

# TASMANIAN PLANNING COMMISSION



## Draft State Planning Provisions Report

A report by the Tasmanian Planning Commission  
as required under section 25 of the  
*Land Use Planning and Approvals Act 1993*

9 December 2016

**Draft State Planning Provisions Report**

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## Executive summary

It is the Tasmanian government's policy that there be a single planning scheme for Tasmania, to be known as the Tasmanian Planning Scheme (TPS). This policy has been given effect through amendments to the *Land Use Planning and Approvals Act 1993* (the Act) in December 2015.

The Tasmanian Planning Scheme consists of State Planning Provisions (SPPs) and Local Provisions Schedules (LPSs) for each municipal area.

Under the Act, the Minister for Planning and Local Government, the Hon Peter Gutwein MP, approved the draft State Planning Provisions (SPPs) for exhibition on 9 March 2016.

The draft SPPs have drawn heavily on provisions in interim planning schemes that are already in operation.

The Tasmanian Planning Commission (Commission) exhibited the draft SPPs for a 60 day period between 12 March and 18 May 2016, during which representations were invited. During that period 294 representations were received and a further nine late representations were accepted.

The Commission then held public hearings in Hobart, Launceston and Burnie on dates between July and October 2016 to assist its consideration of the draft SPPs.

A number of issues raised were in relation to matters outside the Commission's consideration, including that:

- insufficient time had been given to the process;
- the full implications of the draft SPPs could not be meaningfully considered in isolation from planning scheme mapping;
- a state-wide approach will be at the expense of losing local character.

The Commission's consideration of the draft SPPs has been bounded by the available time and parameters of the process under the Act. It accepts that:

- the government has legislated to introduce the Tasmanian Planning Scheme and the Act establishes the process and scope of the reform;
- the draft SPPs establish a planning regulatory framework for the state that embodies the government's planning policies, extending beyond compliance with State Policies under the *State Policies and Projects Act 1993*.

The Commission recommends numerous modifications throughout the draft SPPs to improve the clarity and consistency of drafting. It has avoided, wherever possible, making modifications that change the policy intent of provisions. However, in some circumstances it has done so in response to representations and submissions or to

ensure that the draft SPPs can be practically applied or to operate in the manner intended.

### **Recommended modifications to the draft SPPs**

A large number of drafting modifications have been recommended by the Commission to improve the clarity and consistency of the draft SPPs and in response to representations received. The following key modifications are recommended:

#### *Administration*

- Deletion of the exemption for Visitor Accommodation accompanied by the recommendation that an alternative exemption be introduced by amendment to the SPPs (after they are made) for 'home stay', including the introduction of a new term and definition for 'home stay'.
- Limit some exemptions so that specific codes are taken into account before the exemption is applied.
- Provide an over-riding exception to exemptions to ensure that no development can occur on actively mobile landforms to be consistent with the State Coastal Policy 1996.
- Modify the exemptions for maintenance and repair of building and works to reflect recent amendments to the Act.

#### *General Provisions*

- Introduce a new provision to deal with sheds on vacant lots.

#### *Zones*

- Introduce further densities in the Rural Living Zone by allowing for 1ha, 2ha, 5ha and 10ha minimum lot sizes.
- Modify servicing standards for subdivision across zones.
- Introduce landscaping standards.
- Modify the Environmental Management Zone to apply to all land irrespective of tenure and to clarify that the range of uses that are Permitted must be on State-reserved land and granted an approval or authority by the managing authority.
- Add a Future Urban Zone, based on the Particular Purpose – Future Urban Zone.

#### *Codes*

- Remove the Natural Assets Code pending its further review.
- Remove significant trees from the Local Historic Heritage Code, as trees of historic heritage significance can be listed as local heritage places.
- Remove airport attenuation standards from the Attenuation Code, pending introduction of a separate Safeguarding of Airports Code.

### *LPS Requirements*

- Modify the LPS requirements to ensure consistency with the requirements of the Act and to better align the LPSs with the SPPs, including the numbering conventions and formatting, having regard to its future online display.

### **Implementation issues**

The Commission foreshadows that the following implementation issues may influence the making of LPSs in the next stage of the reform process:

- Recalibration of the Rural Resource and Significant Agricultural Zones to the Rural and Agriculture Zones based on state-wide mapping of the agricultural estate will likely result in very widespread changes for property owners as these zones account for a significant proportion of the state.
- Deletion of the Environmental Living Zone will result in zoning changes for all property owners that are currently zoned Environmental Living under an interim planning scheme.
- There may be a considerable task for planning authorities to complete the Local Heritage Code listing requirements to the extent required by the LPS Requirements.
- For those planning authorities intending to ground-truth or modify the overlays for codes as part of preparing their LPS, there are likely to be considerable time, resource and cost implications.
- Considerable guidance in the form of section 8A guidelines and Commission Practice Notes will be required as a high priority after the SPPs are made to assist planning authorities to prepare LPSs.
- Some tasks that require resolution require a priority to avoid delays in the preparation of LPSs:
  - State-endorsed mapping as a basis for overlay mapping codes (including new mapping for the Safeguarding of Airports Code);
  - Mapping of the agricultural estate for application of the Rural and Agriculture Zones;
  - Review of the matters contained in the Natural Assets Code and the preparation of a new code or codes to be included in the SPPs by amendment; and
  - Preparation of a Safeguarding of Airports Code, for inclusion in the SPPs by amendment.

### **Key Recommendations**

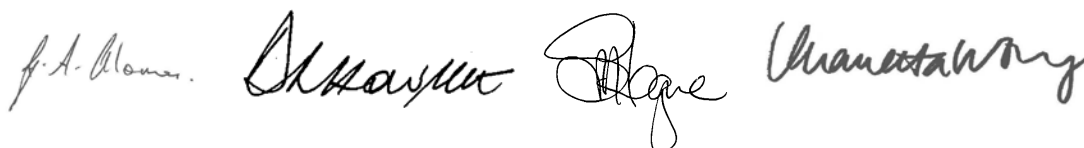
The Commission's detailed recommendations are at 10.0 Recommendations. They include an overarching recommendation that the Minister makes the SPPs with the modifications broadly outlined above, and set out in Appendix D.

Priority recommendations are made regarding:

- the preparation of amendments to the SPPs (after being made) for the Natural Assets Code and a new Safeguarding of Airports Code;
- the exhibition of an amendment to the SPPs to introduce an exemption for ‘home stay’, including consequential amendments;
- review of the State Coastal Policy, particularly outcome 1.4.2; and
- review of the residential development standards in the General Residential and Inner Residential zones.

The Commission makes a number of other specific recommendations that can improve the SPPs and their operation.

The Commission also recommends that the Minister make this report publicly available.



**Greg Alomes**

Chair

**Roger Howlett**

Member

**Sandra Hogue**

Member

**Marietta Wong**

Member

## Glossary

COAG	Council of Australian Governments
DFCS	Desired Future Character Statement
EPA	Environmental Protection Agency
DPIPWE	Department of Primary Industries, Parks, Water and Environment
HWM	high water mark
LAOs	local area objectives
LIST	Land Information System Tasmania
LPS	Local Provisions Schedules
LGBMPA	<i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>
NEPMs	National Environmental Protection Measures
OSEM	Office of Security and Emergency Management
PAL	State Policy on the Protection of Agricultural Land 2009
PPU	Planning Policy Unit
PPZ	particular purpose zone
RMPS	Resource Management and Planning System
SAP	specific area plan
SCP	State Coastal Policy 1996
SPPs	State Planning Provisions
SPWQM	State Policy on Water Quality Management 1997
SSQ	site-specific qualification
TFS	Tasmania Fire Service
THR	Tasmanian Heritage Register

## Disclosure statement

In accordance with Schedule 2, clause 7, of the *Tasmanian Planning Commission Act 1997*, Mr John Ramsay, Commissioner and Co-Chair of the Commission's delegated panel for consideration and reporting on the draft State Planning Provisions (SPPs) under sections 24 and 25 of the *Land Use Planning and Approvals Act 1993* disclosed at a Commission meeting held on 7 November 2016 his consideration of an assertion by a representor of conflict of interest and perhaps bias.

Mr Ramsay is the Chair of the Board of the Forest Practices Authority, in addition to his Commission roles. The forest practices planning and certification process is continued as one of the exemptions contained the draft SPPs.

Acting on his own judgment, Mr Ramsay withdrew from the delegated panel immediately after his disclosure to the Commission to remove any doubt about the transparency and integrity of the Commission's process.

## **1.0 Introduction**

### **1.1 Background**

It is the Tasmanian government's policy that there be a single planning scheme for Tasmania, to be known as the Tasmanian Planning Scheme (TPS). This policy has been given effect through amendments to the *Land Use Planning and Approvals Act 1993* (the Act) in December 2015.

The Tasmanian Planning Scheme consists of State Planning Provisions (SPPs) and Local Provisions Schedules (LPSs) for each municipal area. Part 2 of the Act makes provision for the introduction of the Tasmanian Planning Scheme. The making and amendment of SPPs is set out in Part 3 of the Act and the making and amendment of LPSs is set out in Part 3A.

The Minister for Planning and Local Government, the Hon Peter Gutwein MP established a Planning Reform Taskforce to prepare the (SPPs).

Under section 17 of the Act, the Minister issued terms of reference for the preparation of the draft SPPs.

The SPPs apply across the state and include the administration, general provisions, zones and codes sections of the planning scheme. They also include provisions about what can be contained in the LPSs – the LPS requirements. The zoning of land (planning scheme maps), particular purpose zones (PPZs), site-specific qualifications (SSQs), specific area plans (SAPs) and local area objectives (LAOs) are part of the LPSs.

### **1.2 Commission's Role**

On 9 March 2016 the Minister approved the draft SPPs for exhibition by the Tasmanian Planning Commission (Commission) under section 21(3) of the Act.

The Commission exhibited the draft SPPs, as required under section 22 of the Act, from 12 March until 18 May 2016. Representations were invited during this period.

The terms of the Commission's consideration of the draft SPPs is set out under section 24 of the Act and includes:

- considering the terms of reference for preparation of the draft SPPs (Appendix A);
- considering each representation made during the exhibition (and at its discretion any late representations);
- holding hearings into representations if it thinks fit;
- considering whether the SPPs criteria are met; and

- whether there are technical or implementation issues if the SPPs are made under section 27 of the Act.

### **1.3 This report**

The Commission is required under section 25 of the Act to report to the Minister and the report is to include:

- a copy of the draft SPPs as exhibited (Appendix B);
- a summary of the representations and the Commission's opinion of their merit (Appendix C);
- a summary of information obtained at any hearings (see 2.3 Hearings);
- recommendations of the Commission on the draft SPPs (see 10.0 Recommendations); and
- a statement as to whether the Commission is satisfied the draft SPPs meet the SPPs criteria (see 8.0 State Planning Provisions Criteria).

The Commission is required, under section 25(1) of the Act, to report on the draft SPPs within 90 days or a longer period if allowed by the Minister. An extension of time until 9 December 2016 was granted by the Minister on 8 August 2016.

### **1.4 Recommendations**

Under section 25(3) of the Act, the Commission's recommendations can include that the Minister:

- makes the SPP without modification;
- makes the SPPs with modifications recommended by the Commission; or
- refuses to make the SPPs.

If the recommendation is for the Minister to make the SPPs with modifications, then the Commission's report must include a copy of the modified draft SPPs and a recommendation as to whether or not the modified draft of the SPPs ought to be re-exhibited.

Under section 25(5) of the Act, the Commission may include recommendations regarding any matters of a technical nature or that may be relevant to the implementation of the SPPs.



## **2.0 Commission's consideration of the draft SPPs**

The Commission notes that the preparation of the draft SPPs and the making of the SPPs is, as a matter of law, the responsibility of the Minister.

The Commission's role is to undertake an independent assessment of the draft SPPs and to provide advice to the Minister. The final decision on the content of the SPPs is for the Minister.

In the context of the process established by the Act, the Commission has taken the provisions of the draft SPPs to reflect planning policy positions determined by the Minister.

While some of those planning policy positions were not accepted by those who made representations, the Commission accepts the planning policy positions inherent in the draft SPPs.

### **2.1 Delegation**

The Commission delegated its powers and functions under sections 24 and 25 of the Act to consider and report to the Minister on the draft SPPs to the following delegates:

- Greg Alomes, Executive Commissioner (Co-Chair);
- John Ramsay, Commissioner (Co-Chair);
- Roger Howlett, Commissioner;
- Sandra Hogue, Commission Senior Planning Consultant; and
- Marietta Wong, Commission Senior Planning Consultant.

On 8 November 2016, Commissioner John Ramsay withdrew from the delegated panel.

### **2.2 Representations**

During the 60 day exhibition period 294 representations were received. A further 9 representations were received after the end of the exhibition period and accepted by the Commission. Many representations raised multiple issues and the overall number of issues raised in representations was substantial.

After the close of the exhibition of the draft SPPs, the representations were available on [www.iplan.tas.gov.au](http://www.iplan.tas.gov.au).

A number of groups and individuals sought to make representations after the period for representations had closed. In the majority of instances, the issues of concern had either already been raised in other representations, or there was an opportunity to attend and participate in a hearing.

A summary of representations and Commission's opinion on the merit of those representations is attached in Appendix C in accordance with the requirements of section 24(b) of the Act.

After considering the representations received, the Commission decided to hold hearings under section 24(c) of the Act.

## **2.3 Hearings**

Hearings were held in public in accordance with the Part 3 of the *Tasmanian Planning Commission Act 1998*.

Prior to the commencement of the hearings, the Minister wrote to the Commission's Co-Chairs to convey his instructions to the PPU in assisting the Commission and their role in the hearings. Officers of the Planning Policy Unit (PPU) of the Department of Justice attended each hearing. They were sometimes assisted by officers of relevant State agencies who had been requested to attend to provide more detailed or technical information that may assist the Commission.

The PPU and agencies provided background information to assist the Commission to better understand the policy intent and implications of implementing the draft SPPs. Revised drafting was also provided for some parts of the draft SPPs.

Directions hearings were convened in each of the three regions of the state to assist the Commission establish a schedule of hearings. The hearing schedule comprised two stages, the first addressing matters in the administration and general provisions, zones and LPS requirements; and the second stage addressing the codes. Hearings were held in Burnie, Launceston and Hobart, with a total of 25 days scheduled between July and October 2016.

Some representors attended several days of hearings as a result of the hearing schedule being based on the SPPs, rather than individual representations. The Commission appreciates the time and expense of participation in the hearing process, particularly for individuals and community organisations; and thanks all those representors who were able to attend hearings to make submissions.

In summary, at the hearings many representors provided submissions, elaborating on their original representations. Some provided suggested revised drafting of provisions and examples to illustrate their concerns. The Commission considered the additional information received after each hearing and found that the information invariably confirmed that provided in representations.

The Commission acknowledges that the hearing program was constrained by the available time but it has made best efforts to allow groups and individuals to participate in the process in a fair and equitable manner.

## **2.4 Terms of Reference**

The terms of reference issued by the Minister describe the scope for preparation of the draft SPPs. They establish that Planning Directive No. 1 – the Format and Structure of Planning Schemes as a foundation document to the draft SPPs but they also reference other documents that provide context to the draft SPPs, including the three regional land use strategies and other Planning Directives in force.

As required under section 24 of the Act, the Commission has had regard to the terms of reference as part of its consideration of the draft SPPs.

## **2.5 Recommendations for re-exhibition**

The Act does not include any criteria for determining when modifications ought to be re-exhibited. However, in determining whether to recommend re-exhibition of any modifications under section 25(4)(b) of the Act, the Commission had regard to:

- a. the extent to which the modification affects a planning policy expressed or implicit in the draft SPPs;
- b. whether the modification results in a substantial departure from the draft SPPs as exhibited; and
- c. the public interest in the modification.

### **3.0 Consideration and recommendations for Administration and General Provisions**

#### **3.1 Clause 3.0 Interpretation**

The Commission recommends a number of modifications to the planning terms and definitions in the draft SPPs.

The Commission found that many of the terms and definitions have been established for some time and only needed minor modification. The Commission supports the principle of using plain English expression in the drafting of the SPPs and, where satisfied that the ordinary meaning of a word can be relied upon, has avoided adding further definitions.

The Commission has taken into account suggestions made in representations. Generally, modifications were made to:

- a. remove terms not used in the SPPs and add new terms;
- b. uphold the convention of listing terms that are used in more than one code under clause 3.0, rather than in codes;
- c. reflect other drafting modifications and conventions, such as to add the words 'as that existing at the effective date'; and
- d. clarify expression or remove ambiguity.

More specifically:

- The following terms used in servicing standards across zones were added: full water supply service; limited water supply; minimum flow rate; potable water supply and regulated entity.
- To interpret standards associated with roads the terms arterial road and collector road have been added.
- Tolerable risk and coastal zone were added as these terms are used in more than one of the hazard codes and the definition of coastal protection works was modified to include reference to the coastal zone.
- As a result of making modifications to the Environmental Management Zone, reserve class and reserved land are no longer used and are deleted. The terms State-reserved land and State authority have been added.
- The following other terms that arise variously in the SPPs have been added: building line, irrigation district, private garden, public land, and solar energy installation.
- Modifications have been made to home-based business to reflect issues raised in representations about the number of persons employed on the site, display of goods for sale, the quantity of hazardous chemicals allowed and the inclusion of vehicle detailing to the exclusions.

### **3.2 Clause 4.0 Exemptions**

Exemptions are a key part of any planning scheme since a permit will not be required if a use or development is exempt.

The draft SPPs set out a series of exemptions in Table 4.1 which is read in conjunction with clause 4.0.1. The exemptions are grouped thematically. While the formatting differs from Planning Directive No.1, the exemptions are similar in scope to those in interim planning schemes.

The Commission recommends modifications to number each exemption so each can be individually cited. As a consequence there are now six tables:

- exempt uses;
- exempt infrastructure use and development;
- exempt building and works;
- vegetation exemptions;
- renewable energy exemptions; and
- miscellaneous exemptions.

The Commission has also made a modification to include two additional clauses that apply generally:

- reinserting a clause from Planning Directive No.1 that clarifies when a permit is not required as result of provisions in the Act, with reference to existing use and development; and
- clarifying that exemptions do not apply to development on actively mobile landforms to implement the State Coastal Policy.

While there are a number of modifications to the exemptions, they are without significant change to the policy intent of the exemptions included in the draft SPPs.

In some instances modifications to the exemptions are consequential to modifications elsewhere in the draft SPPs. For example, the term 'State authority' has been introduced to 3.0 Terms and Definitions and is applied in a number of the exemptions. Quite a number of exemptions are now also qualified with reference to one or several codes, particularly the Local Historic Heritage Code and hazard codes.

The following exemptions have been modified after consideration of matters raised in representations and at the hearings:

- Home-based childcare;
- Home occupation;
- Visitor accommodation;
- Stormwater infrastructure;
- Irrigation pipes;
- Dam construction works;

- Minor telecommunications;
- Fences;
- Outbuildings;
- Electric car chargers;
- Renewable energy exemptions; and
- Rainwater tanks and fuel tanks.

Representors also raised the potential lack of clarity where exemptions are limited by reference to a code. This issue was addressed in interim planning schemes by amendment to Planning Directive No.1 in February 2016 by the inclusion of extra words to clarify that the exemption would apply if the use or development is also exempt under the code. Suitable modifications to the SPPs are recommended.

As with other provisions, modifications have been made to improve the clarity and consistency of drafting and to be consistent with the building reform framework, which is to be implemented from 1 January 2017.

### **3.2.1 Vegetation exemptions**

Numerous representations and submissions were received in relation to the effect of exemptions for vegetation removal and management. A key concern is that vegetation clearing can occur under a certified forest practices plan (FPP) without consideration of biodiversity values under the planning scheme. The exemption allows for clearance and conversion of a threatened native vegetation community, or the disturbance of a vegetation community, in accordance with a certified FPP.

The exemption that applies under Planning Directive No.1 is for clearance or conversion of a vegetation community in accordance with a FPP but this is limited by being subject to a code that expressly regulates impacts on biodiversity. Codes were not included in the Planning Directive, but the majority of interim planning schemes include codes which impose controls over vegetation clearance.

The Commission supports the general principle that the exemptions should not duplicate arrangements in place under other legislation. It notes that under the *Forest Practices Act 1985* clearance and conversion of a threatened native vegetation community and clearing of trees cannot occur without a certified FPP. Specific requirements apply when the Forest Practices Authority considers an FPP involving a threatened native vegetation community.

The Commission does not consider that the vegetation exemptions require modification.

### **3.2.2 Maintenance and repair of buildings and minor alterations**

Modifications are recommended to the buildings and works exemptions to bring them into line with section 12(1)(b) of the Act. Recent amendments to the Act clarify that a permit cannot be required for repairs and maintenance of existing buildings. The exemption in the SPPs has been widened to reflect this. A separate exemption

for minor alterations is included but this merely re-states the terms of the original exemption which was for maintenance, repair and minor alteration to buildings.

### **3.2.3 Internal building and works**

A number of representors did not support the exemption for internal buildings and works. The exemption is not included in Planning Directive No.1 but the definition of 'development' under the Act has commonly been interpreted to be limited to the exterior of buildings by reference to including '(a) the construction, exterior alteration or exterior decoration of a building'.

The inclusion of the exemption removes any doubt. The Commission considers that building interiors do not necessarily fall within the scope of development as the purpose of the planning system is concerned more broadly with the external implications of development.

The Commission supports the inclusion of the exemption as it adds clarity and will assist a consistent approach by avoiding the opportunity for alternate interpretations.

### **3.2.4 Use and development that exceeds exemptions**

A number of planning authorities were concerned that there is a 'gap' where a use or development may not meet the criteria for exemption, requiring an application. However, in some instances there are no appropriate standards against which to assess an application. This arises generally because the use or development is exempted as a consequence of its low likelihood of having an impact, for example a hot water cylinder or heat pump.

The Commission acknowledges this issue and notes that it occurs in interim planning schemes. However, without a ready solution, and as a result of the limited time available, the Commission has been unable to recommend modifications to address the issue. Further investigation would be beneficial but the Commission notes that that the issue does not appear to have caused significant problems in interim planning schemes.

Acceptable Solutions for fencing have also been deleted in some zones where these mirrored the exemption and it was considered that this would potentially lead to confusion in application.

### **3.2.5 Strata division**

It was submitted by the City of Clarence that the exemption for strata division could undermine the subdivision and density standards in the draft SPPs and lead to the future illegal conversion of strata-titled buildings, from say holiday accommodation to permanent residential use.

Instead, it was submitted that the draft SPPs should include standards across zones to address the creation of lots under the *Strata Titles Act 1998* and that the exemption for strata division should be qualified to ensure use of any buildings is subject to a permit.

The Commission accepts that it is a deliberate policy position that strata division is provided for outside the subdivision process as an alternate form of tenure. If this policy intention requires change or modification, the Commission considers that changes should be as a revision to the *Strata Titles Act 1998*.

Further, as the conversion or change of a use to another requires a permit, the failure to do so is capable of enforcement. Accordingly, the Commission is not persuaded that additional standards are required.

### **3.2.6 Visitor accommodation**

A number of representations were received regarding the provisions relating to Visitor Accommodation in the draft SPPs.

The draft SPPs include an exemption for Visitor Accommodation in a dwelling for 'no more than 42 nights in any calendar year'. Most zones include use standards to address Visitor Accommodation. The use standards include an Acceptable Solution with the requirement that the use is to occur within existing buildings and within a gross floor area of not more than 160m<sup>2</sup>. Performance Criteria to assess the impact of the use on residential character and privacy are applied where the Acceptable Solution is not met.

Representatives and operators from the home share and holiday rental sector attended the hearing and made submissions. Their submissions emphasised approaches taken in other jurisdictions. These ranged from allowing a more generous exemption period to measuring occupancy on the basis of the number of bedrooms. The Commission agreed with other representors, including planning authorities, that enforcement of the 42 day threshold set in the exemption would be difficult, if not impossible, particularly as properties may be multi-listed.

Under most interim planning schemes, and if exceeding the exemption for visitor accommodation in a dwelling under the draft SPPs, offering a dwelling for rental or home share would be defined as Visitor Accommodation. This is then assessed by reference to the Use Table and standards in the relevant zone. In most SPP zones, Visitor Accommodation is permitted or discretionary, requiring an application.

The Commission considers, from a planning perspective, that the use of a dwelling for home sharing or short term (holiday rental) does not have discernibly different impacts to that of the long term residential use of a dwelling.

The physical capacity for occupancy of the dwelling does not change and there is no change in the demand for services and infrastructure. A dwelling or a room in a dwelling, could be occupied to capacity by the owner and the owner's family, or be let on a long term basis without the need for a planning permit.

The potential for impacts on amenity due to noise or traffic are the same for short term occupancy as for long term occupancy. Generally, the intensity of the use and potential for increased impacts will be a consequence of the number of occupants in the dwelling. This is directly related to the number of bedrooms.

The Commission recommends the following modifications:



- a. Add a new definition for ‘home stay’ which allows for short term accommodation in an existing dwelling, if it has 4 bedrooms or less, with no limit on the number of nights.
- b. Replace the exemption for ‘visitor accommodation in a dwelling’ with ‘home stay’ if for the use of a dwelling for home stay accommodation, with no limitation on the number of nights.
- c. Include the example of home stay in the Residential Use Class.

The Commission recognises that there is high public interest in this issue and that the modifications reflect a different policy approach to the manner the activity is addressed in the draft SPPs.

It considers that re-exhibition of these provisions is appropriate, as provided for under section 27(1)(c) of the Act and has prepared a draft amendment to the SPPs for this purpose (see Appendix F).

### **3.3 Clause 5.0 Planning Scheme Operation and Clause 6.0 Use Classes**

Clause 5.0 of the draft SPPs sets out the operational provisions of the planning scheme.

While the provisions are similar to those in interim planning schemes, the operation of the draft SPPs differ in that there is a need to provide for LPSs. As a result of reviewing the LPS Requirements that form part of the draft SPPs, modifications are recommended to clause 5.0 to ensure the SPPs and LPSs operate together in the manner intended and in accordance with the provisions of the Act. This does not impact the policy implicit in the draft SPPs that sets out the relationship between state and local provisions.

Clause 6.0 sets out how applications are assessed, including the application requirements and Use Classes.

#### **3.3.1 Application requirements**

The Commission recommends only minor editorial modifications to clause 6.1 Application Requirements. Some planning authorities made representations seeking the ability to include specific information requirements in the codes. While it accepts the draft SPP approach of not providing for code-specific information requirements, it considers that this may be worthy of further consideration if the SPPs are reviewed at a future time.

#### **3.3.2 Clause 6.2 Categorising Use or Development**

The Use Classes in Table 6.2 have been applied through Planning Directive No.1 to interim planning schemes and are considered fairly robust. The Commission recommends only minor modifications, including some additions and deletions to examples in response to representations.

It is recommended that General Retail and Hire is modified to include ‘bottle shop’ (which would be correspondingly deleted from Hotel Industry) and ‘cellar door

sales'. Both bottle shops and cellar doors are essentially retail activities. The term 'video shop' is also recommended for deletion as it is simply a 'shop' and examples are becoming fewer.

It is recommended that the Residential Use Class is modified to include 'home-based childcare' for clarification; and to delete 'living' from 'shared living accommodation' and 'hostel' for clarification.

The examples of 'bed and breakfast establishment' and 'holiday unit' are recommended for deletion in the Visitor Accommodation Use Class as these terms are now out-dated.

It is recommended that 'serviced apartment' be modified by adding the word 'complex' to clarify that it is a reference to an apartment complex, rather than an individual apartment for short term rental.

### **3.3.3 Clause 6.10 Determining Applications**

Clause 6.10 significantly sets out the matters that must be had regard to in determining an application and establishes that for a discretionary use this includes any relevant local area objectives (LAOs). Consequential drafting modifications are recommended throughout the draft SPPs where use standards refer to LAOs because they must be considered under clause 6.10 in any event. The same applies to the zone purpose as this must also be considered under clause 6.10.

The Commission notes that Desired Future Character Statements (DFCSs) that were included in Planning Directive No.1 as an option are not included in the draft SPPs. The draft SPPs do not include development standards that refer to LAOs in the Performance Criteria.

There were submissions about whether clause 6.10 ought to be expanded to include development but the Commission considered that the current drafting represented a deliberate policy intent that could be clearly operationalised and therefore does not require modification.

### **3.3.4 Clause 6.11.1 Conditions and Restrictions on Permit**

Several representors suggested that there was scope to expand clause 6.11.1 to add consideration of landscaping and stormwater.

Planning authorities, in particular, were concerned that the draft SPPs do not include standards for landscaping and stormwater, yet it is commonplace for these matters to be addressed in permit conditions. Without a standard or a head of power, such as in clause 6.11.1, conditions may be beyond power.

After giving wider consideration to standards for landscaping and stormwater, the Commission recommends landscaping standards in selected zones. A stormwater code as suggested by planning authorities and practitioners is not supported but the Commission recommends its further consideration and potential future amendment to the SPPs.

In the absence of a stormwater code the Commission has modified clause 6.11.1 to include 'erosion and stormwater volume and quality controls'. This provides broader

powers to apply conditions to not only the construction phase of development but also its ongoing use and at the same time does not extend the scope of clause 6.11.1 excessively. The Commission considers it important that where possible, the means of satisfying the standards that apply to use or development are clearly expressed as Acceptable Solutions and Performance Criteria and that clause 6.11.1 should only be expanded in the absence of other options. Matters that may be taken into consideration under clause 6.11.1 are not accompanied by standards and are a less transparent mechanism.

### **3.4 Clause 7.0 General Provisions**

In interim planning schemes these were referred to as Special Provisions and comprised the mandatory clauses under Planning Directive No.1 – the Format and Structure of Planning Schemes. While the name has changed, the General Provisions provide for matters that are not constrained by the other provisions of the planning scheme.

The General Provisions expand the matters contained previously in Planning Directive No.1 – the Format and Structure of Planning Schemes. The Commission accepts that this is a deliberate policy and notes that the expansions are either found currently in an interim planning scheme or respond to operational issues experienced by planning authorities in applying their interim planning schemes.

Although a number of representations suggested expansion of the General Provisions, the Commission recommends only a small number of modifications.

#### **3.4.1 Re-organisation of lots**

The Commission heard from representors proposing that the allowance for boundary adjustments should extend to the re-organisation of lots. This would allow for subdivision that does not create new lots to be considered under the General Provisions, rather than as a discretionary application under the applicable zone provisions.

A key concern was the subjectivity of first determining whether a subdivision is for a 'minor change . . . '. While including a percentage to define the terms of 'minor' may help in relation to the size of a lot, it lacks meaning for consideration of the shape and orientation of lots.

Some representors supported the draft SPPs as drafted on the basis that there is scope for the re-organisation of lots to lead to inappropriate subdivision.

Despite the limitations of the provisions as currently drafted, the Commission does not recommend modifications. It considers there is a risk that inappropriate subdivision could occur if a General Provision for re-organisation of lots is included.

#### **3.4.2 Sheds on vacant sites**

A number of representations from planning authorities raised the difficulty of dealing with sheds on vacant sites. Sometimes a landowner may wish to store equipment on their vacant lot before building a dwelling. A difficulty arises because the shed is considered part of the residential use of the land. As a result, the

planning authority may require an application to include a proposal for a dwelling, even if there is no immediate intention to build a dwelling. This can be unnecessarily costly for applicants, particularly if subsequent variations to the proposed dwelling require a further future application. Alternatively this may be classified as Storage which is prohibited in some zones.

The Commission recommends modification of the draft SPPs to include a further General Provision, 7.5 Sheds on Vacant Sites, to clarify this circumstance.

## **4.0 Consideration and recommendations for zones**

While the 23 zones currently available have been maintained, they have been organised to more deliberately distinguish those zones that are intended for living from those for which the primary intention is agriculture or values management.

The former Environmental Living Zone has been deleted and a new zone, the Landscape Conservation Zone, added. Changes have also been made to the former Rural Resource, Significant Agricultural and Environmental Management Zones to implement a new approach.

The range of standards has increased from those in interim planning schemes in some zones, but fewer are included in other zones. A number of planning authorities commented on the absence of standards for landscaping and stormwater.

The Commission has made modifications to the zones primarily to improve the consistency and clarity of drafting. However, more extensive modifications have been made to the Environmental Management Zone than some of the other zones.

A Future Urban Zone has also been added. The Future Urban Zone is included in the draft SPPs as a particular purpose zone but because it includes mandatory standards, the Commission considers it is more appropriately included as a zone in the SPPs rather than part of an LPS.

More detailed information about the Commission's consideration of zones follows.

### **4.1 Clauses 8.0 General Residential Zone and Clause 9.0 Inner Residential Zone**

The General Residential Zone includes standards for single dwellings and multiple dwellings that are based on those required in interim planning schemes under Planning Directive No.4.1 – Residential Development Standards in the General Residential Zone. In the draft SPPs, these have been modified to reduce the standards for windows facing in a northerly direction and accessibility of outdoor living space from a living room. In the zone there are also standards for non-dwelling development and subdivision which were not included in Planning Directive No.4.1. The standards for non-residential development largely repeat the same standards as for single dwellings.

The Commission notes that drafting of the residential provisions is inconsistent with the drafting conventions for the wider planning scheme as the majority of standards have been transposed from Planning Directive 4.1. Many non-residential development standards appear unnecessarily duplicative.

However, the Commission has resisted recommending significant modifications as to do so in the absence of a more comprehensive review may have unintended consequences.

The exception to this is to make modifications to the privacy standards in the General Residential Zone to add 'and' between clause 8.4.6 A2 (b)(i) and (ii) and to add 'and' between clause 8.4.6 P2 (a) and (b) as these omissions are considered by

the Commission to be unintended errors, albeit they are found in Planning Directive No.4.1. A further related modification is needed in the Inner Residential Zone to add 'and' to clause 9.4.6 A2 (b) between (i) and (ii), as the drafting is identical to the standard in the General Residential Zone.

#### **4.1.1 Scale, including institutional residential development**

A number of the representations received from planning authorities and individuals raised concerns about the development outcomes that can arise through application of the standards, since they are already in operation as a result of Planning Directive No.4.1 in interim planning schemes.

Concerns most often raised were about the scale of development and the effect of development density and building form on local character and amenity. While these comments were often in reference to examples of single and multiple dwelling development, a further specific concern was the standards that apply to institutional residential development, such as aged-care facilities.

In relation to institutional residential development, it was acknowledged that larger sites are typically required and sometimes proposals are considered in a combined permit and amendment process which gives greater opportunity for community engagement. Where occurring on land zoned General Residential, it is noted that there are specific standards for non-dwelling development and although the use may be permitted, often the development will be discretionary and needs to be assessed against Performance Criteria that include ensuring that the development is 'sympathetic to the form and scale of residential development and does not cause a loss of amenity' (8.5.1 Objective).

#### **4.1.2 Local character**

The Commission received many representations concerned about the loss of local character as a result of a 'one size fits all' planning prescription. In interim planning schemes, some planning authorities have included DFCSs and LAOs which assist a finer-grained assessment of development.

DFCSs are not included in the SPPs and LAOs may only be considered in relation to discretionary use under clause 6.10.2(b), unless specifically referenced in a Performance Criterion. This directly impacts the extent that local character can be taken into account.

The Commission acknowledges and accept that this is a deliberate policy of the draft SPPs which seek to increase the state-wide consistency of provisions. But it notes that while consistent provisions may make the administration of planning more convenient and efficient, the performance of the planning system will also be judged by on-the-ground outcomes. If local character is a point of difference and an attribute of all Tasmanian places, unintended consequences may flow from denying local differences.

The 'one size fits all' approach is likely to result in planning authorities seeking more exceptions through the inclusion of particular purpose zones, specific area plans and site-specific qualifications in their LPSs.

#### **4.1.3 Housing affordability and diversity**

Shelter Tasmania's representation emphasised the progress made towards housing affordability with the State's strategy (Tasmania's Affordable Housing Strategy 2015-2025). However, they acknowledge the absence of a reference to social inclusion and housing diversity in the Act objectives and there is no State Policy giving direction on the issue. This is unlike the recent amendments to the Act to include 'to promote the health and wellbeing' of Tasmanians and visitors in the Schedule 1 Part 2 Objectives on which the Heart Foundation rely.

The Heart Foundation's representation presented evidence of the value of a wider choice in housing type as a means of supporting active living. The Foundation encourages mixed density housing to satisfy life cycle requirements and a raft of suggested modifications to improve the quality of the built environment for health and wellbeing.

The Commission considers it difficult to make any modifications to the draft SPPs without a greater policy mandate to do so.

It recommends that the Minister give consideration to whether housing affordability is a matter that should be addressed in the planning system and if so, what actions are required to set the policy context, such as modifications to the objectives of the Act or planning policy direction relevant to the SPPs.

#### **4.1.4 Residential development standards review**

Given residential development is the most commonly occurring form of development subject to the planning scheme, affecting the construction industry, owner builders and home owners, the Commission recommends that the General Residential and Inner Residential Zones be reviewed as a priority.

Consistent standards were put in place when Planning Directive 4.1 – Standards for Residential Development in the General Residential Zone was issued in 2014. A sufficient period of time has elapsed since their implementation that it is now appropriate to:

- evaluate the performance of the standards and whether the intended outcomes have been realised, including delivering greater housing choice, providing for infill development and making better use of existing infrastructure;
- consider the validity of the claims that the standards are resulting in an unreasonable impact on residential character and amenity; and
- introduce drafting that is more consistent with the conventions that apply to the SPPs generally.

## **4.2 Clauses 10.0 Low Density Residential Zone and 11.0 Rural Living Zone**

The Low Density Residential and Rural Living Zones are residential zones that provide for larger lots that may be unserviced.

In the draft SPPs they are distinguished by density and the range of allowable uses.

#### **4.2.1 Lot density – minimum lot area**

An issue raised in representations that was common to both zones was the inability to recognise historically based local character, particularly in locations where a pattern of lot sizes was already established. The Low Density Zone has a minimum lot size of 1500m<sup>2</sup> and the Rural Living Zone has an A and B density of 1 and 2ha respectively. For planning authorities and individuals there was concern that further densities should be allowed, particularly to more closely reflect the pattern of existing lot sizes.

The Commission was not convinced that a further density option was necessary for the Low Density Zone. The minimum lot area of 1500m<sup>2</sup> has a high level of alignment with lot sizes in current schemes, although inevitably it is inconsistent with some schemes.

In the Rural Living Zone, the Commission recognises that this zone requires further options for density. The zone lies between the Low Density Residential and Landscape Protection Zone and there is a significant 'gap' between the Rural Living Zone and Landscape Protection Zone minimum lot sizes. The deletion of the Environmental Living Zone is a key reason for the 'gap'.

The Commission recommends that further minimum lot sizes of 5 and 10ha should be available in the Rural Living Zone.

Consequential modifications have been made to the Rural Living Zone provisions, including the Zone Purpose to reflect the expanded range of minimum lot sizes.

#### **4.2.2 Multiple dwellings in the Low Density Residential Zone**

The density implications of multiple dwellings being permitted in the Low Density Residential Zone was raised by a number of representors, including planning authorities. The Commission does not consider that allowing multiple dwellings is necessarily a threat to density. The Acceptable Solution for multiple dwelling density requires a site area of 1500m<sup>2</sup> if services are available and 2500m<sup>2</sup> if services are not available. Densities below this are assessed against the Performance Criteria, triggering discretion.

The Commission considers it may be more transparent to identify Multiple Dwellings as discretionary in the Use Table, indicating 'up-front' that Multiple Dwellings will be subject to discretion. This will allow any LAO to be considered under clause 6.10.2(b) in determining whether the use is appropriate. It also supports the introduction of a lower limit for density in the Performance Criteria to give some protection to the density objectives for the zone.

#### **4.2.3 Scenic Protection Code in the Low Density Residential Zone**

In the draft SPPs the Scenic Protection Code was not be applied to land zoned Low Density Residential under clause C8.2.1 of the Code. The Low Density Residential Zone is a residential zone and is applied to land at the outskirts of settlements or at elevations where full services are not available. These locations can be visually



prominent and the Commission agrees with representors that that it would be appropriate to apply the Scenic Protection Code to protect visual values where these are important.

The Commission recommends revision of the zone purpose to more accurately reflect the primary intention of the zone to provide for residential development. The Commission considers that editorial modifications to the zone purpose for clarification, including deleting reference to 'aesthetic constraints' in clause 10.1.1 is required. Reference to 'aesthetic' constraints is not clear and superfluous if the Scenic Protection Code can be applied to protect scenic values.

#### **4.3 Clause 14.0 Local Business Zone; Clause 15.0 General Business Zone; Clause 16.0 Central Business Zone and Clause 17.0 Commercial Zone**

The Commission heard from planning authorities that the business and commercial zones were not strongly distinguished from each other and each allowed a wide range of uses. The Commission agrees.

For discretionary uses, these zones have discretionary use and retail hierarchy standards that test the proposed use against the activity centre hierarchy. However, there is no state-wide hierarchy and a different approach has been taken in each of the state's three regions. This approach results in a more onerous assessment since there are two standards that require explicit consideration of the activity centre hierarchy. Presently, the Use Table for each zone reflects a hierarchy of allowable uses without reference to a further use standard.

The Commission recommends that further policy development be undertaken to establish a state-wide activity centre network and that this be given statutory status in the SPPS, potentially leading to amendments that will simplify the assessment of applications.

The Commission recommends only minor modifications to the drafting of these zones to reflect drafting conventions for the SPPs as a whole and to improve the clarity and consistency of standards.

For the Central Business Zone, representations demonstrated that the Acceptable Solution for building height suited neither Hobart nor Launceston. The Commission has not made modification to the building height standard, preferring to see whether the issue will be overcome by using other measures, such as SAPs, when drafting LPSs.

A late representation was received from the Large Format Retail Association, whose members include an extensive and diverse range of retailers that operate in multiple States and Territories.

The Commission agrees with the Association that retailing is undergoing significant change and acknowledges that the approach to retailing in planning schemes has economic implications for the sector. However, the Commission does not support the modifications sought by the Association as the approach is different in-principle

to that underpinning the drafting style of the TPS (and interim planning schemes) which rely on Use Classes rather than defining individual uses.

However, the Commission considers that the Bulky Goods Sales Use Class does not allow enough differentiation between retail activities. It recommends that future consideration is given to the scope of the Bulky Goods Sales Use Class and the need for an additional Use Class that would allow for the differentiation of activities such as landscaping supplies from other large format retail.

The Association also raised concerns about the zones in which large format retail use may occur and the limitation on floor area expressed in Acceptable Solutions. A response to these matters through the current process could result in unintended consequences but may also be worthy of further consideration at a future time.

#### **4.4 Clause 18.0 Light Industrial Zone and Clause 19.0 General Industrial Zone**

The Light Industrial and General Industrial Zones are similar to each other with the main distinction being the intention that the Light Industrial Zone will not have offsite impacts.

There were a number of representations about the lack of landscaping standards in the Commercial, Light Industrial and General Industrial Zones. The Commission agrees that the visual impact of commercial and industrial uses can be managed by the inclusion of standards for landscaping and that such standards are common-place in existing planning schemes.

Modification is recommended to include a landscaping standard for the Commercial, Light Industrial and General Industrial Zones. The standard would require a landscape treatment on the frontage setback as an Acceptable Solution.

It is also recommended that the General Industrial Zone is modified to delete the outdoor storage standard as the Zone Purpose is not concerned with off site impacts.

Other modifications are minor editorial changes or for consistency with similar standards in other zones, such as servicing.

#### **4.5 Clause 20.0 Rural Zone and Clause 21.0 Agriculture Zone**

These zones are best compared to the Rural Resource and Significant Agricultural Zones in current interim planning schemes. However, they have been recalibrated in the draft SPPs. It is proposed that mapping of the agricultural estate by the State government will assist planning authorities identify and map the zones.

##### **4.5.1 Mapping**

The explanatory document sets out the intention to map the state's agricultural estate to provide the basis for the delineation of the zones. The PPU advised at the hearings that the mapping is currently being prepared and will not be available until later in the year.

There was considerable interest and concern from planning authorities, since the mapping is yet to be developed and much must be assumed about the operation of these zones without the mapping and reference only to the provisions. Concerns were also raised about the need to further ground truth the mapping before it is fit for purpose, and the consequential impost on planning authorities.

While it would be beneficial to understand how the zones are applied based on the mapping, the Commission accepts that mapping is to be based on the purpose of the zones and that it is possible to progress the draft SPPs on that basis. Therefore attention has been given to the Zone Purpose for each zone below.

The mapping task and its associated practicalities are acknowledged as adding complexity and time to developing LPSs, however are not matters directly within scope of the Commission's consideration of the draft SPPs.

#### **4.5.2 Two Zones or One?**

Many representors, particularly planning authorities, submitted that a single zone for the rural setting is preferred. It was submitted that there is a diversity of use and complexities in the agricultural sector that make it difficult to meaningfully distinguish land which should be afforded greater protection for agriculture.

The Commission acknowledges that two of the state's three regions have applied only one zone for rural resource activities and only the Southern Region uses both. However, the opportunity to use two zones has been established in Planning Directive No. 1 – the Format and Structure of Planning Schemes since it was first issued. The current changes seek to 'recalibrate' the differences between the two zones.

The Commission considers that despite concerns about using two zones, there may be differences in municipal areas based on existing patterns of use and resource values. In some instances a single zone may almost exclusively be applied.

While the mapping is intended to be an aid to zone application, it is not a mandatory requirement referenced in the LPS requirements that form part of the draft SPPs. The Commission acknowledges that the implementation implications are none the less significant. The recalibration of the two zones will impact on expansive areas of the state that are currently zoned Rural Resource or Significant Agricultural.

#### **4.5.3 Rural and Agriculture Zone Purpose**

The Commission heard submissions from representors about the Rural Zone Purpose. It was confirmed by the PPU that the Rural Zone is akin to a non-urban zone in which a mix of uses is intended. Modifications are recommended to the zone purpose to clarify the role of the Rural Zone as a zone intended to allow for a mix of uses.

It is recommended that the Agriculture Zone purpose is modified to clarify the purpose and remove terms that are unclear and difficult to interpret.

#### **4.5.4 Rural Zone standards**

While there are confusing statements in the explanatory document, the Commission notes that land to be zoned Rural may include ‘agricultural land’ as defined in the State Policy on the Protection of Agricultural Land 2009 (PAL). This means that the standards in the zone must satisfy the PAL Policy principles for the protection of agricultural land, despite the zone purpose focussing on promoting a mix of uses.

The Commission recommends modifications to the permitted uses in the Rural Zone Use Table to ensure that Principle 5 of the PAL policy is satisfied.

Although the height and setback of buildings was raised in a number of representations, the Commission was not convinced of the need to modify these standards.

#### **4.5.5 Residential use and development**

The Commission has given particular attention to how a dwelling is dealt with in the Rural Zone. Conversion of agricultural land by residential use and the potential to confine or restrain agricultural use (Principle 5 of PAL) is managed in the Use Table in the draft SPPs by limiting residential use to single dwellings. This is intended to also clarify how an application for a dwelling would be assessed, removing the prospect that it could be incidental to Resource Development.

The Commission also considers modification to include a standard dealing exclusively with residential use will clarify that Principle 5 of PAL is satisfied. Currently the use standard for discretionary uses expressly excludes residential use.

Excision of a dwelling under clause 20.5.1 P1 requires modification to satisfy PAL by requiring that land is not unreasonably confined or restrained from agricultural use on or in the vicinity of the site.

In the Agriculture Zone the Commission recommends modifying the discretionary qualification for ‘Residential’ in the Use Table from ‘if not listed as permitted’ to ‘if for a single dwelling’ to narrow the impact of residential use on ‘agricultural land’, as in the Rural Zone, to satisfy PAL.

To give effect to the policy in clause 20.5.1 P1(b)(ii) requiring an agreement under section 71 of the Act preventing future residential use of a vacant balance lot, the Use Table requires modification to include a qualification to reference such an agreement.

### **4.6 Clause 22.0 Landscape Conservation Zone**

This zone is a new zone and is a part of the recalibration of non-urban zones in the draft SPPs. At the hearing the PPU clarified that the zone does not replace the Environmental Living Zone but is an alternative zone in which landscape and natural values take precedence over residential use.

Many representations raised concerns that the Environmental Living Zone, available in interim planning schemes, is preferable to either the Rural Living Zone or Landscape Conservation Zone. Many considered that the Landscape Conservation

Zone, having significantly larger lots, would not have wide application, particularly in existing areas where smaller lots are prevalent.

The Commission does not consider that reinstatement of the Environmental Living Zone is appropriate. It would be a substantial modification to do so and by making minor modifications to the Rural Living Zone to provide a wider range of lot sizes, the difference in outcomes is considered marginal. However, it acknowledges that all land currently zoned Environmental Living will effectively be 'rezoned' to an alternate zone as a result of the Environmental Living Zone not being available.

The Commission recommends modifications to the zone purpose to clarify that the zone is for the protection, conservation and management of landscape values and that use or development should be compatible with those values. Consequential modifications to the standards follow. These are essentially editorial in nature.

The Commission has responded to representations about the difficulty of managing larger lots on the urban fringe in areas that may be zoned Landscape Conservation by allowing a single dwelling within a building area to be Permitted.

The Commission also recommends modifying the standards for Visitor Accommodation to include consideration of the safety and efficient use of local roads or rights of way, acknowledging that in some locations roads and access may have limited capacity for additional vehicle movements.

Further modifications deliver greater clarity and consistency in drafting.

#### **4.7 Clause 23.0 Environmental Management Zone**

There were a large number of representations that did not support the proposed Environmental Management Zone provisions. Key concerns were the potential for significant new developments to be approved without public input or opportunities for appeal; vegetation clearance in National Parks and reserves not being adequately scrutinised; and the application of the zone being limited to public land.

A small number of representations supported the zone provisions.

The Department of Primary Industries, Water and Environment (DPIPWE) attended the hearing to assist the Commission's understanding of the approval process which is effectively relied upon in the standards and to provide information about the extent, number and nature of managing authorities.

Further information about those entities that are managing authorities was requested by the Commission. DPIPWE subsequently advised that currently only Parks and Wildlife Service Tasmania is a managing authority for State-reserved land, although the legislation provides for managing authorities to include other entities.

The Commission notes that qualifications and standards in the draft SPPs rely on approval processes outside the planning scheme, providing a permitted pathway under the zone with the necessary 'authority' given by a managing authority or the Director General of Lands. A concern is that managing authorities do not necessarily have a clear and transparent process under which approvals are granted.

The Commission heard from DPIPWE that larger, more complex matters are assessed under the reserve activity assessment framework that includes public consultation. If the managing authority does not grant an approval or authority, the proposed development would be subject to a decision by the planning authority under the Performance Criteria which include comprehensive matters to which regard must be had.

The Commission accepts that this policy is to avoid duplication of assessment and that with relatively minor modifications to the Use Table and Acceptable Solutions, it can operate in the manner intended.

The Commission was also interested in the scope of matters to obtain an approval or authority from the managing authority, and whether they address the matters that planning schemes address, such as impacts on adjoining (private) land. The development standards for building and works have been modified to take account of the surrounding area to address this issue.

The Commission observed that the reference to an 'authority' given by a managing authority or the Director General of Lands in the Use Table is not consistent with the convention for drafting qualifications. It recommends that the qualifications in the Use Table reference 'if on State-reserved land' where the use is Permitted. This operates in conjunction with a new standard for 'Use of State-reserved land' which sets out an Acceptable Solution that is based on an approval or authority granted by a managing authority. The Commission has added a standard for 'use of land other than State-Reserve land' under which there is no Acceptable Solution, only a Performance Criteria.

