retaining walls and undisturbed areas; and</p> <p>(i) the extent that landscaping softens and screens the development; and as shown in a detailed landscaping plan.</p>
<p><b>A6</b></p> <p>Area for the display, handling of goods, storage or waste must not be located in front of the building line.</p>	<p><b>P6</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 14.4.3 A1

Road	Setback
Bass Highway	50
Ridgley Highway	50

#### 14.4.4 Acoustic and visual privacy for residential development

<b>Objective:</b>	
<p>The location and configuration of development is to minimise likelihood for –</p> <p>(a) overlooking of a habitable room, balcony, deck, or roof garden in an adjacent dwelling;</p> <p>(b) intrusion of vehicle noise from an access strip or communal driveway</p>	
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> <p>(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</p> <p>(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</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, 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>
<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</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-</p>

habitable room or any balcony, deck, or roof garden in a dwelling.	viewing and noise disturbance on the amenity of any dwelling
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#### 14.4.5 Private open space for multiple dwelling residential use

<b>Objective:</b>	
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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Each dwelling in a multiple dwelling must have external private open space that – <ul style="list-style-type: none"> <li>(a) is accessible from the dwelling;</li> <li>(b) comprises an area of not less than 50m<sup>2</sup>;</li> <li>(c) has a minimum dimension of 5.0m;</li> <li>(d) has a gradient of not more than 1 in 10</li> </ul>	<b>P1</b> Private open space must be appropriate for the projected requirements of the residents of a dwelling.
<b>A2</b> 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	<b>P2</b> Each private open space area must maximise opportunity for access to sunlight having regard for - <ul style="list-style-type: none"> <li>(a) aspect, orientation, size, shape, slope, and topography of the site;</li> <li>(b) desirability of retaining existing vegetation; and</li> <li>(c) the impact of overshadowing by existing development on adjacent land</li> </ul>

#### 14.4.6 Setback of development for sensitive use

<b>Objective:</b>	
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>
<b>A1</b> A building containing a sensitive use must be contained within a building envelope determined by – <ul style="list-style-type: none"> <li>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</li> </ul>	<b>P1</b> The location of a building containing a sensitive use must – <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> </ul>



(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;	(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use
<b>A2</b> Development for a sensitive use must be not less than 50m from – <ul style="list-style-type: none"> <li>(a) a major road identified in the Table to this clause;</li> <li>(b) a railway;</li> <li>(c) land designated in the planning scheme for future road or rail purposes; or</li> <li>(d) a proclaimed wharf area</li> </ul>	<b>P2</b> Development for a sensitive use must – <ul style="list-style-type: none"> <li>(a) have minimal impact for safety and efficient operation of the transport infrastructure; and</li> <li>(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or</li> <li>(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</li> </ul>

Table to Clause 14.4.6 A1

<b>Adjoining Zone</b>	<b>Setback (m)</b>
Local Business	10.0
Central Business	10.0
Commercial	10.0
Light Industrial	10.0
General Industrial	10.0
Rural Resource	<ul style="list-style-type: none"> <li>(a) 50.0; or</li> <li>(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</li> </ul>
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 14.4.6 A2

<b>Road</b>	<b>Setback (m)</b>
Bass Highway	50
Ridgley Highway	50
Burnie Truck Route (Massy-Greene Drive)	50

#### 14.4.7 Subdivision

<b>Objective:</b>	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Environmental Living zone	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Each new lot on a plan of subdivision must be – <ul style="list-style-type: none"> <li>(a) intended for residential use;</li> <li>(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</li> </ul>	<b>P1</b> Each new lot on a plan of subdivision must be – <ul style="list-style-type: none"> <li>(a) for a purpose permissible in the zone</li> </ul>
<b>A2</b> A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot	<b>P2</b> <ul style="list-style-type: none"> <li>(a) An internal lot on a plan of subdivision must be – <ul style="list-style-type: none"> <li>(i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by – <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> </li> <li>(ii) without likely impact on the amenity of adjacent land</li> </ul> </li> </ul>

#### 14.4.8 Reticulation of an electricity supply to new lots on a plan of subdivision

<b>Objective:</b>	
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
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## **15.0 Urban Mixed Use Zone**

## **16.0 Village Zone**

### **16.1 Zone Purpose**

#### **16.1.1 Zone Purpose Statements**

**16.1.1.1** To provide for small rural centres with a mix of residential, community services and commercial activities.

#### **16.1.2 Local Area Objectives**

- (a) A village provides a small-scale multiple-purpose settlement in a rural, coastal, or conservation setting;
- (b) Villages make efficient use of land and optimise available infrastructure in small established multiple purpose settlement areas through infill and redevelopment;
- (c) Villages provide a dynamic and unstructured mix of residential, community service and commercial activity in which no single use is the priority purpose;
- (d) Villages primarily service and support the local resident community and visitors to the locality;
- (e) The type, scale, and intensity of use or development are consistent with land capability and the availability of infrastructure services and utilities;
- (f) The amenity and character of a village –
  - (i) provide reasonable opportunity for residential use to access to sunlight and to achieve visual and acoustic privacy between adjacent buildings; and
  - (ii) reflect and accept the differential impact from a dynamic and integrated mix of activity in which no single use is the benchmark standard, for including occupational and operational practices, high traffic volume, duration and frequency of activity, provision for expansive vehicle parking, presence of a non-resident population, extended or intermittent hours of operation, a readily apparent variation in visual presence, and the presence of primary industry and other activity of adjacent land

#### **16.1.3 Desired Future Character Statements**

Use or development in a village provide –

- (a) an ordered pattern of lots and an internal road network;
- (b) diversity in the form and type of buildings;
- (c) buildings that are typically of one or two storeys;
- (d) a streetscape in which buildings are setback consistently from the frontage;
- (e) 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; and
- (f) site coverage that retains adequate unbuilt area for recreation, service activity, vehicle parking, and on-site disposal of sewage or stormwater

## 16.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	If for 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
Residential	if a single dwelling or home based business
Permitted	
Use Class	Qualification
Business and professional services	If - <ul style="list-style-type: none"> <li>(a) a medical centre;</li> <li>(b) veterinary centre; or</li> <li>(c) office ; and</li> <li>(d) gross floor area not more than 300m<sup>2</sup></li> </ul>
Community meeting and entertainment	If - <ul style="list-style-type: none"> <li>(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</li> <li>(b) gross floor area of not more than 300m<sup>2</sup></li> </ul>
Education and occasional care	If - <ul style="list-style-type: none"> <li>(a) day care facilities for children;</li> <li>(b) day respite centre;</li> <li>(c) employment training centre; or</li> <li>(d) pre-school, primary, or secondary school to year 10;</li> </ul>
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> <ul style="list-style-type: none"> <li>(a) not include a drive-through;</li> <li>(b) not licensed premises; and</li> <li>(c) seating capacity for not more than 20 people</li> </ul>
General retail and hire	<p>If -</p> <ul style="list-style-type: none"> <li>(a) not an adult sex product shop, amusement parlour, market, primary product sales or a video shop; and</li> <li>(b) gross floor area of not more than 300m<sup>2</sup></li> </ul>
Hotel industry	If a gross floor area not more than 300m <sup>2</sup>
Pleasure boat facilities	If a boat launch and recovery ramp primarily for trailer borne recreational vessels
Residential	
Resource development	<p>If -</p> <ul style="list-style-type: none"> <li>(a) agricultural use associated with a residential use;</li> <li>(b) not intensive agriculture or controlled environment agriculture</li> <li>(c) community garden for production or ornamental purposes to service the local community and not involving the keeping of animals</li> </ul>
Sports and recreation	<p>If -</p> <ul style="list-style-type: none"> <li>(a) outdoor facility comprising a single playing field or a single surface for recreation use; or</li> <li>(b) indoor facility with a gross floor area of not more than 500m<sup>2</sup></li> </ul>
Storage	<p>If -</p> <ul style="list-style-type: none"> <li>(a) self storage units; or</li> <li>(b) goods and materials sourced from or required on adjacent land; and</li> <li>(c) a gross floor area of not more than 500m<sup>2</sup></li> </ul>
Tourist operation	<p>If -</p> <ul style="list-style-type: none"> <li>(a) based on a building, area or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; or</li> </ul>

	(b) gross floor area of not more than 300m <sup>2</sup>
Utilities	If minor utilities
Vehicle fuel sales and service	If a service station
Visitor accommodation	If - (a) provided within a building; and (b) guest accommodation for not more than 16 guests
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods sales	
Business and professional services	
Community meeting and entertainment	
Crematoria and cemetery	
Emergency services	
Food services	
General retail and hire	
Hotel services	
Manufacturing and processing	
Natural and cultural values management	
Passive recreation	
Pleasure boat facility	If a marina
Recycling and waste disposal	
If not waste disposal	
Research and development	
Resource processing	
Service industry	
Sports and recreation	
Storage	
Tourist operation	
Transport depot and distribution	
Utilities	
Vehicle fuel sales and service	
Vehicle parking	
Visitor accommodation	

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

## 16.3 Use Standards

### 16.3.1 Discretionary permit use

<b>Objective:</b>	
Use in this zone that is a discretionary permit use is to service and support the local resident and visitor population	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There is no acceptable solution	<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>

## 16.4 Development Standards

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

<b>Objective:</b>	
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>
<b>A1</b> A site or each lot on a plan of subdivision must – <ul style="list-style-type: none"> <li>(a) have an area of - <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, the site area indicated for that locality; and</li> </ul> </li> </ul>	<b>P1</b> A site or each lot on a plan of subdivision must <ul style="list-style-type: none"> <li>(a) be of sufficient area for the intended use or development without likely constraint or interference for – <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> </ul> </li> </ul>

<p>(b) if intended for a building, 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 30° east of north and 20° 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) 3.6m for single dwelling development; or</li> <li>(ii) 6.0m for multiple dwelling development or development for a non-residential use; and</li> </ul> </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> <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</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>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 R14 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>(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><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>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) 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; 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 16.4.1 A1

Locality	Site area (m <sup>2</sup> )
This Clause does not apply	

#### 16.4.2 Dwelling density

<b>Objective:</b>
Residential dwelling density R15 is to –
(a) make efficient use of land for housing;

(b) optimise utilities and community services; and (c) be consistent with any constraint on suitability of the land for residential use	
Acceptable Solutions	Performance Criteria
<b>A1</b> The site area per dwelling must – (a) be not less than 500m <sup>2</sup> if the site has – (i) connection to a reticulated water supply; (ii) connection to a reticulated sewer system; and (iii) connection to a stormwater system; or (b) if the site is in a locality shown in the Table to this clause, not less than the site area for that locality	<b>P1</b> The number of dwellings on a site must be – (a) consistent with the capability of the land for residential use in terms of - (i) a suitable building area (ii) access from a road (iii) provision of a water supply (iv) disposal of sewage (v) disposal of stormwater (vi) a tolerable level of risk from a natural hazard

Table to Clause 16.4.2 A1

Locality	Site area per dwelling (m <sup>2</sup> )
This Clause does not apply	

#### 16.4.2.R15

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.

#### 16.4.3 Location and configuration of development

<b>Objective:</b> The location and configuration of development is to – (a) be consistent with land capability; (b) provide a consistent separation between the development area on adjacent sites and between development and a road; (c) provide sufficient site area for open space, service activity and vehicle parking; (d) provide consistency in the apparent scale, bulk, massing, and proportion of adjacent buildings; (e) provide for the facade of a residential building to remain the dominant architectural element in the streetscape ; and (f) separate adjacent buildings to provide reasonable opportunity for daylight and sunlight to habitable rooms and to private open space areas	
Acceptable Solutions	Performance Criteria
<b>A1</b> A building, utility structure, garage or carport must be setback from a frontage –	<b>P1</b> The setback of a building, utility structure or carport from a frontage must be –

<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; 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) projecting at an angle of 45° from the horizontal at a height of 3.0m 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 if walls are setback - <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 wall height is not more than 3.0m; and – <ul style="list-style-type: none"> <li>a. built against the 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> </ul> </li> </ul> </li> </ul> </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> <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>

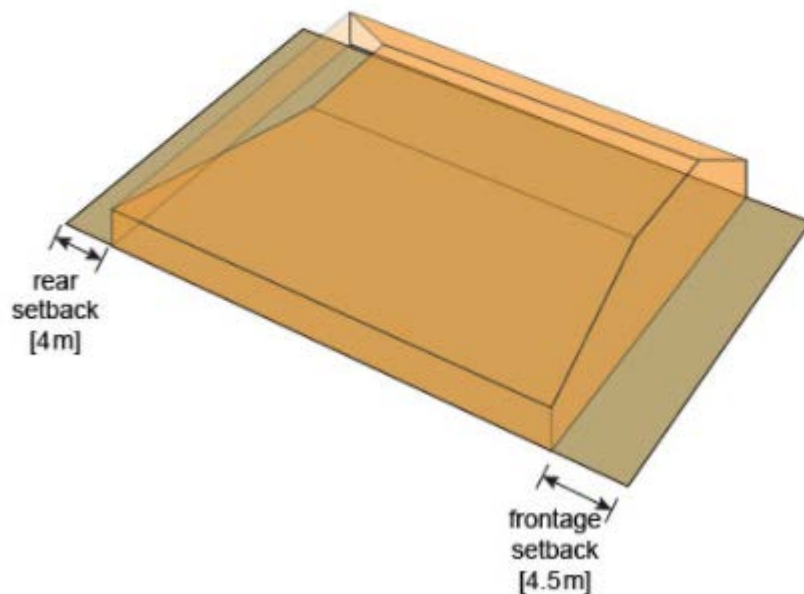
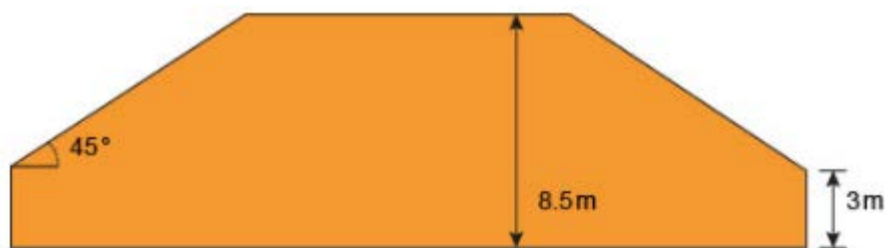
<ul style="list-style-type: none"> <li>ii. there is no door or window in the wall of the building; and</li> <li>iii. overshadowing does not result in -</li> <li>c. less than 2 hours of continuous sunlight to a required minimum private open space area in an adjacent dwelling between 9.00am and 3.00pm on 21st June; or</li> <li>d. a further reduction in continuous sunlight to a required minimum private open space area in an adjacent dwelling if already less than 2 hours between 9.00am and 3.00pm on 21st June ; or</li> </ul> <p>(c) in accordance with any building envelope shown on a sealed plan</p>	
<p><b>A3</b></p> <p>Site coverage must:</p> <ul style="list-style-type: none"> <li>(a) be not more than 50%; and</li> <li>(b) not include any part of a site required for the disposal and drainage of sewage or stormwater; or</li> <li>(c) be not more than any building area shown on a sealed plan</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, and vehicle parking;</li> <li>(b) retain capacity in any area required for disposal of sewage or stormwater; and</li> <li>(c) be consistent with the streetscape</li> </ul>
<p><b>A4</b></p> <p>Total width of openings in the frontage elevation of a of a garage or carport (whether freestanding or part of any other building) must be the lesser of –</p> <ul style="list-style-type: none"> <li>(a) 6.0m; or</li> <li>(b) half the width of the frontage</li> </ul>	<p><b>P4</b></p> <p>The frontage elevation of a garage or carport (whether freestanding or part of any other building) must not dominate the streetscape</p>
<p><b>A5</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>P5</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</li> </ul>

	topography on development of the site; and
	(d) provide durable screening to attenuate appearance of the parking or loading area from a frontage and adjacent land

Table to Clause 16.4.3 A1

Road	Setback (m)
Ridgley Highway	50
Emu Bay Railway	50

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



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

<b>Objective:</b>
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>A1</b>

<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> <ul style="list-style-type: none"> <li>(i) be not less than 6.0m from any door, window, balcony, deck, or roof garden in an adjacent dwelling;</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</p>	
Acceptable Solutions	Performance Criteria
<p><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 in an adjacent dwelling;</li> <li>(ii) have a window sill height of not less than 1.8m above finished floor level;</li> <li>(iii) have fixed and durable glazing or screening with a uniform transparency on not more than 25% in that part of a door or window less than 1.8m above finished 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 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</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><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 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>

#### 16.4.5 Private open space for 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.

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each dwelling must provide private open space –</p> <ul style="list-style-type: none"> <li>(a) if a dwelling with a floor level of not more than 2.5m above finished ground level, a ground level area – <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;</li> <li>(vi) with a gradient of not more than 1 in 10; and</li> </ul> </li> <li>(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 – <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> </li> </ul>	<p><b>P1</b></p> <p>Private open space must –</p> <ul style="list-style-type: none"> <li>(a) be of size and dimension appropriate for the projected requirements of the residents of the dwelling; and</li> <li>(b) be usable taking into account – <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> </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> <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 multiple dwelling development must have access to a waste storage area –</p> <ul style="list-style-type: none"> <li>(a) located behind the applicable frontage setback;</li> </ul>	<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> <li>(b) screened to view from the frontage and from dwellings; and</li> </ul>



<ul style="list-style-type: none"> <li>(b) of not less than 1.5m<sup>2</sup> per dwelling;</li> <li>(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</li> <li>(d) not less than 6.0 from a window, door, balcony, deck, roof garden or private open space area of a dwelling</li> </ul>	<ul style="list-style-type: none"> <li>(c) separated from a dwelling to attenuate noise and odour</li> </ul>
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#### 16.4.6 Frontage fences

<b>Objective:</b>	
A frontage fence is to – <ul style="list-style-type: none"> <li>(a) assist privacy and security for occupants of a dwelling;</li> <li>(b) assist to attenuate likely impact from activity on a road, on the site, or on adjacent land;</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> The height of a fence, including any supporting retaining wall, on a frontage or within a frontage setback must be – <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 not less than a uniform 50% transparency.</li> </ul>	<b>P1</b> The height of a fence on a frontage or within a frontage setback must be reasonably required for security and privacy of the site

#### 16.4.7 Setback of development for sensitive use

<b>Objective:</b>	
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>
<b>A1</b> A building containing a sensitive use must be contained within a building envelope determined by – <ul style="list-style-type: none"> <li>(a) the setback distance from the zone boundary as shown on the Table to this clause; and</li> <li>(b) projecting upward and away from the zone boundary at an angle of 45° above the</li> </ul>	<b>P1</b> The location of a building containing a sensitive use must – <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> </ul>

horizontal from a wall height of 3.0m at the setback distance from the zone boundary	(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use
<b>A2</b> Development for a sensitive use must be not less than 50m from – (a) a major road identified in the Table to this clause; (b) a railway; (c) land designated in the planning scheme for future road or rail purposes; or (d) a proclaimed wharf area	<b>P2</b> Development for a sensitive use must – (a) have minimal impact for safety and efficient operation of the transport infrastructure; and (b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or (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

Table to Clause 16.4.7 A1

<b>Adjoining Zone</b>	<b>Setback (m)</b>
Local Business	4.0
Central Business	4.0
Commercial	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
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 16.4.7 A2

<b>Road</b>	<b>Setback (m)</b>
Bass Highway	50
Ridgley Highway	50

16.4.8 Subdivision

<b>Objective:</b>	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Village 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
<b>A2</b> A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot	<b>P2</b> (a) An internal lot on a plan of subdivision must be – (i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by – a. slope, shape, orientation and topography of land; b. an established pattern of lots and development; c. connection to the road network; d. connection to available or planned utilities; e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or f. exposure to an unacceptable level of risk from a natural hazard; and (ii) without likely impact on the amenity of adjacent land

16.4.9 Reticulation of an electricity supply to new lots on a plan of subdivision

<b>Objective:</b>	
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>	<b>P1</b>

Electricity reticulation and site connections must be installed underground	It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground
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## 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

- (a) Provide conveniently located and accessible facilities and services of strategic importance for the health and wellbeing of municipal, sub-regional, or regional communities;
- (b) Provide primary and complementary facilities and services for –
  - (i) senior and tertiary education;
  - (ii) vocational training;
  - (iii) health and hospital care;
  - (iv) aged, children, family, youth, and special need groups;
  - (v) cultural, social, and spiritual purposes;
  - (vi) disposal of human and animal remains;
  - (vii) custodial care;
  - (viii) emergency response to protect the health, safety, and security of people and property

#### 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

No Permit Required	
Use Class	Qualification
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>	
<b>Use Class</b>	<b>Qualification</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 (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>	
<b>Use Class</b>	<b>Qualification</b>
Business and professional services Food services	If complementary to a community use on land in the zone 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
Utilities	
Visitor accommodation	
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 17.3 Use Standards

### 17.3.1 Discretionary permit use

<b>Objective:</b>	
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.	
<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;

	<p>(b) be consistent with any applicable desired future character statement for the zone; and</p> <p>(c) be required to -</p> <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>
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## 17.4 Development Standards

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

<b>Objective:</b>	
<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> <ul style="list-style-type: none"> <li>(a) have an area of not less than 500m<sup>2</sup>; and</li> <li>(b) if intended for a building, have a building area - <ul style="list-style-type: none"> <li>(i) not less than 10.0m x 15.0m;</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>

(ix) accessible from a frontage or access strip	
<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 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 –</p> <p>(a) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</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) from a rechargeable drinking water system R17 with a storage capacity of not less than 10,000 litres if–</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>	<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> <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> <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 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>
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#### 17.4.2 Location and configuration of development

<p><b>Objective:</b></p> <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>	
<p><b>Acceptable Solutions</b></p> <p><b>A1</b></p> <p>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><b>Performance Criteria</b></p> <p><b>P1</b></p> <p>The setback of a building from a frontage must be –</p> <p>(a) consistent with the streetscape; an</p> <p>(b) required by a constraint imposed by –</p> <p>(i) size and shape of the site;</p>

<ul style="list-style-type: none"> <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>(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>
<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> </ul>

	(d) provide durable screening to attenuate appearance of the parking or loading area from a frontage and adjacent land
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Table to Clause 17.4.2 A1

Road	Setback (m)
Ridgley Highway	50
Bass Highway	50

#### 17.4.3 Visual and acoustic privacy for residential use

<b>Objective:</b>	
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	
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 4.0m from a rear boundary to land in a zone for residential purposes;</p> <p>(b) be off-set by not less than 1.5m from the edge of any door or window in an adjacent dwelling;</p> <p>(c) have a window sill height of not less than 1.8m above finished floor level;</p> <p>(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</p> <p>(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</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>

#### 17.4.4 Setback of development for sensitive use

<b>Objective:</b>	
<p>Development -</p> <p>(a) of land adjoining land in another zone is to minimise –</p> <ul style="list-style-type: none"> <li>(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</li> <li>(ii) unreasonable impact on the amenity of sensitive use on land beyond the boundary of the zone; and</li> </ul> <p>(b) for a sensitive use is to –</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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</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> <p>(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;</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><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>

<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 on the Table to this clause; and</p> <p>(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</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>	
<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

<b>Adjoining Zone</b>	<b>Setback (m)</b>
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Environmental Living	10.0
Urban Mixed Use	4.0
Village	4.0

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)
Bass Highway	50
Ridgley Highway	50
Burnie Truck Route (Massy-Greene Drive)	50

17.4.5 Subdivision

<b>Objective:</b>	
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
<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
<b>A2</b> A lot, other than a lot to which <b>A1(b)</b> applies, must not be an internal lot	<b>P2</b> (a) An internal lot on a plan of subdivision must be – (i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots imposed by – a. slope, shape, orientation and topography of land; b. an established pattern of lots and development; c. connection to the road network; d. connection to available or planned utilities; e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or f. exposure to an unacceptable level of risk from a natural hazard; and

	(ii) without likely impact on the amenity of adjacent land
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## 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

No Permit Required	
Use Class	Qualification
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>	
<b>Use Class</b>	<b>Qualification</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
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	If - (a) for participants and spectators of a sports and recreation activity on land within the zone; and (b) in a building
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Educational and occasional care	If – (a) for a sports and recreation use of a type conducted on land within the zone; or (b) for the care of the children of participants and spectators at a sports or recreation use
Food services	If – (a) provide for the participants and spectators of a sports and recreation use on land within the zone; and

	(b) not including a drive through in take away food premises
General retail and hire	If – (a) clothing, equipment, and souvenir items for a sports and recreation use on land within the zone; and (b) an occasional market retailing goods by independent stall holders
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>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 18.3 Use Standards

### 18.3.1 Discretionary permit use

<b>Objective:</b>	
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

<b>Objective:</b>	
<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> <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> <li>(ix) 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>	<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>

<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 10.0m; 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 with a width of not less than 6.0m; 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;</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> </li> <li>(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.</li> </ul>	<ul style="list-style-type: none"> <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 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 R19 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> <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> <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 –</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 and dispose of 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>a. the site has an area of not less than 5000m<sup>2</sup>;</li> <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;</li> </ul>	<ul style="list-style-type: none"> <li>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> <li>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</li> </ul>
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#### 18.4.2 Location and configuration of development

<b>Objective:</b> The location and configuration of development is to – <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>	
Acceptable Solutions	Performance Criteria
<b>A1</b> A building must be setback from a frontage – <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>	<b>P1</b> The setback of a building from a frontage must be – <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> </ul> </li> </ul>

	<p>(vii) any lawful and binding requirement –</p> <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 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

Road	Setback (m)
Bass Highway	50
Ridgley Highway	50

### 18.4.3 Setback from zone boundaries

<b>Objective:</b>	
<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 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>(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</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>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 A1

Adjoining Zone	Setback (m)
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Environmental Living	10.0
Urban Mixed Use	4.0
Village	4.0

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

<b>Objective:</b>	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Recreation 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>

## 19.0 Open Space Zone

### 19.1 Zone Purpose

#### 19.1.1 Zone Purpose Statements

##### 19.1.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

#### 19.1.2 Local Area Objectives

- (a) Provide for unstructured physical activity, aesthetic, buffer, environmental, relaxation, and cultural purposes at a municipal, sub-regional, or regional scale;

(b) Enhance the attraction, function, and performance of urban and rural places

#### 19.1.3 Desired Future Character Statements

(a) Use or development on open space land may –

- (i) provide public areas for passive recreational use;
- (ii) meet anticipated need in accordance with a State, regional or municipal open space plan if incorporated into the provisions of this planning scheme;
- (iii) provide a representative system or network of open space areas in accordance with a municipal, regional or State open space plan if incorporated into the provisions of this planning scheme;
- (iv) protect land containing an identified level of ecological, scientific, cultural or aesthetic value, including as a habitat corridor or wildlife refuge, that does not warrant conservation and protection under a statutory management plan;
- (v) provide for pathways and connections within an urban area;
- (vi) provide for passive recreation dependent on attributes of natural area;
- (vii) assist management of stormwater through provision for detention, retention and filtration systems and drainage corridors;
- (viii) provide space to attenuate, buffer, separate, transition, or protect against incompatible development, exposure to natural or environmental hazard, or minimise impact of use or development on land of high conservation value;
- (ix) enhance individual built elements and activity places in urban and rural settings;
- (x) provide areas for mental, physical, and spiritual contemplation and relaxation;
- (xi) support lifestyle attraction and active communities;
- (xii) provide for retention of native vegetation and natural landform;
- (xiii) provide for the rehabilitation of degraded natural and cultural environments; and
- (xiv) provide for monuments and memorials

(b) Use or development of open space land –

- (i) assists diversity in the purpose, scale, type, and character of open space areas;
- (ii) may involve a significant modification or embellishment of natural conditions and landform, and potentially range from remnant pockets of native bushland to highly formalised places;
- (iii) is not required to be comparable with use and development on adjacent land;
- (iv) may include business, community, primary industry, recreation and utility activity;
- (v) is to have low impact on prescribed ecological, scientific, cultural or aesthetic value;
- (vi) may retain or rehabilitate native vegetation and natural systems; and
- (vii) may impact on the amenity of use or development on adjacent land through factors associated with the occupational and operational characteristics of an open space activity

## 19.2 Use Table

No Permit Required	
Use Class	Qualification
Passive recreation	If a public park or reserve or a building or structure for the local, municipal or regional community
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
Permitted	
Use Class	Qualification
Business and professional services	If for administration, management, promotion, or sponsorship of a type aligned to the open space purpose of the land
Community meeting and entertainment	If – (a) for a community event; or (b) complementary to the open space purpose of the land
Crematoria and cemeteries	If a cemetery
Educational and occasional care	If training in a passive recreation or natural and cultural value management use of a type conducted on the land
Emergency services	If for protection of people and property on land within the zon
Pleasure boat facility	If a boat launch and recovery ramp primarily for trailer borne recreation vessels
Resource development	If community gardens for production or ornamental purposes not involving the keeping of live stock
Sports and recreation	If dependent on an attribute of the site
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 passive recreation or natural and cultural value management use conducted on the land
Discretionary	