The Commission questioned the application of the zone being limited to public land both because it is not usual to apply zoning based on tenure and it does not accept that the Landscape Conservation Zone is necessarily an alternative for the Environmental Management Zone. The Landscape Conservation Zone provides for the protection of natural values while allowing for residential development and is therefore fundamentally different to Environmental Management Zone the purpose for which includes providing 'for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value'. Modifications have been made to the Zone Purpose so that the zone may apply to both private and publicly owned land. The Zone Purpose has also been modified to refer to reserved land management objectives and objectives of reserve management plans.

The Commission also notes that public land is not defined in the draft SPPs and that many differing definitions are found in various relevant Acts. A definition for public land has been included in clause 3.0 for clarity.

#### **4.8 Clause 24.0 Major Tourism Zone**

At the hearing the Commission explored the application of the zone in interim planning schemes. It was apparent that the zone is not applied in many locations around the state and, where land is zoned Major Tourism, there is a high demand for localised standards to meet the requirements of specific developments. It is difficult, for example, to devise standardised setbacks for building height and setback as

tourism developments vary significantly in nature and scale, as do the site characteristics.

The Commission notes that the approval pathway for major tourism development is, in many instances, reliant on a combined permit and amendment approval (section 43A of the former Act) where the land is rezoned and a detailed proposal for the associated development is addressed at the same time. This reflects the difficulty in setting aside land for the purpose of attracting major tourism.

In many instances, other mechanisms may be more effective in providing for major tourism opportunities, such as particular purpose zones or specific area plans.

The Commission explored whether the zone would have practical application if the purpose of the zone were limited to simply 'Tourism', deleting reference to 'Major'. However, since the draft SPPs provide for Visitor Accommodation in a number of other Use Classes that are frequently associated with tourism, such a measure is not necessary.

The Commission has only recommended minor modifications to improve the clarity and consistency of drafting in this zone. Given the increasing importance of tourism to the Tasmanian economy, the Commission recommends that a planning approach to tourism is developed. This should include consideration of the implications for the application of zones in LPSs and associated standards in the SPPs.

#### **4.9 Servicing standards**

Representations, particularly from planning authorities, were received on the standards for servicing development and subdivision.

TasWater and the PPU assisted the Commission with further information at the hearings and made more detailed submissions to canvas alternate drafting of the standards.

The modifications clarify that the level of service can vary and in some instances it is acceptable for a lesser level of service to be provided. It was important to ensure that the terms used reflect the service obligations of TasWater, as the regulated entity.

The standards have been applied to zones taking into account whether the zones will be applied in areas where full or limited services are likely to be provided or are not necessary in some zones.

TasNetworks made a representation seeking inclusion of servicing standards for their assets. The Commission finds there is insufficient argument for the extension of servicing standards in the subdivision provisions of zones to include a separate standard for electricity infrastructure.

## 5.0 Consideration and recommendations for codes

Codes provide standards in addition to the zone provisions and can generally be described as applying to the following:

- Infrastructure;
- Specific forms of development;
- Specific values; and
- Hazards.

The draft SPPs include 15 codes. The code provisions form part of the SPPs but their application is often dependent on overlays or lists to identify where the code applies. The LPS requirements indicate whether an overlay or list is mandatory. For those codes applied through lists or overlays, the code will not apply in a municipal area if the overlay or list is not included in the relevant LPS. For those planning authorities intending to ground-truth or modify the overlays referred to in the LPS requirements, there could be considerable time and cost implications.

The Commission gave particular consideration to where and when a code should apply through the application clauses, preferring spatial application through overlays as the most certain way to determine application.

Some codes, such as the Signs Code and the Parking and Sustainable Transport Code, will apply in all municipal areas.

The Commission notes that some of the codes have an increased scope, particularly those addressing hazards. While there is evidence or 'science' to underpin the policy approach in these codes, their application in planning schemes is recent and emerging.

Generally, these codes address risk, based on 'desk top' evidence, and it will be for planning authorities to modify the mapping where more accurate information is available when preparing the LPSs.

A further implementation issue is whether the hazard code provisions will operate in the manner intended. Generally, the codes call upon suitably qualified experts to provide reports that will be key to the planning authority's determination of applications.

As an additional safeguard in relation to the hazard codes, the Commission recommends that the opportunity to request further information under section 54 of the Act applies in each circumstance. This is an important measure for a specific hazard, such as landslip, where development and works on adjoining land free of hazard can impact land subject to landslip hazard.

While the Commission recommends modifications that introduce more consistent drafting across these codes, acknowledging that the nature of each hazard means there are deliberate differences across the code provisions to reflect the policy response relevant to the risk.



Overall, the Commission considers that initially the hazard codes are likely to impose more regulation than currently applies. There is also potential for costs and delays to increase when they are implemented. However, it accepts that where there is information that identifies risk, a more cautious approach is warranted to ensure that loss of life and property and costs to the community are avoided.

The Commission notes that the Local Historic Heritage Code introduces the opportunity to 'list' local historic landscapes and local historic precincts (some interim planning schemes already allow for precincts to be nominated), extending the potential scope of the code compared to most planning schemes in operation. However, unless planning authorities choose to include any 'listings' in their LPS, these additional values will be unregulated.

## **5.1 C1.0 Signs Code**

Unless exempt, signs are assessed under the Signs Code, including those that are subject to the Local Historic Heritage Code. Signs are one of the forms of development that does not require classification into a Use Class under clause 6.2.

The Signs Code is prescriptive and provides detailed descriptions of sign types and standards to be met based on the zones in which they occur.

The code allows for third party signs and includes Performance Criteria for their assessment.

While a number of representations addressed the code, the Commission recommends few modifications. An Acceptable Solution for a sign on a local heritage place, in a local heritage precinct or local historic landscape precinct has been added to allow for a very small sign or plaque. Other changes are largely limited to editorial matters that improve the clarity and consistency of the code's drafting.

However, the Commission acknowledges the representations and submissions by planning authorities and the University of Tasmania that the code does little to provide for new technologies, for example, the use of monitors which may play video content. The Commission has not made modifications to include new standards as the policy implications require deeper consideration.

## **5.2 Clause C2.0 Parking and Sustainable Transport Code**

The Parking and Sustainable Transport Code has been drawn from codes already in operation in interim planning schemes. Some planning authorities made representations on the code as they considered its provisions onerous or impractical, based on their experience of standards in interim planning schemes.

Representations on the code were predominantly from planning authorities but also from individuals and the Heart Foundation.

It was put that there should be an additional definition distinguishing a 'shopping complex' as the code could be interpreted to require the recalculation of car parking requirements for individual shops or premises in a large complex when there is a change in use for a use in another Use Class, eg Food Services or Business and

Professional Services. The Commission considers on balance, that a modification is not required.

Another concern was the wide application of bicycle parking requirements, albeit that the requirements do not apply in all zones. The Commission agrees that perverse outcomes could follow the application of bicycle parking requirements, such as in small rural towns, or there could be an increase in discretionary applications to vary the bicycle parking requirements. This is another example of the 'one size fits all' approach.

The observation was also made that the number of car parking spaces required was variously calculated with reference to employees, seats, or area. While this circumstance already exists, it adds to the perception that there is no 'science' underpinning the code.

It was submitted by one planning authority that developers of commercial developments reliant on customers will inevitably respond to demand by supplying adequate numbers of car spaces, sometimes significantly beyond the number required by the planning scheme.

Another planning authority submitted that the number of spaces should not excessively exceed the required number and be capped by limiting additional spaces by a % of the required spaces. This would further the code purpose to encourage alternate means of transport.

General observations were made at the limited extent to which the code can be said to further sustainable transport. The Heart Foundation suggested that there ought not be any requirements for car parking as a means to encourage sustainable transport. However, to delete the code or modify it so extensively as to alter its policy intent is beyond the Commission's remit in its consideration of the draft SPPs.

However, it agrees that it is important that the code reflect changes to transport that are or can readily occur. It supports the modification sought by the University of Tasmania to widen the discretion in C2.5.1 P1.1(c) to include the availability and frequency of alternative transport (in addition to public transport). The University of Tasmania has, as may some other organisations, car sharing and other sustainable transport arrangements to deliver their organisational commitment to sustainable transport.

The Commission also accepts that residential uses, such as student accommodation in the inner city, may have lesser demand for parking as other modes of transport are available. C2.5.1 P1.2 (a) has been modified to allow the nature of the use to be taken account of in considering car parking numbers.

The Commission recommends a number of other minor modifications to the code to improve its clarity and consistency.

### **5.3 Clause C3.0 Road and Railway Assets Code**

The Road and Railway Assets Code aims to protect the infrastructure from encroachment by incompatible use. It has been the subject of a draft Planning Directive and a version of the code is found in interim planning schemes.

There were only a small number of representations on this code. However, the Commission heard from a planning authority, with experience of the practical application of the code for rail corridors, that the code impacts, not only new development but existing use and development, if the rail corridor is through or adjacent to a township. In these cases the advice of the rail authority may be difficult to apply. A similar situation occurs for road authorities for road assets in existing townships.

The Commission acknowledges the challenges of applying the code but does not consider it is fatally flawed. In C3.5.1 P1 a planning authority can take into account the road or rail authority's advice but is not required to do so, therefore, providing the opportunity to take into account the particular circumstances of the location in which the development is occurring.

This issue caused the Commission to give closer examination to the application of the code and with reference to the 'road or railway attenuation area' definition in C3.3.1 and the LPS requirements for mapping associated with the code. The planning authority is able to determine the area of the codes application.

Other modifications are recommended to the code to improve the clarity and consistency of drafting, including confirming the expression of terms and references.

#### **5.4 Clause C4.0 Electricity Transmission Infrastructure Protection Code**

The Electricity Transmission Infrastructure Protection Code is triggered by mapping that has been prepared by TasNetworks for the whole state. The code protects TasNetworks' electricity transmission corridors, communications stations and substation assets.

TasNetworks made a representation seeking modifications to the code and to other provisions in the SPPs that are complementary to the code.

The Commission accepts that specific exemptions in clause 4.0 should be qualified to refer to the Electricity Transmission Infrastructure Code and that the exemption for utilities should be expanded to include 'demolition'.

TasNetworks also made submissions during the hearing process. The submission from TasNetworks for inclusion of evidence from the applicant that they have notified TasNetworks of their application as part of the Acceptable Solution is not supported. While early liaison with TasNetworks may be beneficial for TasNetworks and applicants, the requirement does not further the objective of the standard and it is inconsistent with the drafting conventions applied throughout the draft SPPs for Acceptable Solutions and is effectively a referral mechanism.

The Commission also heard from a planning authority that the code may be needlessly onerous to applicants with reference to C4.5.1 A1 which specifies the acoustic standards to be met by a sensitive use in a substation facility buffer area.

By including commonly accepted noise mitigation measures, the pathway may be streamlined so that the impost of an acoustic report is only required if relying on the Performance Criterion.

While the Commission is receptive in-principle, modifying the code to insert noise mitigation measures is not practical, given the limited time to explore appropriate standards. This may be achievable at a future time, should the code be reviewed or amended.

Other minor modifications are recommended to the code, but limited to clarifying and making the drafting more consistent with the wider SPPs.

## **5.5 Clause C5.0 Telecommunications Code**

The Telecommunications Code assists in assessing the visual impact of facilities that are not exempt under the *Telecommunications Act 1997* or are minor telecommunications infrastructure in clause 4.0 exemptions, in the draft SPPs.

Representations were made from mobile carriers and the Mobile Carriers Forum. A key issue was the 20m and 30m height limits for towers. It was acknowledged that some interim planning schemes provide for a higher height in limited zones.

The Commission notes that under C5.6.1, all development subject to the code will be discretionary as there is no Acceptable Solution for A1 and Performance Criteria must be relied upon to assess the visual impact of locating a telecommunications facility on a site. The Mobile Carriers Forum submitted that an Acceptable Solution would be useful for installation of telecommunications infrastructure, and in doing so would lead to improved telecommunications coverage. However, the Commission acknowledges that assessing impacts on visual amenity is inherently subjective and consequently difficult to 'codify' in an Acceptable Solution.

The Commission considers that, in the absence of more evidence to support an Acceptable Solution allowing for higher telecommunications facilities, the draft provisions should remain.

The Mobile Carriers Forum also encouraged incentivising the replacement or extension of towers where a higher tower would allow co-location of infrastructure. The Commission does not support extension of the scope of the code and only minor modifications are recommended.

## **5.6 Clause C6.0 Local Historic Heritage Code**

The Commission notes that if applied by planning authorities this code has a very broad remit and applies to local heritage places, precinct and, landscapes, areas of archaeological potential and significant trees.

At the hearing, information was provided by Heritage Tasmania about its approach and program for mapping places on the Tasmanian Heritage Register (THR). A program is in place to make data sheets for listings available online and linked to the listed properties accurately identifiable on the LIST. Plans providing detailed information on the extent of listings, where only part of a title is the subject of the listing, are compiled and lodged in the Central Plan Registry.

The Heritage Council also has a program underway to review the listings on the THR and following consultation, some properties will be 'de-listed'. While there is still a

considerable program of work to be completed, it was indicated that much of the program will be delivered within the next 12 months.

A number of planning authorities, heritage practitioners and members of the public attended the hearings and supported their representations with robust submissions illustrated with practical examples. The state's heritage and planning regulatory frameworks are currently undergoing changes and heritage conservation is of high public interest in Tasmania.

In the hearing, the relationship between world, national, state and local listings was raised as well as issues about the reach or effect of the code, including whether internal works should be subject to the code; clause 7.4 of the draft SPPs which allows for local heritage places that contain a prohibited use to be considered as discretionary if listed (the adaptive re-use clause), whether lots adjoining listed properties should also be subject to the code; and section 12(1)(b) of the Act that limits the capacity to control repairs and maintenance.

The Commission considers that a number of modifications are needed to clarify and make the code's provisions more robust, including consequential changes to the LPS requirements.

#### **5.6.1 Drafting expression in the code**

Several representors raised the lack of reference to the Burra Charter and the use of definitions that were not drawn from those used by the heritage sector, derived in many instances from the Burra Charter and James Semple Kerr 'The Conservation Plan'. While this may be desirable, the terms and definitions in the code operate generally in the manner intended and to introduce definitions from the Burra Charter and James Kerr's document would require modifications without significant improvement to the legal robustness of the code.

There was also concern at the general drafting style or expression, particularly the 'looseness' of many Performance Criteria that rely on the drafting convention of 'having regard to' and that the matters being had regard to are in no particular order of priority. The Commission acknowledges that when considering heritage values, it may be appropriate for stronger emphasis to be given to those values and their significance. It has responded by recommending the modification of some of the Performance Criteria to include the expression 'must satisfy' in some instances and to extend the matters listed in Performance Criteria to strengthen the tests applied.

#### **5.6.2 Extent of listings**

The Commission accepts that the code should operate in unison with the THR and that sites may have a dual listing but on the proviso that any dual listing is for mutually exclusive parts of the same lot or lots. Modification has been made to C6.2.1 of the draft SPPs to clarify this intent.

#### **5.6.3 Tasmanian Heritage Register listings in LPS**

There were divergent views about whether or not places on the THR should be included in the LPSs. The Commission considers that the proposed approach to make

their inclusion optional is potentially confusing when a key outcome for the reform is greater consistency. Because the code does not apply to places listed on the THR, the Commission recommends that planning authorities do not include places on THR unless they are dual listed as above. In the event that a place is 'de-listed' from the THR, the planning authority will need to make a decision as to whether it has local values and to initiate an amendment to list it in its LPS.

#### **5.6.4 Adjoining lots**

Representors raised concerns that heritage values can be impacted by inappropriate development on adjoining lots. The Commission notes that the code includes the capacity to identify local historic precincts and historic landscape precincts where there may be broader heritage values and do not consider it necessary to broaden the effect of the code to extend to lots adjoining local heritage places.

The Port Arthur Historic Site Management Authority referred to the specific area plan provision that applies to land surrounding the site. It triggers the need for the Tasman Council to advise the Authority of applications received that are within the nominated area as a result of its World Heritage Area listing.

The mechanism applied in this instance is not one that is embodied in the draft SPPs and the Commission does not consider a modification would be appropriate without wider policy consideration. It considers that the circumstances of the Port Arthur Historic Site may be addressed at the LPS stage, or alternatively by an amendment to the Authority's governing legislation.

#### **5.6.5 Exemptions for building interiors, repairs and maintenance**

A further issue on which the Commission received strong submissions was the need to consider the interiors of listed buildings. The draft SPPs include an explicit exemption for interiors under clause 4.0 Exemptions.

The Commission supports inclusion of the exemption as discussed in 3.2.3 above.

The Commission observed that the operation of section 12(1)(b) of the Act that limits the capacity to control repairs and maintenance did not seem to be well understood.

To be consistent with section 12(1)(b) of the Act, the Commission has deleted C6.6.2 Maintenance and Repair of Buildings and Structures as the standard is inconsistent with the Act. The inability to make provision for repairs and maintenance under the code arises from recent amendments to the Act that establish a permit is not to be required for maintenance and repair of existing buildings and works.

For further discussion of the exemption see 3.2.2 above.

#### **5.6.6 Implementation**

The Commission notes that planning authorities and practitioners consider there is a considerable implementation task for the code to operate as intended, ideally capturing the information about each listing in terms of its heritage significance and the extent of values. The same issues extend to other matters captured by the code:

local heritage precincts, local historic landscape precincts, local heritage places or precincts of archaeological potential and significant trees.

Although the draft SPPs allow for planning authorities to choose whether or not to complete the listings in full the Commission considers this is required for the code to improve clarity and certainty in the operation of the code. To assist this process, modifications have been made to the LPS requirements to provide for a data sheet to record local heritage significance.

#### **5.6.7 Significant Trees**

In relation to significant trees, a number of planning authorities submitted that their listed trees were not always listed for heritage significance but for one or a number of other reasons, such as aesthetic or scientific grounds.

It was also submitted that trees of heritage significance could be listed as a place of local heritage significance with the description of extent being limited to the tree or trees. The Commission agrees with this approach since there are no parameters for significance with respect to trees with values other than heritage values.

Modifications to remove significant trees from the code have been made.

The Commission recommends that consideration be given to whether a stand-alone code for significant trees to protect other values should be added to the SPPs by a future amendment.

Submissions were made that this approach is applied in other jurisdictions. The Commission agrees that reference to established systems, such as that of the City of Sydney for the classification of significant trees, would assist the development of any code.

### **5.7 Clause C7.0 Natural Assets Code**

The Natural Assets Code in the draft SPPs makes provision for three key values: waterways and coastal protection areas; future coastal refugia areas; and priority vegetation areas. Priority vegetation provisions apply in a limited range of zones. The General Residential and Low Density Residential zones are not subject to the code as they are taken to be urban zones. This reflects an implicit policy that in these zones, the purpose for which the land is zoned is taken to have precedence over priority vegetation values.

A large number of representations from planning authorities, conservation groups, resource management associations and individuals raised issues with the Natural Assets Code. Issues were raised regarding the merit of the code and its implementation, particularly given the lack of mapping for priority vegetation.

#### **5.7.1 Mapping**

The Commission is not satisfied that there is adequate mapping available to support the application of the code.

At the hearing, it was submitted that 'scientific' mapping generated by the Derwent Estuary Program for waterways and coastal protection and future coastal refugia

values was complete but that further consideration was being given to how it may be applied as overlay mapping. For example, whether land that was already zoned for urban use and development should generally be subject to the future coastal refugia overlay or whether this was a matter to be determined by each planning authority when preparing its LPS.

The Commission was advised by letter from the Secretary of DPIPWE dated 16 September 2016 that the mapping for priority vegetation in the LPS Requirements (LP3.5.1) to be provided by DPIPWE was not being produced and that existing TasVeg data in the LIST would need to be relied upon.

A number of representors considered that the current mapping resources available for priority vegetation on the LIST were inadequate as a priority vegetation overlay. It was submitted that considerable more work by planning authorities, to develop more accurate and meaningful overlays, would be required.

It was further submitted that a state-wide overlay had been prepared by the Wilderness Society in collaboration with the University of Tasmania. This was developed using a methodology piloted in the North East Bio Region with assistance from the University of Tasmania using existing data from a wide range of sources.

While the Commission acknowledges the achievement, it considers it vital that the mapping be state-wide, based on a state-wide consistent methodology and endorsed by government. It is apparent that there is currently no State endorsed mapping apart from the Natural Values Atlas and TasVeg available on the LIST. The Commission considers that this is problematic for implementation of the code in respect to priority vegetation values.

The Commission considers the capacity to trigger the application of the code by reference to mapping is crucial to implementation of the code. While the code includes definitions, interpretation is complex. For example, the exercise of identifying the appropriate class of stream for the waterway and coastal protection area requires interpretation in the absence of mapping. This is impractical and could lead to uncertainty and inconsistency in the application of the code.

### **5.7.2 Priority vegetation**

Representors expressed concern that the code does not provide adequately for the protection of vegetation on the basis that it is limited to threatened native vegetation communities and threatened flora species, and does not provide for wildlife corridors or habitat protection more generally. It was put that, as a result, there was a failure to provide adequately for ecological processes and genetic diversity in accordance with the objectives of the Act and in some instances it would be difficult to be consistent with regional land use strategies.

Representors were also concerned that the code does not apply in most urban zones and that land in these zones can include areas of bushland which can have biodiversity values and value as wildlife corridors.



The explanatory document acknowledges the significant change implicit in this approach but notes that consultation undertaken during the preparation of the draft SPPs, particularly involving rural producers, supports the new approach.

The Commission acknowledges the significant change to the policy in existing interim planning schemes but also notes that not all interim planning schemes include a code equivalent to the Natural Assets Code.

Confidence in the new approach is also affected by the lack of state based mapping of priority vegetation for the purposes of the code and the parameters for local variation of that mapping by each planning authority. This information has not been available to the Commission.

### **5.7.3 Scope of matters addressed in the code**

Extension of the code to additional matters was raised during the hearing process. TasWater also submitted that drinking water catchments should be included as a further overlay in the code and tabled mapping of the proposed catchment areas. Taswater submitted that catchment areas for drinking water are natural assets and thus protected by the code provisions. The Commission considers the inclusion of a further water quality layer would be inappropriate without wider examination of the implications of doing so.

However, it highlights the breadth and complexity of values being considered in the code. The Commission believes that consideration should be given to including the drinking water catchments.

### **5.7.4 Revision of the Natural Assets Code**

The Commission concluded that the Natural Assets Code, as proposed in the draft SPPs, requires further work to be suitable for implementation in the SPPs. While mapping for waterways and coastal protection areas and for future coastal refugia areas appears close to being suitable for application as an overlay, mapping for priority vegetation is not. Further consideration of the appropriate methodology for mapping vegetation that is to be protected is required to generate a state-wide map to assure a clear and consistently applied threshold for application of the relevant code standards.

The limited time for consideration of the SPPs made it difficult to give greater consideration to the issues raised in relation to priority vegetation, particularly the assertion that its scope is too narrow.

The submission from TasWater that drinking water catchments should be included in the code is worthy of further consideration in the course of reviewing the code.

The Commission recommends that the Natural Assets Code requires revision as a high priority giving consideration to:

- a. potentially disaggregating the code to more clearly address the values of waterways and coastal protection; future coastal refugia; priority vegetation and potentially drinking water catchments in separate codes;

- b. confirming the state-wide mapping to be used as a basis for overlays and providing the methodology or parameters that are to be applied for variation of the overlay mapping by planning authorities;
- c. application of the code or codes, including whether values must be mapped comprehensively or by reference to, or exclusion from, zones;
- d. the scope of priority vegetation values and standards for its protection and management;
- e. developing standards for buildings and works that are self-contained without reference to incorporated documents; or that refer to specific standards in any incorporated document;
- f. any relevant Commonwealth and State legislation, regulation and policies, and regional land use strategies to ensure broad consistency to avoid duplication;
- g. the objectives of the Act; and
- h. the need for any consequential amendments to other parts of the SPPs.

The Commission also recommends that:

- a revised code or codes be included in the SPPs by amendment, providing the opportunity for a further representation and hearing process;
- that no LPSs are approved before the SPPs have been amended to contain a complete suite of codes that includes a revised code or codes addressing natural values.

## **5.8 Clause C8.0 Scenic Protection Code**

The Commission notes that the Scenic Protection Code aims to protect scenic values both alongside road corridors and in identified scenic protection areas, both to be identified by planning authorities when preparing their LPSs. The code only applies in non-urban zones.

There were a number of representations from planning authorities requesting that the code be available in the General Residential and Low Density Residential zones. It was put that scenic values can be important in urban areas, such as residentially developed areas that form an important element in the visual backdrop to cities and towns.

It was also suggested that there is presently a capacity to apply the equivalent code in the Low Density Residential Zone in interim planning schemes. Planning authorities reported applying the zone to manage character or mitigate the impact of development at urban densities and the capacity to apply the code in visually sensitive areas, such as on the approach to settlements, and in coastal areas was valuable.

The Commission agrees that the code should be able to apply in the Low Density Residential Zone although it notes that there are other ways of managing visual values. The Landscape Conservation Zone and local historic landscape precinct in the

Local Historic Heritage Code provide other mechanisms that may be helpful in certain circumstances.

Even with the ability to apply the code in Low Density Residential zones, its effect has some limitations. The exemptions at clause 4.0 of the scheme and at C8.4.1 in the code exempt a range of agricultural buildings and works from the provisions.

A representation was also made that visual values are important when viewed from some navigable waterways, such as the Derwent and Tamar estuaries. The Commission acknowledges this is the case. However, considers that the scale of the visual values viewed from these waterways goes beyond the policy scope of the Scenic Protection Code.

The Commission considers that clarification of the scenic corridor provisions is needed. It recommends modifying the definition for 'scenic corridor' to clarify its application and in the LPS requirements it has added the requirement that planning authority must nominate the distance that applies from the relevant road corridor, in addition to showing it on the overlay.

## **5.9 Clause C9.0 Attenuation Code**

The Attenuation Code includes standards to minimise adverse impacts on sensitive uses as a result of certain activities that can have off site impacts; and it protects those activities from sensitive uses that may be located too close, giving rise to land use conflict. It also includes standards to manage use and development near airports.

The inclusion of airports under the Attenuation Code is a change to the way airports are addressed in interim planning schemes and a number of representations were received from airport operators, planning authorities and the Australian Airport Association who did not support the integrated code.

### **5.9.1 Scope and application of the code**

The Commission has made a number of minor modifications that clarify the scope and application of the code:

- a. references to the term 'environmental harm', which has specific meaning under the *Environmental Management and Pollution Control Act 1993*, has been replaced with 'emissions';
- b. C9.5.1, which is about uses with the potential to impact existing sensitive use, the Acceptable Solution and Performance Criteria have been clarified to refer also to the land within zones likely to be developed for sensitive uses;
- c. 'hothouses' in the table C9.1 has been revised to 'controlled environment agriculture' and C9.2.4 included to state that the code does not apply to this activity in the Rural or Agriculture zones to be consistent with PAL;
- d. C9.2.3 clarifying that the code does not apply to sensitive uses within Light Industrial, General Industrial, Port and Marine and Utilities Zones has been moved from C9.4.1 consistent with drafting conventions; and

- e. modifying standards to remove reference to lighting because some other activities treated lighting as an issue for use standards elsewhere in the SPPs

### **5.9.2 Airports**

The Commission held a hearing to address the concerns of representors about the provisions for airports.

It was drawn to the Commission's attention that the COAG agreement to implement the National Airports Safeguarding Framework (NASF) in 2012 creates a nationwide commitment to protecting airport infrastructure. The NASF provides guidance on the protection of airports, particularly those that are under Commonwealth management or are regular passenger transport facilities.

Airport operators and planning authorities that have major airports within their municipal areas all agreed that the draft SPPs did not adequately recognise the importance of airports as part of the state's critical infrastructure. They considered that the Attenuation Code provisions were deficient, and that a separate code was required.

The Commission recognises that airports are a vital part of the state's transport infrastructure network and are economically important to local business and industry and that it is essential that airports are adequately protected under the planning scheme.

The Commission supports the need for a separate code that could be titled the Safeguarding of Airports Code. At the hearing and afterwards, submissions were made on behalf of airport operators and by planning authorities on those provisions that would comprise a new code.

The Commission heard that mapping of noise contours and areas for airspace protection suitable is available for Launceston and Hobart Airports as they are Australian government managed and have Airport Master Plans under the Commonwealth *Airports Act 1996*. Mapping is not available for all of the smaller airports. However, it was generally agreed that mapping could readily be generated for other airports. This would comprise state-wide overlays that address noise emissions, penetration into protected airspace and management of potentially conflicting land use within a nominated distance of the airport. The parameters for generating mapping would require further more detailed consideration but once completed, the Commission considers that mapping should be mandated in the LPS requirements.

In response the draft SPP provisions, four alternate versions of a Safeguarding of Airports Code were offered. However, development of a code requires further consideration, in consultation with key stakeholders, to give more comprehensive consideration to its drafting.

It will be important that airport infrastructure is adequately protected from inappropriate development but at the same time that the code is not unnecessarily onerous. Exemptions and Acceptable Solutions can play an important role in sieving

out matters that do not require planning consideration however care must be exercised to ensure that exemptions do not pose a risk to airport operations.

Other matters that arose at the hearing included the appropriate zoning for airports, and whether zoning could be applied to Commonwealth land. While there were arguments for a separate Airport Zone, akin to that currently provided for ports – the Port and Marine Zone, to deliver more consistent provisions for all airports, the Commission considers that the draft SPPs already provide suitable zoning options. It considers the Utilities Zone is not an appropriate zone as recommended in the explanatory document accompanying the draft SPPs, but that planning authorities may wish to include a particular purpose zone (PPZ) that is specific to their circumstances. If a PPZ is not warranted for a particular airport, for some airports the Rural Zone is the preferred alternative. Transport Depot and Distribution is discretionary in the Rural Zone.

The Commission is not persuaded that there is a need to introduce a definition for airport.

To ensure that they are addressed in the manner envisaged under the NASF, the Commission considers it more appropriate that airports are addressed in a separate code that is within the group of codes that address infrastructure. Progress has been made towards an alternative code through the cooperation of airport operators and councils, the Commission considers that this presents a sound basis for the development of a new code.

Accordingly, the Commission has modified the Attenuation Code to remove those provisions that apply to airports and recommend that a new stand-alone Safeguarding of Airports Code is prepared. The Safeguarding of Airports code should be prepared with reference to:

- a. the NASF, including its guidelines A-F;
- b. the Commonwealth *Airports Act 1996* and any relevant regulations (to avoid duplication);
- c. any approved Airport Master Plans;
- d. Australian Standards relevant to mitigating impacts from airport noise for sensitive uses; and
- e. any consequential amendments to other parts of the SPPs.

It should include overlays produced in collaboration with airport operators that:

- a. identify an area of influence for managing aircraft noise impacts incorporating ANEF and N mapping ;
- b. identify an area for airspace protection with reference to Obstacle Limitation Surface (OLS) and Procedures for Air Navigational Services – Aircraft Operations (PANS-OPS) mapping for all airports; and
- c. identify a distance from the airport within which potentially conflicting land use is managed.

The preparation of a Safeguarding of Airports Code should be a priority as LPSs for planning authorities with airports within their jurisdiction will require the code and the LPS for a municipal area that includes an airport should not be approved until the SPPs have been amended to include a Safeguarding of Airports Code.

### **5.9.3 Attenuation distances**

In relation to the Attenuation Code more broadly, the PPU provided an updated Table C9.1 at the hearing into the Attenuation Code. The modified table, setting out attenuation distances that apply to various activities, largely elaborates on the description of activities and makes only minor changes to attenuation distances.

The Commission accepts the table as a modification to the code, subject to minor drafting changes that improve the clarity and consistency of drafting.

Although the Commission received a representation in relation to the attenuation distance for poultry farms and after reviewing approaches in other states, it was not persuaded that 500m was inadequate. It was submitted that, akin to piggeries, a stepped approach based on the scale of the operation was appropriate.

It was submitted in the hearing process that excluding application of the code to the Light Industrial and General Industrial Zones would give no protection to use or development within the zone. The Commission acknowledges this may be an issue in some industrial areas where there may be sensitive uses within the zone or close by, however it accepts the policy position that protection will be limited in these areas and makes no modification.

### **5.9.4 Effluent irrigation schemes**

The Commission agrees that effluent irrigation schemes should be attenuated from sensitive uses. However, it recommends that further policy development is undertaken to arrive at a suitable planning scheme standard with reference to the Environmental Guidelines for the Use of Recycled Water in Tasmania (Environment Division, Department of Primary Industries, Water and Environment 2002).

In the meantime, modification to table C9.2 to delete effluent irrigation schemes is recommended. To identify the appropriate attenuation distance requires a complex calculation with reference to guidelines as compared to sewerage treatment plants for which the attenuation distance is specified based on the capacity of the plant/person equivalent.

## **5.10 Clause C10.0 Coastal Erosion Hazard Code and Clause C11.0 Coastal Inundation Hazard Code**

The Commission requested that a representative from the Office of Security and Emergency Management (OSEM) in the Department of Premier and Cabinet assist at the hearings with background to the codes addressing hazards.

This was helpful to understand how the mapping currently published on the LIST was developed; how planning authorities may vary the mapping in accordance with the LPS requirements; and the implications of the code for use and development.

In simple terms, the Coastal Erosion Hazard Code addresses erosion on the coast and coastal recession; and the Coastal Inundation Hazard Code addresses the impact of storm surge and sea level rise.

State-wide mapping is available for both hazards. This distinguishes high, medium and low hazard bands and investigation areas where definitive data is not available and a case-by-case approach is needed.

The Commission notes that interim planning schemes contain provisions of some form to address coastal hazards, based on an earlier iteration of the OSEM's mapping. The Commission considers the 'science' has been progressively improved but its application to planning schemes is still evolving.

The Commission recommends modifications to make the drafting clearer and more consistent with other hazard codes and other parts of the SPPs. An important drafting convention is the need for the Performance Criteria to maintain the planning authority's capacity to exercise discretion when determining an application. There can be no appropriate exercise of discretion if the inclusion in a report of a suitably qualified person is the only criterion on which to base a decision that the Performance Criterion has been met.

In considering compliance with the SCP, the Commission needed to satisfy itself of how Outcome 1.4.2, which does not allow development on actively mobile landforms, could be met in the SPPs. The Coastal Hazard Erosion Code is a key mechanism for delivering this outcome. If actively mobile land forms were capable of being delineated in overlays or by textual description, the application of the code could be more certain.

However, the Commission is of the view that a definition for actively mobile land forms could not be introduced to the SPPs as a result of the SCP and SPPs being made under separate legislation and the explicitness of the prohibition in Outcome 1.4.2.

The Commission has modified the Coastal Erosion Hazard Code to clarify that the code's exemptions do not apply to actively mobile landforms and have included a new clause at 4.0.3 to clarify that development is not exempt if on an actively mobile landform, unless for emergency works. These measures ensure that the code complies with the SCP.

However, the Commission considers that there may be alternative approaches to addressing development on actively mobile landforms, particularly given the data on coastal processes that is now available. A prohibition, without any clarity on where it applies leaves an uncertain pathway for applicants. The Commission recommends an urgent review of Outcome 1.4.2 of the SCP to allow for a definition or the identification of the hazard by overlays.

The Commission concluded that, as with many other codes, further guidance will be needed to assist planning authorities with implementation of the code in their LPSs, particularly in applying overlays.

### **5.11 Clause C12.0 Riverine Inundation Code**

The Riverine Inundation Code addresses flooding from a watercourse or other inland flood, such as from a heavy rainfall event. There are no state-wide overlays for this hazard. To apply the code, planning authorities will need to rely on other sources for mapping.

The Commission has made a modification by renaming the code to 'Flood-Prone Areas Code' to more clearly identify its purpose and differentiate it from the coastal hazard codes. Other modifications to the code broadly reflect the modifications to other hazard codes, including ensuring Performance Criteria have the 'having regard to' construction.

The Commission considers it is important that overlays for the Flood-Prone Areas Code be exclusive of those for the Coastal Inundation Code to clarify the application of the codes.

In the hearings, it was submitted that it is difficult to delineate between areas of inland and coastal inundation in some circumstances, such as in an estuary or delta. The Commission still considers it important to achieve greater certainty for the overlays to be exclusive of each other but agree that this may not be appropriate in all circumstances. It would be a matter for the planning authority to consider whether the specific circumstances of the location, and the use and development pressures necessitate a more tailored approach, such as a SAP.

### **5.12 Clause C13.0 Bushfire-Prone Areas Code**

The Bushfire-Prone Areas Code included in the draft SPPs followed review of Planning Directive No.5 – Bushfire-prone Areas Code and is consistent with Interim Planning Directive No.1 – Bushfire-Prone Areas Code in February 2016.

The key changes from the review were that the code no longer applies to habitable buildings, as these are dealt with under the building regulatory framework. Its scope is limited to only hazardous uses, vulnerable uses and development for subdivision. The review aimed to reduce duplicative approvals and limit the code's scope to planning matters.

The policy intent of the Interim Planning Directive is maintained in the draft SPPs and differences arise only to meet the drafting conventions of the draft SPPs.

At the hearing, the PPU, the Tasmania Fire Service (TFS) and the Director of Building Control assisted the Commission to better understand the context and operation of the code. Planning authorities and practitioners also provided practical examples and scenarios that led the Commission to make modifications to a number of the code's provisions.

It was noted that mapping showing the extent of bushfire-prone areas was being prepared and further resources were expected to enable its completion in another 12 months. The mapping task involves a desktop methodology that is then ground-truthed on a municipality by municipality basis. So far, only the Clarence City Council has implemented mapping that is endorsed by the TFS.



The Commission supports the concept of mapping to provide a definitive trigger for application of any code and considers that mapping should be relied upon, rather than an alternative definition, where it exists. Evidence at the hearing was that this works effectively in practice. A modification to the definition for bushfire-prone area has been made to reflect this.

At the hearing, the need for hazardous uses to be addressed in the code was explored. The Director of Building Control submitted that hazardous uses could be managed outside the code with a Director's Determination under the *Work Health and Safety Regulations 2012*.

In a further submission, the PPU indicated that the TFS remained concerned at the loss of an opportunity to consider hazardous use at the planning stage. Given a Director's Determination would need to be prepared and further consultation between the Director of Building Control and the TFS, the Commission has not modified the provisions for hazardous use in the Bushfire-Prone Areas Code.

The Commission notes that Interim Planning Directive No.1 is also under consideration by the Commission. In the event that modifications to the Interim Planning Directive eventuate as part of the Commission's assessment, the Commission recommends that an amendment be made to the SPPs to bring them into alignment.

A number of matters were raised about the drafting of standards that referred to certification by the TFS or an accredited person. It was submitted in some instances the standards create a risk of liability for planning authorities.

The Commission recommends drafting modifications to improve the operation of these provisions. In Acceptable Solutions the certified Bushfire Hazard Management Plan is the essential test and in the Performance Criteria there is necessarily a role for the planning authority to consider the listed matters, and advice from TFS. It is noted that the planning authority may need to exercise discretion and to assume liability, if the site condition exceeds the authority of the accredited practitioner to certify the Bushfire Hazard Management Plan, that is, if practitioners have only been given accreditation up to BAL 19.

Representations were made about the advantages of including the scope of the code to cover habitable buildings to avoid the potential for applicants to find out late in the process that they may require a planning permit for vegetation clearing. Although this circumstance is not ideal, the Commission does not consider that the draft SPPs should be modified to make such a significant inclusion. Administrative measures implemented informally by planning authorities can go a long way to minimise the potential for the late discovery of the need for a planning permit as result of vegetation clearing required by a BHMP.

TasWater submitted that provisions for reticulated water supply for fire-fighting was not appropriate as it cannot guarantee supply during an emergency and the relevant legislation relieves it of the obligation. The Commission acknowledges the issue but prefer that the provisions are retained as they establish the hard infrastructure, irrespective of supply.

Planning authorities were also concerned about their liability for ensuring conditions of a permit that require the on-going maintenance of vegetation clearing. The Director of Building Control advised that there is an obligation for the building owner to meet the requirements of any building permit (or authorised building work) into perpetuity. While the Council may be responsible for enforcement of the permit as the building regulator it is not a planning enforcement issue.

Drafting modifications are also recommended to improve the operation of the code.

### **5.13 Clause C14.0 Potentially Contaminated Land Code**

The Commission heard from planning authorities that they were concerned about the practicalities of applying the code. In particular, that the trigger for establishing contamination was not clear and the arrangements for suitably qualified persons could potentially expose planning authorities to liability.

The Commission recommends modifications to C14.2.1 to provide clear triggers for the application of the code. It must either:

- be shown on an overlay;
- the planning authority knows or suspects the site has been used for a potentially contaminating activity, or
- identified to be potentially contaminated in a report lodged with the application or by a suitably qualified expert requested under section 54 of the Act.

The planning authority may reasonably suspect the site to be contaminated based on knowledge of an environmental notice issued under the *Environmental Management and Pollution Control Act 1993* (EMPCA) or as a result of a previous permit.

Modifications are recommended to the code to address these concerns. However, the Commission considers that, as there is an accreditation scheme for site contamination practitioners and they are accredited in other jurisdictions, that it may be appropriate to put in place more formal arrangements, akin to those for bushfire-hazard management practitioners.

Section 69A of the Act ensures that planning authorities do not incur liability for anything done or omitted to be done in accordance with a certificate by an accredited person. To give effect to this protection from liability, provisions would be required in the relevant legislation and complementary regulations to set out the terms of accreditation.

The Commission recommends that this be further considered with a view to including in the *Environmental Management and Pollution Control Act 1993* an accreditation scheme similar to that available in the *Fire Service Act 1979*.

### **5.14 Clause C15.0 Landslip Hazard Code**

The Landslip Hazard Code is aimed at managing landslip, which may be used interchangeably with landslide, hazard in a manner that is complementary to the requirements in the building regulatory framework.

Like the coastal hazard codes, the code's development has been led by the OSEM and is supported by mapping in hazard bands.

The Commission recommends modifications to the code similar to those made to other hazard codes. These broadly address those parts of the code that affect its application, the description for the relevant expert practitioner and their report, the capacity to request further information where there is a concern that a risk may be present, and the construction and drafting of Performance Criteria

At the hearings, the issue of development and works on land adjacent or nearby to landslip prone areas was raised. It is recommended that the application of the code provisions at C15.2.1(b) be modified to allow for a report to be requested where there is a potential to cause or contribute to landslip, irrespective of whether the site is within a landslip hazard area. The exemption for building and works has also been limited by reference to the code.

### **5.15 Other Codes**

A number of representors were concerned that the draft SPPs should contain more codes to address a wider number of issues. Acid sulfate soils, dispersive soils, geo-conservation and Aboriginal heritage are examples. The need for a stormwater and an on-site waste water code were the most strenuously supported.

The Commission agrees that some further codes may be appropriate, however, the assessment process for the draft SPPs is not an appropriate process for introducing new codes. Whether further codes are included in the future by amendment to the SPPs is a matter for the Minister to consider.

While the State Policy on Water Quality Management 1997 (SPWQM) can be met with modifications to the SPPs without the addition of a code, the Commission encourages the inclusion of a code that more comprehensively addresses stormwater.

Extensive representations and submissions were made on stormwater and on-site waste water. Separate discussion of these issues follows.

#### **5.15.1 Stormwater Code**

Representations were received from planning authorities, practitioners and community organisations that a stormwater code should be included in the SPPs. Draft codes prepared; with input from council engineers and planners, and community groups, were submitted in representations and tabled at the hearings. While there was widespread agreement that a code was needed, representors were not in agreement about the drafting of the code.

The Commission accepts that the need to manage stormwater is for the purpose of preventing overland flows (flooding) and ensuring that the quality of stormwater reaching a natural wetlands and waterways meet the water quality objectives established under the SPWQM.

It was submitted by engineering staff from southern councils that the *Urban Drainage Act 2013* is principally to manage stormwater infrastructure. It includes a requirement that councils develop stormwater system management plans, although few councils have done so at this time. It does not address stormwater quality.

The Director of Building Control advised the Commission at the hearing that the plumbing regulatory framework was only concerned with the measures necessary to convey stormwater away from buildings, for the purpose of protecting buildings.

The Commission notes that urban stormwater is more readily addressed for greenfields sites at the subdivision stage. However, there is sometimes a need for more control where density is increased, such as for multiple dwellings on existing lots.

An issue faced by councils is the expectation of connection to a public stormwater system in an urban area. Sometimes subdivision and, or development can increase the load on infrastructure such that an upgrade is required. While ideally this cost may be borne by the developer, the planning scheme lacks the authority to leverage infrastructure charges.

Not all planning authorities agree that a stormwater code is necessary and it was suggested that clause 6.11.2 be augmented to provide a head of power for conditions addressing stormwater to be included on permits.

Given the limited time available for the Commission's assessment of the draft SPPs, the Commission recommends modifications to clause 6.11.2. However, it acknowledges that the regulatory regime for stormwater, manages stormwater drainage more effectively than stormwater quality.

The Commission recommends that the Minister gives consideration to whether the SPPs require a code or further provisions to better manage stormwater quality, and if so that this be included by amendment to the SPPs.

#### **5.15.2 On-Site Waste Water Code**

The drafts SPPs do not include an On-Site Waste Water Code. However, in some zones there are subdivision standards that require the size of lots to be sufficient in area to accommodate on-site waste water disposal. This is a site suitability test and design of a specific system comes later, when building and works are proposed.

Representations were received from planning authorities about the benefits of including a code for on-site waste water. A draft code prepared by the 12 southern planning authorities with collaboration from planners and environmental health officers was tabled at the hearing.

A key driver for including a code was to manage the cumulative impacts of waste water management systems. It was submitted that these may operate satisfactorily on a site by site basis, but over time can result in impacts on local water quality.

A code was also seen as an important measure to avoid problems later in the development process, where buildings and works may need to be relocated after establishing where the waste water management area is to be located and may even require another planning permit. This would be avoided if the plumbing permit is required at the planning stage.

Southern planning authorities also considered that addressing on-site wastewater at the development stage would give them better capacity to pursue enforcement for non-compliance.

The Commission notes that, in some instances, previous poor planning allowing dense un-serviced residential development and the increase in the duration of stays at 'weekenders' through holiday rentals contribute to the problems faced by councils.

While on-site waste water management systems have improved, the Commission heard that over time, the failure of home owners to comply with the requirements for maintaining sound operation of their systems, such failing to periodically pump-out, or allowing sometimes significant buildings and extensions and hard surfaces to encroach on the waste water application area, contributed to problems experienced in entire settlements.

The southern beaches area in the Sorell Municipality is the state's largest single settlement dependent on on-site wastewater management. The small size of 'legacy' lots has been problematic.

The Director of Building Control advised the Commission at the hearing that changes to the plumbing regulatory framework being introduced on 1 January 2017 will assist with on-site waste water compliance. It will be possible to include conditions that address the ongoing maintenance of systems.

He did not consider it necessary for the planning scheme to address the issue of on-site waste water management other than as already proposed, for subdivision.

The Commission acknowledges that, while the southern beaches is not a typical scenario, there are many other situations around the state where on-site waste water disposal may be required to allow development on existing smaller lots.

However, the Commission is not persuaded that the planning scheme should include 'regulation' of matters that are adequately addressed under another regulatory framework. The Commission notes that the mechanisms available in the LPSs, such as a Specific Area Plan (SAP) may also assist planning authorities where exceptional circumstances apply, such as in the southern beaches area, if a case can be made under section 32 of the Act.

## **6.0 Consideration and recommendations for Local Provisions Schedules Requirements**

Section 14 of the Act sets out the contents of the SPPs, including the provisions they may make regarding LPSs. The draft SPPs include Local Provisions Schedules Requirements which direct what may be included in the LPS for each municipal area and how it must be set out.

The Commission recommends modifications to the requirements, including consequential modifications to other parts of the draft SPPs, particularly clause 5.0 Planning Scheme Operation.

In addition to editorial modifications; the Commission has also clarified with the PPU the relevant dates for mapping that is to form the basis of overlays to be included in LPSs. The draft SPPs were exhibited indicating that it was intended to reference the mapping by date, but without identifying the relevant dates. The Commission considers it vital that the dates are included in the SPPs to provide certainty about the application of overlays.

The modifications broadly include:

- a. introducing an alphabetic convention to uniquely identify local provisions with an alphabetic prefix signifying the municipal area to which it relates;
- b. deleting the requirement to apply standard map colours;
- c. clarifying when mapping or the completion of lists to give effect to the code provisions is mandatory;
- d. modification to descriptors or headings for tables and lists where this was required as result of modifications to a code, including introduction of a data sheet for local heritage significance; and
- e. minor modifications to the layout and format of tables and lists; and to provisions to make ready for on-line publication of the LPSs in iplan.

The Commission considers it essential that information and guidance be provided to planning authorities to support the preparation of their LPSs to meet the LPS requirements as soon as possible after the SPPs are made. Some matters included in the LPS requirements are directory and the Commission considers it unnecessary to embed these matters in the SPPs.

An example is the requirement to apply standard colours to the maps. The need to do so remains important but the Commission considers it unnecessary to include the colour values in the SPPs. The Commission also notes that the LPS requirements are silent on the presentation of overlays and that a state-wide approach can continue to be developed and conveyed as a requirement in guidance to planning authorities.

The Commission recommends that a guideline or guidelines under section 8A of the Act, Commission Practice Notes, or both are required to provide more detailed information to planning authorities to assist the preparation of their LPSs as matter of priority.

## **7.0 Technical and implementation issues**

Under section 25(5) of the Act, recommendations described under section 25(2)(d) can be in relation to technical or implementation matters.

### **7.1 Drafting**

The Commission recommends modifications to the draft SPPs to rectify numerous minor editorial matters including; errors, omissions, numbering and formatting. Other drafting modifications are recommended to improve the consistency and clarity of drafting to improve the legal robustness of the SPPs.

A large number of representations raised drafting issues and many included detailed drafting suggestions. Generally, the Commission did not seek further information during the hearing process on drafting matters and relied on information provided in the written representations.

In many instances, the drafting suggestions reflect a preference for an alternate expression and do not go to the operation of the standard. The Commission has not accepted suggested modifications, unless necessary for clarity and consistency or to address an error.

#### **7.1.1 Writing style and conventions**

The explanatory document accompanying the draft SPPs sets out the drafting conventions applied in the preparation of the draft SPPs.

Generally, they embrace long-standing drafting principles, established when Planning Directive No.1 – The format and structure of planning schemes was made.

The Commission supports the following drafting principles:

1. The Tasmanian Planning Scheme is expressed in plain English.
2. The Tasmanian Planning Scheme contains minimal regulation while being legally robust.
3. Regional and local planning strategies are reflected in the Tasmanian Planning Scheme through the application of the local provisions.
4. Zoning is the primary mechanism for expressing spatial strategy.
5. Zone provisions contain the primary directions for the use, development, protection and conservation of land within each zone.
6. Zones identify the range of use and development that is allowable.
7. Codes, particular purpose zones, specific area plans, and site-specific qualifications are additional mechanisms for delivering planning policy and strategy. They may be used to qualify, but not distort, the underlying zone.

Drafting should be clear and consistently applied throughout the scheme. Words and phrases should carry the same meaning wherever they occur. Plain English, with reference to the Macquarie Dictionary should be used, unless the term is defined in clause 3.0 Interpretation.