Use Class	Qualification
Crematoria and cemeteries	
Food services	If not including a drive through in take away food premises
General retail and hire	If – (a) clothing, equipment and souvenir items complementary to a passive recreation or natural and cultural value management use conducted on the land; and (b) market retailing such goods by independent stall holders ;
Hotel services	If for the consumption of liquor by participants of a passive recreation or natural and cultural value management use conducted on land in the zone
Pleasure boat facility	
Resource development	
Sports and recreation	
Storage	If equipment, vehicles or vessels associated with an open space use on land in the zone
Tourist operation	
Utilities	
Visitor accommodation	
<b>Prohibited</b>	
Use Class	Qualification
All other uses	

## 19.3 Use Standards

### 19.3.1 Discretionary permit use

<b>Objective:</b>	
Use in this zone that is a discretionary permit use is to service and support the municipal and regional community	
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;

	<p>(c) be required to meet likely needs of the municipal, sub-regional, or regional community; and</p> <p>(d) not have a potential to distort or displace existing and likely use on the site or on adjacent land</p>
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## 19.4 Development Standards

### 19.4.1 Suitability of a site for use or development

<b>Objective:</b>	
<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) have an area of not less than 1000m<sup>2</sup> excluding any access strip; and</p> <p>(b) if intended for a building, have a building area -</p> <p>(i) not less than 300m<sup>2</sup>;</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> <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 10.0m; 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 with a width of not less than 6.0m; 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;</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> </li> <li>(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</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 to the site or each lot on a subdivision plan; or</li> </ul> </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) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) from a rechargeable drinking water system R21 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 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. 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>(i) to accommodate the anticipated 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>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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#### 19.4.2 Location and configuration of development

<b>Objective:</b>	
<p>The location and configuration of development is to –</p> <p>(a) provide for the efficient open space use of land;</p> <p>(b) provide a consistent separation between the development area on adjacent sites and between development and a road;</p> <p>(c) provide for buildings of suitable size to accommodate open space use;</p> <p>(d) provide for the protection of any ecological, scientific, cultural or aesthetic value; and</p> <p>(e) 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>Site coverage must -</p> <p>(a) be not more than 20%; 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>P1</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 streetscape</p>
<p><b>A2</b></p> <p>A building or utility structure must be setback –</p>	<p><b>P2</b></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;</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, not less than the setback specified for that road</li> </ul>	<p>The setback of a building or utility structure from a frontage or site 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 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>A3</b></p> <p>Building height or the height of a utility structure must not be more than 10.0m</p>	<p><b>P3</b></p> <p>Building height or the height of a utility structure 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>A4</b></p> <p>A building or utility structure must be –</p> <ul style="list-style-type: none"> <li>(a) not less than 15m below the level of any adjoining ridgeline;</li> </ul>	<p><b>P4</b></p> <ul style="list-style-type: none"> <li>(a) The location, height and visual appearance of a building or structure must have regard to –</li> </ul>

<ul style="list-style-type: none"> <li>(b) not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland;</li> <li>(c) 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>	<ul style="list-style-type: none"> <li>(i) minimising the visual impact on the skyline;</li> <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; or</li> <li>(b) the location of a visually apparent building or structure must – <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> </li> </ul>
<p><b>A5</b></p> <p>The harvesting of timber, the clearing of vegetation and any change in natural ground level must not occur on any part of a site outside the required maximum building area or the access strip</p>	<p><b>P5</b></p> <p>The harvesting of timber, the clearing of any native vegetation community, and any change in natural ground level must -</p> <ul style="list-style-type: none"> <li>(a) be consistent with any reserve management plan;</li> <li>(b) retain a sufficient intensity and distribution of vegetation to screen buildings and development areas to view from a road, public place, or settlement area;</li> <li>(c) minimise impact on the visual qualities of a shoreline, skyline, ridge, or other prominent landform feature; and</li> <li>(d) minimise likely adverse impact for natural or landscape values</li> </ul>
<p><b>A6</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>P6</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> </ul>

	(d) provide durable screening to attenuate appearance of the a parking or loading area from a frontage and adjacent land
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Table to Clause 19.4.2 A2

Road	Setback (m)
Bass Highway	50
Ridgley Highway	50

#### 19.4.3 Setback from zone boundaries

<b>Objective:</b>	
Use or development of land adjoining land in another zone is to minimise –	
(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	
(b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Development of land with a boundary to another 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 on the Table –</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><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>(vii) external lighting for operational or security purposes; and</p> <p>(c) a building with an elevation to a zone boundary must be contained within a building envelope determined by –</p> <p>(i) the setback distance from the zone boundary as shown on the Table to this clause; and</p> <p>(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</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 19.4.3 A1

Adjoining Zone	Setback (m)
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Environmental Living	10.0
Urban Mixed Use	4.0
Village	4.0

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

#### 19.4.4 Subdivision

<b>Objective:</b>	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Open Space 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>

## 20.0 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 does not apply

#### 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

No Permit Required	
Use Class	Qualification
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>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods sales	<p>If –</p> <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	<p>If -</p> <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>
Community meeting and entertainment	If gross floor area of not more than 300m <sup>2</sup>
Educational and occasional care	<p>If –</p> <ul style="list-style-type: none"> <li>(a) day care facilities for children;</li> <li>(b) day respite centre; or</li> <li>(c) pre-school and primary school education</li> </ul>
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	<p>If –</p> <ul style="list-style-type: none"> <li>(a) grocery and convenience goods; or</li> <li>(b) personal services; and</li> </ul>

	(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
Visitor accommodation	If – (a) in a building; (b) located on a floor above road or pedestrian level or to the rear of active frontage premises; and (c) guest accommodation is for not more than 16 people
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</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 – (a) loading or unloading of goods and passengers by bus, rail, ferry or taxi; and (b) courier and cartage of goods produced or sold from land within the applicable Local Business zone
Tourist operation	
Utilities	
Vehicle fuel sales and service	If a service station
Visitor accommodation	
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 20.3 Use Standards

### 20.3.1 Discretionary permit use

<b>Objective:</b>	
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	
<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 for the zone; and (c) be required to service requirements of the local resident and visitor population; and (d) minimise potential to – (i) service a population beyond the local community; (ii) have immediate, incremental or cumulative adverse effect on the regional pattern of retail and service provision; and



	(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

<b>Objective:</b>	
<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> <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> <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> </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</li> </ul> </li> </ul>

<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>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 –</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>(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 drain 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>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>(b) by on-site disposal if –</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 - <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>	<ul style="list-style-type: none"> <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 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 drain 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></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> <li>b. the disposal area is not within any defined building area;</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 and dispose of 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 use or development on the land and on adjacent land;</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <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</li> </ul>	<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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#### 20.4.2 Location and configuration of development

<b>Objective:</b>	
<p>The location and configuration of development is to –</p> <ul style="list-style-type: none"> <li>(a) provide for buildings, service activity and vehicle parking to accommodate local business use;</li> <li>(b) provide for the facade of a building to remain the dominant architectural or visual element to the frontage; and</li> <li>(c) assist to attenuate likely impact on amenity of use on adjacent land</li> </ul>	
<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> <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</li> </ul>
<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</li> </ul>

	<p>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>
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#### 20.4.3 Visual and acoustic privacy for residential development

<b>Objective:</b>	
The location and configuration of development is to minimise likelihood for overlooking a habitable room, balcony, deck or roof garden in an adjacent dwelling	
<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 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

<b>Objective:</b>	
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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

<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>
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#### 20.4.5 Setback from zone boundaries

<p><b>Objective:</b></p> <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 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>	
<p><b>Acceptable Solutions</b></p> <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 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</li> </ul>	<p><b>Performance Criteria</b></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>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>(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 45° 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 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
Environmental Living	10.0
Urban Mixed Use	4.0
Village	4.0
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

<b>Objective:</b>	
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	
Acceptable Solutions	Performance Criteria
<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

#### 20.4.7 Reticulation of an electricity supply

<b>Objective:</b>	
Distribution and connection of reticulated electricity supply is to be without visual intrusion on the streetscape	
Acceptable Solutions	Performance Criteria
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

## 22.0 Central Business Zone

### 22.1 Zone Purpose

#### 22.1.1 Zone Purpose Statements

- 22.1.1.1 To provide for business, civic and cultural, community, food, hotel, professional, retail and tourist functions within a major centre serving the region or sub-region.

#### 22.1.2 Local Area Objectives

- (a) Provide a large-scale activity centre offering a comprehensive mix of services of a type and range to meet the routine needs of local residents, and the specialist needs of a local, district, regional or sub-regional population and visitors to the Cradle Coast Region;
- (b) Central business areas 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) Central business areas offer a significantly wider range of general and specialist merchandise and services, including refreshment and entertainment options, civic and cultural functions, and employment opportunities, than are available in a local or district centre



- (d) The Burnie central business district will remain contained within the area bounded by the Bass Highway, North Terrace and Marine Terrace to consolidate, secure, and supplement established function as the primary provider of the city's and sub-regions major business, retail and community services

### 22.1.3 Desired Future Character Statements

#### 22.1.3.1 Use or development for central business purposes –

- (a) support function as a regional focus for the majority of specialist retail, business, professional, community, personal, entertainment, hospitality, civic, cultural, and visitor service activity;
- (b) provide convenient arrangements for pedestrian and vehicular access and circulation;
- (c) is not required to be comparable with use or development on adjacent land in another zone;
- (d) has a potential to transition abruptly at the boundary with an adjoining zone; and
- (e) is likely to 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

#### 22.1.3.2 Use and development within the Burnie central business area –

- (a) contributes to a compact and contained place comprised of multiple small city blocks, and an internal road grid for which linkage to external networks is by a limited number of entry and exit points;
- (b) feature close-spaced or attached buildings that rise to several stories above the typical building height for Burnie;
- (c) provide buildings with minimal or no setback frontage or internal boundaries within the inner core, and more apparent free-stand buildings on sites toward the periphery
- (d) typically locate retail activity in ground level premises orientated to the frontage or internally connecting plazas and arcades;
- (e) accommodated business, professional, administration, residential and visitor accommodation on upper levels or in separate purpose specific buildings;
- (f) generate high internal traffic volumes and circulation requiring traffic management measures, including traffic lights and preferred direction traffic flows;
- (g) provide a mix of shared public and private vehicular parking in ground level and decked facilities on separate sites to meet both long and short-term requirements;
- (h) operate a local parking scheme and regulated parking control system;
- (i) utilise signage as an integrated element of streetscape and business activity;
- (j) operate extended hours for retail, business, civic, cultural, entertainment and hospitality;
- (k) make best use of available and planned utility and community services infrastructure; and
- (l) promote more intensive use of land and existing buildings through adaptive conversion and re-use, infill, and redevelopment

## 22.2 Use Table

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</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
If a public park or reserve for the community	
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods sales	If – (a) a garden centre for the retail sale of plants, landscaping, and gardening supplies and equipment; (b) floor coverings, furniture, or white goods; (c) building supplies and hardware (d) office and hospitality supplies
Business and professional services	
Community meeting and entertainment	
Educational and occasional care	
Emergency services	
Food services	
General retail and hire	
Hospital services	
Hotel industry	
Pleasure boat facility	If 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
Storage	
Tourist operation	
Utilities	If minor utilities
Vehicle parking	
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>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods sales	
Passive recreation	
Natural and cultural values management	
Residential	If located on a floor above road or pedestrian level or to the rear of active frontage premises
Service industry	
Sports and recreation	
Storage	
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 Central Business zone
Utilities	
Vehicle fuel sales and service	If a service station
Visitor accommodation	
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 22.3 Use Standards

### 22.3.1 Discretionary permit use

<b>Objective:</b>
Use in the Central Business zone is to – (a) provide for the routine requirements of local residents for grocery and general retailing, personal care, business, professional and refreshment services; (b) offer a higher order of complexity and sophistication in business, retail, community; and professional services to residents and visitors of the municipal area and the region; and

(c) complement and enhance the drawing power of core retail and business services to increase attraction, cohesion, viability, and vitality of (insert only Burnie or Devonport) as a regional activity centre	
Acceptable Solutions	Performance Criteria
<b>A1</b> There is no acceptable solution	<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 for the zone; and</li> <li>(c) be required to service requirements of the local, municipal or regional resident and visitor population</li> </ul>

## 22.4 Development Standards

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

<b>Objective:</b> 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
<b>A1</b> A site or each lot on a plan of subdivision must – <ul style="list-style-type: none"> <li>(a) have a site area of not less than 45m<sup>2</sup> excluding any access strip; 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> </ul> </li> </ul>	<b>P1</b> 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 – <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>(vi) accessible from a frontage or access strip; and</p> <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 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>

<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 sewerage 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

#### 22.4.2 Location and configuration of development

<b>Objective:</b> 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) provide for buildings, service activity and vehicle parking to accommodate business use;</li> <li>(c) provide for the facade of a building to remain the dominant architectural or visual element to the frontage; and</li> <li>(d) assist to attenuate likely impact on amenity of use on adjacent land</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Building height must not be more than 25.0m	<b>P1</b> Building height must - <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</li> </ul>
<b>A2</b> 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	<b>P2</b> An external car parking and loading area, and any area for the display, handling, or storage of goods, materials or waste, must – <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</li> </ul>

	<p>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>
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#### 22.4.3 Visual and acoustic privacy for residential use

<b>Objective:</b>	
The location and configuration of development is to minimise likelihood for overlooking a habitable room, balcony, deck or roof garden in an adjacent dwelling	
<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 must –</p> <p>(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;</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 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>

#### 22.4.4 Private open space for residential use

<b>Objective:</b>
External area 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) 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>

#### 22.4.5 Setback from zone boundaries

<p><b>Objective:</b></p> <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 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 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</li> </ul>	<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>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>(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 45° 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 22.4.5 A1

<b>Adjoining Zone</b>	<b>Setback (m)</b>
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Environmental Living	10.0
Urban Mixed Use	4.0
Village	4.0
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.

#### 22.4.6 Subdivision

<b>Objective:</b>	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Central Business 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

#### 22.4.7 Reticulation of an electricity supply

<b>Objective:</b>	
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 be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground

## 23.0 Commercial Zone

### 23.1 Zone Purpose

#### 23.1.1 Zone Purpose Statements

23.1.1.1 To provide for large floor area retailing and service industries.

#### 23.1.2 Local Area Objectives

- (a) Commercial areas provide for activities that are typically unsuited for location within the Local Business, General Business or Central Business zone by reasons of a requirement for –
  - (i) a large floor or site area for display, sale, storage or operation;
  - (ii) immediate access to customer car parking and loading areas; and
  - (iii) a high standard of freight transport and vehicle access and facilities for the delivery and collection of goods
- (b) Commercial areas 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

#### 23.1.3 Desired Future Character Statements

Use or development in a commercial area –

- (a) do not include a supermarket, department, or variety stores, or the specialist retailing of food, clothing, and carry-away consumer goods;
- (b) provide buildings with large floor area and bulk;
- (c) potentially attract a high volume and turn-over in freight transport, light commercial, and passenger vehicles;
- (d) feature sites with –
  - (i) well defined frontage access; and
  - (ii) expansive external hard-seal and illuminated areas for display and storage of goods and for the movement, loading, and parking of vehicles;
- (e) may feature prominent corporate liveries and signage in external building treatment and site appearance;
- (f) may operate extended hours;
- (g) is not required to be comparable with the type and form of development on land in an adjoin zone; and
- (h) has potential to 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

## 23.2 Use Table

No Permit Required	
Use Class	Qualification
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
Permitted	
Use Class	Qualification
Bulky goods sales	If not retail sale of foodstuffs or clothing
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	
Food services	If – <ul style="list-style-type: none"> <li>(a) not licensed premises;</li> <li>(b) not including a drive through in take away food premises; and</li> </ul>

	(c) a seating capacity for not more than 20 people
Service industry	
Tourism 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 fuel sales and service	If a service station
Vehicle parking	If in accordance with a local area parking scheme for vehicles attending the commercial centre
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods sales	If for sale of foodstuff and clothing
Education and occasional care	If vocational training in retail and service trades
Passive recreation	
Natural and cultural values management	
Sports and recreation	
Storage	
Transport depot and distribution	
Utilities	
Vehicle fuel sales and service	
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 23.3 Use Standards

### 23.3.1 Discretionary permit use

<b>Objective:</b>	
Use in this zone that is a discretionary permit use is to –	
(a) provide for large format and bulky goods retail, trade support, and service industries uses;	
(b) excludes general retailing, including beverages, food and clothing; and	
(c) complement and enhance the drawing power of alternate retail and business areas	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
There is no acceptable solution	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;</li> <li>(c) be required to service requirements of the municipal or regional resident and visitor population; and</li> <li>(d) minimise potential to have immediate, incremental or cumulative adverse effect on the municipal and regional pattern of retail and service provision</li> </ul>
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## 23.4 Development Standards

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

<b>Objective:</b>	
<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 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>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 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>
<b>A2</b>	<b>P2</b>

<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 10.0m; 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>	<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 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> </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 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 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>

<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
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#### 23.4.2 Location and configuration of development

<b>Objective:</b>	
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) provide for buildings, service activity and vehicle parking to accommodate bulky goods, large format retailing and service industry use;</li> <li>(c) assist to attenuate likely impact on amenity of use on adjacent land</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1.1</b> A building is not required to setback from a frontage or boundary unless – <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> <b>A1.2</b> 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 - <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> <li>(b) provision of screening devices such as earth mounds and fencing; or</li> <li>(c) combination of (a) and (b).</li> </ul>	<b>P1</b> The setback of a building must – <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 this clause;</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>
<b>A2</b> Building height must not be more than 10.0m	<b>P2</b> Building height must - <ul style="list-style-type: none"> <li>(a) minimise likelihood for overshadowing of a habitable room or a required minimum</li> </ul>

	<p>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>
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Table to Clause 23.4.2 A1

Road	Setback (m)
Ridgley Highway	20.0m
Bass Highway	6.0m

#### 23.4.3 Setback from zone boundaries

<b>Objective:</b>	
<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 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 must –</p> <p>(a) be setback from the boundary of land in an adjoining zone by not less than the distance for that zone as 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> <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,</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>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>(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 45° 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 23.4.3 A1

Adjoining Zone	Setback (m)
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Environmental Living	10.0
Urban Mixed Use	4.0
Village	4.0
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.

#### 23.4.4 Subdivision

<b>Objective:</b>	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Commercial 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>
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## 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

No Permit Required	
Use Class	Qualification
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
Permitted	
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
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
Discretionary	
Use Class	Qualification
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 – <ul style="list-style-type: none"> <li>(a) not licensed premises;</li> <li>(b) not including a drive through in take away food premises; and</li> <li>(c) a seating capacity for not more than 20 people</li> </ul>

Passive recreation	
Research and development	
Resource processing	
Utilities	
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 24.3 Use Standards

### 24.3.1 Discretionary permit use

<b>Objective:</b>	
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	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  There is no acceptable solution	<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) avoid any likely conflict or impact on amenity for existing and potential use of adjacent land for – <ul style="list-style-type: none"> <li>(i) manufacturing, processing, service, repair, storage, and transport activity within the zone boundaries; and</li> <li>(ii) use on land beyond the boundaries of the zone</li> </ul> </li> </ul>

## 24.4 Development Standards

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

<b>Objective:</b>	
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>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> <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 10.0m; 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></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 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> </ul> </li> </ul>

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>(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>
<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 sewerage 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

#### 24.4.2 Location and configuration of development

<b>Objective:</b>	
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>
<b>A1.1</b> A building is not required to setback from a frontage or boundary unless –	<b>P1</b> The setback of a building must – <ul style="list-style-type: none"> <li>(a) be consistent with prevailing frontage setbacks for any existing and approved</li> </ul>

<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>building on the site or on adjacent land from the frontage to a road identified in the Table to clause 24.4.1 <b>A1(b)</b>;</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 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

Road	Setback (m)
Bass Highway	20
Ridgley Highway	20

### 24.4.3 Setback from zone boundaries

<b>Objective:</b>	
<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 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> <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>(c) a building with an elevation to a zone boundary 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 45° above the horizontal from a wall</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>



height of 3.0m at the setback distance from the zone boundary; and	
(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	

Table to Clause 24.4.3 A1

Adjoining Zone	Setback (m)
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Environmental Living	10.0
Urban Mixed Use	4.0
Village	4.0
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

<b>Objective:</b>	
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
<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

## 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

No Permit Required	
Use Class	Qualification
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
Permitted	
Use Class	Qualification
Community meeting and entertainment	If for folios of the Register 216413/8, 76195/9, 216005/10, 232168/1, 167400/1, 223549/1,

	77451/1, 77451/2, 60836/1, 60836/2, 231380/1, 231381/1 and 222644/1
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	
Sports and recreation	If for folios of the Register 216413/8, 76195/9, 216005/10, 232168/1, 167400/1, 223549/1, 77451/1, 77451/2, 60836/1, 60836/2, 231380/1, 231381/1 and 222644/1
Storage	
Transport depot and distribution	
Utilities	
Vehicle fuel sales and service	If not a service station
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</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; (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>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 25.3 Use Standards

### 25.3.1 Discretionary permit use

<b>Objective:</b>	
Use that is a discretionary use in this zone is to minimise likely adverse impact on use on any other land	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There is no acceptable solution	<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 for the zone; and</li><li>(c) minimise likely adverse impact for existing and potential –<ul style="list-style-type: none"><li>(i) manufacturing, processing, service, repair, storage, and transport activities within the zone boundaries; and</li><li>(ii) use on land beyond the boundaries of the zone</li></ul></li></ul>

## 25.4 Development Standards

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

<b>Objective:</b>	
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>
<b>A1</b> A site or each lot on a plan of subdivision must – <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></ul></li></ul>	<b>P1</b> 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 – <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></ul>

<ul style="list-style-type: none"> <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>	<ul style="list-style-type: none"> <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> <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 with a width of not less than 10.0m; 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> <li>(iii) with a width of not less than 10.0m; and</li> </ul> </li> <li>(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</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> <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 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>

	(b) It must be unnecessary to require drainage and disposal of sewage or liquid trade waste
<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> A site or each lot on a plan of subdivision must drain and dispose of 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 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> (b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater

#### 25.4.2 Location and configuration of development

<b>Objective:</b>	
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; 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>
<b>A1.1</b> A building is not required to setback from a frontage or boundary unless –	<b>P1</b> The setback of a building must –

<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)
Bass Highway	20
Ridgley Highway	20



### 25.4.3 Setback from zone boundaries

<b>Objective:</b>	
Use or development of land adjoining land in another zone is to minimise –	
(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 (b) unreasonable impact on the amenity of use on land beyond the boundaries of the zone	
Acceptable Solutions	Performance Criteria
<b>A1</b> Development of land with a boundary to a zone must – (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 (b) not include within the setback area required from a boundary to land in a zone shown in the Table to this Clause – (i) a building or work; (ii) vehicular or pedestrian access from a road if the boundary is not a frontage; (iii) vehicle loading or parking area; (iv) an area for the display, handling, operation, manufacturing, processing, servicing, repair, or storage of any animal, equipment, goods, plant, materials, vehicle, or waste; (v) an area for the gathering of people, including for entertainment, community event, performance, sport or for a spectator facility; (vi) a sign orientated to view from land in another zone; or (vii) external lighting for operational or security purposes; and (c) a building with an elevation to a zone boundary to which this clause applies must be contained within a building envelope determined by – (i) the setback distance from the zone boundary as shown in the Table to this Clause; and (ii) projecting upward and away from the zone boundary at an angle of 45°	<b>P1</b> The location of development must – (a) minimise likelihood for conflict, constraint or interference from sensitive use on land in an adjoining zone; and (b) minimise likely impact on the amenity of the sensitive use on land in an adjoining zone

above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary; and	
(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	

Table to Clause 25.4.3 A1

Adjoining Zone	Setback (m)
General Residential	4.0
Low Density Residential	4.0
Rural Living	10.0
Environmental Living	10.0
Urban Mixed Use	4.0
Village	4.0
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

<b>Objective:</b>	
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	
Acceptable Solutions	Performance Criteria
<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 – for a purpose permissible in the zone

Refer to the PDF map: Burnie Interim Planning Scheme 2013 - Overlays - Site Specific Qualification Overlay

## 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

No Permit Required	
Use Class	Qualification
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>
Permitted	
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
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> </ul>

	(b) Home based business in an existing dwelling
Resource development	<p>If –</p> <p>(a) aquaculture or intensive animal husbandry; and</p> <p>(b) conducted in a manner which does not alter, disturb or damage the existing soil profile</p>
Service industry	<p>If –</p> <p>(a) not on prime agricultural land; and</p> <p>(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</p>
Storage	<p>If –</p> <p>(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</p> <p>(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</p> <p>(c) not be a liquid fuel depot or a solid fuel depot</p>
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	<p>If –</p> <p>(a) farm stay accommodation; and</p> <p>(b) guest accommodation of not more than 16 people</p>
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</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	
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	
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	

Prohibited	
Use Class	Qualification
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:	
<p>Other than for residential use, discretionary permit use of rural resource land is to minimise –</p> <p>(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</p> <p>(b) unreasonable conflict or interference to existing or potential primary industry use, including agricultural use, by other land use</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Other than for residential use, discretionary permit use must –</p> <p>(a) be consistent with the local area objectives;</p> <p>(b) be consistent with any applicable desired future character statement;</p> <p>(c) be required to locate on rural resource land for operational efficiency –</p> <p>(i) to access a specific naturally occurring resource on the site or on adjacent land in the zone;</p> <p>(ii) to access infrastructure only available on the site or on adjacent land in the zone;</p> <p>(iii) to access a product of primary industry from a use on the site or on adjacent land in the zone;</p> <p>(iv) to service or support a primary industry or other permitted use on the site or on adjacent land in the zone;</p> <p>(v) if required –</p> <p>a. to acquire access to a mandatory site area not otherwise available</p>

	<p>in a zone intended for that purpose;</p> <p>b. for security;</p> <p>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;</p> <p>(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;</p> <p>(vii) to provide an essential utility or community service infrastructure for the municipal or regional community or that is of significance for Tasmania; or</p> <p>(viii) if a cost-benefit analysis in economic, environmental, and social terms indicates significant benefits to the region; and</p> <p>(d) minimise likelihood for –</p> <p>(i) permanent loss of land for existing and potential primary industry use;</p> <p>(ii) constraint or interference to existing and potential primary industry use on the site and on adjacent land; and</p> <p>(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</p>
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#### 26.3.2 Required residential use

<b>Objective:</b>	
Residential use [R29] –	
<p>(a) is required as part of a resource development or other non-residential use; and</p> <p>(b) does not confine or restrain use of land for resource development or other non-residential use</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Residential use required as part of a use must –	Residential use required as part of a use must –



<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> <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>	<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> <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 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 - <ul style="list-style-type: none"> <li>(i) the dwelling is required as part of a nominated permitted use; and</li> <li>(ii) the lots are not to be sold separately</li> </ul> </li> </ul>
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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

<b>Objective:</b>	
Residential use that is not required as a part of other use –	
<ul style="list-style-type: none"> <li>(a) minimises the permanent and unnecessary loss of land with potential for resource development or an extractive industry; and</li> <li>(b) minimises likelihood to interfere with or constrain the existing or potential use of land for resource development or an extractive industry</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Residential use that is not required as part of an other use must –	Residential use that is not required as a part of other 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>(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) not replace an existing residential use;</li> <li>(e) not create a new residential use through conversion of an existing building;</li> <li>(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</li> <li>(g) be home based business in association with occupation of an existing lawful and structural sound residential building; and</li> <li>(h) there is no change in the title description of the site on which the residential use is located</li> </ul>	<ul style="list-style-type: none"> <li>(b) be consistent with any applicable desired future character statement;</li> <li>(c) be on a site within which the existing or proposed development area – <ul style="list-style-type: none"> <li>(i) is not capable by reason of one or more of factors of topography, resource capability, size or shape of being utilised for resource development or extractive industry use; and</li> <li>(ii) is not capable of utilisation in the operations of a resource development or extractive industry enterprise, regardless of ownership; and</li> <li>(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.</li> </ul> </li> <li>(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.</li> </ul>
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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

<b>Objective:</b>	
<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> <ul style="list-style-type: none"> <li>(a) unless for agricultural use, have an area of not less than 1 hectare not including any access strip; and</li> <li>(b) if intended for a building, contain a building area –</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> </ul>

<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>(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 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</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</li> </ul> </li> </ul>

<p>right of way to the site or each lot on a proposed subdivision plan.</p>	<p>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 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>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</p>

<ul style="list-style-type: none"> <li>b. provides for an equivalent population of not more than 10 people per day; or</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>	<p>Water Quality Management 1997; and</p> <ul style="list-style-type: none"> <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 the drainage and disposal of sewage or liquid trade waste</li> </ul>
<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> <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 stormwater 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> <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> </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 and dispose of 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 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> </li> <li>(b) It must be unnecessary to require the drainage and disposal of stormwater</li> </ul>

e. not more than 50% of the site is impervious surface	
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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