The Commission recommends modifications throughout the draft SPPs to remedy internal inconsistencies, such as to improve the discipline of relating Acceptable Solutions and Performance Criteria to each Objective. The Acceptable Solutions and Performance Criteria are alternate means of meeting the Objective which is the standard.

The Performance Criteria should clearly articulate criteria considered to meet the standard and not refer broadly to the Zone Purpose or Objective. If relying on the Performance Criteria, the Zone Purpose and Objective may be considered in any event.

Another key drafting convention is the use of 'having regard to' before listing the matters relevant to the exercise of discretion in a Performance Criterion. The draft SPPs included varying expression, such as 'must demonstrate' or 'giving consideration to'. Modifications are required to make the drafting more internally consistent.

Many representors did not support the 'having regard to' drafting convention. However, the Commission considers this to be the preferred way of expressing Performance Criteria. It is important that expression of the Performance Criteria allows the planning authority to exercise discretion and expression such as 'ensure' or 'must demonstrate' may be problematic. In legal interpretation the 'having regard to' drafting style provides a mechanism for the decision maker to apply the appropriate weighting to the matters under consideration.

The Commission is also cognisant that the matters being had regard to can impose significant requirements on applicants and where possible it has moderated the number of matters listed. In other instances, to meet the Objective, it has been necessary to extend the list.

The Commission recommends that standards for any issue common to a number of zones, be expressed consistently. For example, the issue of residential amenity is addressed similarly in the General Residential, Inner Residential and Low Density Residential zones. The standards consistently refer to 'an unreasonable loss of amenity' which is assessed with reference to 'adjacent sensitive uses'.

Appendix E– Writing style and conventions reflects the parameters the Commission recommends for modifications. The Commission recommends the same writing style and conventions be used by planning authorities in the preparation of their LPSs.

### **7.1.2 Quality Assurance**

While the Commission has made every effort to ensure that recommendations for modifications to the draft SPPs are clearly and consistently drafted, there has been limited time for quality assurance. For example, there has been no opportunity for focused consultation or release of an exposure draft to practitioners to mitigate the possibility of unintended consequences arising from modifications.



## **7.2 Guidelines under Section 8A of the Act**

Under section 8A of the Act, the Commission can issue guidelines for the purpose of assisting planning authorities to prepare draft LPSs (and amendments) and regarding the implementation and operation of the Tasmanian Planning Scheme.

The Commission considers that guidance will be required to assist planning authorities to prepare their draft LPSs as soon as possible after the SPPs are made by the Minister. Guidance on the following matters is a high priority, whether as guidelines under section 8A of the Act or Commission Practice Notes, or both:

- application of zones and overlays;
- technical mapping requirements including the colour values for zones and the display of overlays;
- drafting conventions for the matters to be included by each planning authority in its LPS, including particular purpose zones, specific area plans, site-specific qualifications, and the various lists associated with codes; and
- transition of local provisions in interim planning schemes to LPSs.

## **7.3 Publication in iplan**

While not a statutory requirement, the Commission has given consideration to the online publication of the Tasmanian Planning Scheme in its consideration of the draft SPPs. This has allowed formatting issues that could be problematic for digital publication of the SPPs and LPSs to be resolved early in the process. Necessary refinements to formatting and layout for digital publication are included in the recommended modifications to the draft SPPs.

## **7.4 Access to Australian Standards**

The draft SPPs rely on Australian Standards in a number of standards, for example, for car parking. The referenced Australian Standards are incorporated documents and while they can be readily sourced, the cost of obtaining the Standards is significant and may present a barrier to users of the Tasmanian Planning Scheme being able to interpret some of its standards.

The Commission notes that, in other jurisdictions, arrangements have been made to ensure that the Australian Standards can be accessed more readily.

The Commission considers that, as the Australian Standards are incorporated documents, it is appropriate that they be made more readily available and recommends that mechanisms to achieve wider public access be pursued.

## **7.5 *Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMPA)***

The draft SPPs do not provide a permitted pathway for subdivision. This issue was raised in a number of representations. The Commission considers that while there may be merit in providing a permitted pathway for subdivision, the provisions of the LGBMPA presently prevent this from occurring. The scope of the subdivision

provisions in the Act extend beyond the council's role as a planning authority. It is therefore difficult to provide a permitted pathway when there remains discretion for a subdivision to be refused under section 85 of the LGBMPA.

The Commission recommends review of the LGBMPA to allow planning for subdivision to be wholly considered under the Tasmanian Planning Scheme as part of the wider reform agenda.

## **7.6 Building regulatory reform**

A significant reform of the building regulatory framework has been underway during the consideration of the draft SPPs. The *Building Act 2016*, accompanying regulations and Directors' Determinations will take effect from 1 January 2017.

The new approach takes a risk-based approach to building and plumbing work.

The Commission has made best efforts with the assistance of the PPU and Director of Building Control to ensure that recommendations for modification of the SPPs are expressed to reflect the new arrangements. For example, references to building permits have been modified to refer to an authority.

The building regulatory framework is most closely associated with exemptions and hazard codes. After the *Building Act 2016* commences there may be matters that have been overlooked that require modification of the SPPs.

## **8.0 State Planning Provisions Criteria**

Under section 25(2)(e) of the Act, the Commission must provide a statement as to whether it is satisfied that the draft SPPs meet the SPPs criteria.

The SPPs criteria are set out under section 14 of the Act, contents of State Planning Provisions, and require:

- a. that only provisions as set out in section 14 of the Act are included;
- b. furtherance of the objectives in Schedule 1 of the Act;
- c. consistency with each State Policy; and
- d. that regard has been given to the safety requirements in standards under the *Gas Pipelines Act 2000*.

The Commission's consideration of these matters is set out below.

### **8.1 Contents of State Planning Provisions under section 14 of the Act**

Section 14 of the Act sets includes reference to section 11 of the Act, which sets out matters that may be provided for in a planning scheme, as well as specific provisions that clarify the inter relationship between the SPPs and future LPSs so they may operate in the manner intended.

The Commission has considered the draft SPPs and agree that they contain only those provisions specified under section 14 of the Act.

### **8.2 Objectives of the Resource Management and Planning System (RMPS)**

All decision makers under the Act, including the Minister, are required to further the RMPS objectives under section 5 of the Act. That is, at each step of the process there is an obligation to further the RMPS objectives.

Many representors expressed concern that the Objectives of the RMPS<sup>1</sup> have not been met, both as a result of the process by which the TPS is being developed and introduced, and as a consequence of provisions in the draft SPPs that provide new opportunities for use and development to proceed without third party input, or to limit third party input by the wider application of the No Permit Required and Permitted categories in the Use Tables.

The process by which the draft SPPs were prepared is a matter beyond the scope of the Commission's consideration. The process was established by legislative amendments which were passed by the Parliament in 2015.

The Commission accepts that the draft SPPs are drafted to avoid duplication of approvals. Modifications have been recommended in some parts of the draft SPPs to

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<sup>1</sup> Part 1, Schedule 1 of the Act

ensure that other approvals do not have unintended consequences for planning considerations.

The Commission considered representors' claims that the draft SPPs include new opportunities to proceed without third party input, including providing for more uses to be No Permit Required and Permitted in the Use Tables. However, the draft SPPs include opportunities for public involvement where use and development is discretionary. While No Permit Required and Permitted use and development do not provide for third party input, compliance with the applicable standards is still required. While this may be a change from some interim planning schemes, it is not necessarily at odds with the Objectives of the RMPS. Representations also raised concerns about a range of particular Objectives of the RMPS.

There are two Parts to the Schedule 1 Objectives. The Part 1 Objectives include promoting sustainable development and providing for fair, orderly and sustainable use and development. Many representors were concerned that these objectives were not furthered by the draft SPPs.

The Commission considers that the draft SPPs include a complete suite of zones and codes that provide the standards to be applied to the assessment of use or development. These address built and natural values, hazards and infrastructure efficiency. For example, sustainability outcomes in the Part 1 Objectives can be furthered in a number of ways, including through the zoning of land for environmental management and landscape conservation, servicing standards that protect water quality and hazard codes that address the impact of climate change in coastal areas.

In relation to whether the draft SPPs further the Part 1, Schedule 1 Objectives, the Commission finds that the objectives are broad in their expression and the extent to which the objectives are furthered is a matter of judgment. It is the Commission's view that the draft SPPs further the Part 1 Objectives.

Part 2 of the Schedule 1 Objectives provides the objectives for the planning process. The draft SPPs 'establish a system of planning instruments to be the principal way of setting objectives, policies and controls'<sup>2</sup> and in doing so, the draft SPPs further the objectives.

As a further example, the Commission considers that amenity standards, the need for private open space, zones for open space and recreation, attenuation between certain activities and residential use and the like contribute to promotion of the health and wellbeing of all Tasmanians, a Part 2 planning process objective under the Act.

The Commission concludes that the draft SPPs further the Schedule 1 Objectives.

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<sup>2</sup> Part 2, Schedule 1 of the Act

### **8.3 Consistency with State Policies**

As part of meeting the SPPs criteria under section 15 of the Act, the draft SPPs must be consistent with each State Policy in effect under the *State Policies and Projects Act 1993*.

There are three State Policies and seven National Environment Protection Measures (NEPMs)<sup>3</sup> which are taken to be State Policies. The NEPMs are national standards for a range of environmental issues. Only the NEPM for the assessment of site contamination is considered to be relevant.

The draft SPPs include the Potentially Contaminated Land Code. The Commission considers the code has been prepared consistent with the Assessment of Site Contamination NEPM, subject to modifications set out in the relevant part of this report.

The State Policy on the Protection of Agricultural Land 2009 (PAL), the State Coastal Policy 1996 (SCP) and the State Policy on Water Quality Management 1997 are discussed below.

#### **8.3.1 Protection of Agricultural Land Policy (PAL)**

The Protection of Agricultural Land Policy (PAL) aims to conserve and protect agricultural land. Under the policy, agricultural land is all land in agricultural use or that has potential for agricultural use and is not zoned or developed for another purpose; or restricted for agricultural use.

The policy is given effect through the draft SPPs principally through the Agriculture and Rural zones. These zones are a recalibration of the Significant Agricultural and Rural Resource zones applied in interim planning schemes. Other zones in the draft SPPs include separation distances from these zones to mitigate the potential for land use conflict.

While mapping to assist the delineation of these zones is still being prepared, the Commission is advised that the mapping will identify an extensive area that can be broadly described as the 'agricultural estate'.

The effect of this recalibration is that the standards in the Agriculture Zone focus on meeting the principles of PAL. The Rural Zone provides for a range of other uses but does not preclude agricultural uses.

The Use Table (including qualifications) and standards in the Agriculture Zone gives effect to PAL by limiting conversion of agricultural land, and potential for land use conflict. Residential development is specifically addressed and subdivision limits the capacity for a balance lot to be developed for residential use by requiring a section 71 agreement to restrict future use for a dwelling.

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<sup>3</sup> There are NEPMs for the following environmental issues: Air Toxics; Ambient Air Quality; Assessment of Site Contamination; Diesel Vehicle Emissions; Movement of Controlled Waste between States and Territories; National Pollutant Inventory; Used Packaging Materials.

While the Rural Zone allows for a broader range of use and development, it also includes Use Table qualifications and use and development standards that can conserve and protect agricultural land.

Subject to the recommended modifications to the Agriculture and Rural zones discussed in the relevant part of this report, the Commission considers that the SPPs are in accordance with the PAL Policy.

### **8.3.2 State Coastal Policy (SCP)**

The State Coastal Policy (SCP) embodies three main principles:

- Natural and cultural values of the coast shall be protected;
- The coast shall be used and developed in a sustainable manner; and
- Integrated management and protection of the coastal zone is a shared responsibility.

It applies to Tasmania's coast, delineated in the policy as a zone reaching 1km inland from HWM to the extent of State waters. The SCP's approach is holistic and outcomes focussed with planning schemes being only one of several means by which outcomes can be met.

Significantly, since the SCP was prepared, there is now a much greater understanding of coastal processes and the effect of climate change.

The draft SPPs address those outcomes for natural resources and ecosystems by:

- including hazard management codes that are based on contemporary evidence and that take a risk-based approach;
- a natural assets code to protect watercourses and wetland that are part of the coastal system;
- by providing a number of zones that may be appropriately applied in the coastal zone, including the Environmental Management Zone and Landscape Protection Zone.

The satisfaction of other outcomes relevant to planning schemes will come with the LPSs which include the zoning of land.

Outcomes for sustainable development of coastal areas and resources are more directly related to the application of zones and overlays. The SPPs provide the zone and code standards but their application will follow in the LPS process.

Outcome 1.4.2 'Development on actively mobile landforms such as frontal dunes will not be permitted except for works consistent with Outcome 1.4.1' is challenging to implement. While it is read with reference to Outcome 1.4.1 which allows for 'engineering or remediation works to protect land, property and human life', without definition, it is necessary to be sure that development is not on an actively mobile landform.

The Commission recommends modifications to the draft SPPs to ensure that exemptions do not allow actively mobile landforms to be developed in

contravention of the SCP and that the Coastal Erosion Hazard Code applies, not just to the mapped hazard bands, but to an area that reflects the coastal zone in the SCP. Within this area, the code applies to that land beyond the hazard bands if the planning authority requests a report from a suitably qualified person and actively mobile landforms are identified.

The Commission recommends that urgent consideration be given to the review of the SCP and particularly Outcome 1.4.2 regarding actively mobile landforms. Now that contemporary mapping is available on a state-wide basis, there may be an opportunity to more clearly identify the presence or likelihood of actively mobile land forms. However, the Commission is of the view that a definition for actively mobile land forms could not be introduced to the SPPs as a result of the SCP and SPPs being made under separate legislation and the explicitness of the prohibition in Outcome 1.4.2.

A broader review of the policy is supported given that the SCP is largely unchanged since it was introduced 20 years ago.

Subject to modifications, particularly in relation to actively mobile landforms, the Commission is satisfied that the draft SPPs are in accordance with the SCP.

### **8.3.3 State Policy on Water Quality Management 1997 (SPWQM)**

The State Policy on Water Quality Management applies to all surface waters in Tasmanian, including coastal waters and groundwater. The Policy aims to protect or enhance surface water and groundwater resources while allowing for development.

The related legislative and regulatory framework includes the *Water Management Act 1999* the *Urban Drainage Act 2013*, the *Plumbing Regulations 2014* and the *Water and Sewerage Industry (General) Regulations 2009*.

In respect to planning schemes, under clauses 31.1, 31.2 and 33.1 of the Policy there is an expectation that planning schemes require that development with the potential for off site polluted stormwater runoff should include or be required as a condition of approval, stormwater management strategies during construction and operation of the development.

Clauses 36.1 and 36.2 of the SPWQM suggest the identification of soils and geology with the potential for acid drainage and to implement development controls to mitigate the threat to water quality as a result of acid drainage developing.

Under clause 31.5, planning schemes are expected to require use and development be consistent with the physical capability of the land so that erosion and land degradation are minimised.

In considering the draft SPPs the Commission identified and were presented with issues relevant to the SPWQM including:

- stormwater management at the construction and during ongoing use;
- onsite waste water management; and
- water quality management through the protection of native vegetation, coastal and riverine processes to minimise erosion and land degradation.

The draft SPPs address the Policy largely with standards in zones that mitigate the impact of runoff with site coverage controls, the need to connect to reticulated services where these are at hand, and through codes, particularly the Natural Assets Code.

The Commission is satisfied that the SPPs accord with the Policy subject to modifications, including broader powers for conditions on permits that will assist stormwater management in clause 6.11.2. More detailed discussion of the Commission's findings on the Natural Assets Code and suggestions that there be additional codes specifically addressing stormwater management, on-site waste water management and acid sulfate soils, can be found in 5.7 and 5.15.

#### **8.3.4 Safety Requirements in the *Gas Pipelines Act 2000***

The *Gas Pipelines Regulations 2014* (made under the *Gas Pipelines Act 2000*) include safety requirements for pipelines in Part 4. These are set out in schedules to regulation that reference the applicable Australian Standard or code.

The Commission considers that the prescribed standards are not directly relevant to provisions in the draft SPPs.



## 9.0 Conclusion

The Commission has considered the draft SPPs as exhibited and had regard to the large number of representations received. While it has had an extension of time within which to consider and report on the draft SPPs, its approach has been necessarily pragmatic. More time would have been helpful to better resolve some issues of complexity or detail.

However, the Commission recommends that the draft SPPs can be made, subject to a number of drafting modifications. The Commission is satisfied that, subject to the modifications recommended, the SPPs will be in accordance with the requirements of the Act.

The Commission considers that the recommended modifications contained in Appendix D do not require re-exhibition. The modifications are largely elaborations, corrections and editorial changes to improve the clarity and consistency of the draft SPPs. Generally modifications that change the policy intent have been avoided unless there has been a reason to do so for clarification or implementation reasons.

The Commission recommends that the proposed modification to the exemption for Visitor Accommodation in a dwelling, and the consequential amendments that arise from it, ought to be re-exhibited given the high public interest in this issue and that the modifications introduce a different policy to that in the draft SPPs. An amendment to the SPPs can be commenced immediately upon their making.

Further work is required to prepare a revised Natural Assets Code and separate Safeguarding of Airports Code to be included in the SPPs following an amendment process. Terms of Reference are required for these amendments.

A review of the State Coastal Policy 1996, particularly Outcome 1.4.2 regarding actively mobile landforms should be considered as a priority. Now that coastal hazard mapping is available on a state-wide basis, the SPPs could potentially include planning standards to deliver the outcomes envisaged by clause 1.4.2 but is constrained from doing so by the terms of the policy.

Review and consideration of amendments to the General Residential and Inner Residential zones is considered a priority as the Commission has made only very limited modifications, despite the large number of representations on standards in these zones.

The Commission considers its other recommendations will result in improvements to the SPPs and their implementation.

## 10.0 Recommendations

The Commission recommends under section 25(2)(d) of the Act that:

### 1. Making the SPPs

The Minister makes the SPPs with modifications as set out in Appendix D of this report and that under section 25(4)(b) of the Act the modified SPPs do not require re-exhibition.

### 2. Terms of reference for draft amendments to the SPPs

The Minister prepares a terms of reference under section 30C(1) of the Act for the preparation of a draft amendment of the SPPs, immediately upon their making, for the following matters:

#### a. C7.0 Natural Assets Code

Preparation of a draft amendment to insert a code (or codes) into the SPPs to address the values of waterways and coastal protection; future coastal refugia; priority vegetation and potentially drinking water catchments giving consideration to:

- i. whether a single or multiple codes assist the clarity, application and understanding of the planning policy and regulation inherent in the current provisions of the code;
- ii. the state-wide and government endorsed mapping to be used as a basis for overlays and providing the methodology or parameters that are to be applied for variation of the overlay mapping by planning authorities;
- iii. application of the code or codes, including whether values must be mapped comprehensively or by reference to, or exclusion from, zones;
- iv. the scope of priority vegetation values and standards for its protection and management;
- v. development standards for buildings and works that are self-contained, without reference to incorporated documents; or that refer to specific standards in any incorporated document;
- vi. any relevant Commonwealth and State legislation, regulation and policies, and regional land use strategies to ensure broad consistency to avoid duplication;
- vii. the objectives of the Act; and
- viii. the need for any consequential amendments to other parts of the SPPs.

#### b. Safeguarding of Airports Code

Preparation of a draft amendment to insert a code into the SPPs that is to be titled the Safeguarding of Airports Code. The Safeguarding of Airports code

should be prepared in consultation with airport operators and planning authorities with reference to:

- i. the NASF, including its guidelines A-F;
- ii. the Commonwealth *Airports Act 1996* and any relevant regulations (to avoid duplication);
- iii. any approved Airport Master Plans;
- iv. Australian Standards relevant to mitigating impacts from airport noise for sensitive uses;
- v. overlay mapping that is to be produced in collaboration with airport operators that:
  - identifies an area of influence for managing aircraft noise impacts incorporating ANEF and N mapping ;
  - identifies an area for airspace protection with reference to Obstacle Limitation Surface (OLS) and Procedures for Air Navigational Services – Aircraft Operations (PANS-OPS) mapping for all airports; and
  - identifies a distance from the airport within which potentially conflicting land use is managed; and
- vi. including any consequential amendments to other parts of the SPPs.

### **3. Draft amendment for exhibition – exemption for homestay**

The Minister under section 27(2)(b) of the Act approves for public exhibition a draft amendment to the SPPs (after their making) to include an exemption for ‘homestay’ including consequential amendments, as set out in Appendix F.

### **4. Review of State Coastal Policy 1996**

That priority consideration is given to the review of the State Coastal Policy 1996, particularly Outcome 1.4.2 regarding actively mobile landforms. Now that coastal hazard mapping is available on a state-wide basis, the SPPs could potentially include planning standards to deliver the outcomes envisaged by clause 1.4.2 but is constrained from doing so by the terms of the policy.

### **5. Review of the General Residential and Inner Residential zones**

That the General Residential and Inner Residential zones are reviewed as a priority to:

- a. evaluate the performance of the residential development standards and whether the intended outcomes have been realised, including delivering greater housing choice, providing for infill development and making better use of existing infrastructure;
- b. consider the validity of the claims that the standards are resulting in an unreasonable impact on residential character and amenity; and

- c. introduce drafting that is more consistent with the conventions that apply to the SPPs generally.
- 6. **Local Government (Building and Miscellaneous Provisions) Act 1993 review:** that the LGBMPA be reviewed to enable planning assessment for subdivision to be wholly considered under the Tasmanian Planning Scheme.
- 7. **Significant trees:** that a stand-alone code for significant trees to protect a broader range of values be considered as an addition to the SPPs.
- 8. **Activity Centre Network:** that a state-wide activity centre network is established and standards in the SPPs be amended to refer to it.
- 9. **Affordable housing:** that consideration is given to whether housing affordability is a matter that should be addressed in the planning system and if so, what actions are required to set the policy context, such as modifications to the objectives of the Act or planning policy direction relevant to the SPPs.
- 10. **Stormwater management:** that a stormwater management code or standards suitable for inclusion in zones be prepared to better manage the stormwater disposal.
- 11. **Tourism:** that a planning approach to tourism is developed that includes consideration of the implications for the application of zones in LPSs and associated standards in the SPPs.
- 12. **Attenuation standard for effluent irrigation schemes:** that a suitable standard for attenuation of effluent irrigation schemes from sensitive uses with reference to Environmental Guidelines for the Use of Recycled Water in Tasmania (Environment Division, Department of Primary Industries, Water and Environment 2002) be included in C9.2.
- 13. **Planning authority liability:** that consideration is given to including in the *Environmental Management and Pollution Control Act 1993* an accreditation scheme similar to that available in the *Fire Service Act 1979* to protect planning authorities from liability under section 69A of the Act.
- 14. **Review of Bulky Goods Use Class:** that consideration is given to the scope of the Bulky Goods Sales Use Class and whether an additional Use Class that would allow for improved differentiation of activities such as landscaping supplies from other large format retail is beneficial.
- 15. **Access to Australian Standards:** that as the Australian Standards are incorporated documents mechanisms to achieve wider public access be pursued.

**Appendix A – Terms of Reference for the preparation of the  
draft of the State Planning Provisions**

## **Draft State Planning Provisions Terms of reference**

I, Peter Carl Gutwein, Minister for Planning and Local Government, pursuant to section 17 of the *Land Use Planning and Approvals Act 1993*, hereby issue these Terms of Reference for the preparation of the draft State Planning Provisions.

### **Background**

The Tasmanian Government is committed to establishing a Tasmanian Planning Scheme. Recent changes to the Land Use Planning and Approvals Act 1993 ("the Act") provide for the Scheme to be introduced.

The Tasmanian Planning Scheme will consist of the State Planning Provisions (SPPs) and the Local Provisions Schedules that apply to each municipal area. Planning authorities will continue to administer all of the planning controls in their municipal area.

The Scheme will deliver a consistent approach to the planning controls that apply across the state, providing greater certainty to investors and the community. It will also provide the necessary flexibility to address local planning matters and ensure that an appropriate balance between consistency and local planning needs can be achieved.

Under the Act, the Minister may prepare the draft SPPs and must consult with the Tasmanian Planning Commission, planning authorities and the state service agencies and state authorities that he or she sees fit.

The statutory public exhibition and assessment of the draft SPPs is undertaken by the Commission, who will provide a report to the Minister. The Minister may then make the State Planning Provisions in accordance with the Act.

Local planning authorities will develop their own draft Local Provisions Schedules which will then be subject to statutory public exhibition and assessment. The Tasmanian Planning Scheme will come into effect in each municipal area once the relevant Local Provisions Schedule is in place.

### **Scope of the Draft of the State Planning Provisions**

The draft of the SPPs are to be prepared with regard to Planning Directive No 1 – The Format and Structure of Planning Schemes, interim planning schemes operating in Tasmania, the regional model provisions that informed development of the interim planning schemes, and the statutory requirements of the Act.

### **Statutory requirements for the Draft of the SPPs**

The draft of the SPPs is to be consistent with the requirements of the Act, including:

Section 11 – Contents of planning schemes and Tasmanian Planning Scheme;

Section 14 – Contents of State Planning Provisions;

Section 15 – SPPs criteria; and

Section 18 – Preparation of draft of the SPPs by Minister

The SPPs criteria to be met are that the draft of the SPPs:

- only contains provisions that the SPPs may contain under section 14; and
- furthers the objectives set out in Schedule 1; and
- is consistent with each State Policy in effect under the *State Policies and Projects Act 1993*; and has regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

The State Policies in operation under the *State Policies and Projects Act 1993* at the time of issuing of these terms of reference are:

- State Policy on the Protection of Agricultural Land 2009;
- State Coastal Policy 1996;
- State Policy on Water Quality Management 1997;
- National Environment Protection Measures (NEPMs) that are taken to be State Policies in accordance with section 12A of the State Policies and Projects Act 1993 including:
  - Air Toxics NEPM
  - Ambient Air Quality NEPM
  - Assessment of Site Contamination NEPM
  - Diesel Vehicle Emissions NEPM
  - Movement of Controlled Waste between States and Territories NEPM
  - National Pollutant Inventory (NPI) NEPM
  - Used Packaging Materials NEPM.

### **General requirements for the Draft of the SPPs**

The draft of the SPPs is to:

- Adopt the general structure used in *Planning Directive No 1* including the 22 standard zones used in interim planning schemes operating in Tasmania subject to any minor modifications that may be appropriate;
- Build on the general provisions in *Planning Directive No 1* and in interim planning schemes operating in Tasmania, including the administrative provisions, definitions, exemptions and standard use classes;
- Include any additional general and administrative provisions required to support the structure and operation of the Tasmanian Planning Scheme, including any templates and other provisions relating to the Local Provisions Schedules;
- Be developed with reference to and where appropriate standardise the content of the planning controls for the 22 standard zones and the suite of statewide codes contained in the interim planning schemes and the regional model provisions, with particular reference to the Launceston Interim Planning Scheme;

- Have regard to:
  - any draft Planning Directives prepared by the Tasmanian Planning Commission that have been subject to a statutory process; and
  - any draft statewide codes prepared by state agencies or the by Tasmanian Planning Commission in consultation with state agencies for the purposes of consultation, at the time of issue of these terms of reference;
- Contain provisions permitting a Local Provisions Schedule to include, in accordance with section 14 of the Act:
  - particular purpose zones;
  - specific area plans; and
  - site specific qualifications

The draft of the SPPs is also to be developed with regard to the following documents:

- The three Regional Land Use Strategies in place under the Act;
- The drafting rules and terms prepared by the Commission's Delegated Panel that undertook the statutory assessment of the Launceston Interim Planning Scheme;
- The following Planning Directives in force under the Act and any reviews or proposed modifications to these that are under active consideration by the Commission or the Minister:
  - Planning Directive No. 3 – Single Dwelling in Residential Zones
  - Planning Directive No. 4.1 – Standards for Residential Development in the General Residential Zone
  - Planning Directive No. 5 – Bushfire Prone Areas Code
- The following Planning Advisory Notes in force under the Act and any reviews or proposed modifications to these that are under active consideration by the Commission or the Minister:
  - Planning Advisory Note 3: Supporting information for draft planning schemes;
  - Planning Advisory Note 11: Integration of Land Use and Transport in Planning Schemes;
  - Planning Advisory Note 13: The Planning Scheme Template for Tasmania: Drafting Instructions;
  - Planning Advisory Note 16: Application, Adoption and Incorporation of External Documents by a Planning Scheme;
  - Planning Advisory Note 20: Planning Directive No 5 Bushfire Prone Areas

### **Further drafting guidance**

The following matters are also to be considered in preparing the draft of the SPPs:

- Achieving a logical structure for the document that is user-friendly and has regard to the design of the 'iPlan' digital planning scheme interface;



- Ensuring the planning controls are legally robust, having regard to the drafting used in the interim planning schemes, including consistent expression, terminology, language and structure of the clauses;
- Providing consistency in the format and structure of Local Provisions Schedules such as through the inclusion of templates and other relevant controls;
- Ensuring the general and administrative provisions allow the State Planning Provisions and Local Provisions Schedules to operate effectively together for a cohesive application of the Tasmanian Planning Scheme in each municipal area;
- Achieving the following general policy principles, where practicable:
  - providing clear permitted pathways for use and development that are consistent with the purpose of each zone;
  - providing flexibility in regard to the use and development that can occur within a zone where the use and development supports, is directly related to or is ancillary to a use that is consistent with the zone purpose;
  - promoting equity and consistency in the application requirements for use and development, including providing clear criteria for the assessment of permitted and discretionary uses in the planning controls to minimise delays and uncertainty;
  - minimising duplication of regulation between different levels of Government, including State and local government and facilitating efficient integration between this regulation where appropriate; and
  - providing for consistency with the requirements of other legislation and regulation, including Commonwealth regulation of particular matters;

## **Process**

In preparing the draft of the SPPs, consultation is to occur with the Tasmanian Planning Commission, planning authorities and the state service agencies and state authorities that the Minister sees fit in accordance with section 18 of the Act.

The advice of other relevant bodies including the State Policies Interdepartmental Committee and the Planning Reform Taskforce that each report to the Minister for Planning and Local Government may also be sought in relation to the preparation of the draft of the SPPs, as appropriate.

Expert advice with regard to the legal drafting of the provisions may also be sought where appropriate to ensure their effective operation.

**PC Gutwein**

**Minister for Planning and Local Government**

[Issued 18 December 2015]

**Appendix B – Copy of the SPPs as exhibited [section 25(2)(a)]**

**Treasurer  
Minister for Forestry  
Minister for Planning and Local Government**

Level 9 15 Murray Street HOBART TAS 7000 Australia  
GPO Box 123 HOBART TAS 7001 Australia  
Ph: +61 3 6165 7670  
Email: [treasurerooffice@dpac.tas.gov.au](mailto:treasurerooffice@dpac.tas.gov.au)



9 March 2016

Mr Greg Alomes  
Executive Commissioner  
Tasmanian Planning Commission  
GPO Box 1691  
HOBART TAS 7001

Dear Mr Alomes

As required by section 21(3) of the Act, I am writing to give notice that I have approved a draft of the State Planning Provisions, prepared under s.18(1), for exhibition.

I further advise that I am satisfied that the draft of the State Planning Provisions I have approved for exhibition meet the SPPs criteria set out in s.15 of the Act

I understand that the Commission is prepared to give exhibition notice on Saturday 12 March 2016 with the exhibition period starting on Tuesday 15 March.


I have also approved an explanatory document prepared under s.16(1) in relation to the draft SPPs. The explanatory document is part of the exhibition documents as defined under the Act.

The Commission is required to exhibit the draft of the SPPs and the other exhibition documents in accordance with the Act and report to me within 90 days of the end of the exhibition period, or a longer period as I may allow.

Today I have written to all Tasmanian planning authorities, the Local Government Association of Tasmania, the Chair of the Planning Reform Taskforce, and the heads of state agencies advising that I have approved the draft of the SPPs for exhibition.

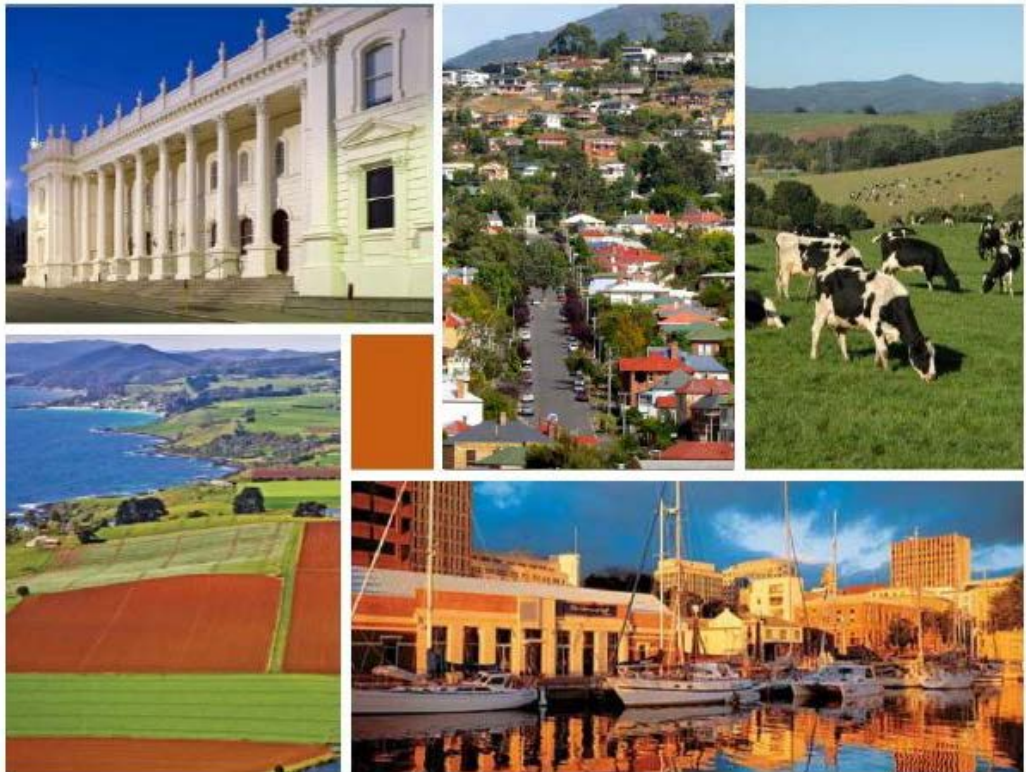
A copy of those letters is enclosed for your information.

Yours sincerely



Peter Gutwein MP  
Minister for Planning and Local Government

# Tasmanian Planning Scheme



Final Draft State Planning Provisions

7 March 2016

## Foreword

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The Tasmanian Planning Scheme (TPS) sets out the requirements for use or development of land in accordance with the *Land Use Planning and Approvals Act 1993* (the Act).

The TPS comprises two parts:

the State Planning Provisions (SPP) which includes the purpose and objectives, the administrative requirements and processes including exemptions from the planning scheme and general provisions that apply to all use and development irrespective of the Zone, the Zones with standard use and development provisions, and the Codes with standard provisions; and

the Local Provisions Schedules (LPS) comprising the Local Planning Provisions (LPP) that apply to each local Council area. These Local Provisions Schedules include Zone and overlay maps, local area objectives, lists relevant to Codes, Particular Purpose Zones, Specific Area Plans, and any site specific qualifications for specific circumstances.

The SPPs and the relevant LPS together form all of the planning controls that apply to a local area (the local application of the TPS). These will be administered by local planning authorities.

The SPPs also set out the requirements that the Local Provisions Schedules must adhere to.

The provisions in the TPS should be read together with the Act.

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

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Appendix B – Form of the Particular Purpose Zone – Future Urban

**Applied, Adopted and Incorporated Documents**

## Identification and Purpose of this Planning Scheme

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### 1.0 Identification of this Planning Scheme

#### 1.1 Planning Scheme Title

- 1.1.1 This planning scheme is called the Tasmanian Planning Scheme.

#### 1.2 Composition of this Planning Scheme

- 1.2.1 This planning scheme consists of two parts: the State Planning Provisions and the Local Provisions Schedules
- 1.2.2 The Local Provisions Schedules include the Zone maps and overlay maps for each local planning area in Tasmania.

#### 1.3 Planning Scheme Area

- 1.3.1 The planning scheme area comprises all the land as identified on the planning scheme maps within Tasmania with the exception of Macquarie Island and any parts of Tasmania excluded by statute or regulation.

### 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.
  - (b) To provide for planning controls consistent with State Policies in force under the *State Policies and Projects Act 1993*.
  - (c) To enable the implementation of declared Regional Land Use Strategies, as amended by the Minister from time to time, through the Local Provisions Schedules.



## Administration

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### 3.0 Interpretation

#### 3.1 Planning Terms and Definitions

3.1.1 Terms<sup>1</sup> in this planning scheme have their ordinary meaning unless they are defined in the Act or specifically defined in subclause 3.1.3 or in a Zone, Code or a Specific Area Plan.

3.1.2 In this planning scheme, a reference to a Use Table is a reference to the Use Table in a Zone or Specific Area Plan.

3.1.3 In this planning scheme, unless the contrary intention appears:

Term	Definition
Act	means the <i>Land Use Planning and Approvals Act 1993</i> .
access	means land over which a vehicle enters or leaves a road from land adjoining a road.
access strip	means the narrow part of an internal lot to provide access to a road.
activity centre	means a place that provides a focus for services, employment, and social interaction in cities and towns.
activity centre hierarchy	means the activity centre network or hierarchy referred to in a relevant Regional Land Use Strategy.
adjacent	means near to, and includes adjoining.
adjoining	means next to, or having a common boundary with.
adult entertainment venue	means the use of land for the purpose of providing forms of sexually explicit entertainment for adults only, and may include provision of food and drink.
adult sex product shop	means use of land to sell or hire sexually explicit material, including but not limited to: <ul style="list-style-type: none"> <li>(a) publications classified as restricted under the <i>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</i>; and</li> <li>(b) materials and devices, other than contraceptives and medical treatments, used in conjunction with sexual behaviour.</li> </ul>

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<sup>1</sup> The Tasmanian Planning Scheme separately lists Use Classes in Table 6.2

Term	Definition
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 domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture 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) as amended from time to time.
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	means use of land for a building that contains one or more of the following: (a) 3 or more coin, card, or token operated amusement machines; (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; (c) 2 or more coin, card, or token operated billiard, snooker, or pool tables; or (d) the conduct of laser games or similar. It does not include gambling machines or premises included in the Hotel Industry Use Class as described in Table 6.2.
animal pound	means use of land for an enclosure for confining stray or homeless animals or animals impounded by a Council.
animal saleyard	means use of land to buy and sell farm animals, and hold such animals for purchase or sale.
annual exceedance probability (AEP)	means the probability of an event with a certain magnitude being exceeded in any one year.
applicable standard	means as defined in subclause 5.5.2 of this planning scheme.
application	means an application for a permit made under this planning scheme.

Term	Definition
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.
assisted housing	means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.
basement	means a storey either below finished ground level or that projects not more than 1m above finished ground level.
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, vehicle-towed boat trailers or the like.
building	means as defined in the Act unless otherwise defined in a Zone, Code or Specific Area Plan.
building area	means any area shown on a plan to indicate where all buildings will be located on a lot.
building envelope	means the three-dimensional space within which buildings are to occur.
building height	means the vertical distance from existing ground level at any point to the uppermost part of a building directly above that point, excluding 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.
clearance and conversion	means as defined in the <i>Forest Practices Act 1985</i> .
cinema	means use of land to display films, videos or other moving images to persons for reward.
coastal protection works	means structures or works aimed at protecting land adjacent to tidal waters from erosion or inundation.
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 facility.

Term	Definition
consulting room	means use of land by a registered practitioner of any therapeutic art or science, other than service provided by a medical centre.
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 production	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 sick, aged or persons with disabilities.
declared weed	means as defined in the <i>Weed Management Act 1999</i> .
demolition	means the damaging, destruction or removal of any building or works in whole or in part other than by accident.
development	means as defined in the Act.
development area	means the area of land occupied by development including its yard, outbuildings, car parking, driveways, storage areas, landscaping and wastewater disposal areas, including the area of any relevant mining lease.
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 Local Provisions Schedule 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 this planning scheme but is one to which ss12 of the Act applies.

Term	Definition
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 operations	means as defined in the <i>Forest Management Act 2013</i> .
forest practices	means as defined in the <i>Forest Practices Act 1985</i> .
forest practices plan	means a Forest Practices Plan certified under the <i>Forest Practices Act 1985</i>
frontage	means a boundary of a lot which abuts a road.
function centre	means use of land, by arrangement, to cater for 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 with the exception of Class 7a buildings.
habitable room	means any room of a habitable building other than a room used, or intended to be used, for a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room, service or utility room, or 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.
hazardous chemical of a manifest quantity	means a hazardous chemical, as defined in the <i>Work and Health Safety Regulations 2012</i> , where the amount of hazardous chemical stored exceeds the manifest quantity as specified under the <i>Work and Health Safety Regulations 2012</i> .
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) the person conducting the business normally uses the dwelling as their principal place of residence;</li> <li>(b) it does not involve employment of more than 2 workers who do not reside at the dwelling;</li> <li>(c) any load on a utility is no more than for a domestic use;</li> <li>(d) there is no activity that causes electrical interference to use on other land;</li> <li>(e) it does not involve hazardous chemicals of a manifest quantity;</li> <li>(f) there is, on the site, no display of goods for sale;</li> <li>(g) there is, on the site, no advertising of the business other than 1 sign (non-</li> </ul>

Term	Definition
	<p>illuminated) not exceeding 0.2m<sup>2</sup> in area;</p> <p>(h) there is, on the site, no refuelling, servicing or repair of vehicles not owned by a resident;</p> <p>(i) no more than 2 commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes;</p> <p>(j) all vehicles used by the business are parked on the site; and</p> <p>(k) not for Visitor Accommodation.</p>
home-based child care	means use of a dwelling to mind or care for children for a day or part of a day, by one or more persons residing in the dwelling, if the total number of children being cared for at any time, including resident children, does not exceed 6 children under the age of 12 years.
hostel	means a supervised place of accommodation, usually supplying board and lodging for students, nurses or the like.
hours of operation	means the hours that a business is open to the public or conducting activities related to the business, not including routine activities normally associated with opening and closing a business operation.
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 feedlot, poultry 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.
land filling	means any change to the existing ground level of land by placement of any fill material, excluding refuse disposal, whether sourced from the land or elsewhere.
level 2 activity	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
liquid fuel depot	means use of land for the storage, wholesale and distribution of liquid fuel.
local shop	means the use of land for the sale of grocery or convenience items where the gross floor area is not more than 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> .
major sporting facility	means a sporting facility providing for national standard sporting competition with associated spectator facilities.

Term	Definition
marina	means use of land to moor boats, or store boats above or adjacent to the water. It includes boat recovery facilities, facilities to repair, fuel, and maintain boats and boat accessories, and may include boat sales.
marine farming shore facility	means use of land to provide on-shore support infrastructure and facilities for off-shore aquaculture but does not include the processing of fish or other marine organisms.
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.
mining lease	means as defined in the <i>Mineral Resources Development Act 1995</i> .
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 and sewer pipes, retention basin, telecommunication lines, gas pipelines 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 near to their rooms.
motor repairs	means use of land for the business of repairing or servicing motor vehicles, motors and includes the fitting of motor 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.
neighbourhood centre	means a centre providing community and social services for the surrounding locality.
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.

Term	Definition
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, involving primarily the setting up and use of tents for overnight accommodation.
panel beating	means use of land for the business of 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 Council responsible for administering this Planning Scheme for each planning area.
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.
primary frontage	means: (a) where there is only a single frontage, the frontage; or (b) 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 <i>Land Capability Handbook</i> , 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, excluding areas proposed or approved for vehicle access or vehicle parking.
proclaimed wharf area	means as defined in the Act.
protrusion	means a protrusion from a building such as an awnings, steps, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services.



Term	Definition
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 holiday	means a statutory holiday as defined in section 4 of the <i>Statutory Holidays Act 2000</i> .
public open space	means land for public recreation or public gardens or for similar purposes.
public stormwater system	means as defined in the <i>Urban Drainage Act 2013</i> .
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.
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 class	means a class of reserved land as defined in the <i>Nature Conservation Act 2002</i> .
reserve management plan	means a management plan prepared under the <i>National Parks and Reserves Management Act 2002</i> , the <i>Wellington Park Act 1993</i> or the <i>Living Marine Resources Act 1995</i> , or any management plan approved under the <i>Crown Lands Act 1976</i> .
reserved land	means land reserved for any purpose under the <i>Nature Conservation Act 2002</i> , the <i>National Parks and Reserves Management Act 2002</i> , or the <i>Crown Lands Act 1976</i> .
residential care facility	means use of land for accommodation and personal or nursing care. It includes recreational, health or laundry facilities and services for residents of the facility.
residential support services	means a centre, where support services are provided by government or other community organisations, in the provision of residential accommodation.
respite centre	means use of land for respite care for the sick, aged or persons with disabilities.
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.

Term	Definition
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> , and bridges declared under s.23 of the <i>Local Government (Highways) Act 1982</i> , the Minister administering those Acts and in relation to all other roads, the Council having the control of such roads pursuant to the <i>Local Government (Highways) Act 1982</i> .
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.
sealed plan	means as defined in the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> .
secondary residence	means an additional residence which is self contained that: <ul style="list-style-type: none"> <li>(a) has a gross floor area not more than 60m<sup>2</sup>;</li> <li>(b) is appurtenant to a single dwelling;</li> <li>(c) shares with the single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters; and</li> <li>(d) may include laundry facilities.</li> </ul>
self storage	means use of land to store goods in individual enclosed compartments.
sensitive use	means a residential use or a use involving the presence of people for extended periods except in the course of their employment. Examples include a caravan park, childcare centre, dwelling, hospital or school.
service station	means use of land to sell motor vehicle fuel from bowsters, and vehicle lubricants and if such use is made of the land, includes: <ul style="list-style-type: none"> <li>(a) selling or installing of motor vehicle accessories or parts;</li> <li>(b) selling of food, drinks and other convenience goods;</li> <li>(c) hiring of trailers; and</li> <li>(d) servicing or washing of motor vehicles.</li> </ul>
serviced apartment	means use of land to provide accommodation for persons, who are away from their normal place of residence, in a furnished, self-contained room or suite of rooms designed for short-term and medium-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.

Term	Definition
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, other than a secondary residence, 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 a site, excluding any access strip, divided by the number of dwellings on that site.
site coverage	means the proportion of a site, excluding any access strip, covered by roofed buildings.
skyline	means a line along the top of a hill or mountain that forms an outline against the sky.
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> .
streetscape	<p>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 the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.</p> <p>For the purposes of determining streetscape with respect to a particular site, the above features are relevant if within 100m of the site in the same street.</p>
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.
subdivide	<p>means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by:</p> <ul style="list-style-type: none"> <li>(a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;</li> <li>(b) a lease of airspace around or above a building;</li> <li>(c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;</li> <li>(d) the creation of a lot on a strata scheme or a staged development scheme under the <i>Strata Titles Act 1998</i>; or</li> <li>(e) an order adhering existing parcels of land.</li> </ul>

Term	Definition
subdivision	means the act of subdividing or the lot subject to an act of subdividing.
suitably qualified person	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience in a recognised field of direct relevance to the matter under consideration.
take away food premises	means use of land to prepare and sell food and drink primarily for immediate consumption off the premises.
threatened native vegetation community	means as defined under the <i>Nature Conservation Act 2002</i> .
turf growing	means use of land for growing grass which is cut into sods or rolls containing the roots and some soil for direct transplanting.
use	means as defined in the Act.
veterinary centre	means land used to: <ul style="list-style-type: none"> <li>(a) diagnose animal diseases or disorders;</li> <li>(b) surgically or medically treat animals; or</li> <li>(c) prevent animal diseases or disorders</li> </ul> and includes keeping animals on the premises for those purposes.
visitors 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 existing 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 removed elsewhere.
watercourse	means a defined channel with a natural or modified bed and banks that carries surface water flows.
water sensitive urban design (WSUD)	means the integration of urban planning with the management, protection and conservation of the urban water cycle to ensure that urban water management is sensitive to natural hydrological and ecological cycles.
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.

Term	Definition
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.

## 4.0 Exemptions

- 4.0.1 Use or development described in column 1 in Table 4.1 is exempt from requiring a permit provided it meets the corresponding qualifications in column 2.

Table 4.1 Use or development exempt from requiring a permit

Use or Development	Qualifications
<b>Exempt use</b>	
bee keeping	The use of land for bee keeping.
occasional use	If: (a) infrequent or irregular sporting, social and cultural events; or (b) markets on public land.
home occupation	If: (a) not more than 40m <sup>2</sup> of gross 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 are no more than 6 non-resident children for family day care per day or the occasional customer, client or visitor to the site for other business purposes; (e) any load on a utility is no more than for a domestic use; (f) there is no activity that causes electrical interference to other land; (g) it does not involve hazardous chemicals of a manifest quantity; (h) it does not involve display of goods for sale; (i) it involves no more than 1 advertising sign (that must be non-illuminated) and not more than 0.2m <sup>2</sup> in area; (j) it does not involve refuelling, servicing or repair of vehicles not owned by the resident on the site; (k) no more than 1 commercial vehicle is on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; (l) any vehicle used solely for non-residential purposes must be parked on the site; and

Use or Development	Qualifications
	(m) not for Visitor Accommodation
Visitor accommodation in a dwelling	The use of a dwelling for Visitor Accommodation for no more than 42 nights in any calendar year.
<b>infrastructure exemptions</b>	
dam works	Allowed under a permit in force under the <i>Water Management Act 1999</i> in accordance with s.60A of the Act, and any maintenance, repair, upgrading or other works exempt under s.60A (2) of the Act.
utilities	Provision, maintenance and repair of: <ul style="list-style-type: none"> <li>(a) electricity infrastructure exempt from the Act under the <i>Electricity Supply Industry Act 1995</i>;</li> <li>(b) water supply and sewerage infrastructure exempt from the Act under the <i>Water and Sewerage Industry Act 2008</i>;</li> <li>(c) pipes, open drains and pump stations for the reticulation or removal (but not the treatment) of water, sewage and stormwater; and</li> <li>(d) gas infrastructure exempt from the Act under the <i>Gas Act 2000</i>.</li> </ul>
road works	Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including: <ul style="list-style-type: none"> <li>(a) widening or narrowing of existing carriageways;</li> <li>(b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping unless subject to the Local Historic Heritage Code; or</li> <li>(c) repair of bridges, or replacement of bridges of similar size in the same or adjacent location.</li> </ul>
vehicle crossings, junctions and level crossings	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 unless subject to the Parking and Sustainable Transport Code. <sup>2</sup> Use of a vehicle crossing, junction or level crossing on a road or railway must be assessed against the Road and Railway Assets Code.
minor telecommunications	If: <ul style="list-style-type: none"> <li>(a) development of low impact facilities as defined in Part 3 of the <i>Telecommunications (Low-Impact Facilities) Determination 1997</i>;</li> <li>(b) works involved in the inspection of land to identify suitability for telecommunications infrastructure;</li> <li>(c) development of a facility that has been granted a facility installation permit by</li> </ul>

<sup>2</sup> Written consent may be withheld until a permit has been issued for any associated use and development.<sup>3</sup> Internal building and works to places entered on the Tasmanian Heritage Register may still require heritage approval under the *Historic Cultural Heritage Act 1995*.