<b>Objective:</b>	
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> <ul style="list-style-type: none"> <li>(a) not less than 20.0m from the frontage; or</li> <li>(b) if the development is for sensitive use on land that adjoins a road specified in the Table to this Clause, not less than the setback specified from that road;</li> <li>(c) not less than 10.0m from each side boundary; and</li> <li>(d) not less than 10.0m from the rear boundary; or</li> <li>(e) in accordance with any applicable building area shown on a sealed plan</li> </ul>	<p><b>P1</b></p> <p>The setback of a building or utility structure 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) a utility; or</li> <li>(vi) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;</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 be not be more than 8.5m</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 pen space in any adjacent dwelling;</li> </ul>

	<ul style="list-style-type: none"> <li>(b) minimise apparent scale, bulk, massing and proportion in relation to any adjacent building;</li> <li>(c) be consistent with the streetscape and rural landscape;</li> <li>(d) respond to the effect of the slope and orientation of the site; and</li> <li>(e) take into account the effect and durability of screening other than vegetation to attenuate impact</li> </ul>
<p><b>A3.1</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><b>P3.1</b></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>

Table to Clause 26.4.2 A1

Road	Setback (m)
Bass Highway	50
Ridgley Highway	50

#### 26.4.3 Location of development for sensitive uses

<b>Objective:</b>	
<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> <li>(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;</li> <li>(d) conservation management;</li> <li>(e) extractive industry;</li> <li>(f) forestry; and</li> <li>(g) transport and utility infrastructure</li> </ul>	
<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> <ul style="list-style-type: none"> <li>(a) be located not less than – <ul style="list-style-type: none"> <li>(i) 200m from any agricultural land;</li> <li>(ii) 200m from aquaculture or controlled environment agriculture;</li> <li>(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</li> <li>(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</li> <li>(v) 500m from intensive animal husbandry;</li> <li>(vi) 100m from land under a reserve management plan;</li> <li>(vii) 100m from land designated for production forestry;</li> <li>(viii) 50m from a boundary of the land to a road identified in Clause 26.4.2 or to a railway line; and</li> </ul> </li> </ul>	<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> <ul style="list-style-type: none"> <li>(a) permanent loss of land for existing and potential primary industry use;</li> <li>(b) likely constraint or interference to existing and potential primary industry use on the site and on adjacent land;</li> <li>(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</li> <li>(d) adverse effect on the operability and safety of a major road, a railway or a utility</li> </ul>



<p>(ix) clear of any restriction imposed by a utility; and</p> <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</p>	
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#### 26.4.4 Subdivision

<b>Objective:</b>	
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	
<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>(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> <p>(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</p>

	<p>broad-scale irrigation development; or</p> <p>(c) A plan of subdivision to reduce the area of an existing lot on a sealed plan containing a lawful 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 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>
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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

<b>Objective:</b>	
<p>A building for controlled environment agriculture use is to minimise –</p> <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>	<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</li> </ul>

<p>(a) rely on the soil as a growth medium into which plants are directly sown;</p> <p>(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</p>	<p>for operational efficiency in terms of one or more of the following –</p> <p>(i) to access a specific resource on the site or on land in the vicinity of the site;</p> <p>(ii) to access infrastructure only available on the site or on land in the vicinity of the site;</p> <p>(iii) to access a product of another agricultural use from the site or from land in the vicinity of the site;</p> <p>(iv) for security or impact reasons</p> <p>(b) minimise the amount of agricultural land permanently precluded from return to agricultural use; and</p> <p>(c) minimise adverse impact on the site and on the land in the vicinity of the site for agricultural use</p>
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## 27.0 Significant Agricultural Zone

## 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

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</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>	
<b>Use Class</b>	<b>Qualification</b>
Emergency services	
Recycling and waste disposal	
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>	
<b>Use Class</b>	<b>Qualification</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>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 28.3 Use Standards

### 28.3.1 Discretionary permit use

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

<b>Objective:</b>
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> <ul style="list-style-type: none"> <li>(a) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(b) clear of any applicable setback from a zone boundary;</li> <li>(c) clear of any registered easement;</li> <li>(d) clear of any registered right of way benefitting other land;</li> <li>(e) clear of any restriction imposed by a utility;</li> <li>(f) not including an access strip</li> <li>(g) accessible from a frontage or access strip</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 erection of a building if required by the intended use;</p> <ul style="list-style-type: none"> <li>(a) access to the site;</li> <li>(b) use or development of adjacent land;</li> <li>(c) a utility; and</li> <li>(d) 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> <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 with a width of not less than 10.0m; 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> <li>(iii) with a width of not less than 10.0m; and</li> </ul> </li> <li>(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</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> </ul> </li> <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</li> </ul>

<p>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 <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>(i) sewage or liquid trade waste cannot be drained to a reticulated sewer system; and</p> <p>(ii) the development provides for an equivalent population of not more than 10 people per day; or</p> <p>(iii) creates a total sewage and waste water flow of not more than 1,000l per day; and</p> <p>(iv) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater</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>management clear of any defined building area or access strip</p>	<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> <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> <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> <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> </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 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> </li> <li>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</li> </ul>



## 28.4.2 Location and configuration of development

<b>Objective:</b>	
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 – <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 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> </ul>

	<p>(f) take account of the effect of the slope and orientation of the site; and</p> <p>(g) take into account the effect and durability of screening other than vegetation to attenuate impact</p>
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Table to Clause 28.4.2 A1

Road	Setback (m)
Bass Highway	20
Ridgley Highway	20

#### 28.4.3 Subdivision

<b>Objective:</b>	
<p>The division and consolidation of estates and interests in land is to –</p> <p>(a) adjust the boundaries or size of a lot to improve the use of land for utilities;</p> <p>(b) create a lot for utilities;</p> <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>	
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 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

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Permitted	
Use Class	Qualification
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: <ul style="list-style-type: none"> <li>(a) required for the protection, conservation, and management of land in the zone; or</li> <li>(b) on land located north of the railway line at West Park, Burnie</li> </ul>
Educational and occasional care	If: <ul style="list-style-type: none"> <li>(a) vocational training in conservation and resource management of a type conducted on land in the zone;</li> <li>(b) interpretation and information for people visiting land in the zone;</li> <li>(c) requires location in a natural setting; or</li> <li>(d) on land located north of the railway line at West Park, Burnie</li> </ul>
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 – <ul style="list-style-type: none"> <li>(a) agricultural use dependent on the soil as a growth medium; or</li> <li>(b) in accordance with an approval given under a regulation applicable for management of a statutory conservation reserve</li> </ul>

Sports and recreation	If: (a) dependent on an attribute of the site; or (b) on land located north of the railway line at West Park, Burnie
Tourist operation	If: (a) complementary to an environmental management purpose of land in the zone; (b) based on a building, area or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; or (c) on land located north of the railway line at West Park, Burnie
Utilities	If minor utilities
Visitor accommodation	If for patrons of a conservation, sports and recreation or tourist operation use on land in the zone
Vehicle parking	If on land located north of the railway line at West Park, Burnie
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</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>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 29.3 Use Standards

### 29.3.1 Use in a statutory conservation reserve

<b>Objective:</b>	
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>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> The relevant conservation management agency must advise – <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>	<b>P1</b> There is no performance criteria

### 29.3.2 Discretionary permit use

<b>Objective:</b>	
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>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Discretionary permit use, other than residential use, must be – <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 management of a significant ecological, scientific, cultural, or aesthetic value of the land or adjacent land</li> </ul>	<b>P1</b> Discretionary permit use, other than residential use, must – <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> <li>(ii) to facilitate conservation, protection or management of a significant</li> </ul> </li> </ul>

	<p>ecological, scientific, cultural or aesthetic value;</p> <p>(iii) to provide opportunity for diversification, innovation, and value-adding to secure a conservation outcome;</p> <p>(iv) to provide utility infrastructure of critical importance for the municipal or regional community or for Tasmania; or</p> <p>(v) to provide significant social, economic or environmental benefit to the Region or Tasmania; and</p> <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> <p>(a) no suitable alternate site is available; and</p> <p>(b) a hazard risk assessment in accordance with Code E2 - Bushfire Prone Areas and Code E6 - Hazard Management indicates –</p> <p>(i) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measures; or</p> <p>(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</p>

### 29.3.3 Required residential use

<b>Objective:</b>
Residential use is –
(a) required to support and service a conservation or hazard management purpose;

<p>(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</p> <p>(c) without risk to the health and safety of people, property, and the environment</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Residential use required as part of a protection and conservation, or hazard management 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>(c) not intensify an existing lawful residential use;</p> <p>(d) replace an existing lawful residential use;</p> <p>(e) not create a new residential use through conversion of an existing building; or</p> <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><b>P1</b></p> <p>Residential use that is required as part of a protection and conservation, or hazard management 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) be required if –</p> <p>(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;</p> <p>(ii) residential use will be integral and subservient; and</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 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 -</p> <p>(i) the dwelling is required as part of a nominated ecological, scientific, cultural or aesthetic or hazard management use; and</p> <p>(ii) the lots are not to be sold separately</p>

#### 29.3.4 Residential use

<p><b>Objective:</b></p>
<p>Residential use –</p> <p>(a) does not result in the permanent loss of land with a conservation value;</p> <p>(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</p> <p>(c) is without risk to the health and safety of people, property, and the environment</p>



Acceptable Solutions	Performance Criteria
<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 hazard management use on other land; and</li> </ul> </li> <li>(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</li> </ul>

## 29.4 Development Standards

### 29.4.1 Development in a statutory conservation area

<b>Objective:</b>
<p>Development in a statutory conservation reserve is to –</p> <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
<b>A1</b> The relevant conservation management agency must advise – <ul style="list-style-type: none"> <li>(a) the development 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 development; and</li> <li>(c) any conditions and requirements for protection, conservation, or management</li> </ul>	<b>P1</b> There is no performance criteria

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

<b>Objective:</b>	
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
<b>A1</b> A site or each lot on a plan of subdivision must - <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>	<b>P1</b> 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 – <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 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 the subdivision plan.</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 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> </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) provided in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</li> <li>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000 litres if–</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>

<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> <li>b. a use with an equivalent population of not more than 10 people per day</li> </ul> </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> <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. 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 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> <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> <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; 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>
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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

<p><b>Objective:</b></p> <p>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</p>	
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>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>(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</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>(c) minimise likely impact of the building on the ecological, scientific, cultural or aesthetic value of the land and of adjacent land; or</p> <p>(d) 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> <p>(i) be essential and unavoidable in order to provide an overriding community benefit; or</p> <p>(ii) incapable of change due to an exceptional circumstance.</p>

<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> <p>(a) must be consistent with the objective for any conservation management regulation or reserve management plan applying for the land; and</p> <p>(b) must –</p> <p>(i) retained sufficient vegetation to maintain an intact tree canopy and provide screening to cleared and converted areas;</p> <p>(ii) minimise impact on the visual qualities of a shoreline, skyline, ridge and other prominent landform feature;</p> <p>(iii) minimise exposure to view from a road, public place, or settlement area; or</p> <p>(c) must –</p> <p>(i) provide an overriding community benefit; or</p> <p>(ii) be required by an exceptional circumstance</p>
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Table to Clause 29.4.3 A1

Road	Setback (m)
Bass Highway	50
Ridgley Highway	50

#### 29.4.4 Subdivision

<p><b>Objective:</b></p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of Environmental management zone</p>	
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> <ul style="list-style-type: none"> <li>(i) be required for a purpose permissible in the zone;</li> <li>(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;</li> <li>(iii) retained the balance area for ecological, scientific, cultural or aesthetic purposes;</li> <li>(iv) minimise unnecessary and permanent loss of land for existing and potential ecological, scientific, cultural or aesthetic purposes; and</li> <li>(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</li> </ul> <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</li> </ul> </li> </ul>
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	<p>accordance with the applicable standards for that use; or</p> <p>b. not further increase any non-compliance for use or development on the existing lot</p>
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Refer to the PDF map: Burnie Interim Planning Scheme 2013 - Overlays - Site Specific Qualification Overlay

## 30.0 Major Tourism Zone

The zone is not used in this planning scheme

## 31.0 Port and Marine Zone

### 31.1 Zone Purpose

#### 31.1.1 Zone Purpose Statements

31.1.1.1 To provide for port and marine activity related to shipping and other associated transport facilities and supply and storage.

#### 31.1.2 Local Area Objectives

- (a) .....
- (b) The zone applies for the land and incorporated waters comprising a port area at Burnie;
- (c) The port and marine area is available for –
  - (i) handling, movement, and storage of freight and trade commodities for import and export by sea and associated transport;
  - (ii) embarkation and disembarkation of passengers by sea and associated transport;
  - (iii) servicing and support of shipping and associated transport;
  - (iv) servicing and support of commercial fishing;
  - (v) servicing and support of recreation boating; and
  - (vi) activity that requires location in the zone; and
- (d) Direct waterfront access and proximity to shipping is available for marine and shipping services and support activities

#### 31.1.3 Desired Future Character Statements

Port areas –

- (a) are likely to be high volume transport locations involving direct interaction between marine and land based transport systems for movement of freight, marine resources, and passengers;
- (b) may have dramatic visual and operational prominence resulting from an abrupt and hardened land/sea interface, expansive sealed aprons, ship, road and rail freight vehicle and handling installations, navigation beacons, buildings and structures of industrial scale and form, gantries, towers and cranes, and large-scale and transient external storage;

- (c) are likely to cause nuisance or inconvenience to the amenity of land external to the zone through factors associated with the operational characteristics, including the emission to air, land or water of light, noise, odour, particulates, radiation or vibration, high traffic volume, duration and frequency of activity, extended or intermittent hours of operation, and a readily apparent visual or functional presence within an urban setting; and
- (d) have a manifest concern for high levels of security and surveillance for immigration, quarantine, safety, and cargo control

## 31.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	If care, conservation, rehabilitation, or protection against degradation, but must not include a building or development area for information or display of items or for any other use
Port and shipping	
Permitted	
Use Class	Qualification
Business and professional services	If for marine, port, shipping and transport purposes
Community meeting and entertainment	If in support of crew and passengers
Educational and occasional care	If training in marine, port and associated transport related skills
Emergency services	If facilities for – (a) Emergencies in the port and shipping area; or (b) Marine search and rescue
Equipment and machinery sales and hire	If marine, shipping and associated transport equipment
Food services	If to cater for crews and passengers of shipping and associated transport
General retail and hire	If shipping and associated transport related goods
Manufacturing and processing	If – (a) boat or ship building; (b) maritime and shipping equipment; or (c) major maintenance or repair
Pleasure boat facilities	If – (a) boat launch and recovery ramp;