Use or Development	Qualifications
	<p>the Australian Communications and Media Authority;</p> <p>(d) works involved in the maintenance of telecommunication infrastructure;</p> <p>(e) works meeting the transitional arrangements as defined in Part 2 of Schedule 3 of the <i>Telecommunications Act 1997</i>;</p> <p>(f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles; or</p> <p>(g) the connection of a line forming part of a telecommunications network to a building, caravan or mobile home including drop cabling of optic fibre networks.</p>
minor infrastructure	Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, rubbish bins, public art, associated signs and the like on public land.
railway works	Routine railway works as defined in the <i>Rail Infrastructure Act 2007</i> .
navigation aids	Provision, maintenance and modification of any sort of marker which aids in navigation of nautical or aviation craft. Common types of such aids include lighthouses, buoys, fog signals, landing lights and beacons.
<b>exempt buildings &amp; works</b>	
emergency works	Urgent works to protect property, public safety or the environment in 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.
internal building and works	All internal building and works <sup>3</sup>
maintenance, repair and minor alteration to buildings	<p>If:</p> <p>(a) repainting, re-cladding, re-roofing and replacement windows and doors without enlargement or extension using like-for-like materials provided this does not contravene a condition of an existing permit which applies to a site; or</p> <p>(b) re-cladding, re-roofing and replacement windows and doors without enlargement or extension, using different materials or painting of previously unpainted surfaces provided this does not involve a place or precinct listed in the relevant Local Provisions Schedule and subject to the Local Historic Heritage Code.</p>
temporary buildings or works	<p>If:</p> <p>(a) to facilitate development for which a permit has been granted or for which no permit is required or for an occasional use that is exempt under this part;</p>

<sup>3</sup> Internal building and works to places entered on the Tasmanian Heritage Register may still require heritage approval under the *Historic Cultural Heritage Act 1995*.

Use or Development	Qualifications
	<ul style="list-style-type: none"> <li>(b) not occupied for Residential use; and</li> <li>(c) removed within 14 days of completion of development or occasional use.</li> </ul>
unroofed decks	<p>If:</p> <ul style="list-style-type: none"> <li>(a) not attached to or abutting a habitable building;</li> <li>(b) floor level less than 1m above existing ground level; and</li> <li>(c) not subject to the Local Historic Heritage Code.</li> </ul>
outbuildings and garden structures	<p>Outbuildings and garden structures, not subject to the Local Historic Heritage Code, if:</p> <ul style="list-style-type: none"> <li>(a) a Type 1 or Type 2 exempt outbuilding that is exempt from the requirement for a building permit under the <i>Building Regulations 2014</i>; or</li> <li>(b) a garden structure such as a pergola, garden arch, trellis or frame exempt under the <i>Building Regulations 2014</i>.</li> </ul>
outbuildings in rural Zones	<p>Located in the Rural Living Zone, Rural Zone or Agriculture Zone if:</p> <ul style="list-style-type: none"> <li>(a) the outbuilding is associated with an existing dwelling;</li> <li>(b) total gross floor area of all outbuildings on the lot is not more 108m<sup>2</sup>;</li> <li>(c) setback is no less than the existing dwelling or any other outbuilding on the lot;</li> <li>(d) building height is not more than 6m and wall height is not more than 4m; and</li> <li>(e) not subject to the Local Historic Heritage Code.</li> </ul>
agricultural buildings and works	<p>If:</p> <ul style="list-style-type: none"> <li>(a) buildings or works are located in the Rural Zone or Agriculture Zone;</li> <li>(b) buildings or works, excluding a dwelling, are directly associated with, and a subservient part of, an agricultural use;</li> <li>(c) only on prime agricultural land if it is directly associated with an agricultural use dependent on the soils as a growth medium;</li> <li>(d) individual buildings are not more than 200m<sup>2</sup> in gross floor area;</li> <li>(e) buildings have a setback of not less than 5m from all lot boundaries; and</li> <li>(f) building or works are not subject to the Local Historic Heritage Code.</li> </ul>
demolition of exempt buildings	Demolition of buildings exempt from development under Table 4.1 and not subject to the Local Historic Heritage Code.
<b>vegetation exemptions</b>	
vegetation removal for safety or in accordance with other statutes	<p>If:</p> <ul style="list-style-type: none"> <li>(a) clearance and conversion of a threatened native vegetation community, or the disturbance of a vegetation community, in accordance with a forest practices plan certified under the <i>Forest Practices Act 1985</i>, unless subject to the Scenic Protection Code;</li> <li>(b) harvesting of timber or the clearing of trees, or the clearance and conversion of a threatened native vegetation community, on any land to enable the</li> </ul>



Use or Development	Qualifications
	<p>construction and maintenance of electricity infrastructure in accordance with the <i>Forest Practices Regulations 2007</i>.</p> <p>(c) fire hazard management in accordance with a bushfire hazard management plan approved as part of subdivision or development;</p> <p>(d) fire hazard reduction required in accordance with the <i>Fire Service Act 1979</i> or an abatement notice issued under the <i>Local Government Act 1993</i>;</p> <p>(e) fire hazard management works necessary to protect existing assets and ensure public safety in accordance with a bushfire hazard management plan endorsed by the Tasmanian Fire Service, Forestry Tasmania, the Parks and Wildlife Service, or Council;</p> <p>(f) clearance of up to 2m 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;</p> <p>(g) the removal or destruction of declared weeds or environmental weeds listed by council under an approved local strategy or management plan;</p> <p>(h) safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building; or</p> <p>(i) within 1.5m of a title boundary for the purpose of erecting or maintaining a boundary fence, or 3m in the Rural Zone and Agriculture Zone.</p>
landscaping and vegetation management	<p>Landscaping and vegetation management within a private garden, public garden or park, national park, or within a reserve under State Government or council ownership if:</p> <p>(a) the vegetation is not protected by legislation, a permit condition, an agreement made under Part 5 of the Act, or a covenant;</p> <p>(b) the works are not subject to the Natural Assets Code; and</p> <p>(c) the vegetation is not listed as a significant tree, or specifically listed and described as part of a Local Heritage Place in the relevant Local Provisions Schedule and subject to the Local Historic Heritage Code, unless they are incidental to the general maintenance.</p>
vegetation rehabilitation works	<p>The planting, clearing or modification of vegetation for:</p> <p>(a) soil conservation or rehabilitation works including Landcare activities and the like, provided that ground cover is maintained and erosion is managed; or</p> <p>(b) the removal or destruction of declared weeds or environmental weeds listed by council under an approved local strategy or management plan;</p> <p>(c) water quality protection or stream bank stabilisation works; or</p> <p>(d) 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;</p> <p>(e) the implementation of a mining and rehabilitation plan approved under the</p>

Use or Development	Qualifications
	terms of an Environment Protection Notice, or rehabilitation works approved under the <i>Mineral Resources Development Act 1995</i> .
<b>renewable energy exemptions</b>	
ground mounted solar panels	If exempt from the requirement for a building permit under the <i>Building Regulations 2014</i> and not subject to the Local Historic Heritage Code.
roof mounted solar panels	If not subject to the Local Historic Heritage Code.
wind turbines	<p>If:</p> <ul style="list-style-type: none"> <li>(a) one wind turbine per lot;</li> <li>(b) no part of the structure is closer to a frontage than any other associated building, excluding a fence, on the lot;</li> <li>(c) no part of the structure is within 15m of a side or rear boundary;</li> <li>(d) the height of the pole above existing ground level is no higher than: <ul style="list-style-type: none"> <li>(i) 20m in the General Industrial Zone, Light Industrial Zone, Port and Marine Zone, Rural Zone, Agriculture Zone or Utilities Zone; or</li> <li>(ii) 12m in any other Zone;</li> </ul> </li> <li>(e) no part of the structure is closer to a sensitive use on another lot than: <ul style="list-style-type: none"> <li>(i) 60m if the wind turbine has an energy generation potential of 10kW or less; or</li> <li>(ii) 250m if the wind turbine has an energy generation potential of more than 10kW;</li> </ul> </li> <li>(f) not subject to the Attenuation Code; and</li> <li>(g) not subject to the Local Historic Heritage Code.</li> </ul>
<b>miscellaneous exemptions</b>	
signs	Signs exempt under the Signs Code.
use or development in a road reserve or on public land	outdoor dining facilities, signboards, roadside vendors and stalls on a road that have been granted a licence under a relevant Council By-Law; or a community garden on a public land.
fences within 4.5m of a frontage	<p>Fences within 4.5m of a frontage, not subject to the Local Historic Heritage Code, if:</p> <ul style="list-style-type: none"> <li>(a) located in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Central Business Zone, General Business Zone, Local Business Zone, Commercial Zone, or Urban Mixed Use Zone and is not more than a total height of: <ul style="list-style-type: none"> <li>(i) 1.2m above existing ground level; or</li> <li>(ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights); or</li> </ul> </li> </ul>

Use or Development	Qualifications
	<p>(b) located in the Utilities Zone and adjoining a property in the Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Village Zone and is not more than a total height of:</p> <p>(i) 1.2m above existing ground level; or</p> <p>(ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights); or</p> <p>(c) located in any other Zone, or if located in the Utilities Zone and not adjoining a property in the Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Village Zone and is not more than a total height of:</p> <p>(i) 1.8m if adjoining public land; or</p> <p>(ii) 2.1m if not adjoining public land.</p>
fences not within 4.5m of a frontage	<p>Fences not within 4.5m of a frontage and not subject to the Local Historic Heritage Code, if:</p> <p>(a) it is adjoining public land and is not more than a total height of 1.8m above existing ground level; or</p> <p>(b) it is not adjoining public land and is not more than a total height of 2.1m above existing ground level.</p>
fences for security purposes	<p>Fences for security purposes and not subject to the Local Historic Heritage Code, if:</p> <p>(a) it is located within the Port and Marine Zone, Light Industrial Zone or General Industrial Zone, or at an airport and is not more than a total height of 2.8m above existing ground level; or</p> <p>(b) it is located within the Light Industrial Zone or Utilities Zone and a common boundary fence with a property in the Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Village Zone and:</p> <p>(c) is not more than a total height of 2.1m; and</p> <p>(d) is not containing barbed wire.</p>
fences in rural Zones	<p>Fences within the Rural Zone or Agriculture Zone if not subject to the Local Historic Heritage Code.</p>
temporary fencing	<p>Temporary fencing for public safety, construction works or occasional sporting, social or cultural events.</p>
retaining walls	<p>Retaining walls, excluding any land filling, if:</p> <p>(a) it is not subject to the Local Historic Heritage Code;</p> <p>(b) it has a setback of not less than 1.5m from any boundary; and</p> <p>(c) it retains a difference in ground level of less than 1m.</p>
land filling	<p>Land filling to a depth of not more than 1m above ground level at the effective date, unless subject to the:</p> <p>(a) Natural Assets Code;</p>

Use or Development	Qualifications
	(b) Coastal Erosion Hazard Code; (c) Coastal Inundation Hazard Code; or (d) Riverine Inundation Hazard Code.
masts, flagpoles, and satellite dishes	All masts, flagpoles and satellite dishes, unless subject to the Local Historic Heritage Code.
heat pumps and air-conditioners	Heat pumps and air-conditioners that are attached, or located, to the side or rear of building, provided: <ul style="list-style-type: none"> <li>(a) it is not subject to the Local Historic Heritage Code;</li> <li>(b) it is not within 10m of a boundary with a sensitive use if for a non-Residential use located in an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Village Zone; and</li> <li>(c) it is not within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone if located in a Central Business Zone, General Business Zone, Local Business Zone, Urban Mixed Use Zone, Commercial Zone, Light Industrial, Major Tourism Zone or Utilities Zone.</li> </ul>
hot water cylinders	Hot water cylinders provided: <ul style="list-style-type: none"> <li>(a) it is attached, or located, to the side or rear of a building; and</li> <li>(b) it is not subject to the Local Historic Heritage Code.</li> </ul>
rain-water tanks and fuel tanks	Rain-water or fuel tanks provided: <ul style="list-style-type: none"> <li>(a) it is attached, or located, to the side or rear of a building;</li> <li>(b) it is not more than 45kL in capacity;</li> <li>(c) it is not on a stand with a height of more than 1.2m above existing ground level; and</li> <li>(d) it is not subject to the Local Historic Heritage Code.</li> </ul>
anemometers	All anemometers.
strata division	Division by strata titles of lawfully constructed or approved buildings for a use that has been granted a permit under this planning scheme or previously lawfully approved.

## 5.0 Planning Scheme Operation

### 5.1 General Provisions

- 5.1.1 Clause 7 of this planning scheme 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.
- 5.1.2 Where there is a conflict between a provision in a Zone, Specific Area Plan or Code and a general provision in clause 7 of this planning scheme, the general provision in clause 7 prevails.

## **5.2 Operation of Zones**

- 5.2.1 This planning scheme area is divided into Zones in respect of which the primary controls for the use or development of land are set out.
- 5.2.2 The planning scheme maps included in the Local Provisions Schedules show how land is zoned.
- 5.2.3 The Zones include use and development standards specific to each Zone.
- 5.2.4 The requirements for the application of Zones in the Local Provisions Schedules are set out in Requirements for Local Provisions Schedules section of this planning scheme.

## **5.3 Operation of Codes**

- 5.3.1 The Codes identify areas or planning issues which require compliance with additional provisions.
- 5.3.2 Overlays on the planning scheme maps included in the Local Provisions Schedules may be used to indicate the areas where Codes apply.
- 5.3.3 Codes set out provisions for:
  - (a) particular types of use or development that may apply to land within more than one Zone; and
  - (b) matters that affect land that are not appropriately described by Zone boundaries.
- 5.3.4 Where there is a conflict between a provision in a Code and a provision in a Zone, the Code provision prevails.
- 5.3.5 A conflict between a provision of a Code and a provision of a Zone does not exist if a Code requires compliance with standards additional to those that apply within a Zone.
- 5.3.6 The requirements for the application of Codes in the Local Provisions Schedules are set out in Requirements for Local Provisions Schedules section of this planning scheme.

## **5.4 Local Planning Provisions**

- 5.4.1 Local Provisions Schedules sets out the Local Planning Provisions for each planning area in Tasmania.
- 5.4.2 Local planning provisions may include Particular Purposes Zones, Specific Area Plans, Site Specific Qualifications and Local Area Objectives.
- 5.4.3 Where there is a conflict between a Local Planning Provision and the State Planning Provisions, the Local Planning Provision prevails.
- 5.4.4 Specific Area 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. 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.
- 5.4.5 The requirements for the application of Particular Purpose Zones, Specific Area Plans, Site Specific Qualifications and Local Area Objectives are set out in Requirements for Local Provisions Schedules section of this planning scheme.

## **5.5 Compliance with Applicable Standards**

- 5.5.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.

5.5.2 A standard 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 Area 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.

5.5.3 Compliance for the purposes of subclause 5.5.1 of this planning scheme consists of complying with the Acceptable Solution or the Performance Criterion for that standard.

5.5.4 The planning authority may consider the relevant objective in an applicable standard to determine whether a use or development complies with the Performance Criterion for that standard.

## **6.0 Assessment of an Application for Use or Development**

### **6.1 Application Requirements**

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

6.1.2 An application must include:

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

6.1.3 In addition to the information that is required by clause 6.1.2 of this planning scheme 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 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) any schedule of easements if listed in the folio of the title and appear on the plan, where applicable;
- (b) a site analysis and site plan at a scale acceptable to the planning authority showing, where applicable:
  - (i) the existing and proposed use(s) on the site;
  - (ii) the boundaries and dimensions of the site;
  - (iii) topography including contours showing AHD levels and major site features;
  - (iv) natural drainage lines, watercourses and wetlands on or adjacent to the site;
  - (v) soil type;
  - (vi) vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;

- (vii) the location and capacity 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; and
  - (xv) proposed subdivision lot boundaries, where applicable;
- (c) where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 as required by the planning authority showing, where applicable:
- (i) the internal layout of each building on the site;
  - (ii) the private open space for each dwelling;
  - (iii) external storage spaces;
  - (iv) car parking space location and layout;
  - (v) major elevations of every building to be erected;
  - (vi) the relationship of the elevations to existing ground level, showing any proposed cut or fill;
  - (vii) shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites; and
  - (viii) materials and colours to be used on roofs and external walls.

## 6.2 Categorising Use or Development

- 6.2.1 Each proposed use or development must be categorised into one of the Use Classes in Table 6.2.
- 6.2.2 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.
- 6.2.3 If a use or development fits a description of more than one Use Class, the Use Class most specifically describing the use applies.
- 6.2.4 If a use or development does not readily fit any Use Class, it must be categorised into the most similar Use Class.
- 6.2.5 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.
- 6.2.6 Notwithstanding subclause 6.2.1 of this planning scheme, development which is for subdivision, a sign, land filling, retaining walls or coastal protection works does not need to be categorised into one of the Use Classes.

Table 6.2 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, residential support services, 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, place of worship, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre, community centre and neighbourhood centre.
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.
Custodial Facility	use of land, other than psychiatric facilities, for detaining or reforming persons committed by the courts or for the purpose of court proceedings or police investigations. Examples include a prison, remand centre and any other type of detention facility.
Domestic Animal Breeding, Boarding or Training	use of land for breeding, boarding or training domestic animals. Examples include an animal pound, cattery and kennel.
Educational and Occasional Care	use of land for educational or short-term care purposes. Examples include a childcare centre, day respite centre, 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 selling food or drink, which may be prepared on the premises, for consumption on or off the premises. Examples include a cafe, restaurant and take away food premises.



Use Class	Description
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, local shop, 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, adult entertainment venue 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 and may include track work and maintenance, park management outbuildings and offices, park entry signs, visitor information signs, information and interpretation booths.
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. Examples include a marina, boat ramp and jetty.
Port and Shipping	<p>use of land for:</p> <ul style="list-style-type: none"> <li>(a) berthing, navigation aid, 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 facilities, 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>

Use Class	Description
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 a secondary residence, boarding house, communal residence, home-based business, hostel, residential care facility, residential college, respite centre, assisted housing, 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, forest operations, turf growing and marine farming shore facility.
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, brewery, cidery, distillery, 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, children's play centre, public swimming pool, race course, sports ground, and major sporting facility.
Storage	use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, self 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 or interpretation 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.

Use Class	Description
Utilities	<p>use of land for utilities and infrastructure including:</p> <ul style="list-style-type: none"> <li>(a) telecommunications;</li> <li>(b) electricity generation;</li> <li>(c) transmitting or distributing gas, oil, or power;</li> <li>(d) transport networks;</li> <li>(e) collecting, treating, transmitting, storing or distributing water; or</li> <li>(f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</li> </ul> <p>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.</p>
Vehicle Fuel Sales and Service	<p>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.</p>
Vehicle Parking	<p>use of land for the parking of motor vehicles. Examples include single and multi-storey car parks.</p>
Visitor Accommodation	<p>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.</p>

### 6.3 Qualification of Use

- 6.3.1 A Use Class may be subject to qualification in a Use Table which provides for conditions or limitations on the Use Class.

### 6.4 Requirement for a Permit

- 6.4.1 Except as provided in subclauses 6.5 and 6.6 of this planning scheme, 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.
- 6.4.2 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.

### 6.5 Exempt Use or Development

- 6.5.1 A permit is not required to commence or carry out a use or development if it is exempt from requiring a permit under clause 4.0 of this planning scheme.

## **6.6 No Permit Required**

6.6.1 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 complies with each applicable standard and does not rely on any Performance Criteria to comply with each applicable standard ;
- (c) the use or development is not Discretionary or Prohibited under any other provision of this planning scheme; and
- (d) a permit for such use and development is not required by a Code.

## **6.7 Permitted Use or Development**

6.7.1 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 any Performance Criteria to comply with each applicable standard; and
- (c) the use or development is not Discretionary or Prohibited under any other provision of this planning scheme.

6.7.2 A development that is not required to be categorised under subclause 6.2.6 of this planning scheme must be granted a permit if:

- (a) there are standards that are applicable to the development;
- (b) the development complies with each applicable standard and does not rely on any Performance Criteria to comply with each applicable standard; and
- (c) the development is not Discretionary or Prohibited under any other provision of this planning scheme.

## **6.8 Discretionary Use or Development**

6.8.1 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 relies on a Performance Criteria to demonstrate compliance with an applicable standard; or
- (c) it is Discretionary under any other provision of this planning scheme.

6.8.2 The planning authority has a discretion to refuse or permit a development that is not required to be categorised under subclause 6.2.6 of this planning scheme if:

- (a) there are no standards applicable to the development; and
- (b) the development is not Prohibited under any other provision of this planning scheme.

## **6.9 Prohibited Use or Development**

- 6.9.1 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 Criteria; or
  - (c) it is Prohibited under any other provision of this planning scheme.

## **6.10 Determining Applications**

- 6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by s.51(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 s.57(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.
- 6.10.2 In determining an application for a permit for a Discretionary use the planning authority must, in addition to the matters referred to in subclause 6.10.1 of this planning scheme, have regard to:
- (a) the purpose of the applicable Zone;
  - (b) any relevant local area objective for the applicable Zone;
  - (c) the purpose of any applicable Code;
  - (d) the purpose of any applicable Specific Area Plan; and
  - (e) the requirements of any Site Specific Qualification,
- but only insofar as it is relevant to the particular discretion being exercised.
- 6.10.3 In determining an application for any permit the planning authority must not take into consideration matters referred to in subclauses 2.1.1(b) and 2.1.1(c) of this planning scheme.

## **6.11 Conditions and Restrictions on a Permit**

- 6.11.1 When deciding whether to include conditions in a permit, the planning authority may consider the matters contained in subclauses 6.10.1 and 6.10.2 of this planning scheme.
- 6.11.2 Conditions and restrictions imposed by the planning authority on a permit may include:
- (a) requirements that specific acts 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;
  - (e) requirements to modify the development in accordance with predetermined triggers, criteria or events; and
  - (f) matters relating to the impact of construction works on the environment and infrastructure, including:

- (i) construction or traffic management;
- (ii) soil and water management;
- (iii) management of potential acid sulfate soils; and
- (iv) management of weeds, soil pathogens or waste.

Final Draft

## General Provisions

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### 7.0 General Provisions

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

7.1.1 Notwithstanding any other provision in this planning scheme, the planning authority may at its discretion, approve an application:

- (a) to bring an existing use of land that does not conform to the planning scheme into conformity, or greater conformity, with the planning scheme; or
- (b) to extend or transfer an existing 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 an existing non-conforming use.

7.1.2 An application must only be approved under subclause 7.1.1 of this planning scheme where there is:

- (a) no unreasonable detrimental impact on adjoining uses or the amenity of the locality; and
- (b) no substantial intensification of the use.

7.1.3 In exercising its discretion under subclauses 7.1.1 and 7.1.2 of this planning scheme, the planning authority must have regard to the purpose and provisions of the Zone and any applicable Codes.

#### 7.2 Development for Existing Discretionary Uses

7.2.1 Notwithstanding clause 6.8.1 of this planning scheme, 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 existing use.

#### 7.3 Adjustment of a Boundary

7.3.1 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;
- (e) no lot is reduced below the minimum lot size unless already below the minimum lot size; and
- (f) no lot boundary that aligns with a Zone boundary will be changed.

#### 7.4 Change of Use of a Local Heritage Place

7.4.1 An application for a use of a site listed as a Local Heritage Place subject to the Local Historic Heritage Code that would otherwise be Prohibited is Discretionary.

- 7.4.2 The planning authority may approve such an application if it would facilitate the restoration, conservation and future maintenance of the local historic heritage significance of the place.
- 7.4.3 In determining an application the planning authority must have regard to:
- (a) any statement of local historic heritage significance, as described in the Local Historic Heritage Code;
  - (b) any heritage impact statement prepared by a suitably qualified person setting out the effect of the proposed development on the local historic heritage significance of the place or precinct;
  - (c) any conservation plan prepared by a suitably qualified person in accordance with The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance (Kerr J, National Trust of Australia, NSW, 1982);
  - (d) 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;
  - (e) the likely impact of the proposed use on the amenity of surrounding uses; and
  - (f) any Heritage Agreement that may be in place, in accordance with the provisions contained in the *Historic Cultural Heritage Act 1995*.

## 7.5 Change of Use

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



## **7.6 Access Across Land in Another Zone**

- 7.6.1 If an application for use or development requires access across land that is contained within a different Zone, the status of the use for the access is to be determined in accordance with the provisions of the Zone in which the associated use or development is located.

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

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

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

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

## **7.9 Demolition**

- 7.9.1 Unless approved as part of another development, Prohibited by another provision in this planning scheme, or subject to the Local Historic Heritage Code, an application for demolition is Permitted and a permit must be granted subject to any conditions specified in clause 6.11.2 of this planning scheme.

## **7.10 Development not required to be categorised into a Use Class**

- 7.10.1 An application for development that is not required to be categorised into one of the Use Class under subclause 6.2.6 of this planning scheme, may be approved at the discretion of the planning authority if there are no standards applicable to the development.
- 7.10.2 An application must only be approved under subclause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the locality.
- 7.10.3 In exercising its discretion under subclauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:
- (a) the purpose of the applicable Zone;
  - (b) the purpose of any applicable Code;
  - (c) any relevant local area objectives; and
  - (d) the purpose of any applicable Specific Area Plan.

## **7.11 Use or Development Seaward of the Municipal District**

- 7.11.1 Use or development of a type referred to in section 7(a) to (d) of the Act that is unzoned in the zoning maps in the relevant Local Provisions Schedules must be considered in accordance with:
- (a) the provisions of the Zone that is closest to the site; or
  - (b) in the case of a use or development that extends from land that is zoned, the provisions of the Zone from which the use or development extends.

## 8.0 General Residential Zone

### 8.1 Zone Purpose

The purpose of the General Residential Zone is:

- 8.1.1 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.
- 8.1.2 To provide for the efficient utilisation of available and planned social, transport and other service infrastructure.
- 8.1.3 To provide for compatible non-residential use that:
  - (a) primarily serves the local community; and
  - (b) does not cause an unreasonable loss of amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To ensure that non-residential use does not unreasonably displace or limit Residential use.

### 8.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Educational and Occasional care	If for home-based child care.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling or home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre, veterinary surgery or child health clinic, or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.

Use Class	Qualification
Educational and Occasional Care	If: (a) not for a tertiary institution; or (b) not listed as No Permit Required.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

### 8.3 Use Standards

#### 8.3.1 Discretionary Uses

Objective:	To ensure that all discretionary uses, do not cause an unreasonable loss of amenity.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Hours of operation of a use listed as Discretionary within the Use Table, excluding Emergency Services and office and administrative tasks, must be within the hours of 8.00am to 6.00pm.		<b>P1</b> Hours of operation of a use listed as Discretionary within the Use Table, excluding Emergency Services and office and administrative tasks must not cause an unreasonable loss of amenity to adjacent sensitive uses through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.

<p><b>A2</b></p> <p>External lighting for a use listed as Discretionary within the Use Table:</p> <ul style="list-style-type: none"> <li>(a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and</li> <li>(b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>	<p><b>P2</b></p> <p>External lighting for a use listed as Discretionary within the Use Table, must not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of proposed light sources and their intensity;</li> <li>(b) the proximity of the proposed light sources to adjacent sensitive uses;</li> <li>(c) the topography of the site; and</li> <li>(d) existing light sources adjacent.</li> </ul>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary within the Use Table, excluding for Emergency Services must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7:00am to 7:00pm Monday to Friday;</li> <li>(b) 9:00am to 12 noon Saturday; and</li> <li>(c) nil on Sunday and public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary within the Use Table, excluding for Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and sensitive use;</li> <li>(f) potential conflicts with other traffic; and</li> <li>(g) the existing levels of amenity.</li> </ul>

## 8.3.2 Visitor Accommodation

Objective:	To ensure Visitor Accommodation: (a) is of a scale that accords with the residential character and use of the area; and (b) does not cause an unreasonable loss of privacy.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Visitor Accommodation:  (a) is accommodated in existing buildings; and  (b) has a gross floor area of not more than 160m <sup>2</sup> .		<b>P1</b>  Visitor Accommodation must:  (a) not cause an unreasonable loss of privacy to adjoining properties;  (b) be of an intensity that respects the character of use of the area; and  (c) not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of private rights of way.

## 8.4 Development Standards for Dwellings

## 8.4.1 Residential density for multiple dwellings

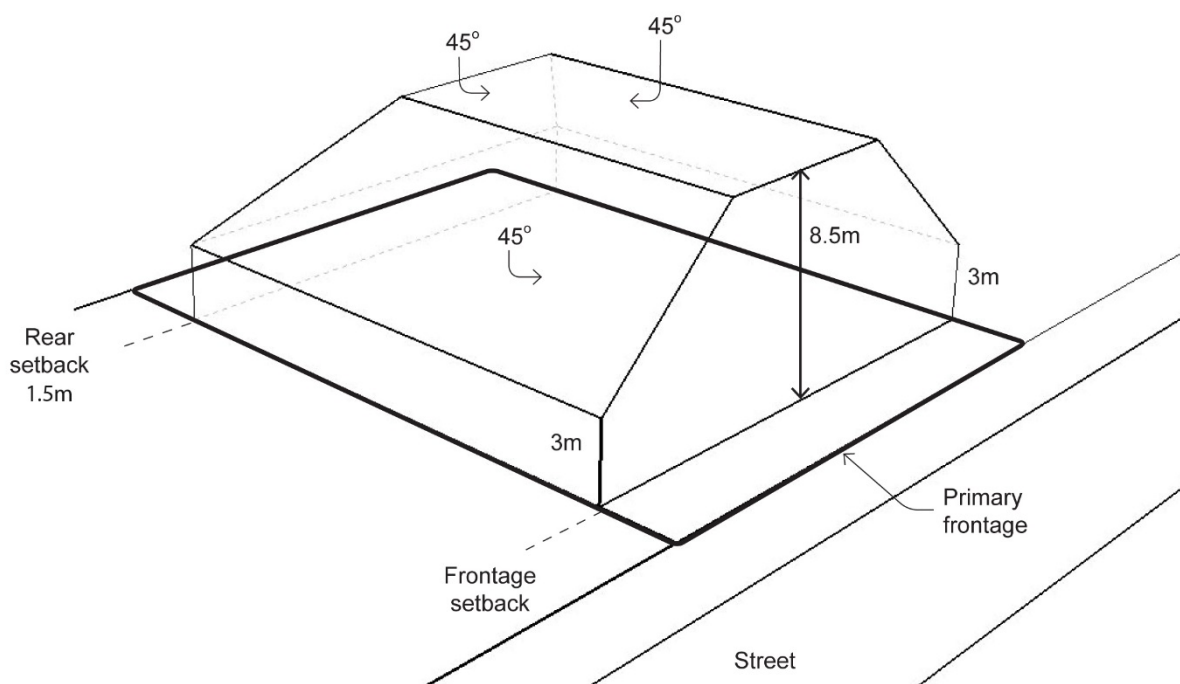
Objective:	To ensure that the density of multiple dwellings: (a) makes efficient use of suburban land for housing; and (b) optimises the use of infrastructure and community services.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Multiple dwellings must have a site area per dwelling of not less than 325m <sup>2</sup> .		<b>P1</b>  Multiple dwellings must only have a site area per dwelling that is less than 325m <sup>2</sup> , if the development will not exceed the capacity of infrastructure services and:  (a) is consistent with the density of existing development on established properties in the area; or  (b) provides for a significant social or community benefit and is:  (i) wholly or partly within 400m walking distance of a public transport stop; or  (ii) wholly or partly within 400m walking distance of an Inner Residential Zone,

	Urban Mixed Use Zone, Village Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.
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## 8.4.2 Setbacks and building envelope for all dwellings

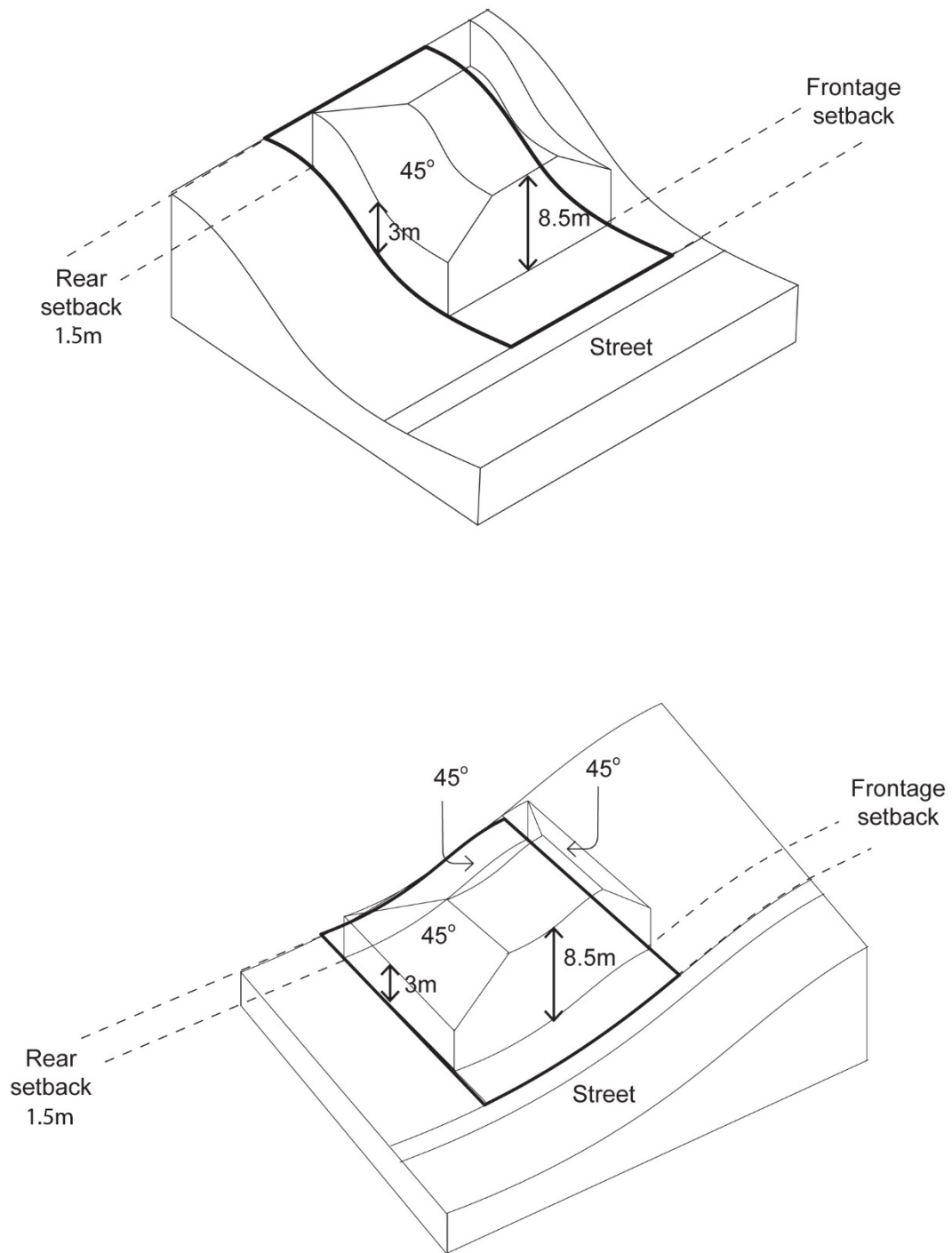
Objective:	To ensure the siting and scale of dwellings: <ul style="list-style-type: none"> <li>(a) provides reasonably consistent separation between dwellings and their frontage within a street;</li> <li>(b) assists in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes;</li> <li>(c) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; and</li> <li>(d) provides separation between dwellings on adjacent properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</li> <li>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</li> <li>(c) if for a vacant site and there are 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.</li> </ul>	<b>P1</b>  A dwelling must have a setback from a frontage that is compatible with the streetscape, taking into account any topographical constraints.
<b>A2</b>  A garage or carport for a dwelling must have a setback from a primary frontage of not less than: <ul style="list-style-type: none"> <li>(a) 5.5m, or alternatively 1m behind the façade of</li> </ul>	<b>P2</b>  A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the existing garages or carports in the street,

<p>the dwelling;</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p>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 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 8.4.2A, 8.4.2B, 8.4.2C and 8.4.2D) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal property, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</li> </ul>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity through:</p> <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 property;</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li> <li>(iii) overshadowing of an adjoining vacant property; or</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; and</li> </ul> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.</p>

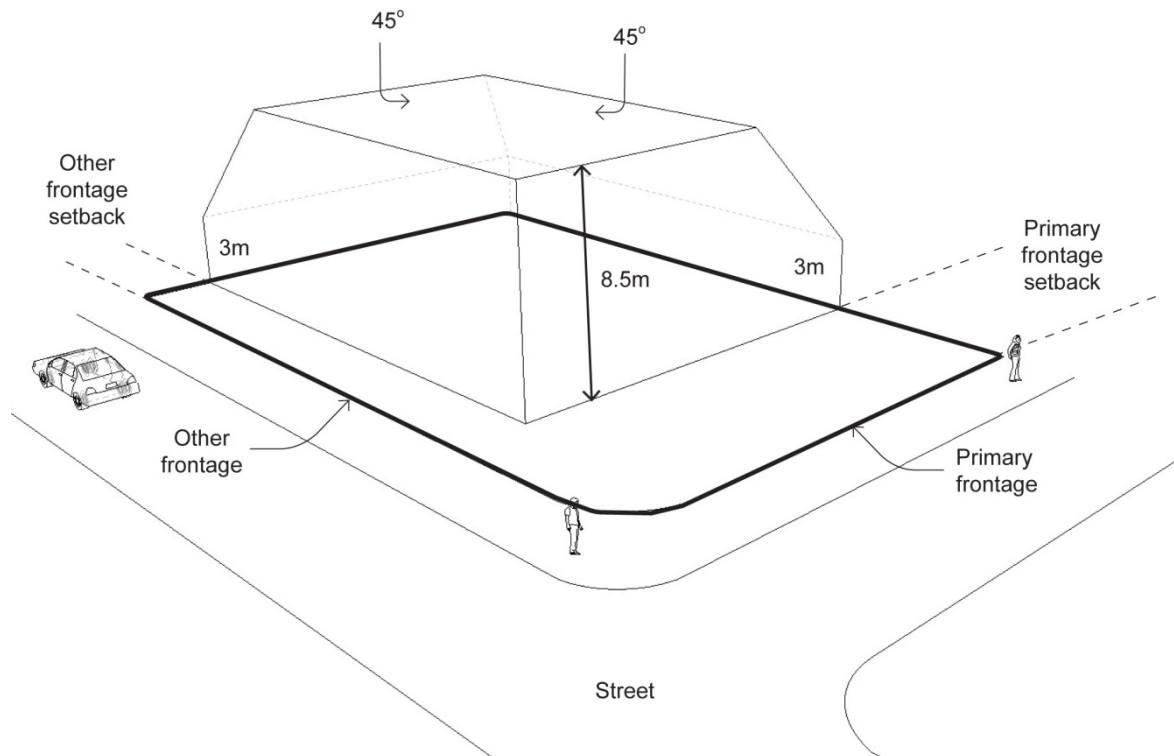


**Diagram 8.4.2A.** Building envelope as required by clause 8.4.2 A3(a).

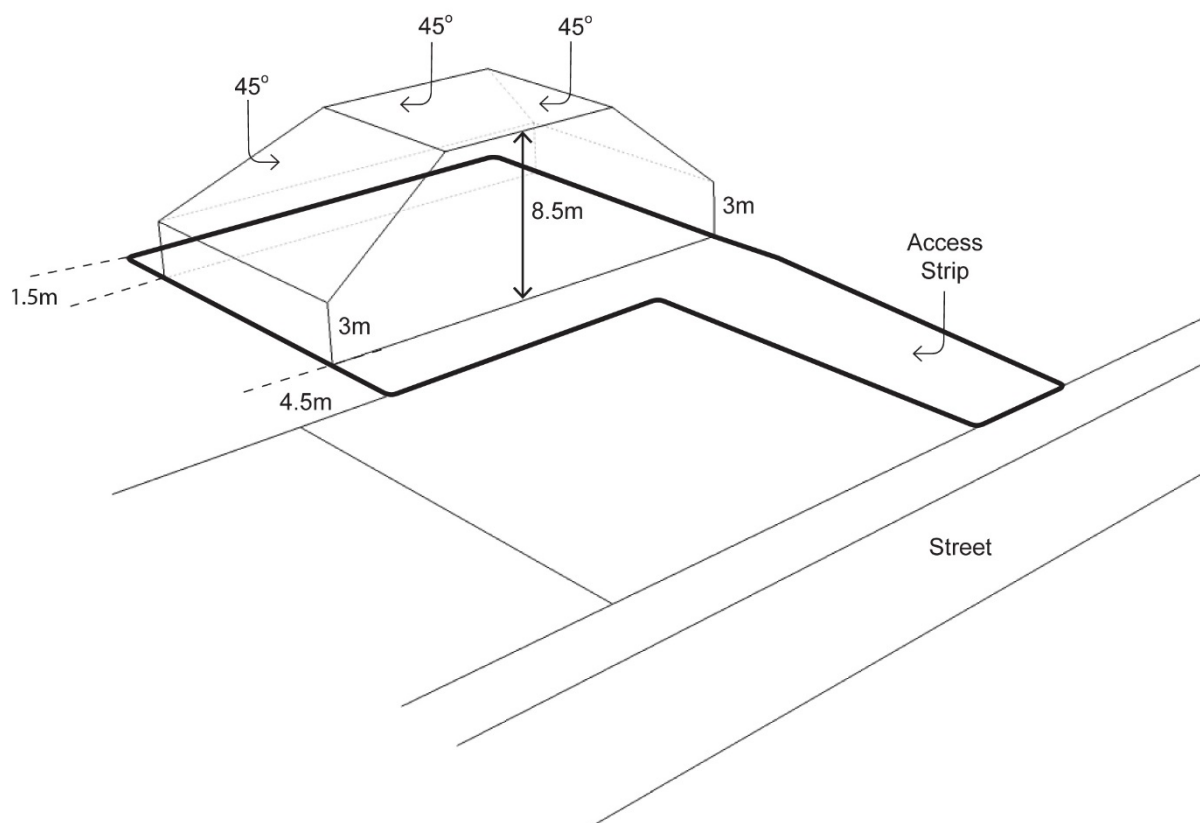




**Diagram 8.4.2B.** Building envelope for sloping sites as required by clause 8.4.2 A3(a).



**Diagram 8.4.2C.** Building envelope for corner lots as required by clause 8.4.2 A3(a).



**Diagram 8.4.2D.** Building envelope for internal lots as required by clause 8.4.2 A3(a).

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

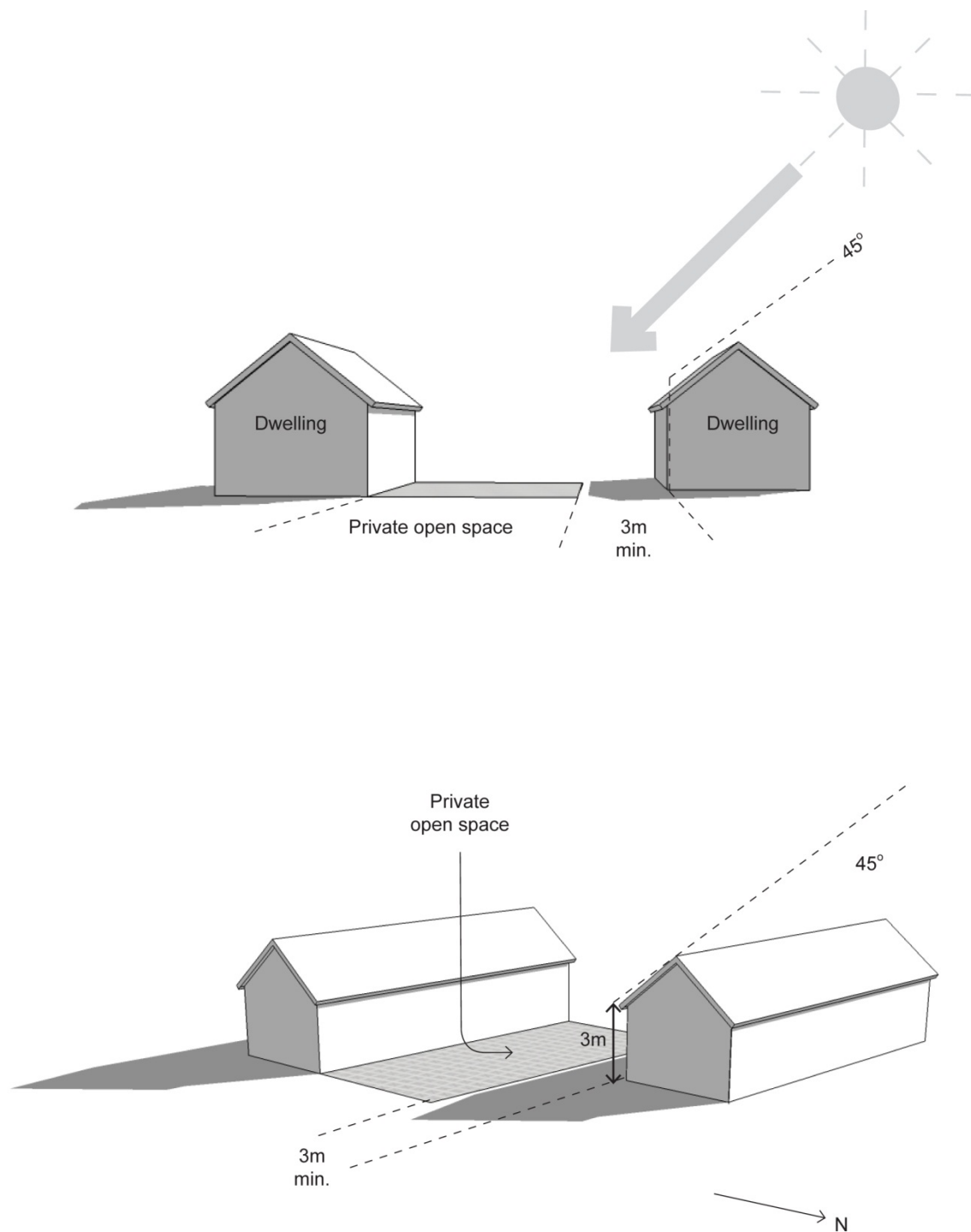
Objective:	<p>To ensure that dwellings are consistent with the amenity and character of the area and provide:</p> <ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents;</li> <li>(b) opportunities for the planting of gardens and landscaping;</li> <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>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</li> </ul>	<p><b>P1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) site coverage consistent with that existing on established properties in the area;</li> <li>(b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> <li>(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space</li> </ul> </li> </ul>

	<p>provided for this purpose within the development; and</p> <p>(ii) operational needs, such as clothes drying and storage; and</p> <p>(c) reasonable space for the planting of gardens and landscaping.</p>
<p><b>A2</b></p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m<sup>2</sup>; or</p> <p>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p><b>P2</b></p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <p>(a) conveniently located in relation to a living area of the dwelling; and</p> <p>(b) orientated to take advantage of sunlight.</p>

#### 8.4.4 Sunlight and overshadowing of all dwellings

Objective:	To ensure the separation between multiple dwellings on the same site provides reasonable opportunity for daylight and sunlight to enter private open space.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line</p>	<p><b>P1</b></p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.</p>

<p>projecting (see Diagram 8.4.4A):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3m above existing 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 9.00am and 3.00pm on 21<sup>st</sup> June.</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height not more than 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend not more than 0.6m horizontally from the multiple dwelling.</li> </ul>	
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**Diagram 8.4.4A.** Separation from the private open space of another dwelling on the same site as required by clause 8.4.4 A1(a).

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

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

## 8.4.6 Privacy for all dwellings

Objective:	To provide a reasonable opportunity for privacy for dwellings.
Acceptable Solutions	Performance Criteria
<b>A1</b> A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <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</li> </ul> </li> </ul>	<b>P1</b> A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of: <ul style="list-style-type: none"> <li>(a) a dwelling on an adjoining property or its private open space; or</li> <li>(b) another dwelling on the same site or its private open space.</li> </ul>

on the same site.	
<p><b>A2</b></p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<p><b>P2</b></p> <p>A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> <li>(a) a window or glazed door, to a habitable room of another dwelling; or</li> <li>(b) the private open space of another dwelling.</li> </ul>



<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<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>
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#### 8.4.7 Frontage fences for all dwellings

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

## 8.4.8 Waste storage for multiple dwellings

Objective:	To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m <sup>2</sup> per dwelling and is within one of the following locations: <ul style="list-style-type: none"> <li>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of not less than 4.5m from a frontage;</li> <li>(ii) is not less than 5.5m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</li> </ul> </li> </ul>		<b>P1</b> A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> <li>(a) capable of storing the number of bins required for the site;</li> <li>(b) screened from the frontage and dwellings; and</li> <li>(c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</li> </ul>

## 8.5 Development Standards for non-dwellings

## 8.5.1 Non-dwelling development

Objective:	To ensure that all non-dwelling development is sympathetic to the form and scale of residential development and does not cause a loss of amenity.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A building that is not a dwelling, excluding for Food Services, local shop and excluding protrusions that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) not less than 4.5m, if the frontage is a primary frontage;</li> <li>(b) not less than 3.0m, if the frontage is not a primary frontage; or</li> </ul>		<b>P1</b> A building that is not a dwelling must have a setback from a frontage that is compatible with the streetscape.