	(b) marina; (c) on-shore boat storage with a gross floor area of not more than 500m <sup>2</sup>
Research and development	If for port and shipping and associated transport purposes
Service industry	If routine maintenance, servicing and repair of boats, marine and shipping and associated transport equipment
Storage	If – (a) freight prior to loading onto or subsequent to unloading from a ship, and includes a liquid fuel depot; or (b) depot for storage of plant, machinery and other equipment required by a port or marine activity, including by search and rescue, tugs, marine pilot, and off-shore resource recovery
Transport depot and distribution	If – (a) distribution of freight and passengers onto or from a ship; or (b) parking or servicing of vehicles used in connection with port and shipping purposes; or (c) marina for permanent boat storage, including facilities for construction, maintenance, storage, sale or hire of boats; for fuelling, sewage pump-out and other services; for launching or recovery of boats, including a slip way or hoist; berthing and mooring; and any car parking
Utilities	If minor utilities
Vehicle fuel sales and service	If for boats, freight transport, commercial passenger vehicles, and ships
Vehicle parking	If for crew and passenger of a ship
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Pleasure boat facilities	
Natural and cultural values management	
Resource processing	If aquatic or marine resources
Sports and recreation	If water based activity and associated land based infrastructure

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

### 31.3 Use Standards

#### 31.3.1 Discretionary permit use

<b>Objective:</b>	
Use in this zone that is a discretionary permit use is –	
(a) required to support and service the port and marine area; or	
(b) required to located in a port and marine area for operational efficiency	
<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;
	(c) be required to support or complement the purpose of the port and marine area;
	(d) minimise potential to -
	(i) service a purpose beyond the purpose of the port and marine area; and
	(ii) have immediate and cumulative impact on the efficient operation, safety, and security of port and marine use ; and
	(e) have regard for any advice or decision of the relevant port authority

### 31.4 Development Standards

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

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

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A site or each lot on a plan of subdivision must have an area of not less than 1000m<sup>2</sup> -</p> <ul style="list-style-type: none"> <li>(a) clear of any applicable setback from a frontage, side or rear boundary;</li> <li>(b) clear of any applicable setback from a zone boundary;</li> <li>(c) clear of any registered easement;</li> <li>(d) clear of any registered right of way benefitting other land;</li> <li>(e) clear of any restriction imposed by a utility;</li> <li>(f) not including an access strip; and</li> <li>(g) accessible from a frontage or access strip</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> <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 with a width of not less than 10.0m; 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;</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 10.0m; and</li> </ul> </li> <li>(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</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 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 of the site; 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> <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</li> </ul>

<p>right of way to the site or each lot on a proposed subdivision plan</p>	<p>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>(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>c. the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater</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>management clear of any defined building area or access strip</p>	<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> <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> <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> <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</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 and dispose of 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 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> </li> <li>(b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater</li> </ul>

### 31.4.2 Subdivision

<b>Objective:</b>	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Port and Marine 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 plan of subdivision to create 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 port and marine purposes;</p> <p>(b) create a new lot for a port and marine purposes; or</p> <p>(c) be for a purpose permissible in the zone if –</p> <p>(i) be of a size and configuration sufficient for the intended use but that is not more than is necessary to minimise –</p> <p style="padding-left: 40px;">A permanent loss of land to port and marine purposes; and</p> <p style="padding-left: 40px;">B likely interference or constraint for existing and potential port and marine use on the site and on adjacent land; and</p> <p>(ii) retain the balance area for port and marine purposes</p>

## 32.0 Particular Purpose Zone



# Part E

## Codes

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### E1 Bushfire-Prone Areas Code

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

E1.1.1 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><li>(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.</li></ul>
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: <ul style="list-style-type: none"> <li>(a) to secure the benefits of a use or development in a relevant hazard area; and</li> <li>(b) which can be managed through: <ul style="list-style-type: none"> <li>(i) routine regulatory measures; or</li> <li>(ii) by specific hazard management measures for the intended life of each use or development.</li> </ul> </li> </ul>
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

<b>Objective:</b>	
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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  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: <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>
<b>A2</b>  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	<b>P2</b>  No Performance Criterion.

<p>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> <li>(iii) understand and respond to instructions in the event of a bushfire; and</li> </ul> </li> <li>(c) any bushfire protection measures available to reduce risk to emergency service personnel.</li> </ul>	
<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><b>Objective:</b></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>	
Acceptable Solutions	Performance Criteria
<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</li> </ul>

	<p>specified in A2 and A3 of this Standard; and</p> <p>(e) other advice, if any, from the TFS.</p>
<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 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>P2</b></p> <p>No Performance Criterion.</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

<b>Objective:</b>
<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>

Acceptable Solutions	Performance Criteria
<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 management areas as part of a subdivision; or</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> <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>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <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>

E1.6.2 Subdivision: Public and fire fighting access

<b>Objective:</b>	
<p>Access roads to, and the layout of roads, tracks and trails, in a subdivision:</p> <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> <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> </ul>

	(c) any advice from the TFS.
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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 access is not required for a fire appliance to access a firefighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30m or greater; or access is required for a fire	<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> </ul>



	appliance to a fire fighting water point.	(d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 0.5m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (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 (j) terminate with a turning area for fire appliances provided by one of the following: (i) a turning circle with a minimum outer radius of 10m; or (ii) a property access encircling the building; or (iii) a hammerhead 'T' or 'Y' turning head 4m wide and 8m long.
C.	Property access length is 200m or greater.	The following design and construction requirements apply to property access: (a) the requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length provided every 200m.
D.	Property access length is greater than 30m, and access is provided to 3 or more properties.	The following design and construction requirements apply to property access: (a) complies with requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.

Table E3 Standards for fire trails

	Element	Requirement
A.	All fire trails	The following design and construction requirements apply: (a) all-weather, 4-wheel drive construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width of 4m; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (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;

		<p>(j) gates if installed at fire trail entry, have a minimum width of 3.6m, and if locked, keys are provided to TFS; and</p> <p>(k) terminate with a turning area for fire appliances provided by one of the following:</p> <p>(i) a turning circle with a minimum outer radius of 10m; and</p> <p>(ii) a hammerhead 'T' or 'Y' turning head 4m wide and 8m long.</p>
B.	Fire trail length is 200m or greater.	<p>The following design and construction requirements apply:</p> <p>(a) the requirements for A above; and</p> <p>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</p>

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

<b>Objective:</b>	
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>
<p><b>A1</b></p> <p>In areas serviced with reticulated water by the water corporation:</p> <p>(a) FS 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;</p> <p>(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</p> <p>(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.</p>	<p><b>P1</b></p> <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> <p>(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;</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>

<p>(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</p> <p>(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.</p>	
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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> <p>(a) the building area to be protected must be located within 120m of a fire hydrant; and</p> <p>(b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</p>
B.	Design criteria for fire hydrants	<p>The following requirements apply:</p> <p>(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</p> <p>(b) fire hydrants are not installed in parking areas.</p>
C.	Hardstand	<p>A hardstand area for fire appliances must be:</p> <p>(a) no more than 3m from the hydrant, measured as a hose lay;</p> <p>(b) no closer than 6m from the building area to be protected;</p> <p>(c) a minimum width of 3m constructed to the same standard as the carriageway; and</p> <p>(d) connected to the property access by a carriageway equivalent to the standard of the property access.</p>

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> <p>(a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and</p> <p>(b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</p>
B.	Static Water Supplies	A static water supply:

		<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> <li>(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;</li> <li>(d) must be metal, concrete or lagged by non-combustible materials if above ground; and</li> <li>(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: <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> </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 [S1];</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 <ul style="list-style-type: none"> <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> </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

Refer to the PDF map: Burnie Interim Planning Scheme 2013 - Overlays - Bushfire-Prone Areas Overlay

## E2 Airport Impact Management Code

### E2.1 Purpose of the Code

E2.1.1 The purpose of this provision is to:

- (a) assist operational efficiency, safety, and security for –
  - (i) North West Regional Hospital Helipad airport as an essential regional transport facility;
  - (ii) aviation operations and airport requirements at the North West Regional Hospital Helipad; and
  - (iii) function of aviation facilities;
- (b) minimise increase in the potential number of people living, working, or congregating in sensitive use development on land within and adjacent to the North West Regional Hospital Helipad; and
- (c) minimise likely adverse effect on human health, public safety and amenity from aviation operations at the North West Regional Hospital Helipad.

### E2.2 Application of this Code

E2.2.1 This Code applies for use or development of land within and adjacent to the airport that is:

- (a) beneath or within operational airspace;
- (b) within the 20 Airport Noise Exposure Forecast (ANEF) contour;

- (c) within the airport public safety area; or
- (d) within or beneath an aviation facility's operational sensitive area

E2.2.2 A permit is required for use or development if this Code applies

## E2.3 Definition of Terms

airport	means all facilities and runway, taxiway, ramp, building, installation, and equipment used for the conduct and control of aircraft operations and any facilities provided for the housing, servicing, maintenance, repair and security of aircraft and for the assembly, handling and security of freight or passengers, including terminal, car parking and loading area, and any perimeter fencing or lighting at the North West Regional Hospital Helipad.
AS 2021	'AS 2021' means Australian Standard on Acoustics – Aircraft Noise Intrusion – Building siting and construction for acceptability of use and acoustic adequacy of new and existing buildings near airports against aircraft noise from take-off, landing, and circuit operations
Australian Noise Exposure Forecast (ANEF)	means a single number index endorsed by the airport operator expressed as a series of contours that predict for a particular future year the cumulative exposure of aircraft noise likely to be experienced by communities near airports during a specific time period as shown on the map marked Airport Australian Noise Exposure Forecast
aviation facilities	means aviation, navigation, communication, and surveillance installations provided to assist the safe and efficient movement of aircraft en-route and in operational airspace located either on or off an airport and whether directly associated with the operation of the airport or as part of a system operated by a civilian or military aviation agency
obstacle limitation surface	(OLS) means a set of surfaces within the airport air space defined by reference to the conventional circuit pattern required by aircraft to manoeuvre for take-off, approach and landing for each runway and within which the height of vertical obstacles are to be considered for likelihood to interfere or conflict with aircraft movements
operational airspace	means the areas and vertical dimensions of the Obstacle Limitation Surfaces (OLS) and the Procedures for Air Navigation Services – Aircraft Operations Surfaces (PANS-OPS) applying for the airport as shown on the planning scheme maps
Procedures for Air Navigation Services – Aircraft Operations Surfaces' (PANS-OPS)	means a set of surfaces within the airport air space defined by reference to the safe minimum altitude to which an aircraft can descend and manoeuvre in a non-visual or instrument approach and for a go-around on a missed approach
public safety area	means an area immediately beyond each end of a runway and having a relatively high likelihood of risk from aircraft incident and shown on the planning scheme map
relevant airport entity	means as appropriate the airport operator, Air Services Australia, Civil Aviation Safety Authority (CASA); Commonwealth Government, Commonwealth Department of Transport and Regional Services;

	Commonwealth Department of Defence; or the Royal Australian Air Force
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## E2.4 Use or Development Exempt from this Code

E2.4.1 A crop protection structure for an agricultural use

## E2.5 Use Standards

E2.5.1 Exposure to Aircraft Noise

<b>Objective:</b>	
<p>(a) The likelihood for aircraft noise to cause harm to human health or to unreasonably interfere with the amenity of non-airport use is to be minimised; and</p> <p>(b) Non-airport use is to minimise likely interference or constraint on the operation of an airport</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>(a) The use must be:</p> <ul style="list-style-type: none"> <li>(i) an 'Acceptable' use class for the applicable ANEF noise exposure level as shown on the Table to this clause; or</li> <li>(ii) an 'Acceptable use class subject to conditions' for the ANEF noise exposure level as shown on the Table to this clause;</li> </ul> <p>(b) building construction must satisfy AS 2021 (2000) with respect to interior noise levels for the use class; and</p> <p>(c) the owner of the site has given written consent for an agreement in accordance with Part 5 of the <i>Land Use Planning and Approvals Act 1993</i> to be registered on the title indicating likely exposure of use or development to noise nuisance from operations at the airport</p>	<p><b>P1</b></p> <p>(a) The use must have an overriding social, economic or environmental benefit to the community;</p> <p>(b) There must be no suitable alternative site;</p> <p>(c) There must be minimal likelihood for harm to human health and for interference to amenity of sensitive use resulting from:</p> <ul style="list-style-type: none"> <li>(i) any increase in the number of people exposed to aircraft noise;</li> <li>(ii) level of aircraft noise likely to be experienced at the site; and</li> <li>(iii) frequency and duration of aircraft operations;</li> </ul> <p>(d) the owner of the site must give written consent for an agreement in accordance with Part 5 of the <i>Land Use Planning and Approvals Act 1993</i> to be registered on the title indicating likely exposure of use or development to noise nuisance from operations at the airport; and</p> <p>(e) The relevant airport operator must indicate there is no likelihood for subsequent need to limit aircraft operations.</p>

Table to Clause E2.5.1 Use Class Acceptable to Forecast Noise Exposure Levels

Use Class	Forecast Noise Exposure Level (ANEF)			
	Less than 20 ANEF	20 – 25 ANEF	25 – 30 ANEF	30 – 35 ANEF
<b>Group 1</b>  Business and professional services  Food services  Domestic animal, breeding, boarding or training  General retail and hire  Hotel industry  Research and development  Service industry  Tourist operations  Vehicle fuel sales and service  Visitor accommodation	Acceptable	Acceptable subject to conditions	Unacceptable	Unacceptable
	Less than 20 ANEF	20 – 25 ANEF	25 – 30 ANEF	30 – 35 ANEF
<b>Group 2</b>  Community meeting and entertainment  Custodial facility  Educational and occasional care  Hospital services  Residential  Sports and recreation (if including any club and social rooms)	Acceptable	Acceptable subject to conditions	Unacceptable	Unacceptable
	Less than 20 ANEF	20 – 25 ANEF	25 – 30 ANEF	30 – 35 ANEF
<b>Group 3</b>  Bulky goods sales  Crematoria and cemeteries	Acceptable	Acceptable	Acceptable	Acceptable subject to



Extractive industry				
Manufacturing and processing				
Natural and cultural resource management				
Passive recreation				
Pleasure boat facilities				
Recycling and waste disposal				
Resource development				
Resource processing				
Sports and recreation (not involving club and social rooms)				
Storage				
Transport depot and distribution				
Utilities				
Vehicle parking				

(Adapted from AS 2021 Table 2)

#### Notes

1. if a site is less than 1,000m<sup>2</sup> and divided by an ANEF contour, the ANEF for the whole site is deemed to be the higher ANEF
2. if a site is greater than 1,000m<sup>2</sup>, the ANEF is to be determined separately for the individual parts of the site into which it is divided by the relevant ANEF contour, provided no individual part is less than 1,000m<sup>2</sup> in which case that part is deemed to be the ANEF in accordance with Note 1.