<p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of those dwellings.</p>	
<p><b>A2</b></p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 8.4.2A, 8.4.2B, 8.4.2C and 8.4.2D) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above existing ground level; and</li> </ul> <p>(b) only have a setback less than 1.5m from a side boundary if the building:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one-third of the length of the side boundary (whichever is lesser).</li> </ul>	<p><b>P2</b></p> <p>The siting and scale of a building that is not a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity through:</p> <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 property;</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li> <li>(iii) overshadowing of an adjoining vacant property; or</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and</li> </ul> <p>(b) provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.</p>
<p><b>A3</b></p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 35% is free from impervious surfaces.</p>	<p><b>P3</b></p> <p>A building that is not a dwelling, must be consistent with the form and scale of residential development existing on established properties in the area and have reasonable space for the planting of gardens and landscaping.</p>
<p><b>A4</b></p> <p>A fence for a building that is not a dwelling</p>	<p><b>P4</b></p> <p>A fence for a building that is not a dwelling (including</p>

<p>(including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than:</p> <ul style="list-style-type: none"> <li>(a) 1.2m if the fence is solid; or</li> <li>(b) 1.8m, if that part of the fence above 1.2m has openings which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</li> </ul>	<p>a free-standing wall) within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide for security and privacy while allowing for passive surveillance of the road; and</li> <li>(b) be compatible with the height and transparency of fences in the street, taking into account the: <ul style="list-style-type: none"> <li>(i) topography of the site; and</li> <li>(ii) traffic volumes on the adjoining road.</li> </ul> </li> </ul>
<p><b>A5</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must:</p> <ul style="list-style-type: none"> <li>(a) be located behind the building line;</li> <li>(b) have all stored goods and materials screened from public view; and</li> <li>(c) not encroach upon car parking areas, driveways or landscaped areas.</li> </ul>	<p><b>P5</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise their impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the use</li> <li>(b) the type of goods, materials or waste to be stored;</li> <li>(c) the topography of the site; and</li> <li>(d) any screening proposed.</li> </ul>
<p><b>A6</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, must be located not less than 10m from a boundary with a sensitive use.</p>	<p><b>P6</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of a boundary with a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any mitigation measures proposed.</li> </ul>

## 8.5.2 Non-Residential Garages and Carports

Objective:	To maintain frontage setbacks compatible with the streetscape and reduce the potential for garage and carport openings to dominate the primary frontage.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A garage or carport not forming part of a dwelling, must have a setback from a primary frontage of not less than: <ul style="list-style-type: none"> <li>(a) 4.5m, or alternatively 1m behind the façade of the building;</li> <li>(b) the same as the building façade, if a portion of the building gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>		<b>P1</b> A garage or carport not forming part of a dwelling, must have a setback from a primary frontage that is compatible with garages or carports in the street, taking into account any topographical constraints.
<b>A2</b> A garage or carport not forming part of a dwelling, within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).		<b>P2</b> A garage or carport not forming part of a dwelling, must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

## 8.6 Development Standards for subdivision

## 8.6.1 Lot Design

Objective:	To ensure each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road; and</li> <li>(c) contains building areas which are suitable for development appropriate to the zone purpose, located to avoid hazards.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 450m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building</li> </ul> </li> </ul>		<b>P1</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended

<p>area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <ul style="list-style-type: none"> <li>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> <p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be 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, Council or by a statutory authority;</p> <p>(c) be required for the provision of public utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</p>	<p>use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of existing buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>
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<p><b>A2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<p><b>P2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area</li> </ul> <p>and is not less than 3.6m wide.</p>
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#### 8.6.2 Roads

<p><b>Objective:</b></p>	<p>To ensure that the arrangement of new roads within a subdivision provides for:</p> <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</li> <li>(b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</li> </ul>

	<ul style="list-style-type: none"> <li>(c) the future subdivision of any adjoining or adjacent land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;</li> <li>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</li> <li>(e) connectivity with the neighbourhood road network is maximised</li> <li>(f) the travel distance between key destinations such as shops and services is minimised;</li> <li>(g) walking, cycling and the efficient movement of public transport is facilitated</li> <li>(h) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A, as amended;</li> <li>(i) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints.</li> </ul>
<p><b>A2</b></p> <p>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<p><b>P2</b></p> <p>Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and orientation of the lots;</li> <li>(b) the topography of the site;</li> <li>(c) the extent of overshadowing from adjoining properties;</li> <li>(d) any development on the site;</li> <li>(e) the location of roads and access to lots; and</li> <li>(f) the existing pattern of subdivision in the area.</li> </ul>

### 8.6.3 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>



<p><b>A1</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply where available.</p>	<p><b>P1</b></p> <p>No Performance Criteria.</p>
<p><b>A2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>No Performance Criteria.</p>
<p><b>A3</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.</p>	<p><b>P3</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.</p>

## 9.0 Inner Residential Zone

### 9.1 Zone Purpose

The purpose of the Inner Residential Zone is:

- 9.1.1 To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities in locations within walkable distances of services, facilities, employment and high frequency public transport corridors.
- 9.1.2 To provide for the efficient utilisation of available and planned social, transport and other service infrastructure.
- 9.1.3 To provide for compatible non-residential use that:
- (a) primarily serves the local community;
  - (b) does not cause an unreasonable loss of amenity, through noise, activity outside of business hours, traffic generation and movement, or other off site impacts; and
  - (c) does not unreasonably displace or limit residential use.

### 9.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Educational and Occasional Care	If for home-based child care.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling or home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre, veterinary surgery or child health clinic or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.

Use Class	Qualification
Educational and Occasional Care	If: (a) not for a tertiary institution; (b) not listed as No Permit Required.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

### 9.3 Use Standards

#### 9.3.1 Discretionary uses

Objective:	To ensure that all uses listed as Discretionary within the Use Table do not unreasonably impact amenity.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use listed as Discretionary within the Use Table, excluding Emergency Services and office and administrative tasks, must be within the hours of: (a) 7.00am to 7.00pm Monday to Friday; (b) 8.00am to 6.00pm Saturday and Sunday.		<b>P1</b> Hours of operation of a use listed as Discretionary within the Use Table, excluding Emergency Services and office and administrative tasks must not cause an unreasonable loss of amenity to adjacent sensitive uses through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b> External lighting for a use listed as discretionary within the Use Table: (a) must not operate within the hours of 8.00pm to 6.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		<b>P2</b> External lighting for a use listed as discretionary within the Use Table, must not cause an unreasonable loss of amenity to sensitive uses, having regard to: (a) the number of proposed light sources and their intensity; (b) the proximity of the proposed light sources to

	<p>nearby sensitive uses;</p> <p>(c) the topography of the site; and</p> <p>(d) existing light sources adjacent.</p>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary within the use Table, excluding for Emergency Services, must be within the hours of:</p> <p>(a) 7:00am to 8:00pm Monday to Friday;</p> <p>(b) 9:00am to 12 noon Saturday; and</p> <p>(c) nil on Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary within the Use Table, excluding for Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the extent and timing of traffic generation;</p> <p>(b) the dispatch of goods and materials; and</p> <p>(c) existing levels of amenity.</p>

## 9.3.2 Visitor Accommodation

Objective:	<p>To ensure Visitor Accommodation:</p> <p>(a) is of a scale that accords with the residential character and use of the area; and</p> <p>(b) does not cause an unreasonable loss of privacy.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Visitor Accommodation:</p> <p>(a) is accommodated in existing buildings; and</p> <p>(b) has a gross floor area of not more than 160m<sup>2</sup>.</p>	<p><b>P1</b></p> <p>Visitor Accommodation must:</p> <p>(a) not cause an unreasonable loss of privacy to adjoining properties;</p> <p>(b) be of an intensity that respects the character of use of the area; and</p> <p>(c) not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of private rights of way.</p>

## 9.4 Development Standards for Dwellings

### 9.4.1 Residential density for multiple dwellings

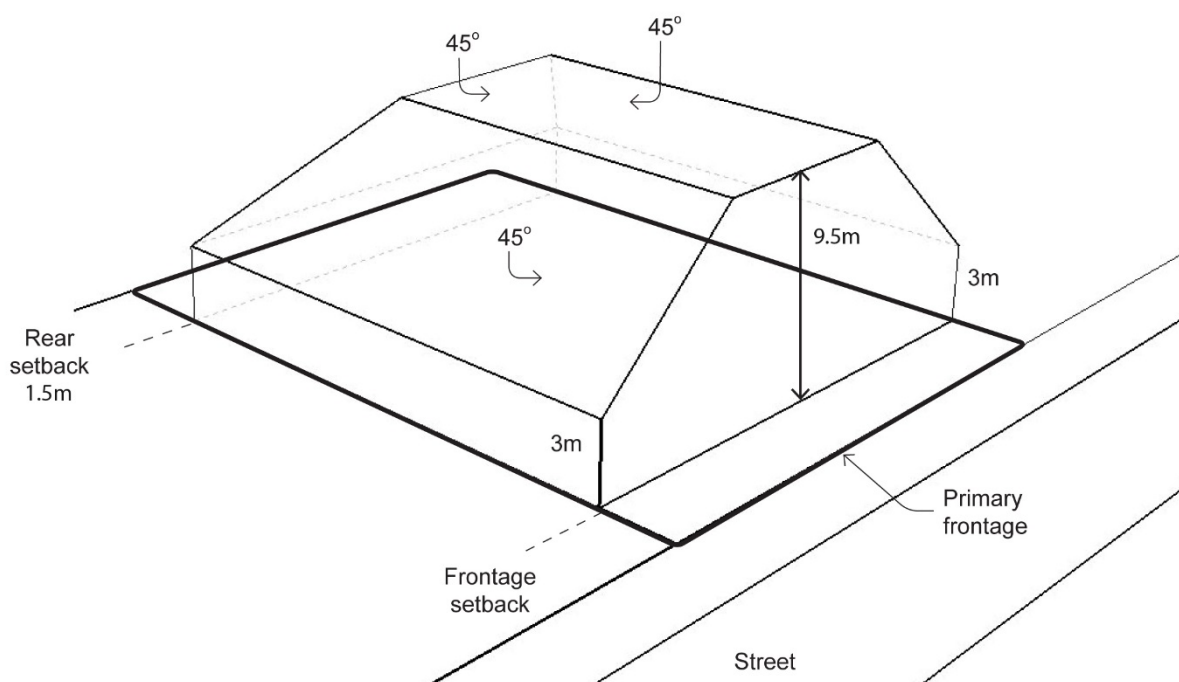
Objective:	To ensure that the density of multiple dwellings: (a) makes efficient use of urban land for housing; and (b) optimises the use of infrastructure and community services.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Multiple dwellings must have a site area per dwelling of not less than 200m <sup>2</sup> .		<b>P1</b>  Multiple dwellings must only have a site area per dwelling less than 200m <sup>2</sup> if:  (a) the development contributes to a range of dwelling types and sizes appropriate to the locality; or  (b) the development provides for a specific accommodation need, such as aged care, special needs or student accommodation.

### 9.4.2 Setbacks and building envelope for all dwellings

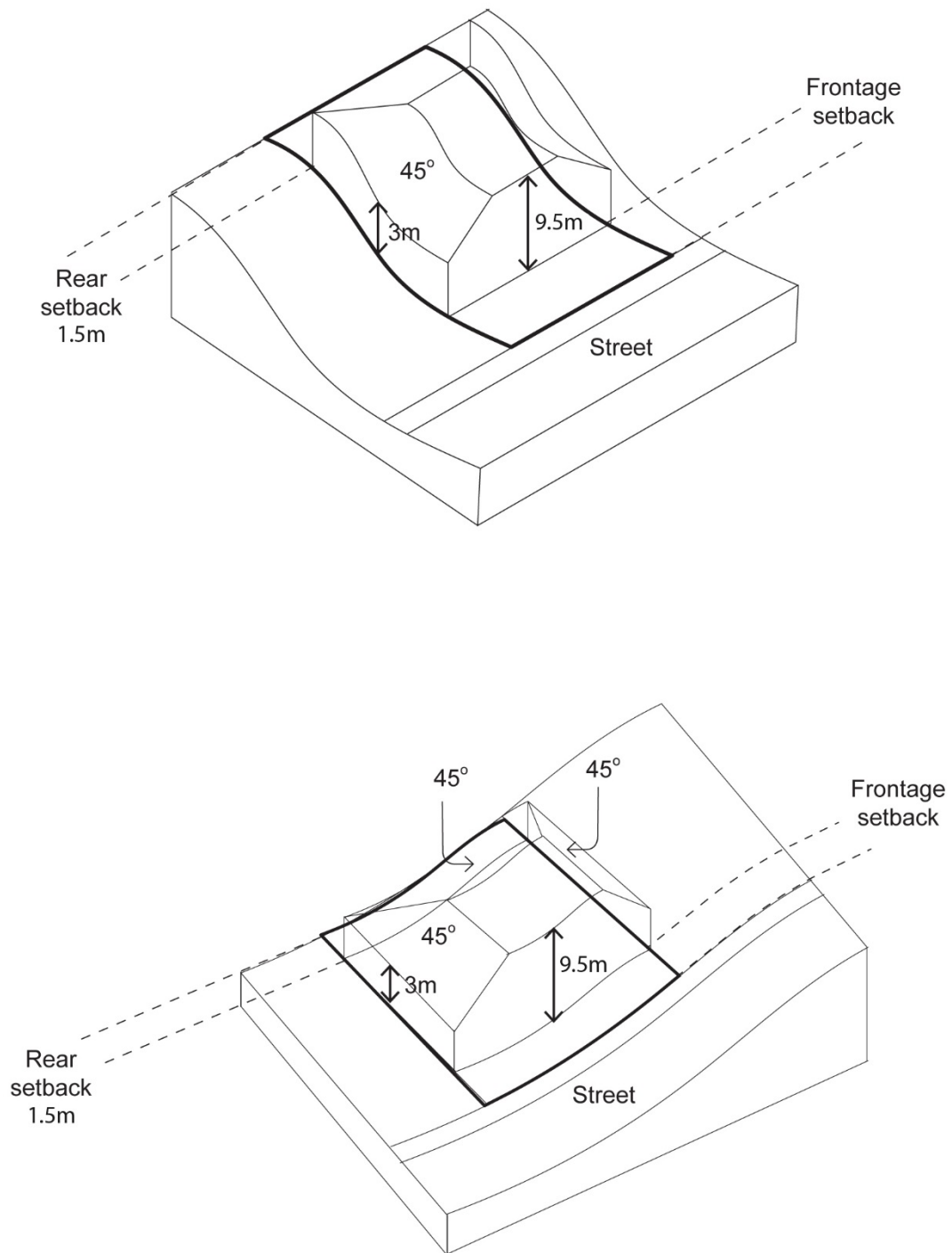
Objective:	To ensure the siting and scale of dwellings: (a) provides reasonably consistent separation between dwellings and their frontage within a street; (b) assists in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; (c) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; and (d) provides separation between dwellings on adjacent properties to allow a reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:  (a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less than the setback, from the primary frontage, of any		<b>P1</b>  A dwelling must have a setback from a frontage that is compatible with the streetscape taking into account any topographical constraints.

<p>existing dwelling on the site; or</p> <p>(b) if the frontage is not a primary frontage, not less than 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are 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.</p>	
<p><b>A2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 4m, or alternatively 1m behind the façade of the dwelling;</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p><b>P2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with garages or carports existing on established properties 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 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 9.4.2A, 9.4.2B, 9.4.2C and 9.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal property, a distance of 3m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and</p> <p>(b) only have a setback within 1.5m of a side or</p>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity through:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; and</p> <p>provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.</p>

<p>rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>	
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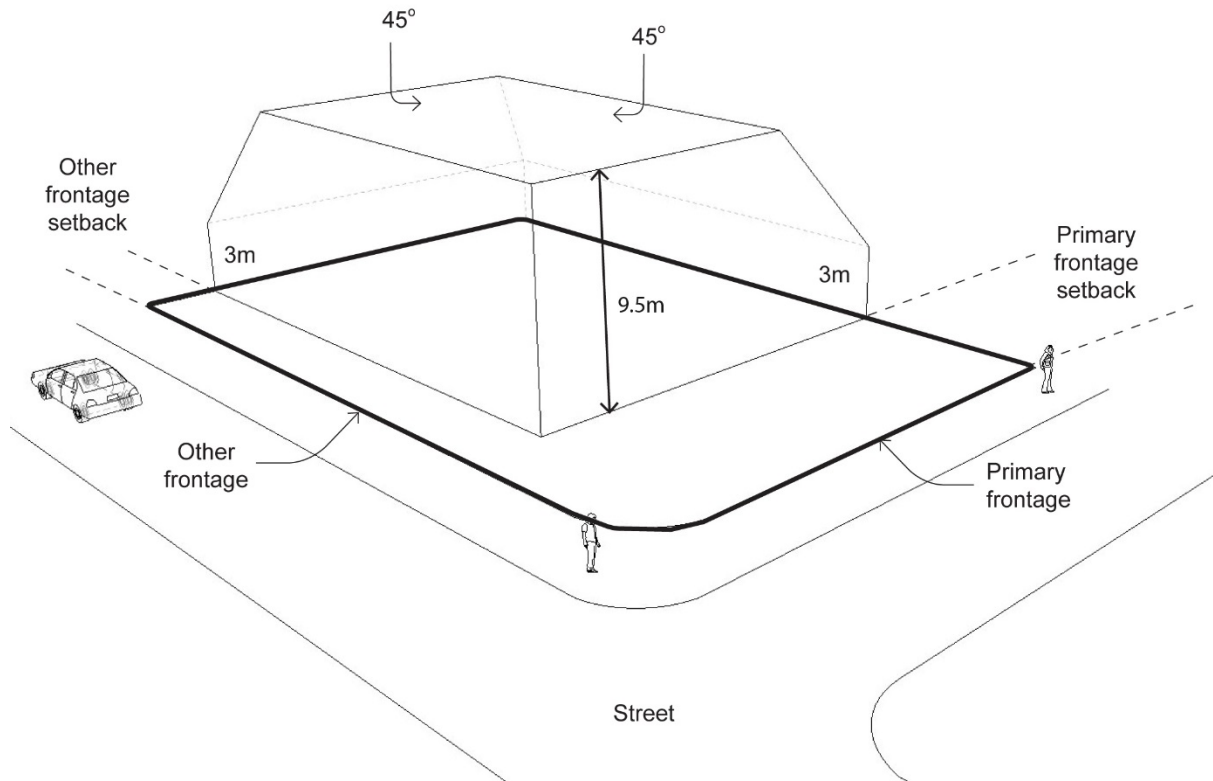


**Diagram 9.4.2A.** Building envelope as required by clause 9.4.2 A3(a).

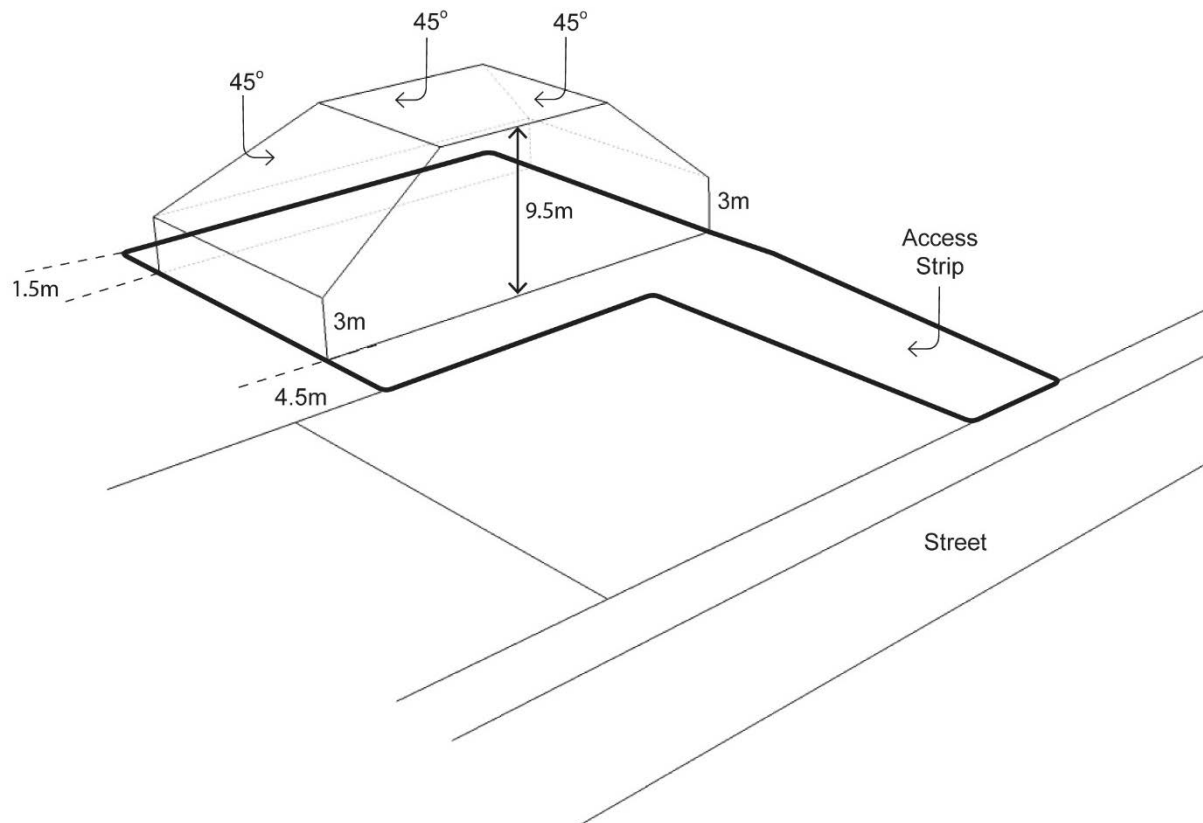


**Diagram 9.4.2B.** Building envelope for sloping sites as required by clause 9.4.2 A3(a).





**Diagram 9.4.2C.** Building envelope for corner lots as required by clause 9.4.2 A3(a).



**Diagram 9.4.2D.** Building envelope for internal lots as required by clause 9.4.2 A3(a).

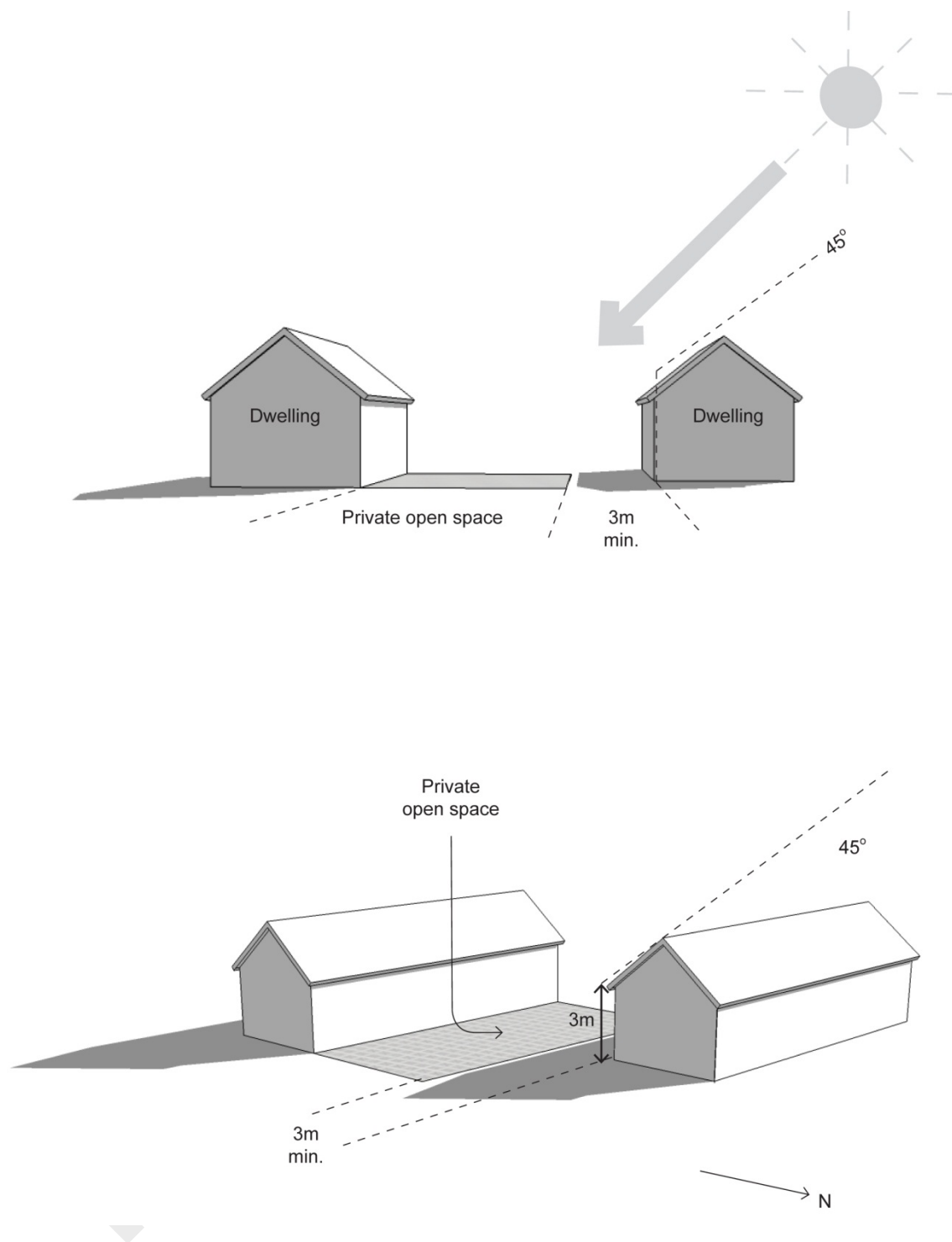
## 9.4.3 Site coverage and private open space for all dwellings

Objective:	<p>To ensure that dwellings are consistent with the amenity and character of the area and provides:</p> <ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents;</li> <li>(b) opportunities for the planting of gardens and landscaping;</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>	
Acceptable Solutions	Performance Criteria	
<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 65% (excluding eaves up to 0.6m wide); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 40m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the ground level (excluding a garage, carport or entry foyer).</li> </ul>	<p><b>P1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) site coverage consistent with that existing on established properties in the area;</li> <li>(b) private open space that is of a size with dimensions 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>(c) reasonable space for the planting of gardens and landscaping.</li> </ul>	
<p><b>A2</b></p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> <li>(a) is in one location and is not less than: <ul style="list-style-type: none"> <li>(i) 24m<sup>2</sup>; or</li> <li>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ul> </li> <li>(b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> <li>(i) 4m; or</li> <li>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage,</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <ul style="list-style-type: none"> <li>(a) conveniently located in relation to a living area of the dwelling; and</li> <li>(b) orientated to take advantage of sunlight.</li> </ul>	

<p>carport or entry foyer);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	
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#### 9.4.4 Sunlight and overshadowing of dwellings

Objective:	To ensure the separation between multiple dwellings on the same site provides reasonable opportunity for daylight and sunlight to enter private open space.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A multiple dwelling that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 9.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Diagram 9.4.4A):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3m above existing 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 within the hours of 9.00am to 3.00pm on 21<sup>st</sup> June;</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height not more than 2.4m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend not more than 0.9m horizontally from the multiple dwelling.</li> </ul>	<p><b>P1</b></p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 9.4.3 of this planning scheme.</p>



**Diagram 9.4.4A.** Separation from the private open space of another dwelling on the same site as required by clause 9.4.4 A1(a).

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

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

## 9.4.6 Privacy for all dwellings

Objective:	To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <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>		<b>P1</b>  A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of: <ul style="list-style-type: none"> <li>(a) a dwelling on an adjoining property or its private open space; or</li> <li>(b) another dwelling on the same site or its private open space.</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 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<p><b>P2</b></p> <p>A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> <li>(a) window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling.</li> </ul>
<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <ul style="list-style-type: none"> <li>(a) 2.5m; or</li> <li>(b) 1m if: <ul style="list-style-type: none"> <li>(i) it is separated by a screen of not less</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>

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

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

## 9.4.8 Waste storage for multiple dwellings

Objective:	To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m <sup>2</sup> per dwelling and is within one of the following locations: <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of not less than 4.5m from a frontage;</li> <li>(ii) is not less than 5.5m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area.</li> </ul> </li> </ul>		<b>P1</b> A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> <li>(a) capable of storing the number of bins required for the site; and</li> <li>(b) screened from the frontage and dwellings; and</li> <li>(c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</li> </ul>

## 9.5 Development Standards for Non-dwellings

## 9.5.1 Non-dwelling Development

Objective:	To ensure that all non-dwelling development is sympathetic to the form and scale of residential development and does not significantly affect the amenity of nearby residential properties.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A building that is not a dwelling, or for General Retail and Hire, or Food Services, and excluding protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage not less than 3m; or</li> <li>(b) if the frontage is not a primary frontage, not</li> </ul>		<b>P1</b> A building must have a setback from a frontage that is compatible with the streetscape.



<p>less than 2m; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties 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.</p>	
<p><b>A2</b></p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 9.4.2A, 9.4.2B, 9.4.2C and 9.4.2D) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback 3m; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 9m above existing ground level; and</li> </ul> <p>(b) only have a setback within 1.5m of a side boundary if the building:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one-third of the length of the side boundary (whichever is lesser).</li> </ul>	<p><b>P2</b></p> <p>The siting and scale of a building must:</p> <p>(a) not cause an unreasonable loss of amenity by:</p> <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 property;</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li> <li>(iii) overshadowing of an adjoining vacant property; or</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and</li> </ul> <p>(b) provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the surrounding area.</p>
<p><b>A3</b></p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 65% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 15% is free from impervious surfaces.</p>	<p><b>P3</b></p> <p>Buildings must be consistent with the form and scale of residential development existing on established properties in the area and have a reasonable space for the planting of gardens and landscaping.</p>

<p><b>A4</b></p> <p>A fence for a building that is not a dwelling (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than:</p> <ul style="list-style-type: none"> <li>(a) 1.2m if the fence is solid; or</li> <li>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</li> </ul>	<p><b>P4</b></p> <p>A fence for a building that is not a dwelling (including a free-standing wall) within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</li> <li>(b) be compatible with the height and transparency of fences in the street, taking into account the: <ul style="list-style-type: none"> <li>(i) topography of the site; and</li> <li>(ii) traffic volumes on the adjoining road.</li> </ul> </li> </ul>
<p><b>A5</b></p> <p>Outdoor storage areas, for a building that is not a dwelling including waste storage must:</p> <ul style="list-style-type: none"> <li>(a) be located behind the building line;</li> <li>(b) have all stored goods and materials screened from public view; and</li> <li>(c) not encroach upon car parking areas, driveways or landscaped areas.</li> </ul>	<p><b>P5</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise their impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the use</li> <li>(b) the type of goods, materials or waste to be stored;</li> <li>(c) the topography of the site; and</li> <li>(d) any screening proposed.</li> </ul>
<p><b>A6</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, must be located not less than 10m from a boundary with a sensitive use.</p>	<p><b>P6</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of a boundary with a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any mitigation measures proposed.</li> </ul>

## 9.5.2 Non-residential Garages and Carports

Objective:	To maintain frontage setbacks compatible with the streetscape and reduce the potential for garage and carport openings to dominate the primary frontage.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A garage or carport not forming part of a dwelling, must have a setback from a primary frontage of not less than: <ul style="list-style-type: none"> <li>(a) 3m, or alternatively 1m behind the façade of the building;</li> <li>(b) the same as the building façade, if a portion of the building gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>		<b>P1</b> A garage or carport not forming part of a dwelling, 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.
<b>A2</b> A garage or carport not forming part of a dwelling within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).		<b>P2</b> A garage or carport not forming part of a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

## 9.6 Development Standards for Subdivision

## 9.6.1 Lot Design

Objective:	To ensure each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 200m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building area of 10m x 12m with a gradient not steeper than 1 in 5, clear of:</li> </ul> </li> </ul>		<b>P1</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of</li> </ul>

<ul style="list-style-type: none"> <li>a. all setbacks required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> <li>(ii) existing buildings are consistent with the setback required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2;</li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of public utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</li> </ul>	<ul style="list-style-type: none"> <li>existing buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>

## 9.6.2 Roads

Objective:	<p>To ensure that the arrangement of new roads within a subdivision provides for:</p> <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</li> <li>(b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</li> <li>(c) the future subdivision of any adjoining or adjacent land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;</li> <li>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</li> <li>(e) connectivity with the neighbourhood road network is maximised</li> <li>(f) the travel distance between key destinations such as shops and services is minimised;</li> <li>(g) walking, cycling and the efficient movement of public transport is facilitated</li> <li>(h) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A as amended;</li> <li>(i) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints.</li> </ul>

## 9.6.3 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the project needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities must have a connection to a reticulated potable water supply.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<b>P2</b> No Performance Criteria.
<b>A3</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.	<b>P3</b> No Performance Criteria.

## 10.0 Low Density Residential Zone

### 10.1 Zone Purpose

The purpose of the Low Density Residential Zone is:

- 10.1.1 To provide for residential use and development on larger properties in residential areas where there are infrastructure, environmental or aesthetic constraints that limit the density, location or form of development.
- 10.1.2 To provide for non-residential use that:
- (a) primarily serves the local community; and
  - (b) does not cause an unreasonable loss of amenity, through noise, traffic generation and movement, or other off site impacts.
- 10.1.3 To ensure that non-residential use does not unreasonably displace or limit residential use or unreasonably intensify the density of development.

### 10.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Educational and Occasional Care	If for home-based child care.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling or home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre, veterinary surgery or child health clinic or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.

Use Class	Qualification
Educational and Occasional Care	If: (a) not for a tertiary institution; or (b) not listed as No Permit Required.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool, or sports ground.
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

### 10.3 Use Standards

#### 10.3.1 Discretionary uses

Objective:	To ensure that a use listed as Discretionary within the Use Table does not cause an unreasonable loss of amenity.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation for a use listed as Discretionary within the Use Table, excluding Emergency Services, and office and administrative tasks, hours of operation must be within: (a) 8.00am to 6.00pm Monday to Friday; (b) 9.00am to 12.00 noon Saturday; and (c) Nil on Sunday and public holidays.		<b>P1</b> Hours of operation for a Use listed as Discretionary within the Use Table, excluding Emergency Services and office and administrative tasks must not cause an unreasonable loss of residential amenity through the timing, duration or extent of vehicle movements, or through noise or other emissions.
<b>A2</b> External lighting for a use listed as Discretionary within the Use Table: (a) must be within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure		<b>P2</b> External lighting for a use listed as Discretionary within the Use Table, must not cause an unreasonable loss of amenity to sensitive uses, having regard to: (a) the number of proposed light sources and their



<p>direct light does not extent into the adjoining property.</p>	<p>intensity;</p> <p>(b) the proximity of the proposed light sources to adjacent sensitive uses;</p> <p>(c) the topography of the site; and</p> <p>(d) existing light sources adjacent.</p>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary within the Use Table, excluding for Emergency Services must be within the hours of:</p> <p>(a) 7:00am to 5:00pm Monday to Friday;</p> <p>(b) 9:00am to 12 noon Saturday; and</p> <p>(c) nil on Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary within the Use Table, excluding for Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and sensitive use;</p> <p>(f) potential conflicts with other traffic; and</p> <p>(g) the existing levels of amenity.</p>

## 10.3.2 Visitor Accommodation

Objective:	<p>To ensure Visitor Accommodation:</p> <p>(a) is of a scale that accords with the residential character and use of the area; and</p> <p>(b) does not cause an unreasonable loss of privacy.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Visitor Accommodation:</p> <p>(a) is accommodated in existing buildings; and</p> <p>(b) has a gross floor area of not more than 160m<sup>2</sup>.</p>	<p><b>P1</b></p> <p>Visitor Accommodation must:</p> <p>(a) not cause an unreasonable loss of privacy to adjoining properties;</p> <p>(b) be of an intensity that respects the character of use of the area; and</p> <p>(c) not adversely impact the safety and efficiency of</p>

	the local road network or unreasonably disadvantage owners and users of private rights of way.
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## 10.4 Development Standards for Dwellings

### 10.4.1 Residential density for multiple dwellings

Objective:	To that the density of multiple dwellings: (a) makes efficient use of low density residential land for housing; and (b) optimises the use of infrastructure and community services.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Multiple dwellings must have a site area per dwelling of not less than:  (a) 1500m <sup>2</sup> if it has a connection or is capable of being connected to a reticulated sewerage, stormwater and potable water system; or  (b) 2500m <sup>2</sup> otherwise.		<b>P1.1</b>  For a site that has a connection or is capable of being connected to a reticulated sewerage, stormwater and potable water system, multiple dwellings must only have a site area per dwelling that is less than 1500m <sup>2</sup> if the number of dwellings:  (a) is not out of character with the pattern of development existing on established properties in the area;  (b) does not result in an unreasonable loss of natural or landscape values; and  (c) does not exceed the capacity of the current or intended infrastructure services in the area.  <b>P1.2</b>  For a site that is not capable of being connected to a reticulated sewerage, stormwater and potable water system, multiple dwellings must only have a site area per dwelling that is less than 2500m <sup>2</sup> if the number of dwellings:  (a) is not out of character with the pattern of development existing on established properties in the area;  (b) does not result in an unreasonable loss of natural or landscape values; and  (c) can be provided with adequate on-site wastewater disposal and water supply.

## 10.4.2 Building Height

Objective:	To ensure that height of dwellings contributes positively to the streetscape and does not cause an unreasonable loss of amenity for adjoining land.
Acceptable Solutions	Performance Criteria
<b>A1</b>  A dwelling must have a building height not more than 8.5m.	<b>P1</b>  The height of dwellings must be compatible with the streetscape and not cause an unreasonable loss of amenity having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height of buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of existing and proposed buildings;</li> <li>(d) sunlight to habitable rooms of dwellings and private open space; and</li> <li>(e) any overshadowing of adjoining properties or public places.</li> </ul>

## 10.4.3 Setback

Objective:	To ensure that the siting of dwellings contributes positively to the streetscape and does not cause an unreasonable loss of amenity for adjoining land.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Dwellings must have a setback from a frontage not less than 8m.	<b>P1</b>  The siting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of surrounding buildings;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public places; and</li> <li>(e) the safety of road users.</li> </ul>
<b>A2</b>  Dwellings must have a setback from side and rear boundaries not less than 5m.	<b>P2</b>  The siting of a dwelling must not cause an unreasonable loss of amenity to the occupiers of adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> </ul>

	<ul style="list-style-type: none"> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height bulk and form of existing and proposed buildings;</li> <li>(e) the existing buildings and private open space areas on the site;</li> <li>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</li> <li>(g) the character of development existing on established properties in the area.</li> </ul>
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## 10.4.4 Site Coverage

Objective:	<p>To ensure that site coverage:</p> <ul style="list-style-type: none"> <li>(a) is consistent with the character of existing development in the area;</li> <li>(b) provides sufficient area for private open space and landscaping; and</li> <li>(c) assists with the management of stormwater runoff.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Dwellings must have a site coverage not more than 30%.</p>	<p><b>P1</b></p> <p>The site coverage of dwellings must be consistent with that existing on established properties in the area having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the capacity of the site to absorb runoff;</li> <li>(c) the size and shape of the site;</li> <li>(d) the existing buildings and any constraints imposed by existing development;</li> <li>(e) the provision for landscaping and private open space;</li> <li>(f) the need to remove vegetation;</li> <li>(g) the site coverage of adjacent properties.</li> </ul>

## 10.4.5 Frontage fences for all dwellings

Objective:	To ensure the height and transparency of frontage fences: (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) provides reasonably consistent height and transparency.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  A fence for a dwelling (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than:  (a) 1.2m if the fence is solid; or  (b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).		<b>P1</b>  A fence for a dwelling (including a free-standing wall) within 4.5m of a frontage must:  (a) provide for security and privacy, while allowing for passive surveillance of the road; 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.

## 10.5 Development Standards for Non-dwellings

## 10.5.1 Non-dwelling Development

Objective:	To ensure that all non-dwelling development: (a) contributes positively to the streetscape; (b) is sympathetic to the form and scale of residential development; and (c) does not cause a loss of amenity.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  A building that is not a dwelling must have a building height not more than 8.5m.		<b>P1</b>  The height of a building that is not a dwelling must be compatible with the streetscape and not cause an unreasonable loss of amenity having regard to:  (a) the topography of the site;  (b) the height of buildings on the site and adjacent properties;  (c) the bulk and form of existing and proposed buildings;  (d) sunlight to habitable rooms of dwellings and private open space; and  (e) any overshadowing of adjoining properties or

	public places.
<b>A2</b> A building that is not a dwelling, excluding protrusions that extend not more than 0.9m into the frontage setback, must be setback from frontage not less than 8m.	<b>P2</b> A building that is not a dwelling, must have a setback from a frontage that is compatible with the streetscape.
<b>A3</b> A building that is not a dwelling excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must have a setback: <ul style="list-style-type: none"> <li>(a) from side boundaries of not less than 5m; and</li> <li>(b) from rear boundaries of not less than 5m.</li> </ul>	<b>P3</b> The siting of a building that is not a dwelling, must not cause unreasonable loss of amenity to the occupiers of adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height bulk and form of existing and proposed buildings;</li> <li>(e) the existing buildings and private open space areas on the site;</li> <li>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</li> <li>(g) the character of development existing on established properties in the area.</li> </ul>
<b>A4</b> A building that is not a dwelling must have a site coverage not more than 30%.	<b>P4</b> The site coverage of a building that is not a dwelling must have regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the capacity of the site to absorb runoff;</li> <li>(c) the size and shape of the site;</li> <li>(d) the existing buildings and any constraints imposed by existing development;</li> <li>(e) the provision for landscaping and private open space;</li> <li>(f) the need to remove vegetation;</li> <li>(g) the site coverage of adjacent properties; and</li> <li>(h) the character of development existing on established properties in the area.</li> </ul>

<p><b>A5</b></p> <p>A fence for a building that is not a dwelling (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than:</p> <ul style="list-style-type: none"> <li>(a) 1.2m if the fence is solid; or</li> <li>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</li> </ul>	<p><b>P5</b></p> <p>A fence for a building that is not a dwelling (including a free-standing wall) within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</li> <li>(b) be compatible with the height and transparency of fences in the street, taking into account the: <ul style="list-style-type: none"> <li>(i) topography of the site; and</li> <li>(ii) traffic volumes on the adjoining road.</li> </ul> </li> </ul>
<p><b>A6</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must:</p> <ul style="list-style-type: none"> <li>(a) be located behind the building line;</li> <li>(b) all stored goods and materials must be screened from public view; and</li> <li>(c) not encroach upon car parking areas, driveways or landscaped areas.</li> </ul>	<p><b>P6</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise its impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the use;</li> <li>(b) the type of goods, materials or waste to be stored;</li> <li>(c) the topography of the site; and</li> <li>(d) any screening proposed.</li> </ul>
<p><b>A7</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, must be located not less than 10m from a boundary with a sensitive use.</p>	<p><b>P7</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of a boundary with a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any mitigation measures proposed.</li> </ul>

## 10.6 Development Standards for Subdivision

### 10.6.1 Lot Design

Objective:	<p>To ensure each lot:</p> <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone;</li> <li>(b) is provided with appropriate access to a road; and</li> <li>(c) contain building areas which are suitable for residential development, located to avoid hazards.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 1500m<sup>2</sup> and:             <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:                 <ul style="list-style-type: none"> <li>a. all setbacks required by clause 10.4.3 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2;</li> </ul> </li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of public utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area</li> </ul>



<p><b>A3</b></p> <p>Each lot excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.</p>	<p><b>P3</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area</li> </ul> <p>and is not less than 3.6m wide.</p>
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## 10.6.2 Roads

Objective:	<p>To ensure that the arrangement of new roads within a subdivision provides:</p> <ul style="list-style-type: none"> <li>(a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</li> <li>(b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</li> <li>(c) the future subdivision of any adjoining or adjacent land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;</li> <li>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</li> <li>(e) connectivity with the neighbourhood road network is maximised</li> <li>(f) the travel distance between key destinations such as shops and services is minimised;</li> <li>(g) walking, cycling and the efficient movement of public transport is facilitated</li> <li>(h) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A, as amended;</li> <li>(i) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints.</li> </ul>

## 10.6.3 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the project needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply where available.		<b>P1</b> No Performance Criteria.
<b>A2</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		<b>P2</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.		<b>P3</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.

## 11.0 Rural Living Zone

### 11.1 Zone Purpose

The purpose of the Rural Living Zone is:

- 11.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.
- 11.1.2 To provide for limited agricultural use and development that does not adversely impact on rural residential amenity.
- 11.1.3 To provide for other compatible use or development that does not cause an unreasonable loss of amenity, through noise, traffic generation and movement, or other off site impacts.

### 11.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Educational and Occasional Care	If for a home-based child care.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling or home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a veterinary surgery.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Domestic Animal Breeding, Boarding and Training	
Education and Occasional Care	If: <ul style="list-style-type: none"> <li>(a) for a childcare centre or primary school; or</li> <li>(b) for a respite centre where existing.</li> </ul>

Use Class	Qualification
Emergency Services	
Food Services	If for a gross floor area of no more than 200m <sup>2</sup> .
General Retail and Hire	If: (a) for primary produce sales; (b) for sales related to resource development use; or (c) for a local shop.
Manufacturing and Processing	If for alterations or extensions to an existing use.
Resource Development	If not for an abattoir, animal saleyards or sawmilling.
Sports and Recreation	If for an outdoor facility.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
<b>Prohibited</b>	
All other uses	

## 11.3 Use Standards

### 11.3.1 Discretionary Uses

Objective:	To ensure that all uses listed as Discretionary within the Use Table, do not cause an unreasonable loss of amenity.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation for a Use listed as Discretionary within the Use Table, excluding Emergency Services and office and administrative tasks, must be within the hours of: (a) 8.00am to 6.00pm Monday to Friday; (b) 9.00am to 12.00 noon Saturday; and (c) nil on Sunday and public holidays.		<b>P1</b> Hours of operation for a Use listed as Discretionary within the Use Table, excluding Emergency Services and office and administrative tasks must not cause an unreasonable loss of amenity to nearby sensitive uses through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b> External lighting for a use listed as Discretionary within the Use Table: (a) must be within the hours of 7.00pm to 7.00am,		<b>P2</b> External lighting for a use listed as Discretionary within the Use Table, must not cause an unreasonable loss of amenity to sensitive uses,

<p>excluding any security lighting; and</p> <p>(b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.</p>	<p>having regard to:</p> <p>(a) the number of proposed light sources and their intensity;</p> <p>(b) the proximity of the proposed light sources to nearby sensitive uses;</p> <p>(c) the topography of the site; and</p> <p>(d) existing light sources nearby.</p>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary within the Use Table, excluding for Emergency Services must be within the hours of:</p> <p>(a) 7.00am to 5.00pm Monday to Friday;</p> <p>(b) 9.00am to 12 noon Saturday;</p> <p>(c) nil on Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary within the Use Table, excluding for Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the extent and timing of traffic generation;</p> <p>(b) the dispatch of goods and materials; and</p> <p>(c) the existing levels of amenity.</p>

## 11.3.2 Visitor Accommodation

Objective:	<p>To ensure Visitor Accommodation:</p> <p>(a) is of a scale that accords with the residential character and use of the area; and</p> <p>(b) does not cause an unreasonable loss of privacy.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Visitor Accommodation:</p> <p>(a) is accommodated in existing buildings; and</p> <p>(b) has a gross floor area of not more than 160m<sup>2</sup>.</p>	<p><b>P1</b></p> <p>Visitor Accommodation must:</p> <p>(a) not cause an unreasonable loss of amenity and privacy to adjoining properties;</p> <p>(b) be of an intensity that respects the character of use of the area;</p> <p>(c) not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of private rights of carriageway.</p>

## 11.4 Development Standards for buildings and works

### 11.4.1 Extent of Development

Objective:	To ensure that the extent of development: (a) is consistent with the character of existing development in the area; (b) provides sufficient area for private open space and landscaping; and (c) assists with the management of stormwater runoff.
Acceptable Solutions	Performance Criteria
<b>A1</b>  The area of the site covered by roofed buildings must be not more than 400m <sup>2</sup> .	<b>P1</b>  The area of the site covered by roofed buildings must be consistent with that existing on established properties in the area having regard to:  (a) the topography of the site; (b) the capacity of the site to absorb runoff; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the need to remove vegetation; and (f) the character of development existing on established properties in the area.

### 11.4.2 Building height, setback and siting

Objective:	To ensure that height, setback and siting of buildings: (a) contributes positively to the rural character of the area; (b) does not cause an unreasonable loss of amenity; (c) minimises the impact on the natural values of the area; and (d) minimises the impact on adjacent primary industry uses.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Building height must be not more than 8.5m.	<b>P1</b>  Building height must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties having regard to:  (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjoining properties; (c) the bulk and form of proposed buildings; (d) sunlight to habitable rooms and private open

	<p>space; and</p> <p>(e) any overshadowing of adjoining properties or public places.</p>
<p><b>A2</b></p> <p>Buildings must have a setback from a frontage of not less than 20m.</p>	<p><b>P2</b></p> <p>Buildings must be sited to be compatible with the streetscape and rural character of the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setbacks of adjacent buildings;</p> <p>(c) the height bulk and form of existing and proposed buildings;</p> <p>(d) the appearance when viewed from roads and public places; and</p> <p>(e) the retention of vegetation.</p>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries of not less than 10m.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the setbacks of surrounding building;</p> <p>(d) the height bulk and form of existing and proposed buildings;</p> <p>(e) the character of the development existing on established properties in the area; and</p> <p>(f) any overshadowing of adjoining properties or public places.</p>
<p><b>A4</b></p> <p>Buildings for a sensitive use must be separated from an Agriculture Zone a distance of:</p> <p>(a) not less than 200m; or</p> <p>(b) where the setback of an existing building is within 200m, not less than the existing building.</p>	<p><b>P4</b></p> <p>Buildings for a sensitive use must be sited so as to not conflict or interfere with an agricultural use in the Agriculture Zone, having regard to:</p> <p>(a) the size, shape and topography of the site;</p> <p>(b) the separation of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the existing and potential use of adjoining properties; and</p> <p>(d) any proposed attenuation measures.</p>



## 11.5 Development Standards for Subdivision

### 11.5.1 Lot Design

Objective:	To ensure each lot: (a) has an area and dimensions appropriate for use and development in the Zone; and (b) is provided with appropriate access to a road; and (c) contain building areas which are suitable for residential development, located to avoid hazards and provide a buffer to adjoining Agricultural zoned land.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot must: (a) for Rural Living A have an area not less than 1ha and: (i) be able to contain a minimum building area of 15m x 20m clear of: a. all setbacks required by clause 11.4.2 A2 and A3; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3; (b) for Rural Living B have an area not less than 2ha; and (i) be able to contain a minimum building area of 15m x 20m clear of: a. all setbacks required by clause 11.4.2 A2 and A3; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3; (c) be required for public use by the State Government, a Council, a statutory authority, or a corporation all shares of which are held by or on behalf of the State, Council or by a statutory authority;		<b>P1</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use having regard to: (a) the relevant requirements for development of existing buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area and must be no more than 20% smaller than the applicable lot size under the Acceptable Solution.

<p>(d) be required for the provision of public utilities; or</p> <p>(e) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</p>	
<p><b>A2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m.</p>	<p><b>P2</b></p> <p>Each lot, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area</li> </ul> <p>and is not less than 3.6m wide.</p>

## 11.5.2 Roads

Objective:	<p>To ensure that the arrangement of new roads with a subdivision provides:</p> <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</li> <li>(b) an acceptable level of access, safety, convenience and legibility is provided through a</li> </ul>

	<p>consistent road function hierarchy; and</p> <p>(c) connectivity with the neighbourhood road network is maximised.</p>
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## 11.5.3 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply where available.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be connected to a reticulated sewerage system where it is available and if necessary for the future use and development of the land.	<b>P2</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

## 12.0 Village Zone

### 12.1 Zone Purpose

The purpose of the Village Zone is:

- 12.1.1 To provide for small rural centres with an unstructured mix of Residential, community services and commercial activities.
- 12.1.2 To provide amenity for residents appropriate to the mixed use characteristics of the Zone.

### 12.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Educational and Occasional Care	If for home-based child care.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling or home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	
Community Meeting and Entertainment	
Educational and Occasional Care	If not listed as No Permit Required.
Emergency Services	
Food Services	
General Retail and Hire	
Residential	
Service Industry	If not for motor repairs or panel beating.
Sports and Recreation	If: (a) for an outdoor facility; or (b) for an indoor facility with a gross floor area not more than 500m <sup>2</sup> .

Use Class	Qualification
Storage	If not for liquid fuel depot or solid fuel depot.
Visitor Accommodation	
<b>Discretionary</b>	
Bulky Goods Sales	
Crematoria and Cemeteries	If for a cemetery.
Custodial Facility	If for a remand centre.
Domestic Animal Breeding, Boarding or Training	
Equipment and Machinery Sales and Hire	
Hotel Industry	
Manufacturing and Processing	If: (a) for a craft industry or an artist's studio; or (b) for alterations or extensions to an existing use.
Pleasure Boat Facility	
Research and Development	
Residential	If not listed as Permitted.
Resource Processing	If not for an abattoir, animal saleyards or sawmilling.
Service Industry	If not listed as Permitted.
Sports and Recreation	If not listed as Permitted.
Tourist Operation	
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

## 12.3 Use Standards

### 12.3.1 All Non-Residential Uses

Objective:	To ensure that non-Residential use: (a) is compatible with the mixed use characteristics of a village; and (b) does not cause unreasonable loss of residential amenity.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Hours of operation, excluding Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation, Utilities and Emergency Services, and office and administrative tasks, must be within the hours of:  (a) 7.00am to 9.00pm Monday to Friday; (b) 8.00am to 6.00pm Saturday; and (c) 9.00am to 5.00pm Sunday and public holidays.		<b>P1</b>  Hours of operation, excluding Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation, Utilities, and Emergency Services must not cause an unreasonable loss of amenity to adjacent sensitive uses through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b>  External lighting excluding for Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, must  (a) be baffled to ensure it does not cause emission of light onto adjoining residential properties; and (b) not include permanent fixed floodlighting where the site adjoins a General Residential Zone, Low Density Residential Zone or Rural Living Zone.		<b>P2</b>  External lighting for a use, excluding for Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, used on the site must not cause an unreasonable loss of amenity to adjacent residential uses, having regard to:  (a) the number of proposed light sources and their intensity; (b) the proximity of the proposed light sources to adjacent residential uses; (c) the topography of the site; (d) the degree of screening between the light source and the sensitive use; and (e) existing light sources adjacent.
<b>A3</b>  Commercial vehicle movements and the unloading and loading of commercial vehicles, excluding for Residential, Natural and Cultural Values Management, Passive Recreation, Utilities and Emergency Services, must be:  (a) 7.00am to 7.00pm Monday to Friday; and		<b>P3</b>  Commercial vehicle movements and the unloading and loading of commercial vehicles excluding for Residential, Natural and Cultural Values Management, Passive Recreation, Utilities and Emergency Services uses, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:

<p>(b) 8.00am to 6.00pm Saturday, Sunday and public holidays.</p>	<p>(a) the extent and timing of traffic generation;</p> <p>(b) the dispatch of goods and materials;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) noise reducing structures between vehicle movement areas and dwellings; and</p> <p>(e) existing levels of amenity.</p>
<p><b>A4</b></p> <p>The gross floor area of a non-residential use must be not more than 250m<sup>2</sup>.</p>	<p><b>P4</b></p> <p>A non- residential use must be at a scale and intensity consistent with the purpose of the Zone, having regard to:</p> <p>(a) the nature and scale of the use;</p> <p>(b) the number of employees;</p> <p>(c) the hours of operation;</p> <p>(d) the emissions generated by the use;</p> <p>(e) the type and intensity of traffic generated by the use;</p> <p>(f) the impact on the character of the area; and</p> <p>(g) the impact on the amenity of any adjoining residential properties.</p>

## 12.4 Development Standards for Buildings and Works

### 12.4.1 Residential density for multiple dwellings

Objective:	<p>To ensure that the density of multiple dwellings:</p> <p>(a) makes efficient use of land for housing; and</p> <p>(b) optimises the use of infrastructure and community services.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Multiple dwellings must:</p> <p>(a) have a site area per dwelling of not less than 600m<sup>2</sup>; and</p> <p>(b) have a connection to a reticulated sewerage, stormwater and potable water system.</p>	<p><b>P1.1</b></p> <p>For a site that has a connection to or is capable of being connected to, a reticulated sewerage, stormwater and potable water system, multiple dwellings must have a site area per dwelling that does not exceed the capacity of reticulated infrastructure services and:</p> <p>(a) is compatible with the density existing on established properties in the area; or</p> <p>(b) it provides for a significant social or community</p>

	<p>housing benefit.</p> <p><b>P1.2</b></p> <p>For a site that is not capable of being connected to a reticulated sewerage, stormwater and potable water systems, multiple dwellings have a site area that:</p> <ul style="list-style-type: none"> <li>(a) is sufficient for on-site wastewater and stormwater disposal and water supply; and</li> <li>(b) is not within an area where there is planned reticulated infrastructure.</li> </ul>
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## 12.4.2 Building Height

Objective:	To ensure that building height contributes positively to the streetscape and does not cause an unreasonable loss of amenity for adjoining land.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 8.5m.</p>	<p><b>P1</b></p> <p>Building height must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) sunlight to habitable rooms and private open space; and</li> <li>(e) any overshadowing of adjoining properties or public places.</li> </ul>



## 12.4.3 Setback

Objective:	To ensure that building setback contributes positively to the streetscape and does not result in an unreasonable impact on amenity of adjoining land.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Buildings must have a setback from a frontage of not less than 4.5m.		<b>P1</b>  Buildings must be sited to be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of buildings on adjacent properties;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance of proposed buildings when viewed from roads and public places; and</li> <li>(e) the safety of road users.</li> </ul>
<b>A2</b>  Buildings must have a setback from side and rear boundaries of not less than: <ul style="list-style-type: none"> <li>(a) 3m; or</li> <li>(b) half the wall height</li> </ul> whichever is the greater.		<b>P2</b>  Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height, bulk and form of existing and proposed buildings;</li> <li>(e) the existing buildings and private open space areas on the site;</li> <li>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</li> <li>(g) the character of development existing on established properties in the area.</li> </ul>
<b>A3</b>  Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators, excluding Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, must be located not less than 10m from a boundary with a sensitive use.		<b>P3</b>  Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators, excluding Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, within 10m of a boundary with a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss

	<p>of amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any mitigation measures proposed.</li> </ul>
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## 12.4.4 Site Coverage

Objective:	<p>To ensure that site coverage:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the character of the development existing in the area; and</li> <li>(b) provides sufficient area for private open space and landscaping.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Site coverage must be not more than 50%.</p>	<p><b>P1</b></p> <p>Site coverage must be compatible with that existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) the existing buildings and any constraints imposed by existing development;</li> <li>(d) the provision for landscaping and private open space; and</li> <li>(e) the character of development existing on established properties in the area.</li> </ul>

## 12.4.5 Fencing

Objective:	To ensure that the height and transparency of frontage fences: (a) allows the potential for mutual passive surveillance between the road and the dwelling; and (b) provides reasonably consistent height and transparency.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A fence (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than: (a) 1.2m if the fence is solid; (b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m 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 4.5m of a frontage must: (a) provide for security and privacy, while allowing for passive surveillance of the road; 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.

## 12.4.6 Outdoor Storage Areas

Objective:	To ensure outdoor storage areas for non-residential use do not detract from the appearance of the site or locality.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas for non-residential uses, excluding for the display of goods for sale, must comply: (a) be located behind the façade of the building; or (b) have all stored goods and materials screened from public view.		<b>P1</b> Outdoor storage areas for non-residential uses, excluding any goods for sale, must be located, treated or screened to minimise adverse impacts on the visual amenity of the area

## 12.5 Development Standards for Subdivision

### 12.5.1 Lot Design

Objective:	To ensure each lot: (a) has an area and dimensions appropriate for use and development in the Zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 600m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building area of 10m x 15m, with a gradient of not more than 1 in 5, clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 12.4.3 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 12.4.3 A1 and A2;</li> </ul> </li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of public utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of existing buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 10m.</p>	<p><b>P2</b></p> <p>Each lot must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> </ul>

	<p>(d) the anticipated nature of vehicles likely to access the site;</p> <p>(e) the ability to manoeuvre vehicles on the site;</p> <p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on established properties in the area and is not less than 3.6m wide.</p>
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## 12.5.2 Roads

Objective:	<p>To ensure that the arrangement of new roads within a subdivision provides:</p> <p>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</p> <p>(b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</p> <p>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <p>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</p> <p>(b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</p> <p>(c) the future subdivision of any adjacent land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;</p> <p>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</p> <p>(e) connectivity with the neighbourhood road network is maximised;</p> <p>(g) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints.</p>

## 12.5.3 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply where available.		<b>P1</b> No Performance Criteria.
<b>A2</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		<b>P2</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.		<b>P3</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.

## 13.0 Urban Mixed Use Zone

### 13.1 Zone Purpose

The purpose of the Urban Mixed Use Zone is:

- 13.1.1 To provide for a mix of residential, retail, community services and commercial activities in urban locations.
- 13.1.2 To provide for a diverse range of uses or developments that are of a type and scale that support and do not compromise the role of surrounding activity centres.

### 13.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Educational and Occasional Care	If for home-based child care.
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Business and Professional Services	
Community Meeting and Entertainment	
Food Services	
General Retail and Hire	
Hotel Industry	
Research and Development	

Use Class	Qualification
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required.
Service Industry	If not for motor repairs or panel beating.
Tourist Operation	
Visitor Accommodation	If: (a) not a camping and caravan park or overnight camping area; and (b) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.
<b>Discretionary</b>	
Custodial Facility	If for a remand centre.
Educational and Occasional Care	If not listed as No Permit Required.
Emergency Services	
Hospital Services	
Manufacturing and Processing	If for alterations or extensions to an existing use.
Resource Processing	If for a distillery, brewery or cidery.
Sports and Recreation	
Storage	
Transport Depot and Distribution	If for public transport facilities.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If: (a) not a camping and caravan park or overnight camping area; and (b) not listed as Permitted.



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

### 13.3 Use Standards

#### 13.3.1 All uses

Objective:	To ensure that uses do not cause unreasonable loss of amenity to adjoining residential Zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, Utilities or office or administrative tasks, on a site within 50m of an Inner Residential Zone or General Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, or Utilities, on a site within 50m of an Inner Residential Zone or General Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b> External lighting for a use, excluding where associated with a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must: <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b> External lighting for a use, excluding where associated with a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding those for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone or		<b>P3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding those for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone or

<p>General Residential Zone must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(a) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>General Residential Zone, excluding those for Residential, Visitor Accommodation or Emergency Services use, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the adjoining residential area; and</p> <p>(a) potential conflicts with other traffic.</p>
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## 13.3.2 Discretionary Use

Objective:	To ensure that uses listed as Discretionary in the Use Table do not compromise the purpose and function of the Zone.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary in the Use Table must support the Zone Purpose and not compromise or distort the activity centre hierarchy, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the size and scale of the proposed use;</p> <p>(c) the function of the activity centre and the surrounding activity centres;</p> <p>(d) the extent that the proposed use impacts on the other activity centres; and</p> <p>(e) any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</p>

## 13.3.3 Retail Impact

Objective:	To ensure that the impact of retail and business use is appropriate for the zone and does not undermine the activity centre hierarchy.
Acceptable Solutions	Performance Criteria
<b>A1</b> The gross floor area for Bulky Goods Sales and General Retail and Hire must be not more than 300m <sup>2</sup> per tenancy.	<b>P1</b> Bulky Goods Sales and General Retail and Hire Uses must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the degree to which the proposed use improves and broadens the commercial or retail choice with the area;</li> <li>(b) the extent that the proposed use impacts on other activity centres of a higher order; and</li> <li>(c) the Zone Purpose and any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</li> </ul>

## 13.4 Development Standards for building and works

## 13.4.1 Building height

Objective:	To ensure building height: <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential Zones.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must be not more than 10m.	<b>P1</b> Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the apparent height when viewed from the road and public places; and</li> <li>(e) any overshadowing of public places.</li> </ul>

<p><b>A2</b></p> <p>Building height within 10m of an Inner Residential Zone or General Residential Zone, must be not more than 8.5m.</p>	<p><b>P2</b></p> <p>Building height within 10m of an Inner Residential Zone or General Residential Zone, must be compatible with existing buildings within the adjoining zone and not cause an unreasonable loss of residential amenity through:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
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## 13.4.2 Setback

<p><b>Objective:</b></p>	<p>To ensure that building setback:</p> <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential Zones.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> <li>(a) not less than 3m;</li> <li>(b) not less than existing buildings on the site; or</li> <li>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</li> </ul>	<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setback of buildings on adjacent properties; and</li> <li>(c) the height, bulk and form of existing and proposed buildings; and</li> <li>(d) the safety or road users.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within an Inner Residential Zone or General Residential Zone of not less than:</p> <ul style="list-style-type: none"> <li>(a) 3m; or</li> <li>(b) half the wall height</li> </ul> <p>whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited so there is no unreasonable loss of residential amenity to adjoining properties within an Inner Residential Zone or General Residential Zone through:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining lot.</li> </ul>

<p><b>A3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors must be separated a distance of not less than 10m from an Inner Residential Zone or General Residential Zone.</p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of an Inner Residential Zone or General Residential Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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## 13.4.3 Design

<p><b>Objective:</b></p> <p>To ensure that building facades promote and maintain high levels of pedestrian interaction, amenity and safety.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) a ground floor level façade facing a frontage, excluding for a Residential use must: <ul style="list-style-type: none"> <li>(i) have no less than 40% of its total surface area consisting of windows or doorways; or</li> <li>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</li> </ul> </li> <li>(c) a ground floor level façade facing a frontage, excluding for a Residential use must: <ul style="list-style-type: none"> <li>(i) not include a single length of blank wall on the ground floor level façade facing the frontage greater than 30% of the length of façade on that frontage; or</li> <li>(ii) not increase the length of an existing blank wall, if already greater than 30% of</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>Buildings must be designed to enhance the streetscape by satisfying the following:</p> <ul style="list-style-type: none"> <li>(a) provide the main pedestrian access to the building that addresses the street or other public place;</li> <li>(b) provide windows on the façade facing the frontage to provide for visual interest and passive surveillance of public spaces, excluding for a Residential use;</li> <li>(c) treat large expanses of blank walls on the façade facing the frontage and other public spaces with architectural detail or public art so as to contribute positively to the streetscape and public space, excluding for a Residential use;</li> <li>(d) minimise the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(e) minimise the visual impact of roof-top service infrastructure, including lift structures;</li> <li>(f) only provide security shutters or grilles over</li> </ul>

<p>the length of the façade on that frontage;</p> <p>(d) mechanical plant and other service infrastructure, such as heat pumps, air condition units, switchboards, hot water units and the like, must be screened from the street and other public places;</p> <p>(e) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</p> <p>(f) not include security shutters or grilles over windows or doors on a façade facing a frontage or other public places;</p> <p>(g) provide awnings over a public footpath if existing on the site or adjoining properties, excluding for a Residential use; and</p> <p>(h) provide external lighting to illuminate external car parking areas and pathways.</p>	<p>windows or doors on a façade facing the frontage or other public spaces if it is essential for the security of the premises and any other alternatives are not feasible;</p> <p>(g) provide awnings over a public footpath, excluding for a Residential use, unless:</p> <p>(i) the site does not have existing awnings;</p> <p>(ii) there is no benefit for the streetscape or pedestrian amenity; or</p> <p>(iii) it is not possible to provide an awning due to physical constraints of the site or building; and</p> <p>(h) provide suitable lighting to car parking areas and pathways for the safety and security of users.</p>
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## 13.4.4 Fencing

Objective:	To ensure that fencing does not detract from the appearance of the site or locality and provides for passive surveillance.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if that part of the fence above a height of 1.2m provides a uniform transparency of not less than 30%.</p>		<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</p> <p>(a) the height, design, location and extent;</p> <p>(b) the degree of transparency; and</p> <p>(c) the proposed materials and construction.</p>
<p><b>A2</b></p> <p>Common boundary fences with a property in an Inner Residential Zone or General Residential Zone must:</p> <p>(a) have a height above existing ground level of not more than 2.1m; and</p> <p>(b) not use barbed wire.</p>		<p><b>P2</b></p> <p>Common boundary fences with a property in an Inner Residential Zone or General Residential Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) the height, design, location and extent of the fence; and</p> <p>(b) the proposed materials and construction.</p>

## 13.4.5 Outdoor storage areas

Objective:	To ensure outdoor storage areas for non-residential use do not detract from the appearance of the site or locality.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for a Residential use or for the display of goods for sale, must: <ul style="list-style-type: none"> <li>(a) be located behind the façade of the building; or</li> <li>(b) have all stored goods and materials screened from public view.</li> </ul>		<b>P1</b> Outdoor storage areas, excluding for a Residential Use and the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.

## 13.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A dwelling must have private open space that is not less than: <ul style="list-style-type: none"> <li>(a) 24m<sup>2</sup> with a dimension of not less than 4m; or</li> <li>(b) 8m<sup>2</sup> with a dimension not less than 1.5m, if the dwelling is located wholly above ground floor level.</li> </ul>		<b>P1</b> A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.
<b>A2</b> Each dwelling must be provided with a dedicated and secure storage space of no less than 6m <sup>3</sup> .		<b>P2</b> Each dwelling must be provided with adequate storage space.

## 13.5 Development Standards for Subdivision

### 13.5.1 Lot design

Objective:	To ensure each lot: (a) has an area and dimensions appropriate for use and development in the Zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must:</p> <p>(a) have an area of not less than 300m<sup>2</sup> and:</p> <p>(i) be able to contain a minimum building area of 10m x 15m clear of:</p> <p>a. all setbacks required by clause 13.4.2 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 13.4.2 A1 and A2;</p> <p>(b) be 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, Council or by a statutory authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</p>	<p><b>P1</b></p> <p>Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lot;</p> <p>(b) existing buildings and the likely location of intended buildings on the lot;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards; and</p> <p>(e) the pattern of development existing on established properties in the area.</p>
<p><b>A2</b></p> <p>Each lot must have a frontage, or legal connection to a road by a right-of-carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(b) the topography of the site;</p> <p>(c) the functionality and useability of the frontage or access;</p> <p>(d) the anticipated nature of vehicles likely to</p>



	<p>access the site;</p> <p>(e) the ability to manoeuvre vehicles on the site;</p> <p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>
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## 13.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.	<b>P2</b> No Performance Criteria.
<b>A3</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a stormwater system able to service the building area by gravity.	<b>P3</b> No Performance Criteria.

## 14.0 Local Business Zone

### 14.1 Zone Purpose

The purpose of the Local Business Zone is:

- 14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.
- 14.1.2 To provide a mix of convenience services of a type and scale to satisfy the daily requirements of the immediate population.
- 14.1.3 To ensure that the type and scale of use and development does not distort the activity centre hierarchy.
- 14.1.4 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- 14.1.5 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

### 14.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Business and Professional Services	
Food Service	
General Retail and Hire	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Community Meeting and Entertainment	
Educational and Occasional Care	

Use Class	Qualification
Emergency Services	
Hotel Industry	
Pleasure Boat Facility	If for a boat ramp.
Research and Development	
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required.
Visitor Accommodation	If located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.
<b>Discretionary</b>	
Equipment and Machinery Sales and Hire	
Manufacturing and Processing	
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for a distillery, brewery or cidery.
Service Industry	
Sports and Recreation	
Storage	
Tourist Operation	
Transport Depot and Distribution	If: (a) for a public transport facility; or (b) for distribution of goods to or from land within the Zone.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## 14.3 Use Standards

### 14.3.1 All uses

Objective:	To ensure that uses do not cause unreasonable loss of amenity to the adjoining residential Zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, Utilities or office or administrative tasks, on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b>  Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, or Utilities, on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to adjoining the residential Zones through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b>  External lighting for a use, excluding for a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must: <ul style="list-style-type: none"> <li>(a) not operate with the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b>  External lighting for a use, excluding for a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<b>A3</b>  Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P3</b>  Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to: <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> </ul>

	<ul style="list-style-type: none"> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the residential Zone; and</li> <li>(f) potential conflicts with other traffic.</li> </ul>
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## 14.3.2 Discretionary use

Objective:	To ensure that uses listed as Discretionary in the Use Table do not compromise the purpose and function of the Zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  A use listed as Discretionary in the Use Table support the Zone Purpose and not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the need to encourage activity at pedestrian levels;</li> <li>(c) the size and scale of the proposed use;</li> <li>(d) the functions of the activity centre and the surrounding activity centres;</li> <li>(e) the extent that the proposed use impacts on other activity centres; and</li> <li>(f) any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</li> </ul>	

## 14.3.3 Retail impact

Objective:	To ensure that the impact of retail use is appropriate for the Zone and does not undermine the activity centre hierarchy.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b>  The gross floor area for Bulky Goods Sales and General Retail and Hire uses must be not more than 250m <sup>2</sup> per tenancy.	<b>P1</b>  Bulky Goods Sales and General Retail and Hire uses must not compromise or distort the activity centre hierarchy, having regard to:	

	<p>(a) the degree to which the proposed use improves and broadens the commercial or retail choice with the area;</p> <p>(b) the extent that the proposed use impacts on other activity centres; and</p> <p>(c) the Zone Purpose and any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</p>
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## 14.4 Development Standards for buildings and works

### 14.4.1 Building height

Objective:	To ensure building height: <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential Zones.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 9m.		<b>P1</b>  Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the apparent height when viewed from the road and public places; and</li> <li>(e) any overshadowing of adjoining properties and public places.</li> </ul>

### 14.4.2 Setbacks

Objective:	To ensure that building setback: <ul style="list-style-type: none"> <li>contributes positively to the streetscape; and</li> <li>does not cause an unreasonable loss of amenity to adjoining residential Zones.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Buildings must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) built to the frontage at ground level; or</li> </ul>		<b>P1</b>  Buildings must be sited to be compatible with the streetscape and only provide variations in building alignment from a frontage: <ul style="list-style-type: none"> <li>(a) if it is to break up long building facades,</li> </ul>

<p>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p>	<p>provided that no potential concealment or entrapment opportunities are created; or</p> <p>(b) if it is to provide a forecourt space for public use, such as outdoor dining or landscaping, provided:</p> <ul style="list-style-type: none"> <li>(i) no potential concealment or entrapment opportunities are created; and</li> <li>(ii) the forecourt space is afforded passive surveillance from adjoining areas.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, of not less than:</p> <ul style="list-style-type: none"> <li>(a) 4m; or</li> <li>(b) half the wall height</li> </ul> <p>whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, through:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
<p><b>A3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors must be separated a distance of not less than 10m from an Inner Residential Zone, General Residential Zone or Low Density Residential Zone.</p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>

## 14.4.3 Design

Objective:	To ensure that building facades promote and maintain high levels of pedestrian interaction, amenity and safety.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be designed to satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) a ground floor level façade facing a frontage must:             <ul style="list-style-type: none"> <li>(i) have not less than 40% of its total surface area consisting of windows or doorways; or</li> <li>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</li> </ul> </li> <li>(c) a ground floor level façade facing a frontage must:             <ul style="list-style-type: none"> <li>(i) not include a single length of blank wall on the ground floor level façade facing the frontage greater than 30% of the length of façade on that frontage; or</li> <li>(ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage;</li> </ul> </li> <li>(d) mechanical plant and other service infrastructure, such as heat pumps, air condition units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(e) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</li> <li>(f) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places;</li> <li>(g) provide awnings over a public footpath if existing on the site or on adjoining properties;</li> </ul>	<p><b>P1</b></p> <p>Buildings must be designed to enhance the streetscape by satisfying all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide the main pedestrian access to the building that addresses the street or other public place;</li> <li>(b) provide windows on the façade facing the frontage to provide for visual interest and passive surveillance of public spaces;</li> <li>(c) treat large expanses of blank walls on the façade facing the frontage and other public spaces with architectural detail or public art so as to contribute positively to the streetscape and public space;</li> <li>(d) minimise the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(e) minimise the visual impact of roof-top service infrastructure, including lift structures;</li> <li>(f) only provide security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces if it is essential for the security of the premises and any other alternatives are not feasible;</li> <li>(g) provide awnings over a public footpath, unless:             <ul style="list-style-type: none"> <li>(i) the site and adjoining sites do not have existing awnings;</li> <li>(ii) there is no benefit for the streetscape or pedestrian amenity; or</li> <li>(iii) it is not possible to provide an awning due to physical constraints of the site or building; and</li> </ul> </li> <li>(h) provide suitable lighting to car parking areas and pathways for the safety and security of</li> </ul>



and	users.
(h) provide external lighting to illuminate external car parking areas and pathways.	

## 14.4.4 Fencing

Objective:	To ensure that fencing does not detract from the appearance of the site or locality and provides for passive surveillance	
Acceptable Solutions		Performance Criteria
<b>A1</b> A fence (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than: <ul style="list-style-type: none"> <li>(a) 1.2m if the fence is solid; or</li> <li>(b) 1.8m, if that part of the fence above a height of 1.2m provides a uniform transparency of not less than 30% (excluding any post or uprights).</li> </ul>		<b>P1</b> A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to: <ul style="list-style-type: none"> <li>(a) its height, design, location and extent;</li> <li>(b) its degree of transparency; and</li> <li>(c) the proposed materials and construction.</li> </ul>
<b>A2</b> Common boundary fences with a property in an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must: <ul style="list-style-type: none"> <li>(a) have a height above existing ground level of not more than 2.1m; and</li> <li>(b) not contain barbed wire.</li> </ul>		<b>P2</b> Common boundary fences with a property in an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of residential amenity, having regard to: <ul style="list-style-type: none"> <li>(a) their height, design, location and extent; and</li> <li>(b) the proposed materials and construction.</li> </ul>

## 14.4.5 Outdoor storage areas

Objective:	To ensure outdoor storage areas for non-residential use do not detract from the appearance of the site or locality.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must: <ul style="list-style-type: none"> <li>(a) be located behind the façade of the building; or</li> <li>(b) have all stored goods and materials screened from public view.</li> </ul>		<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.

## 14.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.	
Acceptable Solutions	Performance Criteria	
<b>A1</b> A dwelling must have private open space that has an area not less than: <ul style="list-style-type: none"> <li>(a) 24m<sup>2</sup> with a dimension of not less than 4m; or</li> <li>(b) 8m<sup>2</sup> with a dimension not less than 1.5m, if the dwelling is located wholly above ground floor level.</li> </ul>	<b>P1</b> A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.	
<b>A2</b> Each dwelling must be provided with a dedicated and secure storage space of not less than 6m <sup>3</sup> .	<b>P2</b> Each dwelling must be provided with adequate storage space	

## 14.5 Development Standards for Subdivision

## 14.5.1 Lot design

Objective:	To ensure each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions	Performance Criteria	
<b>A1</b> Each lot must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 200m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building area of 10m x 12m clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 14.4.2 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 14.4.2 A1 and A2;</li> </ul> </li> <li>(b) be required for public use by the State Government, a Council, a statutory authority, or a corporation all the shares of which are</li> </ul>	<b>P1</b> Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>	

<p>held by or on behalf of the State, Council or by a statutory authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	
<p><b>A2</b></p> <p>Each lot must have a frontage, or legal connection to a road by a right-of-carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>

## 14.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply, where available.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<b>P2</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

<b>A3</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.	<b>P3</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.
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Final Draft

## 15.0 General Business Zone

### 15.1 Zone Purpose

The purpose of the General Business Zone is:

- 15.1.1 To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania's main suburban and rural centres.
- 15.1.2 To provide for a mix of services of a type and scale appropriate to service regular and specialist needs of immediate and wider population.
- 15.1.3 To ensure that the type and scale of use and development does not distort the activity centre hierarchy.
- 15.1.4 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- 15.1.5 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

### 15.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Business and Professional Services	
Food Services	
General Retail and Hire	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Community Meeting and Entertainment	
Educational and Occasional Care	

Use Class	Qualification
Emergency Services	
Hotel Industry	
Pleasure Boat Facility	If for a boat ramp.
Research and Development	
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required.
Visitor Accommodation	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not a camping and caravan park or overnight camping area.
<b>Discretionary</b>	
Custodial Facility	If for a remand centre.
Equipment and Machinery Sales and Hire	
Hospital Services	
Manufacturing and Processing	
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for a distillery, brewery or cidery.
Service Industry	
Sports and Recreation	
Storage	
Tourist Operation	
Transport Depot and Distribution	If: (a) for a public transport facility; or (b) for distribution of goods to or from land within the Zone.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	

Use Class	Qualification
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted
<b>Prohibited</b>	
All other uses	

## 15.3 Use Standards

### 15.3.1 All uses

Objective:	To ensure that uses do not cause an unreasonable loss of amenity to adjoining residential Zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, Utilities or office or administrative tasks, on a site within 50m of the Inner Residential Zone or General Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, or Utilities, on a site within 50m of the Inner Residential Zone or General Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b> External lighting for a use, excluding for a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must: <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, must be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b> External lighting for a use, excluding for a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use,		<b>P3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use,

<p>excluding for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>excluding for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the residential Zone; and</p> <p>(f) potential conflicts with other traffic.</p>
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## 15.3.2 Discretionary Use

Objective:	To ensure that uses listed as Discretionary in the Use Table do not compromise the purpose and function of the Zone.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary in the Use Table must support the Zone Purpose and not compromise or distort the activity centre hierarchy, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the need to encourage activity at pedestrian levels;</p> <p>(c) the size and scale of the proposed use;</p> <p>(d) the functions of the activity centre and the surrounding activity centres;</p> <p>(e) the extent that the proposed use impacts on other activity centres; and</p> <p>(f) any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</p>



## 15.3.3 Retail impact

Objective:	To ensure that the impact of retail use is appropriate for the Zone and does not undermine the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  The gross floor area for Bulky Goods Sales and General Retail and Hire uses must be not more than 3500m <sup>2</sup> per tenancy.		<b>P1</b>  Bulky Goods Sales and General Retail and Hire uses must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the extent that the proposed use improves and broadens the commercial or retail choice with the area;</li> <li>(b) the extent that the proposed use impacts on other activity centres; and</li> <li>(c) the Zone Purpose and any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</li> </ul>

## 15.4 Development Standards for buildings and works

## 15.4.1 Building height

Objective:	To ensure building height: <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential Zones.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 12m.		<b>P1</b>  Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of existing buildings;</li> <li>(d) the apparent height when viewed from the road and public places; and</li> <li>(e) any overshadowing of public places.</li> </ul>

<p><b>A2</b></p> <p>Building height within 10m of an Inner Residential Zone or General Residential Zone must be not more than 8.5m</p>	<p><b>P2</b></p> <p>Building height within 10m of an Inner Residential Zone or General Residential Zone must be compatible with existing buildings within the adjoining zone and not cause an unreasonable loss of residential amenity through:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
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## 15.4.2 Setbacks

Objective:	<p>To ensure that building setback:</p> <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape; and</li> <li>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) built to the frontage at ground level; or</li> <li>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</li> </ul>	<p><b>P1</b></p> <p>Buildings must be sited to be compatible with the streetscape and only provide variations in building alignment from a frontage:</p> <ul style="list-style-type: none"> <li>(a) if it is to break up long building facades, provided that no potential concealment or entrapment opportunities are created; or</li> <li>(b) if it is to provide a forecourt space for public use, such as outdoor dining or landscaping, provided: <ul style="list-style-type: none"> <li>(i) no potential concealment or entrapment opportunities are created; and</li> <li>(ii) the forecourt space is afforded good passive surveillance from adjoining areas.</li> </ul> </li> </ul>
<p><b>A2</b></p> <p>Building must have a setback from an adjoining property within an Inner Residential Zone or General Residential Zone of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5m; or</li> </ul>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within an Inner Residential Zone or General Residential Zone, through:</p>

<p>(b) half the wall height whichever is the greater.</p>	<p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p><b>A3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors must be separated a distance of not less than 10m from an Inner Residential Zone or General Residential Zone.</p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of an Inner Residential Zone or General Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <p>(a) the characteristics and frequency of emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any proposed mitigation measures.</p>

#### 15.4.3 Design

Objective:	To ensure that building facades promote and maintain high levels of pedestrian interaction, amenity and safety.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be designed to satisfy all of the following:</p> <p>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</p> <p>(b) a ground floor level façade facing a frontage must:</p> <p>(i) have not less than 40% of its total surface area consisting of windows or doorways; or</p> <p>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</p>	<p><b>P1</b></p> <p>Buildings must be designed to enhance the streetscape by satisfying all of the following:</p> <p>(a) provide the main pedestrian access to the building that addresses the street or other public place;</p> <p>(b) provide windows on the façade facing the frontage provide for visual interest and passive surveillance of public spaces;</p> <p>(c) treat large expanses of blank walls on the façade facing the frontage and other public spaces with architectural detail or public art so as to contribute positively to the streetscape and public space;</p>

<p>(c) a ground floor level façade facing a frontage must:</p> <p>(i) not include a single length of blank wall on the ground floor level façade facing the frontage greater than 30% of the length of façade on that frontage; or</p> <p>(ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage;</p> <p>(d) mechanical plant and other service infrastructure, such as heat pumps, air condition units, switchboards, hot water units and the like, must be screened from the street and other public places;</p> <p>(e) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</p> <p>(f) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places;</p> <p>(g) provide awnings over a public footpath if existing on the site or on adjoining properties; and</p> <p>(h) provide external lighting to illuminate external car parking areas and pathways.</p>	<p>(d) minimise the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</p> <p>(e) minimise the visual impact of roof-top service infrastructure, including lift structures;</p> <p>(f) only provide security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces if it is essential for the security of the premises and any other alternatives are not feasible;</p> <p>(g) provide awnings over a public footpath, unless:</p> <p>(i) the site and adjoining sites do not have existing awnings;</p> <p>(ii) there is no benefit for the streetscape or pedestrian amenity; or</p> <p>(iii) it is not possible to provide an awning due to physical constraints of the site or building; and</p> <p>(h) provide suitable lighting to car parking areas and pathways for the safety and security of users.</p>
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## 15.4.4 Fencing

Objective:	To ensure that fencing does not detract from the appearance of the site or locality and provides for passive surveillance.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if that part of the fence above a height of 1.2m provides a uniform transparency of not less than 30% (excluding any post or uprights).</p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</p> <p>(a) its height, design, location and extent;</p> <p>(b) its degree of transparency; and</p> <p>(c) the proposed materials and construction.</p>

<p><b>A2</b></p> <p>Common boundary fences with a property in an Inner Residential Zone or General Residential Zone must:</p> <p>(a) have a height above existing ground level of not more than 2.1m; and</p> <p>(b) not use barbed wire.</p>	<p><b>P2</b></p> <p>Common boundary fences with a property in an Inner Residential Zone or General Residential Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) their height, design, location and extent; and</p> <p>(b) the proposed materials and construction.</p>
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## 15.4.5 Outdoor storage areas

<p><b>Objective:</b></p> <p>To ensure outdoor storage areas for non-residential use do not detract from the appearance of the site or locality.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must:</p> <p>(a) be located behind the façade of the building; or</p> <p>(b) have all stored goods and materials screened from public view.</p>	<p><b>P1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.</p>

## 15.4.6 Dwellings

<p><b>Objective:</b></p> <p>To provide adequate and useable private open space and storage for the needs of residents.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A dwelling must have private open space that is not less than:</p> <p>(a) 24m<sup>2</sup> with a dimension of not less than 4m; or</p> <p>(b) 8m<sup>2</sup> with a dimension of not less than 1.5m, if the dwelling is located wholly above ground floor level.</p>	<p><b>P1</b></p> <p>A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.</p>
<p><b>A2</b></p> <p>Each dwelling must be provided with a dedicated and secure storage space of no less than 6m<sup>3</sup>.</p>	<p><b>P2</b></p> <p>Each dwelling must be provided with adequate storage space.</p>

## 15.5 Development Standards for Subdivision

### 15.5.1 Lot design

Objective:	To ensure each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate frontage to a road.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 100m<sup>2</sup> and existing buildings are consistent with the setback required by clause 15.4.2 A1 and A2;</li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A2</b></p> <p>Each lot must have a frontage, or legal connection to a road by a right-of-carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>

## 15.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.	<b>P2</b> No Performance Criteria.
<b>A3</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a stormwater system able to service the building area by gravity.	<b>P3</b> No Performance Criteria.

## 16.0 Central Business Zone

### 16.1 Zone Purpose

The purpose of the Central Business Zone is:

- 16.1.1 To provide for the concentration of the higher-order business, retail, administrative, professional, community, and entertainment functions within Tasmania's primary centres.
- 16.1.2 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- 16.1.3 To encourage Residential and Visitor Accommodation use above ground floor level if it supports the viability of the activity centre and an active street frontage is maintained.

### 16.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Business and Professional Services	
Food Services	
General Retail and Hire	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Community Meeting and Entertainment	
Educational and Occasional Care	
Emergency Services	
Hotel Industry	
Research and Development	



Use Class	Qualification
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access); and (b) not listed as No Permit Required.
Sports and Recreation	If located above ground floor level (excluding pedestrian or vehicular access).
Tourist Operation	
Visitor Accommodation	If: (a) located above ground floor level (excluding pedestrian or vehicular access); and (b) not a camping and caravan park or overnight camping area.
<b>Discretionary</b>	
Custodial Facility	If for a remand centre.
Equipment and Machinery Sales and Hire	
Hospital Services	
Manufacturing and Processing	
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for a distillery, brewery or cidery.
Service Industry	
Sports and Recreation	If not listed as Permitted.
Storage	If not for a liquid, solid or gas fuel depot.
Transport Depot and Distribution	If for a public transport facility.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If: (a) not a camping and caravan park or overnight camping area; or (b) not listed as Permitted.

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

## 16.3 Use Standards

### 16.3.1 All uses

Objective:	To ensure that uses do not cause an unreasonable loss of amenity to adjoining residential Zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, Utilities or office or administrative tasks, on a site within 50m of an Inner Residential Zone or General Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, Utilities or office or administrative tasks, on a site within 50m of an Inner Residential Zone or General Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b> External lighting for a use, excluding for a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must: <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b> External lighting for a use, excluding for a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must be within the hours of:		<b>P3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone or General Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:

<p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the residential Zone; and</p> <p>(f) potential conflicts with other traffic.</p>
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## 16.3.2 Discretionary uses

Objective:	To ensure that uses listed as Discretionary in the Use Table do not compromise the purpose and function of the Zone.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary in the Use Table must support the Zone Purpose, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the need to encourage activity at pedestrian levels;</p> <p>(c) the size and scale of the proposed use;</p> <p>(d) the functions of the activity centre and the surrounding activity centres;</p> <p>(e) the extent that the proposed use impacts on other activity centres; and</p> <p>(f) any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</p>

## 16.4 Development Standards for buildings and works

### 16.4.1 Building height

Objective:	To ensure building height: <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential Zones.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 20m.		<b>P1</b>  Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the apparent height when viewed from the road and public places; and</li> <li>(e) any overshadowing of public places.</li> </ul>
<b>A2</b>  Building height within 10m of the Inner Residential Zone or General Residential Zone must be not more than 8.5m.		<b>P2</b>  Building height within 10m of the Inner Residential Zone or General Residential Zone must be compatible with existing buildings within the adjoining Zone and not cause an unreasonable loss of residential amenity through: <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from adjoining properties.</li> </ul>

## 16.4.2 Setbacks

Objective:	<p>To ensure that building setback:</p> <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential Zones.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) built to the frontage at ground level; or</li> <li>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</li> </ul>	<p><b>P1</b></p> <p>Buildings must be sited to be compatible with the streetscape and only provide variations in building alignment from a frontage:</p> <ul style="list-style-type: none"> <li>(a) if it is to break up long building facades, provided that no potential concealment or entrapment opportunities are created; or</li> <li>(b) if it is to provide a forecourt space for public use, such as outdoor dining or landscaping, provided: <ul style="list-style-type: none"> <li>(i) no potential concealment or entrapment opportunities are created; and</li> <li>(ii) the forecourt space is afforded passive surveillance from adjoining areas.</li> </ul> </li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within an Inner Residential Zone or General Residential Zone of not less than:</p> <ul style="list-style-type: none"> <li>(a) 6m; or</li> <li>(b) half the wall height</li> </ul> <p>whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within an Inner Residential Zone or General Residential Zone, through:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
<p><b>A3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors must be separated a distance of not less than 10m from an Inner Residential Zone or General Residential Zone.</p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of an Inner Residential Zone or General Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions</li> </ul>

	<p>generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any proposed mitigation measures.</p>
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## 16.4.3 Design

Objective:	To ensure that building facades promote and maintain high levels of pedestrian interaction, amenity and safety.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Buildings must be designed satisfy all of the following:</p> <p>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</p> <p>(b) a ground floor level façade facing a frontage must:</p> <p>(i) have not less than 40% of its total surface area consisting of windows or doorways; or</p> <p>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</p> <p>(c) a ground floor level façade facing a frontage must:</p> <p>(i) not include a single length of blank wall on the ground floor level façade facing the frontage greater than 30% of the length of façade on that frontage; or</p> <p>(ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage;</p> <p>(d) mechanical plant and other service infrastructure, such as heat pumps, air condition units, switchboards, hot water units and the like, must be screened from the street and other public places;</p> <p>(e) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</p>		<p><b>P1</b></p> <p>Buildings must be designed to enhance the streetscape by satisfying all of the following:</p> <p>(a) provide the main pedestrian access to the building that addresses the street or other public place;</p> <p>(b) provide windows on the façade facing the frontage to provide for visual interest and passive surveillance of public spaces;</p> <p>(c) treat large expanses of blank walls on the façade facing the frontage and other public spaces with architectural detail or public art so as to contribute positively to the streetscape and public space;</p> <p>(d) minimise the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</p> <p>(e) minimise the visual impact of roof-top service infrastructure, including lift structures;</p> <p>(f) only provide security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces if it is essential for the security of the premises and any other alternatives are not feasible;</p> <p>(g) provide awnings over a public footpath, unless:</p> <p>(i) the site and adjoining sites do not have existing awnings;</p> <p>(ii) there is no benefit for the streetscape or</p>

<p>(f) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places;</p> <p>(g) provide awnings over a public footpath if existing on the site or on adjoining properties; and</p> <p>(h) provide external lighting to illuminate external car parking areas and pathways.</p>	<p>pedestrian amenity; or</p> <p>(iii) it is not possible to provide an awning due to physical constraints of the site or building; and</p> <p>(h) provide suitable lighting to car parking areas and pathways for the safety and security of users.</p>
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## 16.4.4 Fencing

Objective:	To ensure that fencing does not detract from the appearance of the site or locality and provides for passive surveillance.	
Acceptable Solutions	Performance Criteria	
<p><b>A1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if that part of the fence above a height of 1.2m provides a uniform transparency of not less than 30% (excluding any post or uprights).</p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</p> <p>(a) its height, design, location and extent;</p> <p>(b) its degree of transparency; and</p> <p>(c) the proposed materials and construction.</p>	
<p><b>A2</b></p> <p>Common boundary fences with a property in an Inner Residential Zone or General Residential Zone must:</p> <p>(a) have a height above existing ground level of not more than 2.1m; and</p> <p>(b) not contain barbed wire.</p>	<p><b>P2</b></p> <p>Common boundary fences with a property in an Inner Residential Zone or General Residential Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) their height, design, location and extent; and</p> <p>(b) the proposed materials and construction.</p>	

## 16.4.5 Outdoor storage areas

Objective:	To ensure outdoor storage areas do not detract from the appearance of the site or locality.	
Acceptable Solutions	Performance Criteria	
<p><b>A1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must:</p> <p>(a) be located behind the façade of the building; or</p>	<p><b>P1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.</p>	

(b) have all stored goods and materials screened from public view.	
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#### 16.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A dwelling must have private open space that is not less than: <ul style="list-style-type: none"> <li>(a) 24m<sup>2</sup> with a dimension of not less than 4m; or</li> <li>(b) 8m<sup>2</sup> with a dimension of not less than 1.5m, if the dwelling is located wholly above ground floor level.</li> </ul>		<b>P1</b> A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.
<b>A2</b> Each dwelling must be provided with a dedicated and secure storage space of not less than 6m <sup>3</sup> .		<b>P2</b> Each dwelling must be provided with adequate storage space.

### 16.5 Development Standards for Subdivision

#### 16.5.1 Lot design

Objective:	To ensure each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 45m<sup>2</sup> and existing buildings are consistent with the setback required by clause 16.4.2 A1 and A2;</li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot</li> </ul>		<b>P1</b> Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>



provided each lot is within the same Zone.	
<p><b>A2</b></p> <p>Each lot must have a frontage, or legal connection to a road by a right-of-carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>

## 16.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply.</p>	<p><b>P1</b></p> <p>No Performance Criteria.</p>
<p><b>A2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>No Performance Criteria.</p>
<p><b>A3</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.</p>	<p><b>P3</b></p> <p>No Performance Criteria.</p>

## 17.0 Commercial Zone

### 17.1 Zone Purpose

The purpose of the Commercial Zone is:

17.1.1 To provide for retailing, service industries and warehousing that require:

- (a) large floor or outdoor areas for the sale of goods or operational requirements; and
- (b) high levels of vehicle access and parking for customers.

17.1.2 To provide for a mix of use and development that supports and does not compromise the role of other activity centres.

### 17.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Emergency Services	
Equipment and Machinery Sales and Hire	
Service Industry	
Storage	
<b>Discretionary</b>	
Business and Professional Services	
Community Meeting and Entertainment	
Educational and Occasional Care	

Use Class	Qualification
Food Services	
General Retail and Hire	
Hotel Industry	If for alterations or extensions to an existing use.
Manufacturing and Processing	
Research and Development	
Resource Production	If for a distillery, brewery or cidery.
Sports and Recreation	
Transport Depot and Distribution	
Tourist Operation	
Utilities	
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If for alterations or extensions to an existing use.
<b>Prohibited</b>	
All other uses	

### 17.3 Use Standards

#### 17.3.1 All uses

Objective:	To ensure that uses do not cause an unreasonable loss of residential amenity to adjoining residential Zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Utilities or office or administrative tasks, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Utilities or office or administrative tasks, on a site within 50m of the Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the adjoining residential Zones through the timing, duration or extent of vehicle movements, or through noise,

(b) 8.00am to 9.00pm Sunday and public holidays.	lighting or other emissions.
<p><b>A2</b></p> <p>External lighting for a use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must:</p> <p>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</p> <p>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property.</p>	<p><b>P2</b></p> <p>External lighting for a use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the adjoining Residential Zones, having regard to:</p> <p>(a) the level of illumination and duration of lighting; and</p> <p>(b) the distance to habitable rooms of an adjacent dwelling.</p>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the adjoining residential area; and</p> <p>(f) potential conflicts with other traffic.</p>

## 17.3.2 Discretionary Use

Objective:	To ensure that uses listed as Discretionary in the Use Table do not compromise the purpose and function of the Zone.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solutions.		<b>P1</b>  A use listed as Discretionary in the Use Table must support the Zone Purpose and not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the size and scale of the proposed use;</li> <li>(c) the functions of the activity centre and the surrounding activity centres;</li> <li>(d) the extent that the proposed use impacts on other activity centres; and</li> <li>(e) any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</li> </ul>

## 17.3.3 Retail impact

Objective:	To ensure that the impact of retail is appropriate for the Zone and does not undermine the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  The gross floor area for Bulky Goods Sales must be not less than 250m <sup>2</sup> per tenancy, unless the use predominantly relies on outdoor areas for the sale of goods.		<b>P1</b>  Bulky Goods Sales must be consistent with the function and purpose of the zone and not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the extent that the proposed use improves and broadens the commercial or retail choice with the area;</li> <li>(b) the extent that the proposed use impacts on surrounding activity centres; and</li> <li>(c) any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</li> </ul>

## 17.4 Development Standards for buildings and works

### 17.4.1 Building height

Objective:	To ensure building height: <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape, and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential Zones.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 12m.		<b>P1</b>  Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing building on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the apparent height when viewed from the road and public places; and</li> <li>(e) any overshadowing of public places.</li> </ul>
<b>A2</b>  Building height within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Rural Living Zone must be not more than 8.5m.		<b>P2</b>  Building height within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Rural Living Zone must be compatible with existing buildings within the adjoining Zone and not cause an unreasonable loss of residential amenity through: <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; and</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>

## 17.4.2 Setbacks

Objective:	<p>To ensure that building setback:</p> <p>(a) contributes positively to the streetscape; and</p> <p>(b) does not cause an unreasonable loss of amenity to adjoining residential Zones.</p>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <p>(a) not less than 5.5m;</p> <p>(b) not less than existing buildings on the site; or</p> <p>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p>		<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setback of buildings on adjacent properties; and</p> <p>(c) the safety of road users.</p>
<p><b>A2</b></p> <p>Buildings must have setback from an adjoining property within an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone of not less than:</p> <p>(a) 4m; or</p> <p>(b) half the wall height</p> <p>whichever is the greater.</p>		<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Rural Living Zone through:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p><b>A3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors must be separated a distance of not less than 10m from the Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone.</p>		<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <p>(a) the characteristics and frequency of emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any proposed mitigation measures.</p>

## 17.4.3 Design

Objective:	To ensure that building design contributes positively to the streetscape.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be designed to satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) mechanical plant and other service infrastructure, such as heat pumps, air condition units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(c) roof-top mechanical plant and service infrastructure, excluding lift structures, must be contained within the roof or screened from public spaces or adjoining properties;</li> <li>(d) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places;</li> <li>(e) provide awnings over a public footpath if existing on the site or on adjoining properties; and</li> <li>(f) provide external lighting to illuminate external car parking areas and pathways.</li> </ul>	<p><b>P1</b></p> <p>Buildings must be designed to enhance the streetscape by satisfying all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide the main pedestrian access to the building that addresses the street or other public place;</li> <li>(b) minimise the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air condition units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(c) minimise the visual impact of roof-top service infrastructure, excluding lift structures;</li> <li>(d) only provide security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces if it is essential for the security of the premises and any other alternatives are not feasible;</li> <li>(e) provide awnings over a public footpath, unless: <ul style="list-style-type: none"> <li>(i) the site and adjoining sites do not have existing awnings;</li> <li>(ii) there is no benefit for the streetscape or pedestrian amenity; or</li> <li>(iii) it is not possible to provide an awning due to physical constraints of the site or building; and</li> </ul> </li> <li>(f) provide suitable lighting to car parking areas and pathways for the safety and security of users.</li> </ul>



## 17.4.4 Fencing

Objective:	To ensure that fencing does not detract from the appearance of the site or locality and provides for passive surveillance.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	A fence (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than:	
	(a) 1.2m if the fence is solid; or	(a) its height, design, location and extent;
	(b) 1.8m, if that part of the fence above a height of 1.2m provides a uniform transparency of not less than 30% (excluding any post or uprights).	(b) its degree of transparency; and
		(c) the proposed materials and construction.
<b>A2</b>	Common boundary fences with a property in an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must:	
	(a) have a height above existing ground level of not more than 2.1m; and	(a) their height, design, location and extent; and
	(b) not use barbed wire.	(b) the proposed materials and construction.

## 17.4.5 Outdoor storage areas

Objective:	To ensure outdoor storage areas do not detract from the appearance of the site or locality.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Outdoor storage areas, excluding for the display of goods for sale, must:	
	(a) be located behind the façade of the building; or	(b) have all stored goods and materials screened from public view.
	(b) have all stored goods and materials screened from public view.	
		(b) the proposed materials and construction.

## 17.5 Development Standards for Subdivision

### 17.5.1 Lot design

Objective:	<p>To ensure each lot:</p> <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 1000m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building area of 15m x 20m clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 17.4.2 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 17.4.2 A1 and A2;</li> </ul> </li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A2</b></p> <p>Each lot must have a frontage of not less than 20m.</p>	<p><b>P2</b></p> <p>Each lot, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> </ul>

	<p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>
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## 17.5.2 Services

Objective:	To ensure the subdivision of land provides adequate services to meet the projected needs of future development.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.	<b>P2</b> No Performance Criteria.
<b>A3</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a stormwater system able to service the building area by gravity.	<b>P3</b> No Performance Criteria.

## 18.0 Light Industrial Zone

### 18.1 Zone Purpose

The purpose of the Light Industrial Zone is:

- 18.1.1 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 with, or unreasonable loss of amenity to, any other uses.
- 18.1.2 To provide for industrial activity with good access to strategic transport networks.
- 18.1.3 To provide for compatible use or development that supports and does not adversely impact on industrial activity.