## E2.6 Development Standards

### E2.6.1 Information Requirements

In addition to the requirements of clause 8.1, the following information is required to show:

- (a) whether the use or development is likely to penetrate operational airspace;
- (b) whether the use or development is likely to impact operation of aviation facilities;
- (c) location of the site relative to ANEF contours;
- (d) whether the site is within a public safety area;
- (e) any strategy to manage or mitigate likely adverse effect of the use or development on:

- (i) operational airspace or the function of aviation facilities; and
- (ii) human health, public safety, and amenity from aircraft operation and aviation facilities at the airport

#### E2.6.2 Protection of operational airspace

<b>Objective:</b>	
Development is to maintain:	
<ul style="list-style-type: none"> <li>(a) efficient operation and safety of aircraft in operational airspace; and</li> <li>(b) function of aviation facilities</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Use or development must not: <ul style="list-style-type: none"> <li>(a) penetrate the Obstacle Limitation Surface (OLS); or</li> <li>(b) interfere with operation of aviation facilities</li> </ul>	<b>P1</b> The relevant airport operator or aviation agency must advise: <ul style="list-style-type: none"> <li>(a) it is satisfied the use or development does not have adverse effect on efficient operation and safety of operational airspace or the function of an aviation facility; and</li> <li>(b) any condition or requirement for the location, design, and control of the use or development if it:               <ul style="list-style-type: none"> <li>(i) penetrates the Obstacle Limitation Surfaces (OLS); or</li> <li>(ii) is likely to interfere with operation of an aviation facility.</li> </ul> </li> </ul>

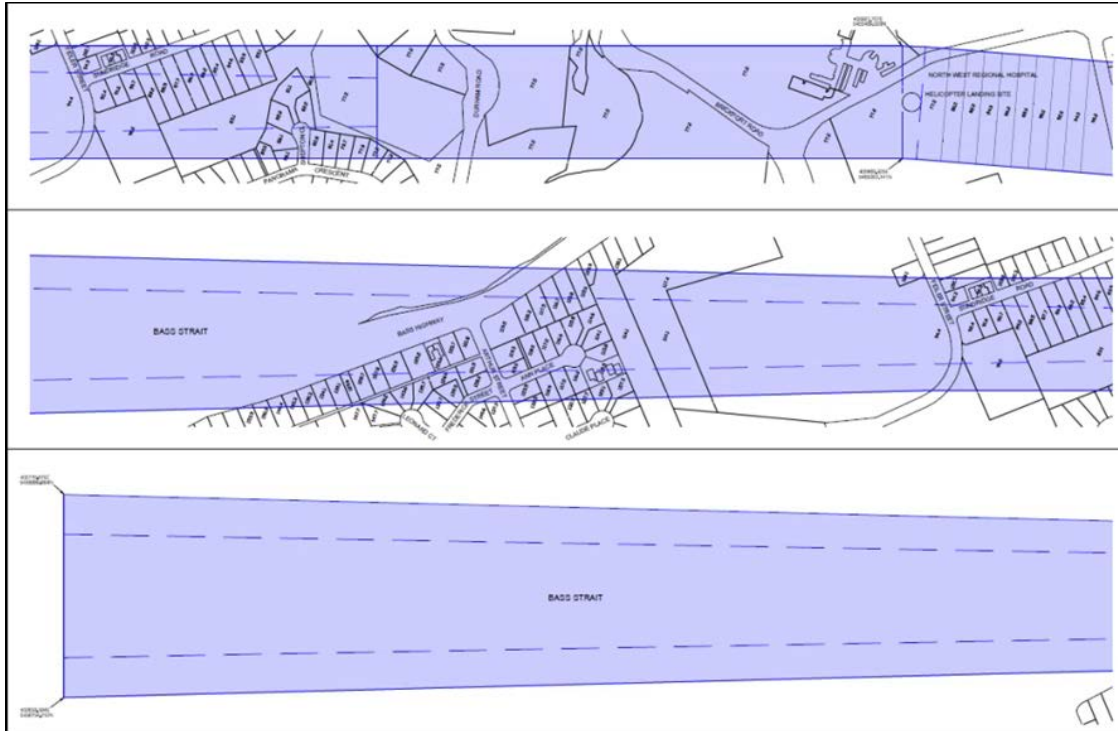
#### E2.6.3 Public Safety Areas

<b>Objective:</b>	
The likelihood for risk to use from the effect of aircraft accidents near the end of a helipad in association with take-off or landing is to be minimised.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There is no Acceptable Solution	<b>P1</b> The airport operator or agency must advise it is satisfied the use or development does not unduly increase: <ul style="list-style-type: none"> <li>(a) direct risk to people in an aircraft and on the ground;</li> <li>(b) secondary incidents arising from damage to ground facilities in the event of an aircraft incident; and</li> <li>(c) any requirement for the location, design and control of the use or development</li> </ul>

## Code E2 Overlay - land to which Code E2 applies

Refer to the PDF map: Burnie Interim Planning Scheme 2013 - Overlays - Operational Airspace Overlay

## Code E2 Overlay - sheet 2



## Code E2 Overlay - sheet 3



## **E3 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	means a deliberate process to remove native vegetation from all or part of a site so as to –
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	<ul style="list-style-type: none"> <li>(a) permanently leave all or part of the site in an un-vegetated state;</li> <li>(b) permanently replace native vegetation with a building or group of buildings and associated development;</li> <li>(c) permanently replace native vegetation with exotic vegetation.</li> </ul>
exceptional circumstances	means as defined in the <i>Forest Practices Act 1985</i>
previously cleared and converted land	<p>means –</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) land that has been cleared and converted in accordance with – <ul style="list-style-type: none"> <li>(i) a permit granted under the <i>Land Use Planning and Approvals Act 1993</i>; or</li> <li>(ii) a forest practices plan certified under the <i>Forest Practices Act 1985</i></li> </ul> </li> </ul>

#### 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

<b>Objective:</b>	
The clearing and conversion of native vegetation is to minimise likely adverse impact on biodiversity, ecological process, and habitat value	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<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> </ul>	<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> </ul>

<ul style="list-style-type: none"> <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> <li>(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</li> </ul>	<ul style="list-style-type: none"> <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>
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#### E3.6.2 Clearing of vegetation on land of scenic or landscape value

<b>Objective:</b>	
The clearing and conversion of vegetation is to minimise likely adverse impact on scenic or landscape value –	
<ul style="list-style-type: none"> <li>(a) on land in the Environmental Living zone, Environmental Management zone, Open Space zone, and Rural Living zone; or</li> <li>(b) on land identified on the planning scheme map as significant for scenic or landscape value</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There is no acceptable solution	<b>P1</b> <ul style="list-style-type: none"> <li>(a) Clearing and conversion of vegetation must – <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> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>iii) there is no suitable alternative site; or</li> <li>(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</li> <li>(c) the extent of clearing and conversion must – <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> </li> </ul>
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#### E3.6.3 Clearing of vegetation on land susceptible to landslide

<b>Objective:</b>	
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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>The site must be within an area –</p> <ul style="list-style-type: none"> <li>(a) exposed to a low level of likely risk from landslide; and</li> <li>(b) a landslide hazard risk assessment as defined in E6 L1 must indicate clearing of native vegetation – <ul style="list-style-type: none"> <li>(i) can achieve and maintain a tolerable level of risk; or</li> <li>(ii) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measures; or</li> <li>(iii) any condition or requirement for specific hazard reduction or protection measures</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>There must be a hazard risk assessment as defined in E6 L1 to indicate –</p> <ul style="list-style-type: none"> <li>(a) the use or development is unlikely to cause or contribute to occurrence of landslide on the site or on adjacent land; and</li> <li>(b) any condition or requirement for specific hazard reduction or protection measures</li> </ul>

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*

**Map E3.1 Applicable zones**

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

Refer to the PDF map: Burnie Interim Planning Scheme 2013 - Overlays - Tree Preservation Overlay

## **E4 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

<b>Objective:</b>	
Change in the existing ground level or the natural ground level by cut or fill is to minimise – (a) likely adverse impact on the physical, environmental, cultural, aesthetic, and amenity features of land; and (b) risk from a natural hazard	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Cut or fill must - (a) not be on land within the Environmental Living zone or the Environmental Management zone; (b) be required to - (i) provide a construction site for buildings and structures; (ii) facilitate vehicular access; (iii) mitigate exposure to a natural or environmental hazard; (iv) facilitate provision of a utility; (v) assist the consolidation or intensification of development; or (vi) assist stormwater management (c) not result in a modification of surface stormwater water flow to increase – (i) surface water drainage onto adjacent land; (ii) pooling of water on the site or on adjacent land; or (iii) the nature or capacity of discharge from land upstream in a natural or artificial drainage channel;	<b>P1</b> Cut or fill must - (a) make arrangements for the drainage and disposal of stormwater; (b) make arrangements to stabilise any existing building or to increase the requirements for construction of any potential building on adjacent land; (c) manage drainage and disposal of intersected ground water; (d) safeguard the quality of receiving waters; (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 (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 – (i) it is satisfied the cut or fill will not result in harm to the utility; and (ii) any condition or requirement it determines are appropriate to protect the utility

<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>(i) it is satisfied the cut or fill will not result in harm to the utility; and</p> <p>(ii) any condition or requirement it determines are appropriate to protect the utility</p>	
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## **E5 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;
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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
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## 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

<b>Objective:</b>	
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

<b>Objective:</b>	
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

<b>Objective:</b>	
Demolition of a building, area or other place is to occur only if there is no feasible and prudent alternative	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Demolition achieves the conservation outcomes for a building, place or conservation area shown in Column 4 of the table to this Code	<b>P1</b> Demolition in whole or in part of a building or place may be permitted, having regard to -  (a) the heritage significance of the affected parts of the building or place;  (b) the likely benefits of renovating, rehabilitating, reconstructing or modifying the building for an approved use; and  (c) the impracticability and cost of retaining and conserving the building or place; or  (d) overriding environmental, public health or economic considerations.

### E5.6.3 Subdivision

<b>Objective:</b>	
A plan of subdivision of land is to minimise likely impact for conservation of a building, area or other place.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> A plan of subdivision must be for a boundary adjustment.	<b>P1</b> A plan of subdivision R34 must not separate buildings or works from their original context of land area having regard for -

	<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>
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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

<b>Objective:</b>	
Design and location of new development is to be consistent with the attributes and features specified for conservation	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<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> </ul> </li> </ul>

	(vi) alteration and addition; (vii) outbuildings; (viii) garden design, planting and structures; (ix) fencing; and (x) signage
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E5.1 Table to the Local Heritage Code

<b>Buildings and Places R35</b>			
<b>Site</b>	<b>Description Building or Place</b>	<b>Statement of scientific, aesthetic, architectural or historic interest or special cultural value</b>	<b>Conservation Outcomes</b>
12 Marine Terrace	Not known	Not known	Not known
36 Queen Street	Not known	Not known	Not known
<b>Conservation Area</b>			
<b>Locality</b>	<b>Description of Area</b>	<b>Statement of scientific, aesthetic, architectural or historic interest or special cultural value</b>	<b>Conservation Outcomes</b>
There are no conservation areas in this planning scheme			

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.

## E6 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.

### 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 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</li> </ul> </li> </ul> </li> </ul>

	<p>and the impact for the health and safety of people, property and the environment;</p> <ul style="list-style-type: none"> <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> <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> </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> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>vi. likelihood for environmental harm;</li> <li>vii likely cost to the community of – <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> </li> <li>viii. impact on hazard reduction measures applied to or potentially available on adjacent land;</li> <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> <li>(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 – <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> </li> <li>(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;</li> </ul>
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

<b>Objective:</b>	
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	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<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> <ul style="list-style-type: none"> <li>(a) soil disturbance and development is carried out in accordance with requirements in a hazard risk assessment for contamination;</li> <li>(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</li> <li>(c) a hazard risk assessment establishes the site has been remediated to provide a tolerable level of risk</li> </ul>	<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

<b>Objective:</b>	
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>	<b>P1</b>

<p>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 -</p> <ul style="list-style-type: none"> <li>(a) use must not be for a critical use, a hazardous use, or a vulnerable use;</li> <li>(b) use must not be residential use if the level of risk is medium or higher; and</li> <li>(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</li> </ul>	<p>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> <ul style="list-style-type: none"> <li>(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</li> <li>(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</li> </ul>
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## E6.6 Development Standards

### E6.6.1 Development on potentially contaminated land

<b>Objective:</b>	
The level of likely risk from contamination is tolerable for the type, scale, and intensity of development	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<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> <ul style="list-style-type: none"> <li>(a) soil disturbance and development is carried out in accordance with the requirements of a hazard risk assessment for contamination;</li> <li>(b) a hazard risk assessment establishes the site can be remediated to provide a tolerable level of risk from the development; or</li> <li>(c) a hazard risk assessment establishes the site has been remediated to provide a tolerable level of risk from the development; and</li> <li>(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 title of the land and providing for the affected land to be managed in accordance with</li> </ul>	<p><b>P1</b></p> <p>There is no performance criteria</p>

recommendations for contamination management	
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#### E6.6.2 Development on land exposed to a natural hazard

<b>Objective:</b>	
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	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<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> <p>(i) there is an insufficient increase in risk to warrant any specific hazard reduction or protection measure; or</p> <p>(ii) a tolerable level of risk can be achieved for the type, form, scale and duration of the development; and</p> <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 E3.1 Applicable zones

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

## E7 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

<b>Objective:</b>	
<p>Signs –</p> <ul style="list-style-type: none"> <li>(a) may be an integrated element of development on a site; and</li> <li>(b) must not have adverse effect for – <ul style="list-style-type: none"> <li>(i) the convenience and safety of people and property, including of any road, rail, air or marine transport system;</li> <li>(ii) amenity and character of any rural, urban or conservation setting; or</li> <li>(iii) the conservation and protection of any special value identified in a provision forming part of this planning scheme</li> </ul> </li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Signs must –</p> <ul style="list-style-type: none"> <li>(a) identify an activity, product, or service provided on the site;</li> <li>(b) if on a site in a General Residential, Low Density Residential, Rural Living; or Environmental Living zone, must – <ul style="list-style-type: none"> <li>(i) comprise not more than 2 display panels;</li> <li>(ii) be fixed flat to the surface of a building below the eave line; and</li> <li>(iii) have a total combined area of not more than 5.0m<sup>2</sup>;</li> </ul> </li> <li>(c) if on a site in any other zone, must – <ul style="list-style-type: none"> <li>(i) comprise not more than 5 display panels;</li> <li>(ii) have a total combined area of not more than 50.0m<sup>2</sup>;</li> <li>(iii) be separated from any other freestanding or projecting sign by not less than 10.0m</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A sign must be reasonable taking into account –</p> <ul style="list-style-type: none"> <li>(a) whether the sign relates to an activity, product or service provided on the site;</li> <li>(b) nature of development on the site;</li> <li>(c) purpose, location, number, size, style, and configuration of any existing and approved sign on the site and on adjacent land;</li> <li>(d) whether likely to be visually dominant or intrude on the appearance of the site or the streetscape;</li> <li>(e) whether likely to obscure the visibility of other signs in the locality;</li> <li>(f) whether visible beyond the immediate locality;</li> <li>(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;</li> </ul>

<ul style="list-style-type: none"> <li>(iv) be fully contained within the applicable building envelope and – <ul style="list-style-type: none"> <li>a. not extend above the parapet or the ridge of a roof; or</li> <li>b. if a free-standing sign, have a height above natural ground level of not more than 5.0m;</li> </ul> </li> <li>(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;</li> <li>(vi) not be located in an access strip, loading area, or car park;</li> <li>(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;</li> <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 overspills 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>	<ul style="list-style-type: none"> <li>(h) whether likely to impact on the amenity of a habitable room or private open space in a residential development; and</li> <li>(i) the necessity for the sign to be located on the site having regard for: <ul style="list-style-type: none"> <li>(i) proximity of the service or business being promoted to the sign location;</li> <li>(ii) proximity of other signage for the same business or service;</li> <li>(iii) ability to identify the business or service through other means; and</li> <li>(iv) flow of traffic past the sign and its likely destination</li> </ul> </li> </ul>
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## **E8 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

<b>Objective:</b>
There are no use standards

## E8.6 Development Standards

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

<b>Objective:</b>	
Telecommunication infrastructure is to minimise the total number of required towers and antenna within the municipal area	
Acceptable Solutions	Performance Criteria
<b>A1</b> 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	<b>P1</b> It must not be possible for a new freestanding tower to include capacity for collocation of aerials for reasons of – <ul style="list-style-type: none"> <li>(a) technical capacity;</li> <li>(b) structural capacity; or</li> <li>(c) security</li> </ul>
<b>A2</b> New antenna must be located on an existing freestanding aerial, tower, or mast	<b>P2</b> There must be - <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> <li>(e) disclosed limiting factors that render existing towers and structures unsuitable; or</li> <li>(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</li> </ul>

	not presumed to render such technology unsuitable
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#### E8.6.2 Health, safety and visual impact

<b>Objective:</b>	
Telecommunication infrastructure is to minimise likely adverse effect on –	
(a) health and safety of the community; and (b) visual amenity of a locality by reducing prominence of telecommunications infrastructure	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Telecommunication infrastructure must – (a) be located within an existing utility corridor or site; or (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; (c) only clear vegetation if required for functional and safety requirements; (d) locate telecommunication infrastructure to – (i) avoid skyline positions and potential to be seen in silhouette; (ii) cross hills diagonal to the principal slope; (iii) cross at the low point of a saddle between hills; or (iv) be located around the base of hills or along the edge of existing clearings; and (e) screen equipment housing and other visually intrusive Telecommunication infrastructure to view from public areas	<b>P1</b> Telecommunication infrastructure must minimise the visual impact of infrastructure within the surrounding natural or built environment
<b>A2</b> The height of a freestanding aerial, tower, or mast must not be more than - (a) 60m on land within the Rural Resource or Rural Living zones; (b) 45m on land within the Light Industrial, General Industrial, Commercial, Utility, or Port and Marine zone;	<b>P2</b> A freestanding aerial, tower, or mast must only exceed prescribed height limits if - (a) a pattern of infrastructure or vegetation above the specified height limit exists in a particular location;

<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) 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 within a residential zone must be required for operational efficiency of the network</p>
<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</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>

tower compound from public view and from adjacent land	
<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> <ul style="list-style-type: none"> <li>(a) the modified or reconstructed tower must be of the same type as the existing tower unless reconstructed as a monopole tower;</li> <li>(b) the reconstructed tower must satisfy the applicable setback and separation distances; and</li> <li>(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</li> </ul>	<p><b>P7</b></p> <p>It must be necessary for operational efficiency to –</p> <ul style="list-style-type: none"> <li>(a) replace an aerial, tower or mast with a structure other than a monopole;</li> <li>(b) locate a replacement aerial, tower or mast otherwise than in accordance with the applicable setback and separation distances; and</li> <li>(c) to replace an aerial, tower or mast and retain another aerial, tower or mast on the same site</li> </ul>
<p><b>A8</b></p> <p>The location of aerial telecommunication infrastructure must –</p> <ul style="list-style-type: none"> <li>(a) provide clearance for vehicular traffic; and</li> <li>(b) not pose a danger or encumbrance to other users or aircraft</li> </ul>	<p><b>P8</b></p> <p>There are no performance criteria</p>

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

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

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 the Burnie Local Area Parking Scheme applying for land within the Central Business zone

## 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
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

Use or development is exempt from this Code if the site is -

- (a) on land within the Central Business zone to which the Burnie Local Area Parking Scheme applies;
- (b) the Burnie 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; and
- (c) use or development is not for visitor accommodation

## E9.5 Use Standards

### E9.5.1 Provision for parking

<b>Objective:</b>	
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>



<b>A1</b> Provision for parking must be – (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;	<b>P1</b> (a) It must be unnecessary or unreasonable to require arrangements for the provision of vehicle parking; or (b) Adequate and appropriate provision must be made for vehicle parking to meet - (i) anticipated requirement for the type, scale, and intensity of the use; (ii) likely needs and requirements of site users; and (iii) likely type, number, frequency, and duration of vehicle parking demand
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#### E9.5.2 Provision for loading and unloading of vehicles

<b>Objective:</b>	
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	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> There must be provision within a site for - (a) on-site loading area in accordance with the requirement in the Table to this Code; and (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	<b>P1</b> (a) It must be unnecessary or unreasonable to require arrangements for loading and unloading of vehicles; or (b) Adequate and appropriate provision must be made for the loading and unloading of vehicles to meet– (i) likely volume, type and frequency of vehicles associated with the delivery and collection of goods and passengers; and (ii) likely frequency and duration of requirements for delivery and collection of goods or people

### E9.6 Development Standards

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

<b>Objective:</b>	
Vehicle circulation, loading, and parking areas– (a) protect the efficient operation and safety of the road from which access is provided; (b) promote efficiency, convenience, safety, and security for vehicles and users; and (c) provide an appropriate layout and adequate dimension to accommodate passenger or freight vehicle associated with use of the site	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

<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> <ul style="list-style-type: none"> <li>(a) Be in accordance with AS/NZS 2890.1 (2004) – Parking Facilities - Off Street Car Parking;</li> <li>(b) Be in accordance with AS/NZS2890.2 (2002) Parking Facilities - Off Street Commercial Vehicles;</li> <li>(c) Be in accordance with AS/NZS 2890.3 1993) Parking Facilities – Bicycle Parking Facilities;</li> <li>(d) Be in accordance with AS/NZS 2890.6 Parking Facilities - Off Street Parking for People with Disabilities;</li> <li>(e) Each parking space must be separately accessed from the internal circulation aisle within the site;</li> <li>(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</li> <li>(g) Be formed and constructed with compacted sub-base and an all-weather surface.</li> </ul>	<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> <ul style="list-style-type: none"> <li>(a) the nature and intensity of the use;</li> <li>(b) effect of size, slope and other physical characteristics and conditions of the site;</li> <li>(c) likely volume, type, and frequency of vehicles accessing the site;</li> <li>(d) likely demand and turnover for parking;</li> <li>(e) delivery and collection vehicles;</li> <li>(f) familiarity of users with the vehicle loading and vehicle parking area;</li> <li>(g) convenience and safety of access to the site from a road;</li> <li>(h) safety and convenience of internal vehicle and pedestrian movement;</li> <li>(i) safety and security of site users; and</li> <li>(j) the collection, drainage, and disposal of stormwater</li> </ul>
<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 and requirements for in the current edition of Unsealed Roads Manual – Guideline for Good Practice ARRB</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 must be adequate and appropriate for the likely type, volume, and frequency of traffic</p>

**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 / ,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 m2 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 (c) on-site provision for bus pick-up and set down	(a) 1 x large rigid truck space (b) 1 x passenger bus space/4 classrooms
	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 1 x space / 30m <sup>2</sup> gross floor area	(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
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	1 x large rigid truck space / 800m <sup>2</sup> gross floor area

	(b) 1 x space / 40m <sup>2</sup> gross office 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; (d) 1 x space / 40m <sup>2</sup> gross floor area for office area; and (e) 1 x space / 75m <sup>2</sup> gross floor area for manufacturing or service workshop	No requirement set
Port and shipping	Spaces to service the likely workforce and attendance on the land	No requirement set
Recycling and waste disposal	(a) 1 x space / 300m <sup>2</sup> gross floor area; and (b) 1 x space / 40m <sup>2</sup> gross floor area office area	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	Single dwelling other than in the General Residential Zone (a) 2 spaces / dwelling; or (b) 3 spaces if single dwelling includes an ancillary dwelling	No requirement
	Multiple dwellings other than in the General Residential Zone (a) 2 x spaces / dwelling; and (b) 1 x space / 3 dwellings for over-flow and visitor parking	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
	<p>Visitor parking for multiple dwellings in the General Residential Zone</p> <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>	No requirement
	<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> <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>	1 x small rigid truck space
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> <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> <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>(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>(a) 1 x small rigid truck</p> <p>(b) 1 x passenger bus for motel and residential hotel</p>

	Holiday cabins or units, or serviced apartments (a) 1 x space / unit; and (b) 1 x additional space / 3 units	
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## **E10 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

<b>Objective:</b>	
There are no use standards	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

## E10.6 Development Standards

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

<b>Objective:</b>	
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 [R37] , including for - <ul style="list-style-type: none"> <li>(i) hydraulic performance;</li> <li>(ii) economic value;</li> <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> </ul> </li> </ul>

	<ul style="list-style-type: none"> <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

<b>Objective:</b>	
Coastal waters and the shoreline area [R38] 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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>There is no acceptable solution</p>	<p><b>P1</b></p> <p>Development must –</p> <ul style="list-style-type: none"> <li>(a) be required to locate in, over, on or under the shoreline, sea or tidal waters for operational efficiency;</li> <li>(b) avoid unreasonably or unnecessarily impact on existing or potential access by the public to shoreline land or waters;</li> <li>(c) minimise impact on scenic quality of the sea-shore area;</li> <li>(d) minimise impact on amenity or aesthetic appearance of the sea-shore area as a result of – <ul style="list-style-type: none"> <li>(i) nature and operational characteristics of the development;</li> <li>(ii) location;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(iii) bulk, size, and overall built form of any building or work;</li> <li>(iv) overshadowing; or</li> <li>(v) obstruction of views from a public place; and</li> </ul> <p>(e) minimise immediate or cumulative adverse effect for –</p> <ul style="list-style-type: none"> <li>(i) tidal, wave, current, or sediment movement processes;</li> <li>(ii) coastal landforms, seabed, and other geomorphic features, including sand dunes and mobile landforms;</li> <li>(iii) vulnerability to erosion and recession;</li> <li>(iv) natural cycles of deposition and erosion;</li> <li>(v) conservation of biodiversity and marine habitat, including during critical lifecycle stages of individual and migratory species;</li> <li>(vi) drainage from a water course, wetland, ground water, flood, stormwater, or tidal water;</li> <li>(vii) coastal water quality;</li> <li>(viii) likely interference or constraint on use of public areas;</li> <li>(ix) any scientific, architectural, aesthetic, historic or special cultural value;</li> <li>(x) exposure to or increased risk from a natural hazard, including sea level rise, storm surge, or inundation as a result of climate change;</li> <li>(xi) coastal protection and rehabilitation works required to address erosion, instability, regression, or inundation;</li> <li>(xii) collection, treatment, and disposal of waste, including bilge waters and excavated or dredged sediment;</li> <li>(xiii) economic activity dependent for operational efficiency on a sea-shore location;</li> <li>(xiv) public safety and emergency services;</li> <li>(xv) marine navigation and communication systems;</li> </ul>
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	<p>(xvi) safety of recreational boating; and</p> <p>(xvii) be consistent with the current edition of Tasmanian Coastal Works Manual DPIPWE 2011</p>
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#### 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

# Appendices

## 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 DPIPW 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



## Incorporated Documents

insert document title	insert description	insert date
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## Referenced Documents

Subdivision layout as shown in the Heybridge Residential Nature Reserve Master Plan reference No 06.060 V02 dated 9 October 2006 as drawn by Survey Resources	Establishes the subdivision layout of the reserve
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## Appendix 2 - Planning Scheme Amendments

Number	Description	Effective Date
insert number	insert description	insert date

## Appendix 3 - Planning Purposes Notice

### Decision

#### *Land Use Planning and Approvals Act 1993*

#### PLANNING PURPOSES NOTICE

I, PETER CARL GUTWEIN, the Minister for Planning and Local Government, 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 9 October 2013; 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 that consists of the wording set out in Schedule 1 is, if included in a relevant scheme in relation to the municipal area for the Burnie City Council, an overriding local provision;
- (b) a local provision contained within a code or specific area plan specified in Part 1 of Schedule 2 is, if included in a relevant scheme in relation to the municipal area for the Burnie City 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;
- (c) a local provision contained within a code, specific area plan, or provision, specified in Part 2 of Schedule 2 is, if included in a relevant scheme in relation to the municipal area for the Burnie City 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;
- (d) A local provision that:
  - (i) consists of a provision containing the wording set out in Part 3 of Schedule 2; or
  - (ii) is a provision specified in Part 3 of Schedule 2;is, if included in a relevant scheme in relation to the municipal area for the Burnie City Council, a conflicting local provision.

Dated this 13th day of September, 2017

PETER CARL GUTWEIN

Minister for Planning and Local Government

## Schedule 1

Nil

## Schedule 2

### 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

E2.0 Airport Impact Management Code

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

## Appendix 4 - Dispensations

2A Brooklyn Road, South Burnie

Number	Description	Effective Date
DI-BUR-D1-2013	2A Brooklyn Road, South Burnie - dispensation from the provisions of Clause 19 (Open Space Zone) and apply instead the provisions of the Low Density Residential Zone to facilitate redevelopment for residential use in a single dwelling subject to conditions (link to decision)	

Please refer to the decision for information on the land to which this dispensation applies.