### 18.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Equipment and Machinery Sales and Hire	
Emergency Services	
Manufacturing and Processing	
Port and Shipping	
Research and Development	
Service Industry	
Storage	
Transport Depot and Distribution	
Vehicle Fuel Sales and Service	

Use Class	Qualification
<b>Discretionary</b>	
Bulky Goods Sales	If: (a) for a supplier for Resource Development, Extractive Industry or Resource Processing; (b) for a garden and landscape, trade or hardware supplier; or (c) for a timber yard.
Community Meeting and Entertainment	
Crematoria and Cemeteries	
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	If for alterations or extensions to an existing use.
Food Services	
General Retail and Hire	If for alterations or extensions to an existing use.
Recycling and Waste Disposal	If for a scrap yard or waste transfer station.
Resource Processing	
Sports and Recreation	
Utilities	If not listed as No Permit Required.
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

### 18.3 Use Standards

#### 18.3.1 All uses

Objective:	To ensure that uses do not cause an unreasonable loss of amenity to adjoining residential Zones.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Hours of operation of a use, excluding Emergency		<b>P1</b> Hours of operation of a use, excluding Emergency

<p>Services, Utilities or office or administrative tasks, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>	<p>Services, Utilities or office or administrative tasks, on a site within 50m of the Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the adjoining residential Zones through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.</p>
<p><b>A2</b></p> <p>External lighting for a use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must:</p> <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>	<p><b>P2</b></p> <p>External lighting for a use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(a) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the adjoining residential area; and</li> <li>(f) potential conflicts with other traffic.</li> </ul>

## 18.3.2 Discretionary uses

Objective:	To ensure that uses listed as Discretionary in the Use Table do not compromise the purpose and function of the Zone.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solutions.		<b>P1</b>  A use listed as Discretionary in the Use Table must support the Zone Purpose, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the size and scale of the proposed use;</li> <li>(c) the function of the industrial area; and</li> <li>(d) any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.</li> </ul>

## 18.4 Development Standards for buildings and works

## 18.4.1 Building height

Objective:	To provide for a building height that: <ul style="list-style-type: none"> <li>(a) is necessary for the operation of the use; and</li> <li>(b) minimises adverse impacts on adjoining properties.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 10m.		<b>P1</b>  Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of the building;</li> <li>(b) separation from existing uses on adjoining properties; and</li> <li>(c) any buffers created by natural or other features.</li> </ul>
<b>A2</b>  Building height within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be not more than 8.5m.		<b>P2</b>  Building height within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be compatible with existing buildings within the adjoining zone and not cause an unreasonable loss of residential amenity through: <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> </ul>

	<p>(b) overlooking and reduction of privacy; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining properties.</p>
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## 18.4.2 Setbacks

Objective:	<p>To ensure that building setback:</p> <p>(a) is appropriate for the site; and</p> <p>(b) does not cause an unreasonable loss of Residential amenity to adjoining residential Zones.</p>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <p>(a) not less than 5.5m;</p> <p>(b) not less than existing buildings on the site; or</p> <p>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p>		<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setback of buildings on adjacent properties; and</p> <p>(c) the safety of road users.</p>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone of not less than:</p> <p>(a) 4m; or</p> <p>(b) half the wall height</p> <p>whichever is the greater.</p>		<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone through:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p><b>A3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated a distance of not less than 10m from an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone.</p>		<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to:</p>



	<ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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## 18.4.3 Fencing

Objective:	To ensure that fencing does not cause an unreasonable loss of residential amenity to adjoining residential zones.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Common boundary fences with a property in an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must: <ul style="list-style-type: none"> <li>(a) have a height above existing ground level of not more than 2.1m; and</li> <li>(b) not use barbed wire.</li> </ul>		<b>P1</b> Common boundary fences with a property in an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of residential amenity, having regard to: <ul style="list-style-type: none"> <li>(a) their height, design, location and extent; and</li> <li>(b) the proposed materials and construction.</li> </ul>

## 18.4.4 Outdoor storage areas

Objective:	To ensure outdoor storage areas do not detract from the appearance of the site or locality.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must: <ul style="list-style-type: none"> <li>(a) be located behind the façade of the building; or</li> <li>(b) have all stored goods and materials screened from public view.</li> </ul>		<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.

## 18.5 Development Standards for Subdivision

### 18.5.1 Lot design

Objective:	To ensure each lot: (a) has an area and dimensions appropriate for use and development in the Zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot must: (a) have an area of not less than 1000m <sup>2</sup> and: (i) be able to contain a minimum building area of 15m x 20m clear of: a. all setbacks required by Clause 18.4.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by Clause 18.4.2 A1 and A2; (b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.	<b>P1</b> Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lot; (b) existing buildings and the location of intended buildings on the lot; (c) the topography of the site; (d) the presence of any natural hazards; and (e) the pattern of development existing on established properties in the area.
<b>A2</b> Each lot must have a frontage of not less than 20m.	<b>P2</b> Each lot, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (b) the topography of the site; (c) the functionality and useability of the frontage or access; (d) the anticipated nature of vehicles likely to access the site; (e) the ability to manoeuvre vehicles on the site; (f) the ability for emergency services to access

	<p>the site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>
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## 18.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the project needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply, where available.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<b>P2</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.	<b>P3</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.

## 19.0 General Industrial Zone

### 19.1 Zone Purpose

The purpose of the General Industrial Zone is:

- 19.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on adjacent uses.
- 19.1.2 To provide for industrial activity with good access to strategic transport networks.
- 19.1.3 To provide for compatible use or development that supports and does not adversely impact on industrial activity.

### 19.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Emergency Services	
Equipment and Machinery Sales and Hire	
Manufacturing and Processing	
Port and Shipping	
Recycling and Waste Disposal	
Research and Development	
Resource Processing	
Service Industry	
Storage	
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	

Use Class	Qualification
<b>Discretionary</b>	
Bulky Goods Sales	If: (a) for a supplier for Resource Development, Extractive Industry or Resource Processing; (b) for a garden and landscape, trade or hardware supplier; or (c) timber yard.
Crematoria and Cemeteries	If for a crematoria.
Educational and Occasional Care	If for an employment training centre.
Food Services	
Motor Racing Facility	
Sports and Recreation	
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

### 19.3 Use Standards

#### 19.3.1 Discretionary uses

Objective:	To ensure that uses listed as Discretionary in the Use Table do not compromise the purpose and function of the Zone.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> No Acceptable Solutions.		<b>P1</b> A use listed as Discretionary in the Use Table must support the Zone Purpose, having regard to: (a) the characteristics of the site; (b) the size and scale of the proposed use; (c) the functions of the industrial area; and (d) any relevant Local Area Objectives contained within the relevant Local Provisions Schedule.

## 19.4 Development Standards for buildings and works

### 19.4.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining sites.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 20m.		<b>P1</b>  Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining sites, having regard to:  (a) the bulk and form of the building; (b) separation from existing use on adjoining properties; and (c) any buffers created by natural or other features.

### 19.4.2 Setback

Objective:	To ensure that the building setback is appropriate for the site.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Buildings must have setback from a frontage of: (a) not less than 10 m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.		<b>P1</b>  Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to:  (a) the topography of the site; (b) the setback of buildings on adjacent properties; and (c) the safety of road users.

## 19.4.3 Outdoor storage areas

Objective:	To ensure outdoor storage areas do not detract from the appearance of the site or locality.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must: <ul style="list-style-type: none"> <li>(a) be located behind the façade of the building; or</li> <li>(b) have all stored goods and materials screened from public view.</li> </ul>		<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.

## 19.5 Development Standards for Subdivision

## 19.5.1 Lot design

Objective:	To ensure each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 2000m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building area of 20m x 40m clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 19.4.2 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 19.4.2 A1;</li> </ul> </li> <li>(b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</li> </ul>		<b>P1</b> Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) existing buildings and the intended location of new buildings on the lot;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>

<p><b>A2</b></p> <p>Each lot must have a frontage of not less than 20m.</p>	<p><b>P2</b></p> <p>Each lot, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
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## 19.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the project needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply, where available.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<b>P2</b> No Performance Criteria.
<b>A3</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.	<b>P3</b> Each lot must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.



## 20.0 Rural Zone

### 20.1 Zone Purpose

The purpose of the Rural Zone is:

- 20.1.1 To provide for a range of use or development that requires a rural location for operational, security or impact management reasons.
- 20.1.2 To provide for use or development of land where agricultural use is constrained or limited due to topographical, environmental or other site characteristics.
- 20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural area and does not compromise the function of surrounding settlements.

### 20.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional services	If: <ul style="list-style-type: none"> <li>(a) for a veterinary centre;</li> <li>(b) for specialist animal breeding or care services; or</li> <li>(c) for an agribusiness or agricultural consultant.</li> </ul>
Domestic Animal Breeding, Boarding and Training	
Educational and Occasional Care	If associated with Resource Development or Resource Processing.
Emergency Services	
Extractive Industry	
Manufacturing and Processing	If: <ul style="list-style-type: none"> <li>(a) for the manufacturing of Resource Development equipment; or</li> <li>(b) for the processing of materials from Extractive Industry.</li> </ul>

Use Class	Qualification
Motor Racing Facility	
Recycling and Waste Disposal	
Research and Development	If associated with Resource Development or Resource Processing.
Residential	If: (a) for a home based business; or (b) for alterations or extensions to an existing dwelling
Resource Processing	
Storage	If: (a) for a contractors yard; (b) for freezing and cooling storage; (c) for grain storage; (d) for a liquid, solid or gas fuel depot; or (e) for a wood yard.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	If within an existing building.
<b>Discretionary</b>	
Bulky Goods Sales	If: (a) for a supplier for Resource Development, Extractive Industry, or Resource Processing; (b) for a garden and landscape supplier; or (c) for a timber yard.
Business and Professional Services	If not listed as Permitted.
Community Meeting and Entertainment	
Crematoria and Cemeteries	
Custodial Facility	
Educational and Occasional Care	If not listed as Permitted.
Food Services	
General Retail and Hire	

Use Class	Qualification
Manufacturing and Processing	If not listed as Permitted.
Pleasure Boat Facility	
Research and Development	If not listed as Permitted.
Residential	If for a single dwelling.
Sports and Recreation	
Storage	If not listed as Permitted.
Tourist Operation	
Transport Depot and Distribution	
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## 20.3 Use Standards

### 20.3.1 Discretionary Uses

Objective:	To provide for Discretionary use that satisfies the Zone Purpose.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solutions.	<b>P1</b> A use listed as Discretionary in the Use Table, excluding Residential use, must: <ul style="list-style-type: none"> <li>(a) provide for diversification or value adding for a Resource Development, Extractive Industry or Resource Processing use on the site or an adjoining property; or</li> <li>(b) be required to locate on the site for operational, security or impact management reasons; and</li> <li>(c) be of a scale and intensity that is appropriate for the Zone, having regard to:               <ul style="list-style-type: none"> <li>(i) the nature, scale and extent of the use;</li> <li>(ii) the area of the site proposed to be used;</li> <li>(iii) any existing use and development on the</li> </ul> </li> </ul>

	<p>site and surrounding properties;</p> <p>(iv) the capacity of the local road network to accommodate the traffic generated by the use; and</p> <p>(v) the likelihood and extent of any adverse impacts on any adjoining uses that require the rural location for operational, security or impact management reasons.</p>
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## 20.4 Development Standards for buildings and works

### 20.4.1 Building height

Objective:	To provide for a building height that: <ul style="list-style-type: none"> <li>(a) is necessary for the operation of the use; and</li> <li>(b) minimises adverse impacts on adjoining properties.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  Building height must be not more than 12m.	<b>P1</b>  Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of the building;</li> <li>(b) separation from existing uses on adjoining properties; and</li> <li>(c) any buffers created by natural or other features.</li> </ul>

### 20.4.2 Setbacks

Objective:	To ensure that the siting of buildings minimises potential conflict with use on adjoining sites.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Buildings must have a setback from all boundaries of: <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) where the setback of an existing building is within 5m, not less than the existing building.</li> </ul>	<b>P1</b>  Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of the building;</li> <li>(b) the nature of existing use on the adjoining properties;</li> <li>(c) separation from existing use on the adjoining properties; and</li> </ul>

	(d) any buffers created by natural or other features.
<b>A2</b>  Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) where an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>	<b>P2</b>  Buildings for a sensitive use must be sited so as to not conflict or interfere with an agricultural use within the Agriculture Zone, having regard to: <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the existing and potential use of adjoining properties;</li> <li>(e) any proposed attenuation measures; and</li> <li>(f) any buffers created by natural or other features.</li> </ul>

## 20.4.3 Access for new dwellings

Objective:	To ensure new dwelling have appropriate vehicular access to a road maintained by a road authority.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.		<b>P1</b>  New dwellings must have legal access, by right-of-carriageway, to a road maintained by a road authority that satisfies the following: <ul style="list-style-type: none"> <li>(a) the right-of-carriageway must be the subject of an agreement pursuant to section 71 of the Act which provides for the construction and maintenance of the access, and for the continuity of the access; and</li> <li>(b) the right-of-carriageway is appropriate having regard to: <ul style="list-style-type: none"> <li>(i) the number of users of the access;</li> <li>(ii) the length of the access;</li> <li>(iii) the suitability of the access for use by the occupants of the dwelling;</li> <li>(iv) the suitability of the access for emergency services vehicles;</li> <li>(v) the topography of the site;</li> <li>(vi) the construction and maintenance of the access; and</li> <li>(vii) the construction, maintenance and usage</li> </ul> </li> </ul>

	of the road.
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## 20.5 Development Standards for Subdivision

### 20.5.1 Lot design

Objective:	To provide for subdivision that: (a) relate to public use or Utilities; or (b) facilitates use and development for allowable uses in the Zone.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) be 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, Council or by a statutory authority;</li> <li>(b) be required for the provision of Utilities or irrigation;</li> <li>(c) be for the consolidation of a lot with another lot provided each lot is within the same Zone; or</li> <li>(d) be not less than 40ha with a frontage of no less than 25m and existing buildings are consistent with the setback and separation distance required by clause 20.4.2 A1 and A2.</li> </ul>	<p><b>P1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) provide for the sustainable operation of a use, excluding Residential use or Visitor Accommodation, that requires the rural location for operational, security or impact management reasons; or</li> <li>(b) be for the excision of an existing dwelling or Visitor Accommodation that satisfies all of the following: <ul style="list-style-type: none"> <li>(i) it is demonstrated the balance lot provides for the sustainable operation of a Resource Development use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the balance lot for productive agricultural use; and</li> <li>c. any topographical constraints to agricultural use;</li> </ul> </li> <li>(ii) an agreement pursuant to section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot; and</li> <li>(iii) the existing dwelling or Visitor Accommodation must meet the requirements in relation to setbacks to new boundaries; and</li> </ul> </li> <li>(c) be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</li> </ul>

	<ul style="list-style-type: none"> <li>(i) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(ii) the topography of the site;</li> <li>(iii) the functionality and useability of the frontage or access;</li> <li>(iv) the anticipated nature of vehicles likely to access the site;</li> <li>(v) the ability to manoeuvre vehicles on the site;</li> <li>(vi) the ability for emergency services to access the site; and</li> <li>(vii) the pattern of development existing on established properties in the area.</li> </ul>
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## 20.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the project needs of future development.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply, where available.		<b>P1</b> No Performance Criteria.

## 21.0 Agriculture Zone

### 21.1 Zone Purpose

The purpose of the Agriculture Zone is:

- 21.1.1 To provide for the sustainable development of land for agricultural use.
- 21.1.2 To protect land for the sustainable development of agricultural use by minimising:
  - (a) conflict with or interference from other uses; and
  - (b) non-agricultural use or development that precludes the return of the land to agricultural use.
- 21.1.3 To provide for use or development that supports the use of the land for agricultural use.

### 21.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If: <ul style="list-style-type: none"> <li>(a) on land other than prime agricultural land;</li> <li>(b) an agricultural use, other than plantation forestry, on prime agricultural land where it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.</li> </ul>
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If: <ul style="list-style-type: none"> <li>(a) for a home based business; or</li> <li>(b) for alterations or extensions to an existing dwelling</li> </ul>
<b>Discretionary</b>	
Bulky Goods Sales	If: <ul style="list-style-type: none"> <li>(a) for a supplier for Resource Development, Extractive Industry or Resource Processing;</li> <li>(b) for a garden and landscape supplier; or</li> <li>(c) for a timber yard.</li> </ul>



Use Class	Qualification
Domestic Animal Breeding, Boarding and Training	
Educational and Occasional Care	
Extractive Industry	
Food Services	
General Retail and Hire	
Manufacturing and Processing	If: (a) for the manufacturing of agricultural equipment; or (b) for the processing of materials from Extractive Industry.
Research and Development	
Residential	If not listed as Permitted
Resource Development	If not listed as No Permit Required.
Resource Processing	
Storage	If: (a) for a contractors yard; (b) for freezing and cooling storage; (c) for a liquid, solid or gas fuel depot; or (d) for a wood yard.
Tourist Operation	
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

## 21.3 Use Standards

### 21.3.1 Discretionary Uses

Objective:	To provide for uses listed as Discretionary in the Use Table are consistent with the Zone Purpose.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary in the Use Table, excluding Residential or Resource Development use, must:</p> <ul style="list-style-type: none"> <li>(a) be required to locate on the site for one or more of the following operational, security or impact management reasons: <ul style="list-style-type: none"> <li>(i) to access a specific naturally occurring resource on the site or on land in the vicinity of the site;</li> <li>(ii) to access infrastructure only available on the site or on land in the vicinity of the site;</li> <li>(iii) to access a product or material related to an agricultural use;</li> <li>(iv) to service or support an agricultural use on the site or on land in the vicinity of the site;</li> <li>(v) to provide for the diversification or value adding of an agricultural use on the site or on nearby land; or</li> <li>(vi) to provide an essential utility or community service infrastructure; and</li> </ul> </li> <li>(b) minimise the likelihood of the following is minimised: <ul style="list-style-type: none"> <li>(i) permanent loss of land for agricultural use; and</li> <li>(ii) conflict with or interference to existing or potential agricultural use of the site or adjoining properties.</li> </ul> </li> </ul>
<p><b>A2</b></p> <p>No Acceptable Solutions.</p>	<p><b>P2</b></p> <p>A use listed as Discretionary in the Use Table on prime agricultural land, excluding Residential use, must:</p> <ul style="list-style-type: none"> <li>(a) be for Utilities, Extractive Industry, or Resource</li> </ul>

	<p>Development, provided that:</p> <ul style="list-style-type: none"> <li>(i) the area converted to the use is minimised;</li> <li>(ii) adverse impacts on the surrounding agricultural use are minimised; and</li> <li>(iii) the site is reasonably required for operational efficiency; or</li> </ul> <p>(b) be for a use that demonstrates a significant benefit to the region, having regard to the economic, social and environmental costs and benefits of the proposed use.</p>
<p><b>A3</b></p> <p>No Acceptable Solutions.</p>	<p><b>P3</b></p> <p>A Residential use listed as Discretionary in the Use Table use must:</p> <ul style="list-style-type: none"> <li>(a) be required as part of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>(i) the scale of the agricultural use;</li> <li>(ii) the complexity of the agricultural use;</li> <li>(iii) the operational requirements of the agricultural use;</li> <li>(iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and</li> <li>(v) proximity of the dwelling to the agricultural use; or</li> </ul> </li> <li>(b) not confine or restrain agricultural use on adjoining properties and be located on a site that: <ul style="list-style-type: none"> <li>(i) is not capable of practically supporting an agricultural use; and</li> <li>(ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use.</li> </ul> </li> </ul>

## 21.4 Development Standards for buildings and works

### 21.4.1 Building height

Objective:	<p>To provide for a building height that:</p> <ul style="list-style-type: none"> <li>(a) is necessary for the operation of the use; and</li> <li>(b) minimises adverse impacts on adjoining properties</li> </ul>
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Acceptable Solutions	Performance Criteria
<b>A1</b>  Building height must be not more than 12m.	<b>P1</b>  Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of the building;</li> <li>(b) separation from existing use on adjoining properties; and</li> <li>(c) any buffers created by natural or other features.</li> </ul>

## 21.4.2 Setbacks

Objective:	To ensure the siting of buildings minimises potential conflict with use on adjoining properties.	
Acceptable Solutions	Performance Criteria	
<b>A1</b>  Buildings must have a setback from all boundaries of: <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) where the setback of an existing building is within 5m, not less than the existing building.</li> </ul>	<b>P1</b>  Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of the building;</li> <li>(b) the nature of existing use on the adjoining properties;</li> <li>(c) separation from existing use on the adjoining properties; and</li> <li>(d) any buffers created by natural or other features.</li> </ul>	
<b>A2</b>  Buildings for a sensitive use must have a setback from all boundaries of: <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) where the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>	<b>P2</b>  Buildings for a sensitive use must be sited so not conflict or interfere with an agricultural use, having regard to: <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the existing and potential use of adjoining properties;</li> <li>(e) any proposed attenuation measures; and</li> <li>(f) any buffers created by natural or other features.</li> </ul>	

## 21.4.3 Access for new dwellings

Objective:	To ensure new dwelling have appropriate vehicular access to a road maintained by a road authority.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.</p>	<p><b>P1</b></p> <p>New dwellings must have legal access, by right-of-carriageway, to a road maintained by a road authority that satisfies the following:</p> <ul style="list-style-type: none"> <li>(a) the right-of-carriageway must be the subject of a Part 5 Agreement which provides for the construction and maintenance of the access, and for the continuity of the access; and</li> <li>(b) the right-of-carriageway is appropriate having regard to: <ul style="list-style-type: none"> <li>(i) the number of users of the access;</li> <li>(ii) the length of the access;</li> <li>(iii) the suitability of the access for use by the occupants of the dwelling;</li> <li>(iv) the suitability of the access for emergency services vehicles;</li> <li>(v) the topography of the site;</li> <li>(vi) the construction and maintenance of the access; and</li> <li>(vii) the construction, maintenance and usage of the road.</li> </ul> </li> </ul>

## 21.5 Development Standards for Subdivision

### 21.5.1 Lot design

Objective:	To provide for subdivision that: (a) relates to public use or Utilities; and (b) protects the long term productive capacity of agricultural land.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot on a plan of subdivision must:</p> <ul style="list-style-type: none"> <li>(a) be 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, Council or by a statutory authority;</li> <li>(b) be required for the provision of Utilities or irrigation; or</li> <li>(c) be for the consolidation of a lot with another lot provided both lots are within the same Zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) provide for the sustainable operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>(i) not materially diminishing the agricultural productivity of the land;</li> <li>(ii) the capacity of the new lots for productive agricultural use;</li> <li>(iii) any topographical constraints to agricultural use; and</li> <li>(iv) current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(b) be for the reorganisation of lot boundaries that satisfies all of the following: <ul style="list-style-type: none"> <li>(i) provides for the sustainable operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the new lots for productive agricultural use;</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) all new lots must be not less than 1ha in area;</li> <li>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</li> <li>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and</li> </ul> </li> </ul>

	<p>(v) it does not create any additional lots; or</p> <p>(c) it is for the excision of an existing use or development that satisfies all of the following:</p> <p>(i) the balance lot provides for the sustainable operation of an agricultural use, having regard to:</p> <ol style="list-style-type: none"> <li>not materially diminishing the agricultural productivity of the land;</li> <li>the capacity of the balance lot for productive agricultural use;</li> <li>any topographical constraints to agricultural use; and</li> <li>current irrigation practices and the potential for irrigation;</li> </ol> <p>(ii) an agreement pursuant to section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</p> <p>(iii) any existing buildings for a sensitive use must meet the performance criteria for clause 21.4.2 in relation to setbacks to new boundaries; and</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</p>
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## 21.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the project needs of future development.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply, where available.		<b>P1</b> No Performance Criteria.

## 22.0 Landscape Conservation Zone

### 22.1 Zone Purpose

The purpose of the Landscape Conservation Zone is:

- 22.1.1 To provide for the protection of significant natural and landscape values.
- 22.1.2 To provide for complementary use or development that does not adversely impact on the protection, conservation and management of the significant natural and landscape values of the area.

### 22.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Residential	If for a home-based business.
Utilities	If for minor utilities.
<b>Discretionary</b>	
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Domestic Animal Breeding, Boarding and Training	
Educational and Occasional Care	If for a home-based child care.
Emergency Services	
Food Services	If for a gross floor area of not more than 200m <sup>2</sup> .
General Retail and Hire	If associated with a Tourist Operation.
Residential	If for a single dwelling.
Resource Development	If not for intensive animal husbandry or plantation forestry.
Sports and Recreation	If for an outdoor facility.
Tourist Operation	



Use Class	Qualification
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

## 22.3 Use Standards

### 22.3.1 Use Standard for Community Meeting and Entertainment, Educational and Occasional Care, Food Services, and General Retail and Hire.

Objective:	To ensure that Community Meeting and Entertainment, Educational and Occasional Care, Food Services, and General Retail and Hire uses operate at a scale and in a manner that is consistent with the Zone Purpose	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation for Community Meeting and Entertainment, Educational and Occasional Care, Food Services, and General Retail and Hire, must be within the hours of 8.00am to 6.00pm.		<b>P1</b> Hours of operation for Community Meeting and Entertainment, Educational and Occasional Care, Food Services, and General Retail and Hire must not cause an unreasonable impact upon the natural and landscape values of the area through the duration or extent of vehicle movements or through noise, lighting or other emissions.

### 22.3.2 Visitor Accommodation

Objective:	To ensure Visitor Accommodation is of a scale that accords with the natural and landscape values of the surrounding area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Visitor Accommodation must: <ul style="list-style-type: none"> <li>(a) be accommodated in existing buildings; and</li> <li>(b) have a gross floor area of no more than 160m<sup>2</sup>.</li> </ul>		<b>P1</b> Visitor Accommodation must: <ul style="list-style-type: none"> <li>(a) be of an intensity that respects the character of use in the area; and</li> <li>(b) must not cause an unreasonable impact upon the natural and landscape values of the site.</li> </ul>

## 22.4 Development Standards for buildings and works

### 22.4.1 Extent of Development

Objective:	To ensure that the extent of development: (a) is compatible with the character of the surrounding area and the natural and landscape values of the site; and (b) minimises disturbance of the site.
Acceptable Solutions	Performance Criteria
<b>A1</b>  The area of the site covered by roofed buildings must be not more than 400m <sup>2</sup> .	<b>P1</b>  The area of the site covered by roofed buildings must be compatible with the natural and landscape values of the site and surrounding area having regard to:  (a) the topography of the site; (b) the capacity of the site to absorb runoff; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the need to remove vegetation; (f) the location of development in relation to cleared areas; (g) the location of development in relation to hazards; and (h) the character of the surrounding area.

### 22.4.2 Building height, setback and siting

Objective:	To ensure that building bulk, form and siting: (a) protects the amenity of adjoining properties; (b) minimises the impact on the natural values of the area; (c) minimises the impact on adjoining agricultural uses.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Building height must be not more than 6m.	<b>P1</b>  Building height must be compatible with the landscape and natural values of the site, having regard to:  (a) bulk and form of proposed buildings; (b) the height, bulk and form of existing buildings; (c) the topography of the site; (d) the visual impact of the buildings when viewed

	<p>from roads and public places; and</p> <p>(e) the character of the surrounding area.</p>
<p><b>A2</b></p> <p>Buildings must have a setback from a frontage not less than 10m.</p>	<p><b>P2</b></p> <p>Building setback from a frontage must be compatible with the character of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of surrounding buildings;</li> <li>(c) the height bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public places;</li> <li>(e) the safety of road users; and</li> <li>(f) the retention of vegetation.</li> </ul>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries not less than 20m.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity or impact on natural or landscape values of the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of adjacent building;</li> <li>(d) the height bulk and form of existing and proposed buildings;</li> <li>(e) the need to remove vegetation as part of the development;</li> <li>(f) the appearance when viewed from roads and public places; and</li> <li>(g) the character of the surrounding area.</li> </ul>
<p><b>A4</b></p> <p>Buildings for a sensitive use, must be separated from an adjoining Agricultural Zone:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) not less than the existing building if the application is for an extension to an existing building.</li> </ul>	<p><b>P4</b></p> <p>Buildings for a sensitive use must be sited to not conflict or interfere with an agricultural use in the Agriculture Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the separation of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the existing and potential use of adjoining properties; and</li> <li>(d) any proposed attenuation measures.</li> </ul>

<b>A5</b>  Exterior building finishes must have a light reflectance value not more than 40%.	<b>P5</b>  Exterior building finishes must not cause an unreasonable loss of amenity to occupiers of adjoining properties or detract from the natural and landscape values of the site.
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## 22.4.3 Access to a Road

Objective:	To ensure that new dwellings have appropriate vehicular access to a road maintained by a road authority.
Acceptable Solutions	Performance Criteria
<b>A1</b>  New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.	<b>P1</b>  New dwellings must have legal access, by right-of-carriageway, to a road maintained by a road authority that satisfies the following: <ul style="list-style-type: none"> <li>(a) the right-of-carriageway must be the subject of an agreement pursuant to Section 71 of the Act which provides for the construction and maintenance of the access, and for the continuity of the access; and</li> <li>(b) the right-of-carriageway is sufficient for the intended use having regard to: <ul style="list-style-type: none"> <li>(i) the number of users of the access;</li> <li>(ii) the length of the access;</li> <li>(iii) the suitability of the access for use by the occupants of the dwelling;</li> <li>(iv) the suitability of the access for emergency services vehicles;</li> <li>(v) the topography of the site;</li> <li>(vi) the construction and maintenance of the access; and</li> <li>(vii) the construction, maintenance and usage of the road.</li> </ul> </li> </ul>

## 22.4.4 Vegetation Management

Objective:	To ensure that the natural and landscape values of the surrounding area are maintained.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Development must be located on land where native vegetation cover has been lawfully removed.	<b>P1</b> Development must be located to minimise native vegetation removal and the impact on natural and landscape values, having regard to: <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) provision for native habitat for native fauna;</li> <li>(d) the management and treatment of the balance of the site or native vegetation areas; and</li> <li>(e) the type, size, and design of development.</li> </ul>	
<b>A2</b> Buildings and works must: <ul style="list-style-type: none"> <li>(a) be located within a building area, if provided on the title;</li> <li>(b) be an addition or alteration to an existing building; or</li> <li>(c) be not less than 10m in elevation below a skyline or ridgeline.</li> </ul>	<b>P2</b> The location of buildings and works must only be less than 10m in elevation of a skyline or ridgeline if: <ul style="list-style-type: none"> <li>(a) there are no other sites suitable for development due to access difficulties or excessive slope;</li> <li>(b) building height, size and bulk are minimised; and</li> <li>(c) any screening vegetation is maintained.</li> </ul>	

## 22.5 Development Standards for Subdivision

## 22.5.1 Lot Design

Objective:	To ensure each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone;</li> <li>(b) contain building areas which are suitable for development, located to avoid hazards and areas of significant natural and landscape values; and</li> <li>(c) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot: <ul style="list-style-type: none"> <li>(a) have an area of not less than 50ha and:               <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building area</li> </ul> </li> </ul>	<b>P1</b> Each lot must have sufficient useable area and dimensions suitable for its intended use having regard to: <ul style="list-style-type: none"> <li>(a) the relevant Acceptable Solutions for</li> </ul>	

<p>of 25m x 25m, with a gradient not steeper than 1 in 5, clear of:</p> <ul style="list-style-type: none"> <li>a. all setbacks required by clause 22.4.2 A2, A3 and A4; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> <p>(ii) existing buildings are consistent with the setback required by clause 22.4.2 A2, A3 and A4;</p> <ul style="list-style-type: none"> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of public utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</li> </ul>	<p>development of buildings on the lots;</p> <ul style="list-style-type: none"> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the ability to retain vegetation and protect other natural and landscape values on each lot;</li> <li>(d) the topography of the site;</li> <li>(e) the presence of any natural hazards; and</li> <li>(f) the pattern of development existing on established properties in the area;</li> </ul> <p>and must have an area not less than 20ha.</p>
<p><b>A2</b></p> <p>Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities must have a frontage of not less than 40m.</p>	<p><b>P2</b></p> <p>Each lot must be provided with a frontage, or legal connection to a road by a right-of-carriageway that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>

## 22.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the project needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply where available.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system where such a supply is available.	<b>P2</b> Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land

## 23.0 Environmental Management Zone

### 23.1 Zone Purpose

The purpose of the Environmental Management Zone is:

- 23.1.1 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.
- 23.1.2 To only allow for complementary use or development where it is consistent with relevant strategies for protection and management of the land.

### 23.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Community Meeting and Entertainment	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Educational and Occasional Care	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Emergency Services	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Food Services	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
General Retail and Hire	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Pleasure Boat Facility.	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Research and Development	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director



Use Class	Qualification
	General of Lands under the <i>Crown Lands Act 1976</i> .
Residential	If: (a) for reserve management staff accommodation; and (b) an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Sport and Recreation	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Tourist Operation	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Utilities	If: (a) for minor utilities; and (b) an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
Visitor Accommodation	If an authority under the <i>National Parks and Reserved Land Regulations 2009</i> is granted by the Managing Authority, or approved by the Director General of Lands under the <i>Crown Lands Act 1976</i> .
<b>Discretionary</b>	
Community Meeting and Entertainment	If not listed as Permitted.
Educational and Occasional care	If not listed as Permitted.
Emergency Services	If not listed as Permitted.
Extractive Industry	
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Pleasure Boat Facility.	If not listed as Permitted.

Use Class	Qualification
Research and Development	If not listed as Permitted.
Residential	If for a caretakers cottage.
Resource Development	
Resource Processing	
Sport and Recreation	If not listed as Permitted.
Tourist Operation	If not listed as Permitted.
Utilities	If not listed as Permitted.
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## 23.3 Use Standards

### 23.3.1 Discretionary Uses

Objective:	To ensure that uses listed as Discretionary in the Use Table recognise and reflect the relevant values of the reserved land.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> Use listed as Discretionary in the Use Table must be consistent with the ecological, scientific, cultural or aesthetic values of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the significance of the ecological, scientific, cultural or aesthetic values;</li> <li>(b) the protection, conservation, and management of the values;</li> <li>(c) the risk from natural hazards;</li> <li>(d) the specific requirements of the use to operate;</li> <li>(e) the location and scale of the use proposed;</li> </ul>

	<p>(f) the characteristics and type of the use proposed;</p> <p>(g) traffic and parking generation;</p> <p>(h) any emissions and waste produced by the use;</p> <p>(i) the measures to minimise or mitigate impacts;</p> <p>(j) the storage and handling of goods, materials and waste;</p> <p>(k) the proximity of any sensitive uses; and</p> <p>(l) the advice of the manager of the land.</p>
<p>A2</p> <p>No Acceptable Solutions.</p>	<p><b>P2</b></p> <p>Extractive Industry, Resource Development and Resource Processing uses must be consistent with the reserve class values, purpose and management objectives under any relevant reserve management plan.</p>

## 23.4 Development Standards for buildings and works

### 23.4.1 Extent of Development

Objective:	<p>To ensure that the extent of development:</p> <p>(a) compatible with the values of the site; and</p> <p>(b) minimises disturbance of the site.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The extent of development must:</p> <p>(a) be not more than 500m<sup>2</sup>;</p> <p>(b) be in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority and/or <i>Nature Conservation Act 2002</i>; or</p> <p>(c) be in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>.</p>	<p><b>P1</b></p> <p>Development must not cause an unreasonable impact upon the natural and landscape values of the site, having regard to:</p> <p>(a) the design, siting, scale and type of development;</p> <p>(b) the operation of the use;</p> <p>(c) any natural hazards;</p> <p>(d) the impact of the development on the values of the site;</p> <p>(e) the need for the development to be located on the site;</p> <p>(f) how any significant values are managed; and</p> <p>(g) any protection, restoration, remediation or mitigation works.</p>

## 23.4.2 Building height, setback and siting

Objective:	To ensure that the design and siting of buildings responds appropriately to the values of the site.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Building height must: <ul style="list-style-type: none"> <li>(a) be not more than 6m; or</li> <li>(b) be in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority and/or <i>Nature Conservation Act 2002</i>; or</li> <li>(c) be in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>.</li> </ul>		<b>P1</b> Building height must be compatible with the values of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of proposed buildings;</li> <li>(b) the height, bulk and form of existing buildings</li> <li>(c) the topography of the site;</li> <li>(d) the visual impact of the buildings when viewed from roads and public places; and</li> <li>(e) the character of the surrounding area.</li> </ul>
<b>A2</b> Buildings must have a setback from all boundaries: <ul style="list-style-type: none"> <li>(a) in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority and/or <i>Nature Conservation Act 2002</i>;</li> <li>(b) in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>;</li> <li>(c) not less than 10m; or</li> <li>(d) not less than the existing building for an extension.</li> </ul>		<b>P2</b> Buildings must be sited to be compatible with the values of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of proposed buildings;</li> <li>(b) the height, bulk and form of existing buildings;</li> <li>(c) the topography of the site;</li> <li>(d) the appearance when viewed from roads and public places;</li> <li>(e) the retention of vegetation;</li> <li>(f) the safety of road users; and</li> <li>(g) the character of the surrounding area.</li> </ul>
<b>A3</b> Buildings for a sensitive use, must be separated from an adjoining Agricultural Zone: <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) not less than the existing building for an extension.</li> </ul>		<b>P3</b> Buildings for a sensitive use must be sited to not conflict or interfere with an agricultural use in the Agriculture Zone, having regard to: <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the separation of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the existing and potential use of adjoining properties; and</li> <li>(d) any proposed attenuation measures.</li> </ul>

## 23.4.3 Exterior Finish

Objective:	To ensure that exterior finishes are unobtrusive.	
Acceptable Solutions		Performance Criteria
<b>A1</b> The exterior finish of buildings is: <ul style="list-style-type: none"> <li>(a) in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority and/or <i>Nature Conservation Act 2002</i>;</li> <li>(b) in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>; or</li> <li>(c) coloured using colours with a light reflectance value not more than 40 percent.</li> </ul>		<b>P1</b> The exterior finish of buildings must be compatible with the natural landscape character of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the existing vegetation;</li> <li>(c) the dominant colours of the vegetation and surrounding area;</li> <li>(d) the nature of the development;</li> <li>(e) the nature of the exterior finishes;</li> <li>(f) the visual impact from roads and public places; and</li> <li>(g) the character of the surrounding area.</li> </ul>

## 23.4.4 Vegetation Management

Objective:	To ensure the site contributes to the natural and landscape values of the surrounding area by restricting vegetation removal.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Development must be: <ul style="list-style-type: none"> <li>(a) in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority and/or <i>Nature Conservation Act 2002</i>; or</li> <li>(b) located on land where the native vegetation cover has been lawfully removed.</li> </ul>		<b>P1</b> Development must be located to minimise native vegetation removal and the impact on natural and landscape values, having regard to: <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) provision for native habitat for native fauna;</li> <li>(d) the management and treatment of the balance of the site or native vegetation areas; and</li> <li>(e) the type, size and design of development.</li> </ul>

## 23.5 Development Standards for Subdivision

### 23.5.1 Lot Design

Objective:	To ensure each lot: (a) has an area and dimensions appropriate for use and development in the Zone; (b) is provided with appropriate access to a road; (c) has the identified values of the land protected.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) be in accordance with an authority under the <i>National Parks and Reserved Land Regulations 2009</i> granted by the Managing Authority and/or <i>Nature Conservation Act 2002</i>;</li> <li>(b) be in accordance with an approval of the Director General of Lands under the <i>Crown Lands Act 1976</i>;</li> <li>(c) be 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, Council or by a statutory authority;</li> <li>(d) be required for the provision of Utilities; or</li> <li>(e) be for the consolidation of a lot with another lot, provided each lot is within the same Zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the ability to retain vegetation and protect other natural and landscape values on each lot;</li> <li>(d) the topography of the site;</li> <li>(e) the presence of any natural hazards;</li> <li>(f) the need for the subdivision; and</li> <li>(g) the protection of Aboriginal, natural or historic cultural heritage.</li> </ul>
<p><b>A2</b></p> <p>No Acceptable Solutions.</p>	<p><b>P2</b></p> <p>Each lot must be provided with a frontage or legal connection to a road by a right-of-carriageway, that is sufficient for the intended purpose, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right-of-carriageway as their sole or principal means of access;</li> <li>(b) the anticipated nature of vehicles likely to access the site;</li> <li>(c) the topography of the site;</li> <li>(d) the pattern of development existing on established properties in the area; and</li> </ul>

	(e) the ability for emergency services to access the site.
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## 23.5.2 Wastewater Management

Objective:	To ensure each lot provides for appropriate wastewater disposal.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> No Acceptable Solutions.	<b>P1</b> Each lot must be capable of accommodating an on-site wastewater management system adequate for the intended use and development of the land, which does not have adverse environmental impacts.

## 24.0 Major Tourism Zone

### 24.1 Zone Purpose

The purpose of the Major Tourism Zone is:

- 24.1.1 To provide for large scale tourist facilities which include a range of use and development.
- 24.1.2 To provide for compatible uses and development that complements or enhances tourist operations.
- 24.1.3 To encourage the provision of large scale tourism related mixed use developments particularly in areas near major tourist attractions.
- 24.1.4 To ensure development is of an appropriate scale and intensity for the location and minimises impacts on the surrounding urban or rural activities and cultural and natural attractions.
- 24.1.5 To ensure that any commercial uses support the tourist purpose of the site and do not adversely impact on existing activity centres.

### 24.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Community Meeting and Entertainment	
Food Services	If not a take-away food premises.
Hotel Industry	
Research and Development	
Sports and Recreation	
Tourist Operation	
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	



Use Class	Qualification
Educational and Occasional Care	
Emergency Services	
Food Services	If not listed as Permitted.
General Retail and Hire	
Pleasure Boat Facility	
Residential	
Resource Processing	If for a distillery, brewery or cidery.
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## 24.3 Use Standards

### 24.3.1 All uses

Objective:	To ensure that uses do not cause an unreasonable loss of amenity to the adjoining residential Zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, Utilities or office or administrative tasks, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential or Rural Living Zone must be within the hours of: <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>		<b>P1</b> Hours of operation of a use, excluding Residential, Visitor Accommodation, Emergency Services, Utilities or office or administrative tasks, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential or Rural Living Zone must not cause an unreasonable loss of amenity to the adjoining residential zones through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b> External lighting for a use, excluding for a Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone, General		<b>P2</b> External lighting for a use, excluding for Residential or Visitor Accommodation use, on a site within 50m of an Inner Residential Zone, General Residential Zone,

<p>Residential Zone, Low Density Residential Zone or Rural Living Zone, must:</p> <p>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</p> <p>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property.</p>	<p>Low Density Residential or Rural Living Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <p>(a) the level of illumination and duration of lighting;</p> <p>(b) the distance to habitable rooms of an adjacent dwelling.</p>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles, excluding for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles, excluding those for Residential, Visitor Accommodation or Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the adjoining residential area; and</p> <p>(f) potential conflicts with other traffic.</p>

#### 24.3.3 Discretionary use

Objective:	To ensure that uses listed as Discretionary in the Use Table complement the tourism use of the site.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary in the Use Table must:</p> <p>(a) complement the tourism related uses on the site;</p> <p>(b) not compromise the operational efficiency of</p>

	<p>any permitted use operating within the Zone;</p> <p>(c) not be the dominant use on the site;</p> <p>(d) cater primarily for demand from customers or visitors from outside the local area;</p> <p>(e) be consistent with any relevant local area objectives.</p>
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## 24.4 Development Standards for buildings and works

### 24.4.1 Building height

Objective:	To provide for a building height that does not cause an unreasonable impact on adjoining properties and the visual character of the area.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 10m.</p>	<p><b>P1</b></p> <p>Building height must:</p> <p>(a) not cause an unreasonable loss of amenity from overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties, having regard to:</p> <p>(i) the bulk and form of the building;</p> <p>(ii) separation from existing buildings on adjoining properties; and</p> <p>(iii) any buffers created by natural or other features; and</p> <p>(b) minimise the impact on the visual character of the area, having regard to:</p> <p>(i) the topography of the site;</p> <p>(ii) any existing vegetation; and</p> <p>(iii) visibility from adjoining roads and public open spaces.</p>
<p><b>A2</b></p> <p>Building height, within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential or Rural Living Zone, must be not more than 8.5m.</p>	<p><b>P2</b></p> <p>Building height, within 10m of an Inner Residential Zone, General Residential Zone, Low Density Residential or Rural Living Zone, must be compatible with buildings existing on established properties in the adjoining Zone and not cause an unreasonable loss of residential amenity through:</p> <p>(a) overshadowing and reduction in sunlight to</p>

	<p>habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
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## 24.4.2 Setbacks

Objective:	<p>To ensure that the building setback:</p> <p>(a) contributes positively to the character of the surrounding area;</p> <p>(b) does not cause an unreasonable loss of amenity to adjoining residential areas; and</p> <p>(c) does not cause land use conflict.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <p>(a) not less than 10m;</p> <p>(b) not less than existing buildings on the site; or</p> <p>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.</p>	<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is:</p> <p>(a) compatible with the setback of a buildings existing on established adjacent properties; and</p> <p>(b) sufficient to provide adequate vehicle access, parking and landscaping.</p>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within an Inner Residential Zone, General Residential Zone, Low Density Residential or Rural Living Zone of not less than:</p> <p>(a) 5m; or</p> <p>(b) half the wall height</p> <p>whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within an Inner Residential Zone, General Residential Zone, Low Density Residential or Rural Living Zone, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the setback of existing buildings on the site and adjoining properties;</p> <p>(d) the bulk and form of proposed buildings;</p> <p>(e) overlooking and reduction of privacy of dwellings on adjoining properties;</p> <p>(f) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and</p> <p>(g) any existing screening or the ability to implement screening.</p>

<p><b>A3</b></p> <p>Buildings for a sensitive use must be separated from an Agriculture Zone a distance of:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) where an existing building for a sensitive use is within 200m, not less than the existing building.</li> </ul>	<p><b>P3</b></p> <p>Buildings for a sensitive use must be sited to not conflict or interfere with an agricultural use in the Agricultural Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the pattern of separation of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings for sensitive uses on the site;</li> <li>(d) the existing and potential use of adjoining properties; and</li> <li>(e) any proposed or existing attenuation measures.</li> </ul>
<p><b>A4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated a distance of not less than 10m from the Inner Residential Zone, General Residential Zone, Low Density Residential Zone and Rural Living Zone.</p>	<p><b>P4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of an adjoining Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses in the adjoining Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of adjoining sensitive uses; and</li> <li>(d) any proposed or existing mitigation measures.</li> </ul>

## 24.5 Development Standards for Subdivision

### 24.5.1 Lot design

Objective:	To ensure each lot: (a) has an area and dimensions appropriate for use and development in the Zone; and (b) is provided with appropriate access to a road.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Each lot must :  (a) be 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, Council or by a statutory authority;  (b) be required for the provision of Utilities; or  (c) be for the consolidation of a lot with another lot provided both lots are within the same Zone.		<b>P1</b>  Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to:  (a) the relevant requirements for development of buildings on the lot;  (b) the existing buildings and the location of intended buildings; and  (c) the accessibility for vehicles providing for supplies, waste removal and emergency services.
<b>A2</b>  Each lot must have a frontage, or legal connection to a road by a right-of-carriageway, of not less than 3.6m.		<b>P2</b>  Each lot, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:  (a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;  (b) the topography of the site;  (c) the functionality and useability of the frontage or access;  (d) the anticipated nature of vehicles likely to access the site;  (e) the ability to manoeuvre vehicles on the site;  (f) the ability for emergency services to access the site; and  (g) the pattern of development existing on established properties in the area.

## 24.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply, where available.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.	<b>P2</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b>	Each lot excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a stormwater system able to service the building area by gravity.	<b>P3</b> Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.

## 25.0 Port and Marine Zone

### 25.1 Zone Purpose

The purpose of the Port and Marine Zone is:

- 25.1.1 To provide for major port and marine activity related to shipping, other associated transport facilities and supply and storage.
- 25.1.2 To provide for compatible use or development that supports and does not adversely impact on port and marine activities.

### 25.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Port and Shipping	
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	If for boat sales, shipping supplies or other maritime purposes.
Business and Professional Services	If for marine, port, shipping and transport purposes.
Educational and Occasional Care	If for training in marine, port, shipping and transport purposes.
Emergency Services	
Equipment and Machinery Sales and Hire	If for marine, port, shipping and transport equipment.
General Retail and Hire	If for chandlers and other shipping and transport related goods.
Manufacturing and Processing	If associated with maritime purposes.
Passive Recreation	
Pleasure Boat Facility	
Research and Development	If associated with Port and Shipping or marine and transport purposes.
Service Industry	If for marine, port, shipping and transport purposes.



Use Class	Qualification
Storage	If for marine, port, shipping and transport purposes.
Transport Depot and Distribution	
Vehicle Fuel Sales and Service	
Utilities	If not listed as No Permit Required.
<b>Discretionary</b>	
Food Services	
Resource Processing	If for aquaculture.
Sports and Recreation	If for marine, aquatic or aviation based activities.
Storage	If not listed as Permitted.
Tourist Operation	
Vehicle Parking	
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

### 25.3 Use Standards

25.3.1 There are no Use Standards in the Zone.

### 25.4 Development Standards for buildings and works

25.4.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) does not cause unreasonable loss of amenity on adjoining properties.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height, excluding those for Port and Shipping uses, and structures such as antennas, towers, masts, poles, gantries, cranes or similar, must be not more than 20m.		<b>P1</b>  Building height, excluding those for Port and Shipping uses, and structures such as antennas, towers, masts, poles, gantries, cranes or similar, must:  (a) be necessary for the operation of the use; and  (b) not cause unreasonable loss of amenity to

	<p>adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(i) the bulk and form of the building;</li> <li>(ii) separation from existing use on adjoining sites; and</li> <li>(iii) any buffers created by natural or other features.</li> </ul>
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## 25.5 Development Standards for Subdivision

### 25.5.1 Lot design

Objective:	<p>To ensure each lot:</p> <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must:</p> <ul style="list-style-type: none"> <li>(a) be required for Port and Shipping use;</li> <li>(b) have an area of not less than 1000m<sup>2</sup> and be able to contain a minimum building area of 15m x 20m clear of all of easements or other title restrictions that limit or restrict development;</li> <li>(c) be 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, Council or by a statutory authority;</li> <li>(d) be required for the provision of Utilities; or</li> <li>(e) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the existing buildings and the location of intended buildings on the lot;</li> <li>(b) the topography of the site;</li> <li>(c) the presence of any natural hazards; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A2</b></p> <p>Each lot must have a frontage of not less than 6m.</p>	<p><b>P2</b></p> <p>Each lot must be provided with a frontage or legal connection to a road by a right-of-carriageway suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> </ul>

	<p>(d) the anticipated nature of vehicles likely to access the site;</p> <p>(e) the ability to manoeuvre vehicles on the site;</p> <p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>
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## 25.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply where available.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system where such a supply is available.	<b>P2</b> Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b>	Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.	<b>P3</b> Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.

## 26.0 Utilities Zone

### 26.1 Zone Purpose

The purpose of the Utilities Zone to:

26.1.1 To provide land for major utilities installations and corridors.

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

### 26.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Recycling and Waste Disposal	
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
Vehicle Parking	
<b>Discretionary</b>	
Emergency Services	
Sports and Recreation	
Storage	
Tourist Operation	
<b>Prohibited</b>	
All other uses	

## 26.3 Use Standards

### 26.3.1 All uses

Objective:	To ensure that uses do not cause an unreasonable loss of residential amenity to adjoining residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Utilities, Emergency Services or office or administrative tasks, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Utilities, Emergency Services or office or administrative tasks on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the adjoining residential Zones through the timing, duration or extent of vehicle movements, or through noise, lighting or other emissions.
<b>A2</b> External lighting for a use, excluding for a Utilities or Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone, must: <ul style="list-style-type: none"> <li>(a) not operate between the hours of 11.00pm and 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b> External lighting for a use, excluding for a Utilities or Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding those for Utilities or Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding those for Utilities or Emergency Services use, on a site within 50m of an Inner Residential Zone, General Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the adjoining residential Zones, having regard to: <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial</li> </ul>

	<p>vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and sensitive use; and</p> <p>(f) potential conflicts with other traffic.</p>
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## 26.3.2 Discretionary use

Objective:	To ensure that uses listed as Discretionary in the Use Table do not compromise the use of land for Utilities.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary in the Use Table must not compromise or restrict the operations of an existing or intended utility, having regard to:</p> <p>(a) the compatibility of the utility and the proposed use;</p> <p>(b) the location of the proposed use in relation to the utility, or any proposed utility;</p> <p>(c) existing land uses; and</p> <p>(d) any buffers or mitigation measures.</p>

## 26.4 Development Standards for buildings and works

## 26.4.1 Building height

Objective:	To provide for a building height that: <p>(a) is necessary for the operation of the use; and</p> <p>(b) minimises adverse impacts on adjoining properties and the visual character of the area.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than:</p> <p>(a) 10m; or</p> <p>(b) 15m if for a structure, such as an antenna, tower, mast, pole or similar.</p>	<p><b>P1</b></p> <p>Building height must:</p> <p>(a) be necessary for the operation of the use;</p> <p>(b) minimise adverse impacts from overshadowing and reduction in sunlight to habitable rooms and</p>

	<p>private open space of dwellings on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(i) the bulk and form of the building;</li> <li>(ii) separation from existing buildings on adjoining properties; and</li> <li>(iii) any buffers created by natural or other features; and</li> </ul> <p>(c) minimise the impact on the visual character of the area, having regard to:</p> <ul style="list-style-type: none"> <li>(i) the topography of the site;</li> <li>(ii) any existing vegetation; and</li> <li>(iii) visibility from adjoining roads and public open space.</li> </ul>
<p><b>A2</b></p> <p>Building height, within 10m of an adjoining property in an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as an antenna, tower, mast, pole or similar, must be not more than 8.5m.</p>	<p><b>P2</b></p> <p>Building height, within 10m of an adjoining property in an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as an antenna, tower, mast, pole or similar, must be compatible with buildings existing on established properties in the adjoining Zone and not cause an unreasonable loss of residential amenity by:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>

## 26.4.2 Setbacks

Objective:	<p>To ensure that building setback:</p> <ul style="list-style-type: none"> <li>(a) contributes positively to the character of the surrounding area; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining properties.</li> </ul>	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Buildings, excluding a structure such as an antenna, tower, mast, pole or similar, must have a setback from all boundaries of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5m; or</li> </ul>		<p><b>P1</b></p> <p>Buildings, excluding a structure such as an antenna, tower, mast, pole or similar, must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p>

(b) an existing building on the lot.	<ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setback of existing buildings on the site and on adjoining properties;</li> <li>(d) the bulk and form of proposed buildings;</li> <li>(e) overlooking and reduction of privacy of dwellings on adjoining properties;</li> <li>(f) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and</li> <li>(g) any existing screening or the ability to implement screening.</li> </ul>
<p><b>A2</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated a distance of not less than 10m from an Inner Residential Zone, General Residential Zone, Low Density Residential Zone and Rural Living Zone.</p>	<p><b>P2</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of an adjoining Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated so as to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of adjoining sensitive uses; and</li> <li>(d) any proposed or existing mitigation measures.</li> </ul>

#### 26.4.3 Fencing

Objective:	<p>To ensure that fencing:</p> <ul style="list-style-type: none"> <li>(a) does not detract from the appearance of the site or surrounding area; and</li> <li>(b) provides for passive surveillance.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Village Zone must have a height above existing ground level of not more than:</p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in the Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Village Zone must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the height, design, location and extent of the</li> </ul>



<p>(a) 1.2m if the fence is solid; or</p> <p>(b) 2.1m, if any part of the fence that is within 4.5m of a frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30%.</p>	<p>fence;</p> <p>(b) the degree of transparency; and</p> <p>(c) the proposed materials and construction.</p>
<p><b>A2</b></p> <p>Common boundary fences with a property in an Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Village Zone must:</p> <p>(a) have a height above existing ground level of not more than 2.1m; and</p> <p>(b) not use barbed wire.</p>	<p><b>P2</b></p> <p>Common boundary fences with a property in the Inner Residential Zone, General Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) the height, design, location and extent of the fence; and</p> <p>(b) the proposed materials and construction.</p>

#### 26.4.4 Outdoor storage areas

Objective:	To ensure outdoor storage areas do not detract from the appearance of the site or surrounding area.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Outdoor storage areas, excluding any goods for sale, must:</p> <p>(a) be located behind the façade of the building; or</p> <p>(b) have all stored goods and materials screened from public view.</p>	<p><b>P1</b></p> <p>Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.</p>

## 26.5 Development Standards for Subdivision

#### 26.5.1 Subdivision

Objective:	To ensure each lot: <p>(a) has an area and dimensions appropriate for use and development in the zone; and</p> <p>(b) is provided with appropriate frontage to a road.</p>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each lot must:</p> <p>(a) be required for public use by the State Government, a Council, a statutory authority,</p>	<p><b>P1</b></p> <p>Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to the:</p>

<p>or a corporation all the shares of which are held by or on behalf of the State, Council or by a statutory authority;</p> <p>(b) be required for the provision of Utilities; or</p> <p>(c) be for the consolidation of a lot with another lot provided both lot are within the same zone.</p>	<p>(a) the relevant requirements for development of buildings on the lot;</p> <p>(b) location of existing buildings on the lot;</p> <p>(c) likely location of buildings on the lot; and</p> <p>(d) accessibility for vehicles.</p>
<p><b>A2</b></p> <p>Each lot must have a frontage, or legal connection to a road by a right-of-carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(b) the topography of the site;</p> <p>(c) the functionality and useability of the frontage or access;</p> <p>(d) the anticipated nature of vehicles likely to access the site;</p> <p>(e) the ability to manoeuvre vehicles on the site;</p> <p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>

## 26.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply, where available.	<b>P1</b> No Performance Criteria.

<p><b>A2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>
<p><b>A3</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.</p>	<p><b>P3</b></p> <p>Each lot, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of providing an on-site stormwater management system adequate for the future use and development of the land.</p>

## 27.0 Community Purposes Zone

### 27.1 Zone Purpose

The purpose of the Community Purposes Zone is:

- 27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.
- 27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure to respond to changing and emerging community needs.

### 27.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	If: (a) for medical centre; (b) for a community-based organisation; or (c) for funeral parlour.
Community Meeting and Entertainment	
Crematoria and Cemeteries	If for a cemetery.
Educational and Occasional Care	
Emergency Services	
Hospital Services	
Residential	If for a residential care facility, respite centre, retirement village or assisted housing.
Tourist Operation	If for a visitors centre.
<b>Discretionary</b>	
Business and Professional	If not listed as Permitted.

Use Class	Qualification
Services	
Custodial Facility	If for alterations or extensions to an existing use.
General Retail and Hire	If for a market.
Recycling and Waste Depot	If for alterations or extension to an existing use.
Sports and Recreation	
Tourist Operation	If not listed as Permitted.
Utilities	If not listed as No Permit Required.
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

## 27.3 Use Standards

### 27.3.1 Non-Residential use

Objective:	To ensure that non-Residential use does not cause an unreasonable impact on residential amenity.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Hospital Services, Residential, Natural and Cultural Values Management, Passive Recreation, Utilities and office and administrative tasks, within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 8.00am to 8.00pm Monday to Friday;</li> <li>(b) 9.00am to 6.00pm Saturday; and</li> <li>(c) 10.00am to 5.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Hospital Services, Residential, Natural and Cultural Values Management, Passive Recreation, Utilities and office and administrative tasks, within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to an adjacent residential use through the timing, duration or extent of vehicle movements or through noise, lighting or other emissions.

<p><b>A2</b></p> <p>External lighting on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, excluding for Residential, Natural and Cultural Values Management, Passive Recreation and Utilities uses and flood lighting of Sports and Recreation facilities:</p> <ul style="list-style-type: none"> <li>(a) must not operate between 9:00pm and 6:00am, excluding any security lighting; and</li> <li>(b) security lighting must be baffled to ensure light does not extend into the adjoining property.</li> </ul>	<p><b>P2</b></p> <p>External lighting excluding for Residential, Natural and Cultural Values Management, Passive Recreation and Utilities uses, other than flood lighting of Sports and Recreation facilities, within 50m of the Inner Residential Zone, General Residential Zone and Low Density Residential Zone must not cause an unreasonable loss of amenity to an adjacent residential use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) distance to habitable rooms in an adjacent dwelling.</li> </ul>
<p><b>A3</b></p> <p>Flood lighting of Sports and Recreation facilities on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must not operate between 9.00pm and 6.00am.</p>	<p><b>P3</b></p> <p>Flood lighting of Sports and Recreation facilities on a site within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must cause an unreasonable loss of amenity to an adjacent residential use and must:</p> <ul style="list-style-type: none"> <li>(a) be necessary for Sports and Recreation use; or</li> <li>(b) operate for the duration of a special event (including set up and pack up).</li> </ul>
<p><b>A4</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services, within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 6.00pm Monday to Friday; and</li> <li>(b) 9.00am to 5.00pm Saturday, Sunday and public holidays.</li> </ul>	<p><b>P4</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services, within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to an adjacent residential use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the residential</li> </ul>

	<p>Zone; and</p> <p>(f) the existing levels of amenity.</p>
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## 27.4 Development Standards for buildings and works

### 27.4.1 Building height

Objective:	<p>To ensure that building height:</p> <p>(a) contributes positively to the streetscape; and</p> <p>(b) does not cause an unreasonable loss of amenity to adjoining residential properties.</p>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 10m.</p>		<p><b>P1</b></p> <p>Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</p> <p>(c) the bulk and form of proposed buildings;</p> <p>(d) the apparent height when viewed from the road and public places; and</p> <p>(e) any overshadowing of adjoining properties or public places.</p>

### 27.4.2 Setback

Objective:	<p>To ensure that building setback:</p> <p>(a) contributes positively to the streetscape; and</p> <p>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <p>(a) not less than 5m; or</p> <p>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties;</p> <p>whichever is the lesser.</p>		<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape, having regarding to:</p> <p>(a) the topography of the site;</p> <p>(b) the setbacks of buildings on adjacent properties;</p> <p>(c) the height, bulk and form of existing and proposed buildings; and</p>

	(d) the safety of road users.
<b>A2</b> Buildings must have a setback from side and rear boundaries adjoining an Inner Residential Zone, General Residential Zone or Low Density Residential Zone not less than: <ul style="list-style-type: none"> <li>(a) 3m; or</li> <li>(b) half the wall height:</li> </ul> whichever is the greater.	<b>P2</b> Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, through: <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
<b>A3</b> Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated a distance of not less than 10m from an Inner Residential Zone, General Residential Zone or Low Density Residential Zone.	<b>P3</b> Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of adjoining sensitive uses; and</li> <li>(d) any proposed mitigation measures.</li> </ul>

## 27.4.3 Fencing

Objective:	To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> A fence (including a free-standing wall) within 4.5m of a frontage must have a height above existing ground level of not more than: <ul style="list-style-type: none"> <li>(a) 1.2m if the fence is solid; or</li> <li>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a</li> </ul>	<b>P1</b> A fence (including a free-standing wall) within 4.5m of a frontage must: <ul style="list-style-type: none"> <li>(a) provide for security and privacy while allowing for passive surveillance of the road; and</li> <li>(b) contribute positively to the streetscape, having regard to:</li> </ul>	



uniform transparency of not less than 30% (excluding any posts or uprights).	(i) its height, design, location and extent; (ii) topography of the site; and (iii) traffic volumes on the adjoining road.
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## 27.4.4 Outdoor storage areas

Objective:	To ensure that outdoor storage areas for do not detract from the appearance of the site or locality.
Acceptable Solutions	Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must: <ul style="list-style-type: none"> <li>(a) be located behind the façade of the building; or</li> <li>(b) have all stored goods and materials screened from public view.</li> </ul>	<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.

## 27.5 Development Standards for Subdivision

## 27.5.1 Lot Design

Objective:	To ensure each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the Zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 600m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum building area of 10m x 15m, with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 27.4.2 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 27.4.2 A1 and A2;</li> </ul> </li> <li>(b) be required for public use by the State Government, a Council, a statutory authority,</li> </ul>	<b>P1</b> Each lot, must have sufficient useable area and dimensions suitable for its intended use having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) existing buildings and the location of intended buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>

<p>or a corporation all the shares of which are held by or on behalf of the State, Council or by a statutory authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same Zone.</p>	
<p><b>A2</b></p> <p>Each lot must have a frontage or legal connection to a road by a right-of-carriageway of not less than 10m.</p>	<p><b>P2</b></p> <p>Each lot, must be provided with a frontage or legal connection to a road by a right-of -carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right-of-carriageway as their sole or principal means of access</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>

## 27.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must be have a connection to a reticulated potable water supply where available.	<b>P1</b> No Performance Criteria.
<b>A2</b>	Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	<b>P2</b> Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

<b>A3</b> Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.	<b>P3</b> Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.
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## 28.0 Recreation Zone

### 28.1 Zone Purpose

The purpose of the Recreation Zone is:

- 28.1.1 To provide for a range of active and organised recreational use and development ranging from small community facilities to major sporting facilities
- 28.1.2 To provide for a range of complementary uses that do not impact adversely on the recreational use of the land.
- 28.1.3 To ensure that new major sporting facilities are appropriately located having regard to their scale and external impacts on adjacent areas.

### 28.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Sports and Recreation	If not for a major sporting facility.
Utilities	If for minor utilities.
<b>Permitted</b>	
Sports and Recreation	Except if No Permit Required.
<b>Discretionary</b>	
Community Meeting and Entertainment	
Crematoria and Cemeteries	If for alterations or extensions to an existing use.
Domestic Animal Breeding, Boarding and Training	If for animal training.
Educational and Occasional Care	
Emergency Services	
Food Services	

Use Class	Qualification
General Retail and Hire	If: (a) for clothing, equipment or souvenirs for a Sports and Recreation use; or (b) for a market.
Motor Racing Facility	
Pleasure Boat Facility	
Tourist Operation	
Utilities	If not listed as No Permit Required.
Vehicle Parking	
Visitor Accommodation	If for a camping and caravan park or overnight camping area.
<b>Prohibited</b>	
All other uses	

### 28.3 Use Standards

#### 28.3.1 Sports and Recreation Use and all Discretionary Uses, except for Visitor Accommodation and Emergency Services

Objective:	To ensure that uses do not cause an unreasonable loss of amenity to nearby sensitive uses.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hour of operation for Sports and Recreation and all uses listed as Discretionary within the Use Table, excluding Visitor Accommodation and Emergency Services, must be within the hours of: (a) 8.00am to 10.00pm when within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone; or (b) 6.00am to midnight otherwise.		<b>P1</b> Hours of operation for Sports and Recreation and all uses listed as Discretionary within the Use Table, excluding Visitor Accommodation and Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses through the timing, duration or extent of vehicle movements or through noise, lighting or other emissions, having regard to: (a) the nature and intensity of the proposed use; (b) the characteristics and frequency of any emissions generated; (c) the existing levels of amenity; and (d) setup, testing and removal of event related equipment.

<p><b>A2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must not operate between 11.00pm and 7.00am.</p>	<p><b>P2</b></p> <p>Flood lighting of Sports and Recreation facilities must:</p> <ul style="list-style-type: none"> <li>(a) be necessary for Sports and Recreation use; or</li> <li>(b) operate for the duration of a special event (including set up and pack up); and</li> <li>(c) not cause unreasonable loss of amenity to the adjoining residential Zone.</li> </ul>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for Sports and Recreation and all uses listed as Discretionary within the Use Table, excluding Emergency Services, within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00 am to 6.00 pm Monday to Friday; and</li> <li>(b) 8.00 am to 5.00 pm Saturday, Sunday or public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for Sports and Recreation and all uses listed as Discretionary within the Use Table, excluding Emergency Services, within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of amenity to the adjoining residential Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring by the commercial vehicles, including the amount of reversing (including associated warning noise);</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</li> <li>(f) the existing levels of amenity.</li> </ul>

### 28.3.2 Sports and Recreation - major sporting facilities

Objective:	To ensure that major sporting facilities do not cause an unreasonable adverse impact on amenity to adjacent residential uses.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>An extension to an existing major sporting facility within 100m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone,</p>	<p><b>P1</b></p> <p>A major sporting facility must not cause unreasonable loss of residential amenity having regard to:</p> <ul style="list-style-type: none"> <li>(a) the surrounding uses, their character and</li> </ul>

provided that it does not increase spectator capacity.	<p>amenity;</p> <p>(b) impacts associated with existing facilities;</p> <p>(c) frequency and scale of events;</p> <p>(d) traffic, parking and the availability of public transport;</p> <p>(e) likely noise generation;</p> <p>(f) the arrival and departure of crowds; and</p> <p>(g) proposed mitigation measures.</p>
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## 28.4 Development Standards for buildings and works

### 28.4.1 Building height, setback and siting

Objective:	<p>To ensure that building bulk, form and siting:</p> <p>(a) provides for Sports and Recreation uses; and</p> <p>(b) does not cause unreasonable loss of amenity to adjacent properties.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 10m.</p>	<p><b>P1</b></p> <p>Building height does not cause unreasonable loss of amenity to adjacent properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</p> <p>(c) the bulk and form of proposed buildings;</p> <p>(d) the requirements of the proposed use;</p> <p>(e) sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;</p> <p>(f) the privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties;</p> <p>(g) any overshadowing of adjacent public places;</p> <p>(h) If an existing major sporting facility, the impact of the proposed height in the context of existing development.</p>

<p><b>A2</b></p> <p>Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties</li> </ul> <p>whichever is the lesser.</p>	<p><b>P2</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape and:</p> <ul style="list-style-type: none"> <li>(a) provides for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created; or</li> <li>(b) only has large variations in building alignment where appropriate to provide for: <ul style="list-style-type: none"> <li>(i) a forecourt or space for public use, such as outdoor dining or landscaping; or</li> <li>(ii) access at a major sporting facility including but not limited to stairs, ramps, verandahs, gates and entry foyers</li> </ul> </li> </ul> <p>provided that no potential concealment or entrapment opportunity is created and the forecourt or structure is afforded passive surveillance.</p>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries adjoining an Inner Residential Zone, General Residential Zone or Low Density Residential Zone not less than:</p> <ul style="list-style-type: none"> <li>(a) 3m; or</li> <li>(b) half the wall height</li> </ul> <p>whichever is the greater.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties in an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, through:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms of dwellings and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
<p><b>A4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated a distance of not less than 10m from an Inner Residential Zone, General Residential Zone or Low Density Residential Zone.</p>	<p><b>P4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any</li> </ul>



	<p>emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site; and</p> <p>(d) any mitigation measures proposed.</p>
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#### 28.4.2 Outdoor storage areas

Objective:	To ensure outdoor storage areas do not detract from the appearance of the site or locality.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must: <p>(a) be located behind the façade of the building; or</p> <p>(b) have all stored goods and materials screened from public view.</p>		<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.

### 28.5 Development Standards for Subdivision

#### 28.5.1 Lot Design

Objective:	To ensure each lot: <p>(a) has an area and dimensions appropriate for use and development in the Zone; and</p> <p>(b) is provided with appropriate access to a road.</p>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot must: <p>(a) be 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, Council or by a statutory authority;</p> <p>(b) be required for the provision of Utilities; or</p> <p>(c) be for the consolidation of a lot with another lot, provided each lot is within the same Zone.</p>		<b>P1</b> Each lot must have sufficient useable area and dimensions suitable for its intended use having regard to: <p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) existing buildings and the location of intended buildings on the lot;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards; and</p> <p>(e) the pattern of development existing on established properties in the area.</p>

<p><b>A2</b></p> <p>Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot must be provided with a frontage or legal connection to a road by a right-of-carriageway, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right-of-carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
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## 28.5.2 Services

Objective:	To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated potable water supply where available.</p>	<p><b>P1</b></p> <p>No Performance Criteria.</p>
<p><b>A2</b></p> <p>Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system where such a supply is available.</p>	<p><b>P2</b></p> <p>Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>
<p><b>A3</b></p> <p>Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a stormwater system able to service the building area by gravity.</p>	<p><b>P3</b></p> <p>Each lot, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land.</p>

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## 29.0 Open Space Zone

### 29.1 Zone Purpose

The purpose of the Open Space Zone is:

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

29.1.2 To provide for a range of use and development that complements and enhances the use of the land for open space purposes.

### 29.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities and underground utilities.
<b>Permitted</b>	
	No Permitted uses.
<b>Discretionary</b>	
Community Meeting and Entertainment	
Crematoria and Cemeteries	If for a cemetery.
Emergency Services	
Food Services	
General Retail and Hire	
Pleasure Boat Facility	
Resource Development	If: (a) for marine farming shore facility or other facility that relies upon a coastal location to fulfil its purpose; or (b) for grazing animals.
Sports and Recreation	
Tourist Operation	

Use Class	Qualification
Transport Depot and Distribution	If associated with wharf, water taxis, commuter or passenger ferry terminals.
Utilities	If not listed as No Permit Required.
Vehicle Parking	
Visitor Accommodation	If for camping and caravan park or overnight camping areas.
<b>Prohibited</b>	
All other uses	

## 29.3 Use Standards

### 29.3.1 All Discretionary Uses

Objective:	To ensure that a use listed as Discretionary within the Use Table, does not cause an unreasonable loss of amenity to adjacent sensitive uses.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Hours of operation for a use listed as Discretionary within the Use Table, excluding for Visitor Accommodation and Emergency Services, must be within the hours of:</p> <p>(a) 8.00am to 10.00pm when within 50m of a Inner Residential Zone, General Residential Zone or Low Density Residential Zone; or</p> <p>(b) 6.00am to midnight otherwise.</p>	<p><b>P1</b></p> <p>Hours of operation for a use listed as Discretionary within the Use Table, excluding for Visitor Accommodation and Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses through the timing, duration or extent of vehicle movements or through noise, lighting or other emissions.</p>
<p><b>A2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must not operate between 11.00pm and 7.00am.</p>	<p><b>P2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of amenity and must:</p> <p>(a) be necessary for Sports and Recreation use; or</p> <p>(b) operate for the duration of a special event (including set up and pack up).</p>

## 29.4 Development Standards for buildings and works

### 29.4.1 Building height, setback and siting

Objective:	To ensure that building bulk, form and siting: <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape;</li> <li>(b) does not cause unreasonable loss of amenity to adjacent properties; and</li> <li>(c) respects the natural and landscape values of the site.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Building height must be not more than 10m.	<b>P1</b> Building height does not cause an unreasonable loss of amenity to adjacent properties, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the requirements of the proposed use;</li> <li>(e) sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;</li> <li>(f) the privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties; and</li> <li>(g) any overshadowing of adjacent public places.</li> </ul>
<b>A2</b>	Buildings must have a setback from a frontage of: <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties</li> </ul> whichever is the lesser.	<b>P2</b> Buildings must have a setback from a frontage that is compatible with the streetscape and: <ul style="list-style-type: none"> <li>(a) provides for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created; or</li> <li>(b) only has large variations in building alignment where appropriate to provide for a forecourt or space for public use, such as outdoor dining or landscaping, provided no potential concealment or entrapment opportunity is created and the forecourt or structure is afforded passive surveillance.</li> </ul>
<b>A3</b>	Buildings must have a setback from side and rear boundaries adjoining an Inner Residential Zone,	<b>P3</b> Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties in an Inner

<p>General Residential Zone or Low Density Residential Zone not less than:</p> <p>(a) 3m; or</p> <p>(b) half the wall height</p> <p>whichever is the greater.</p>	<p>Residential Zone, General Residential Zone or Low Density Residential Zone, through:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p><b>A4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators must be separated a distance of not less than 10m from an Inner Residential Zone, General Residential Zone or Low Density Residential Zone.</p>	<p><b>P4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <p>(a) the characteristics and frequency of any emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site; and</p> <p>(d) any mitigation measures proposed.</p>

## 29.4.2 Outdoor storage areas

Objective:	To ensure outdoor storage areas do not detract from the appearance of the site or locality.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must:</p> <p>(a) be located behind the façade of the building; or</p> <p>(b) have all stored goods and materials screened from public view.</p>	<p><b>P1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity to the area.</p>

## 29.5 Development Standards for Subdivision

### 29.5.1 Lot Design

Objective:	To ensure each lot: (a) has an area and dimensions appropriate for use and development in the Zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot must: <ul style="list-style-type: none"> <li>(a) be 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, Council or by a statutory authority;</li> <li>(b) be required for the provision of Utilities; or</li> <li>(c) be for the consolidation of a lot with another lot, provided each lot is within the same Zone.</li> </ul>	<b>P1</b> Each lot must have sufficient useable area and dimensions suitable for its intended use having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>
<b>A2</b> Each lot, excluding a riparian or littoral reserve or Utilities, must have a frontage not less than 15m.	<b>P2</b> Each lot must be provided with a frontage or legal connection to a road by a right-of-carriageway suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right-of-carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>



## C1.0 Signs Code

### C1.1 Code Purpose

The purpose of the Signs Code is:

- C1.1.1 To provide for appropriate advertising and display of information for business activity.
- C1.1.2 To provide for well-designed signs that are compatible with the visual amenity of the locality.
- C1.1.3 To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

### C1.2 Application of this Code

- C1.2.1 Unless otherwise stated in a Particular Purpose Zone, this Code applies to all development for signs, unless the following clauses apply:
  - (a) C1.4.2; or
  - (b) C1.4.3.
- C1.2.2 This Code does not apply to use.

### C1.3 Definition of Terms

- C1.3.1 In this Code, unless the contrary intention appears:






Term	Definition
advertisement	means words, lettering, model, symbol, device, representation, banner, bunting, decorative flag or lights used for the purposes of advertising, announcement or display.
dwelt time	means the length of time a message or image is displayed on a sign with the capacity to change the displayed message using digital or other method.
flashing lights	means illuminate briefly with the intermittent occurrence of light. This includes frequent sudden bursts of light or a regular pattern of periodic illumination.
illuminated sign	means a sign that uses a light source or sources to display or highlight the content. This includes internally illuminated signs such as neon signs, light boxes and LED (light emitting diode) screens or panels and signs lit by an external source such as a light bulb or floodlight.
third party sign	means a sign that does not relate to the goods or services available on the premises or land to which is it attached.







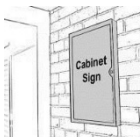
## C1.3.2 Sign type definitions

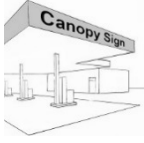





C1.3.2.1 Each sign must be categorised into one of the definitions described below in Table C1.3. If a sign does not readily fit a defined sign type, it must be categorised into the most similar sign type.


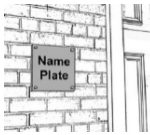

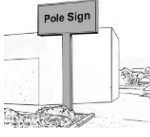


C1.3.2.2 In Table C1.3, the text definitions are to be used to categorise the sign type, and the diagrams are illustrative only.








**Table C1.3 Sign Type Definitions**






Sign Type	Definition
above awning sign	 <p>means a sign attached to and supported above an awning, veranda or similar.</p>
arcade sign	 <p>means a sign suspended from or attached to the ceiling of an outside public pedestrian area (but excluding other sign types) that is visible from outside of the building or site.</p>
awning fascia sign	 <p>means a sign attached to the face of an awning.</p>
banner sign - horizontal	 <p>means a sign constructed of light weight non-rigid material, such as cloth, canvas or similar fabric, and where the horizontal dimension is greater than the vertical dimension.</p>
banner sign - vertical	 <p>means a sign constructed of a light-weight, non-rigid material such as cloth, canvas or similar fabric and where the vertical dimension is greater than the horizontal dimension.</p>

Sign Type	Definition
below awning sign	 <p>means a sign attached to and suspended below an awning, verandah, ceiling or similar.</p>
blade sign	 <p>means a sign that projects vertically from the ground by a single form in which the supports/structure of the sign are concealed within.</p>
building fascia sign	 <p>means a sign attached to the fascia of a building.</p>
building site sign	 <p>means a temporary sign which identifies architects, engineers, builders or contractors involved with construction on the premises, the name of the building or development, the intended purpose of the building or development and/or the expected completion date.</p>
bunting (flag and decorative elements)	 <p>means a sign made up of small flags attached to a pole or rope.</p>
business directory	 <p>means a sign for a building with multiple tenancies which identifies the name of the business and its location within the same building and does not contain any product or other advertising content.</p>
cabinet sign	 <p>means a lockable compartment with a transparent face for the display of notices and advertising attached to a wall of a building or structure for the display of information within for example, menus outside a restaurant.</p>

Sign Type	Definition
canopy sign	 <p>means a sign attached to the perimeter of a canopy on a building for the purpose of shielding from the elements for example, signs on the fascia of a canopy over a service station.</p>
community information sign	means a sign erected by a statutory authority for the purpose of providing community information.
election sign	 <p>means a temporary sign identifying political candidates and/or promoting a political party for local, state or federal government elections.</p>
flag	 <p>means a piece of cloth or similar material, typically rectangular or square and attached by one edge to a pole or rope.</p>
ground base sign	 <p>means a freestanding sign permanently attached to the ground on its own supportive structure, but not including a pole/pylon sign or a blade sign.</p>
hanging sign	 <p>means a sign suspended from a bracket which projects perpendicularly from the wall of a building.</p>
horizontal projecting wall sign	 <p>means a sign that projects from the street façade of a building and where the horizontal dimension is greater than the vertical dimension.</p>

Sign Type	Definition
interpretive sign	 <p>means a sign designed to communicate information about the nature, origin and purpose of historical, natural or cultural resources, objects, sites and phenomena.</p>
name plate	 <p>means a single sign identifying one of the occupants of a property used for professional rooms, and attached to the building.</p>
painted wall sign	 <p>means a sign painted on the wall of a building other than the transom of a doorway or building fascia.</p>
pole / pylon sign	 <p>means a sign supported by one or more vertical supports, independent of any building or other structure.</p>
portable sign	 <p>means a sign not permanently attached to the ground or to a building or other structure, and is moved on a daily basis (N.B. portable signs on a public reservation may be controlled by licence under a Council's By-Laws).</p>
poster panel (billboard)	<p>means a structure either freestanding or attached to a building designed to accommodate standard poster panels, the message of which may be changeable and variable.</p>
real estate sign	 <p>means a sign erected for the purposes of advertising a parcel of land or building for sale, lease or let.</p>

Sign Type	Definition
regulatory sign	 <p>means a sign that provides notice of laws, regulations and warnings.</p>
roof sign	 <p>means a sign erected directly on a roof or above a parapet of a building.</p>
sky sign	 <p>means a sign erected directly on the top of the building structure and where the base of the sign is higher than the highest point of the building.</p>
sports ground sign	 <p>means a sign erected wholly within a sports ground.</p>
statutory sign	 <p>means a sign that is required to be installed in buildings and is regulated by the Building Code of Australia.</p>
sun blind sign	 <p>means a sign on a canvas or other cloth or metal awning, erectable or fixed, projecting from the face of a building over a door or window.</p>
temporary sign	 <p>means an impermanent sign announcing an event of a religious, educational, cultural, social or recreational character erected for a specific period of time.</p>

Sign Type	Definition
transom sign	 <p>means a single faced sign erected above the entrance door or display window of a building.</p>
vertical projecting wall sign	 <p>means a sign that projects from the street façade of a building and where the vertical dimension is greater than the horizontal dimension.</p>
wall mural	 <p>means a graphic design that covers the wall of a building and does not convey a defined advertising message.</p>
wall sign	 <p>means a sign attached to the wall of a building.</p>
window sign	 <p>means a sign attached to the inside or outside of a window including windows painted or covered in an opaque finish, for the display of advertisements relating to the goods or services available inside the premises.</p>

## C1.4 Development Exempt from this Code

- C1.4.1 A sign listed in Table C1.4 is exempt from this Code, provided it complies with the relevant requirements.
- C1.4.2 A sign within a building or site that cannot be or are not intended to be seen from outside of the building or site is exempt from requiring a permit under this Code.
- C1.4.3 Changes to the graphics of a sign that was lawfully displayed on the effective date, including text, graphic design and colour is exempt from this Code provided that:
- (a) the sign has not changed in dimension, proportion or location; and
  - (b) if an illuminated sign, the method of illumination has not changed.

**Table C1.4 Exempt Signs**

Sign Type	Requirements
awning fascia sign	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 250mm and not project above or below the fascia of the awning to which it is attached;</li> <li>(b) not be closer than 450mm from a vertical projection of the kerb alignment of any road;</li> <li>(c) have a minimum height above ground level of 2.4m;</li> <li>(d) not be an illuminated sign or third party sign; and</li> <li>(e) not be located on land that is a local heritage place, heritage precinct or heritage landscape precinct under the Local Heritage Code.</li> </ul>
business directory	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not be placed on the exterior of a building but may be placed within a recessed entrance or doorway and must not project beyond the face of the building;</li> <li>(b) have a maximum vertical dimension of 2m;</li> <li>(c) have a maximum horizontal dimension of 600mm;</li> <li>(d) not be an illuminated sign or third party sign; and</li> <li>(e) not be located on land that is a local heritage place, heritage precinct or heritage landscape precinct under the Local Heritage Code.</li> </ul>
building site sign	Must only be displayed during construction works.
bunting (flag and decorative elements)	Must not be located on land that is a local heritage place, heritage precinct or heritage landscape precinct under the Local Heritage Code.
community information sign	No requirements.
election sign	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not encroach on any road or other public reservation;</li> <li>(b) have a maximum area of 1.5m<sup>2</sup>;</li> <li>(c) not be erected more than 8 weeks before the polling date; and</li> <li>(d) be removed within 7 days after the polling date.</li> </ul>
flag	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be limited to 2 flags per site;</li> <li>(b) have a minimum clearance above ground level of 2.4m; and</li> <li>(c) have a maximum area of 2m<sup>2</sup> for each flag.</li> </ul>
interpretive sign	Must have a maximum area of 2m <sup>2</sup> .



<b>Sign Type</b>	<b>Requirements</b>
name plate	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be located at the entrance to the building;</li> <li>(b) have a maximum area of 0.5m<sup>2</sup>;</li> <li>(c) not be an illuminated sign or third party sign; and</li> <li>(d) not be located on land that is a local heritage place, heritage precinct or heritage landscape precinct under the Local Heritage Code.</li> </ul>
portable sign	No requirements.
real estate sign	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be erected only on the land for which the property is for let, lease or for sale; and</li> <li>(b) be removed within 7 days of the property being sold, leased or let.</li> </ul>
regulatory sign	No requirements.
sports ground sign	Must not be located on land that is a local heritage place, heritage precinct or heritage landscape precinct under the Local Heritage Code.
statutory sign	No requirements.
temporary sign	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) announce an event of a religious, educational, cultural, social or recreational character;</li> <li>(b) have permission from the landowner to erect the sign;</li> <li>(c) have a maximum area of 2.0m<sup>2</sup>;</li> <li>(d) be displayed for no longer than 30 days before the event;</li> <li>(e) be removed within 7 days of the events completion;</li> <li>(f) not disrupt the safe movement of pedestrians or vehicles;</li> <li>(g) not cause damage to historic building fabric;</li> <li>(h) not be affixed to trees or other similar vegetation; and</li> <li>(i) be displayed for a maximum of four months.</li> </ul>
tourism visitor information sign	Must have written approval from Council or the relevant agency, where necessary.
window sign	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not occupy an area of more than 10% of each window assembly;</li> <li>(b) be on or behind a ground floor level window;</li> <li>(c) not be an illuminated sign or third party sign; and</li> <li>(d) not be located on land that is a local heritage place, heritage precinct or heritage landscape precinct under the Local Heritage Code.</li> </ul>

## C1.5 Use Standards

C1.5.1 There are no Use Standards in this Code.

## C1.6 Development Standards for Buildings and Works

C1.6.1 Design and Siting of Signs

Objective:	To: (a) provide for appropriate signage that is well designed and sited; and (b) ensure that signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the locality.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A sign must: (a) be located within the applicable Zone for the relevant sign type set out in Table C1.6; and (b) meet the sign standards for the relevant sign type set out in Table C1.6, excluding for the following sign types, for which there is no Acceptable Solution: (i) roof sign; (ii) sky sign; and (iii) poster panel (billboard).		<b>P1.1</b> A sign must: (a) be located within an applicable Zone for the relevant sign type as set out in Table C1.6; and (b) be compatible with the streetscape or landscape, having regard to: (i) the size and dimensions of the sign; (ii) the amenity of surrounding properties; (iii) the repetition of messages or information; (iv) the number and density of signs on the site and on adjacent properties; and (v) the impact on the safe and efficient movement of vehicles and pedestrians.  <b>P1.2</b> If a roof sign, sky sign or poster panel (billboard), the sign must: (a) be located within the applicable Zone for the relevant sign type set out in Table C1.6; (b) meet the sign standards for the relevant sign type in Table C1.6; and (c) not contribute to visual clutter or cause unreasonable loss of amenity to the locality having regard to: (i) the size and dimensions of the sign; (ii) the amenity of surrounding properties; (iii) the repetition of messages or information;

	<ul style="list-style-type: none"> <li>(iv) the number and density of signs on the site and on adjacent properties; and</li> <li>(v) the impact on the safe and efficient movement of vehicles and pedestrians.</li> </ul>
<p><b>A2</b></p> <p>A sign must be not less than 2m from the boundary of any lot in the Inner Residential Zone, General Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.</p>	<p><b>P2</b></p> <p>A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site and the locality;</li> <li>(b) the relative location of buildings, habitable rooms of dwellings and private open space;</li> <li>(c) any overshadowing; and</li> <li>(d) the nature and type of the sign.</li> </ul>
<p><b>A3</b></p> <p>The number of signs for each business or tenancy on a street frontage of a building must be no more than:</p> <ul style="list-style-type: none"> <li>(a) 1 of each sign type, unless otherwise stated in Table C1.6;</li> <li>(b) 1 window sign for each window;</li> <li>(c) 3 if the street frontage is less than 20m in length; and</li> <li>(d) 6 if the street frontage is 20m or more.</li> </ul> <p>except for the following sign types, for which there is no limit:</p> <ul style="list-style-type: none"> <li>(i) name plate; and</li> <li>(ii) temporary sign.</li> </ul>	<p><b>P3</b></p> <p>The number of signs for each business or tenancy on a street frontage must:</p> <ul style="list-style-type: none"> <li>(a) not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and</li> <li>(b) not involve the repetition of messages or information.</li> </ul>

## C1.6.2 Illumination of Signs

Objective:	<p>To:</p> <ul style="list-style-type: none"> <li>(a) ensure illuminated signs are consistent with the streetscape;</li> <li>(b) manage the cumulative impact of illuminated signs on the character of the area, including the need to avoid visual disorder or clutter of signs; and</li> <li>(c) minimise potential negative effects of illuminated signs on road safety and pedestrian movement.</li> </ul>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the location of the sign;</li> <li>(b) the size of the sign;</li> <li>(c) the intensity of the lighting;</li> <li>(d) the hours of operation of the sign;</li> <li>(e) the purpose of the sign;</li> <li>(f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;</li> <li>(g) the intended purpose of the changing message of the sign;</li> <li>(h) the percentage of the sign that is illuminated with changing messages;</li> <li>(i) proposed dwell time; and</li> <li>(j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.</li> </ul>
<p><b>A2</b></p> <p>An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.</p>	<p><b>P2</b></p> <p>No Performance Criteria.</p>

## C1.6.3 Third party Sign

Objective:	<p>To:</p> <ul style="list-style-type: none"> <li>(a) provide for third party signs that are compatible with the existing or desired future character of the streetscape and the area in which it is proposed to be located; and</li> <li>(b) manage the cumulative impact of third party signs on the character of an area.</li> </ul>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A third party sign must be compatible with the natural</p>

	<p>and built environment of the locality, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the content of the sign;</li> <li>(b) the necessity for the advertisement to be in the location;</li> <li>(c) opportunities for alternative locations or other methods to achieve the intended purpose (e.g. eligibility for Tasmanian Visitor Information System (TVIS) signs); and</li> <li>(d) the likely impact on the operation and safety of a railway, road, footpath, navigable water, or controlled air space in accordance with the advice of any relevant regulatory entity.</li> </ul>
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#### C1.6.4 Signs for Local Heritage Places, Heritage Precincts and Historic Landscape Precincts

Objective:	To ensure that the size, design and siting of signs is compatible with and does not impact on the local historic heritage significance of a local heritage place, a heritage precinct or a historic landscape precinct as defined in the Local Historic Heritage Code.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A sign located on a site that is a local heritage place, heritage precinct or historic landscape precinct under the Local Historic Heritage Code must:</p> <ul style="list-style-type: none"> <li>(a) be located in a manner that does not cause an unreasonable impact on local heritage significance as defined in the Local Historic Heritage Code;</li> <li>(b) be placed so as to allow the architectural details of the building to remain prominent;</li> <li>(c) be of a size and design that will not substantially diminish the local historic heritage significance of the place or precinct as defined in the Local Historic Heritage Code;</li> <li>(d) where relevant, be placed in a location on the building that would traditionally have been used as an advertising area;</li> <li>(e) not dominate or obscure any historic signs forming an integral part of a building's architectural detailing or local historic heritage significance as defined in the Local Historic</li> </ul>

	<p>Heritage Code;</p> <p>(f) have fixtures that do not and are not likely to damage historic building fabric;</p> <p>(g) not project above a historic parapet or roof line if such a projection impacts on the local historic heritage significance of the building as defined in the Local Historic Heritage Code; and</p> <p>(h) not use internal illumination in a sign on a local heritage place unless it is demonstrated that such illumination will not detract from the character and local historic heritage significance as defined in the Local Historic Heritage Code.</p>
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**Table C1.6 Sign Standards**

<b>Sign Type</b>	<b>Applicable Zones</b>	<b>Sign Standards</b>
above awning sign	Central Business Commercial General Business Light Industrial General Industrial Port and Marine Major Tourism Particular Purpose	Must: (a) have a maximum vertical dimension of 500mm; and (b) not project beyond the width of the awning or have a maximum horizontal dimension of 2.7m, whichever is the lesser.
arcade sign	Central Business Commercial Community Purpose General Business Light Industrial General Industrial Local Business Recreation Urban Mixed Use Utilities Village Port and Marine Major Tourism Particular Purpose	Must: (a) have a maximum area of 1m <sup>2</sup> ; (b) have a maximum vertical dimension of 500mm; (c) have a minimum clearance above ground level of 2.4m; and (d) be limited to 1 arcade sign at each main public entrance or arcade.

Sign Type	Applicable Zones	Sign Standards
awning fascia sign	All Zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 250mm and not project above, or below, the fascia of the awning to which it is attached;</li> <li>(b) not be closer than 450mm from a vertical projection of the kerb alignment of any road; and</li> <li>(c) have a minimum height above ground level of 2.4m.</li> </ul>
banner - horizontal sign	Central Business Commercial Community Purpose Environmental Management General Business Light Industrial General Industrial Local Business Open Space Village Recreation Rural Resource Urban Mixed Use Utilities Village Port and Marine Major Tourism Particular Purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 1m;</li> <li>(b) have a maximum horizontal dimension of 6m;</li> <li>(c) have a minimum clearance above ground level of 5.5m; and</li> <li>(d) have a maximum area of 4m<sup>2</sup> if attached to the front of a building façade.</li> </ul>
banner - vertical sign	Central Business Commercial Community Purpose Environmental Management General Business Light Industrial General Industrial Local Business Open Space Village Recreation Rural Urban Mixed Use Utilities Village Port and Marine Major Tourism Particular Purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be no higher than 4.2m above the ground;</li> <li>(b) have a minimum clearance above ground level of 2.4m; and</li> <li>(c) have a maximum number of 2 banners per site frontage.</li> </ul>

Sign Type	Applicable Zones	Sign Standards
below awning sign	All Zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 500mm;</li> <li>(b) have a maximum width of 300mm;</li> <li>(c) not be closer than 450mm from a vertical projection of the kerb line of any road;</li> <li>(d) not project beyond the width of the awning or exceed 2.5m in horizontal dimension whichever is the shorter; and</li> <li>(e) have a minimum clearance above ground level of 2.4m.</li> </ul>
blade sign	Central Business Commercial Community Purpose General Business Light Industrial General Industrial Recreation Urban Mixed Use Port and Marine Major Tourism Particular Purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 3.6m; and</li> <li>(b) have a maximum horizontal dimension of 1.2m.</li> </ul>
building fascia sign	Central Business Commercial Community Purpose Environmental Management General Business Light Industrial General Industrial Local Business Village Rural Utilities Urban Mixed Use Village Port and Marine Major Tourism Particular Purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not project above, or below, the fascia of the building;</li> <li>(b) not exceed two thirds the depth of the fascia and must not exceed 1m in vertical dimension; and</li> <li>(c) not project more than 200mm from the vertical face of the fascia.</li> </ul>
business directory	All Zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum of 1 sign for each building;</li> <li>(b) have a maximum vertical dimension of 2m; and</li> <li>(c) have a maximum horizontal dimension of 600mm.</li> </ul>



Sign Type	Applicable Zones	Sign Standards
cabinet sign	All Zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not project more than 40mm from the wall if erected on a wall or structure;</li> <li>(b) not extend vertically or horizontally beyond the wall to which it is attached; and</li> <li>(c) have a maximum area of 2m<sup>2</sup>.</li> </ul>
canopy sign	Central Business Commercial General Business Light Industrial General Industrial Local Business Urban Mixed Use Port and Marine Major Tourism Particular Purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a minimum clearance above ground level of 2.4m; and</li> <li>(b) not be closer than 450mm from a vertical projection of the kerb line of any road.</li> </ul>
ground base sign	All Zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be limited to 1 ground base sign for each 20m of frontage or part thereof;</li> <li>(b) not be higher than 2.4m above the ground; and</li> <li>(c) have a supportive structure that does not project above the sign face, unless it forms a feature or is incorporated in the sign design.</li> </ul>
hanging sign	All Zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be limited to 1 hanging sign on each tenancy having frontage;</li> <li>(b) have a maximum vertical dimension of 800mm;</li> <li>(c) have a maximum distance of 200mm from the wall;</li> <li>(d) have a minimum clearance above ground level of 2.4m;</li> <li>(e) not be erected within 2.4m of any existing projecting sign; and</li> <li>(f) not be erected within 1.2m of any side boundary.</li> </ul>

Sign Type	Applicable Zones	Sign Standards
horizontal projecting wall sign	Central Business Commercial General Business Local Business Light Industrial General Industrial Urban Mixed Use Port and Marine Major Tourism Particular Purpose	Must: (a) have a maximum horizontal dimension of 2.7m; (b) have a maximum vertical dimension of 500mm; (c) have a maximum width of 300mm; (d) not be closer than 450mm of a vertical projection of the kerb alignment of the road; (e) have a maximum height above ground level of 3m; and (f) have a minimum clearance above ground level of 2.4m.
name plate	All Zones	Must: (a) be fixed directly to the building; (b) have a maximum area of 0.5m <sup>2</sup> ; and (c) be no higher than 1.8m above the level of the pedestrian access to the building.
painted wall sign	Central Business Commercial Community Purpose Environmental Management General Business Local Business Light Industrial General Industrial Rural Utilities Urban Mixed Use Village Port and Marine Major Tourism Particular Purpose	Must: (a) be limited to 1 painted wall sign for each site; (b) not exceed 12m <sup>2</sup> ; and (c) not occupy more than 25% of the wall area.
pole / pylon sign	Central Business Commercial Community Purpose General Business Light Industrial General Industrial Recreation Open Space Local Business Port and Marine Major Tourism Particular Purpose	Must: (a) project not more than 1.2m beyond the boundary with the footpath or road reservation; (b) have no more than two faces; (c) have a maximum area of 5m <sup>2</sup> for each face; (d) have a maximum height above ground level of 5m; and (e) have a clearance from ground level to the sign not less than 2.4m.

Sign Type	Applicable Zones	Sign Standards
poster panel (billboard)	Rural Living Urban Mixed Use Village Community Purposes Recreation Open Space Local Business General Business Central Business Commercial Light Industrial General Industrial Rural Agriculture Major Tourism Port and Marine Particular Purpose	Must: (a) have a maximum vertical dimension of 3m; (b) have a maximum horizontal dimension of 6m; and (c) not extend vertically or horizontally from the surface to which it is attached.
roof sign	Central Business General Business Light Industrial General Industrial Port and Marine	Must: (a) be not higher than 750mm measured from the top of the roof or parapet; (b) have a maximum vertical dimension of 750mm; (c) have a horizontal dimension of 4.5m; and (d) have no more than two faces.
sky sign	Central Business General Business Light Industrial General Industrial Port and Marine	Must: (a) be not higher than 1.8m measured from the top of the roof or parapet; (b) have a maximum vertical dimension of 1.8m; (c) have a horizontal dimension of 4.5m; (d) have no more than two faces.
sun blind sign	All Zones	Must: (a) not be closer than 450mm of a vertical projection of the kerb alignment of the road; and (b) have a minimum clearance above ground level of 2.4m.

Sign Type	Applicable Zones	Sign Standards
temporary sign	All Zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be displayed for no longer than 30 days before the event;</li> <li>(b) be removed within 14 days of the events completion;</li> <li>(c) not disrupt the safe movement of pedestrians or vehicles;</li> <li>(d) not cause damage to historic building fabric;</li> <li>(e) not be affixed to trees or other similar vegetation; and</li> <li>(f) be displayed for a maximum of 4 months.</li> </ul>
transom sign	All Zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not extend more than 200mm beyond the wall or building alignment;</li> <li>(b) not extend beyond or below the level of the head of the doorway or window above which it is attached;</li> <li>(c) have a maximum vertical dimension of 500mm; and</li> <li>(d) have a maximum height above ground level of 3.6m.</li> </ul>
vertical projecting wall sign	Central Business Commercial Community Purpose Environmental Management General Business General Industrial Local Business Light Industrial Recreation Rural Urban Mixed Use Village Port and Marine Major Tourism Particular Purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum projection of 1.2m from the wall;</li> <li>(b) have no part of the sign above the eaves or the parapet of the façade, and not be higher than 6m above the ground;</li> <li>(c) have a minimum distance of 1.2m from any side boundary;</li> <li>(d) have a maximum vertical dimension of 2.4m;</li> <li>(e) have a maximum width of 300mm; and</li> <li>(f) have a minimum clearance above ground level of 3.6m.</li> </ul>

Sign Type	Applicable Zones	Sign Standards
wall sign	Central Business Commercial Community Purpose Environmental Management General Business General Industrial Light Industrial Local Business Rural Urban Mixed Use Utilities Village Port and Marine Major Tourism Particular Purpose	Must: (a) must not extend beyond the wall or above the top of the wall to which it is attached; (b) have a maximum area of 4.5m <sup>2</sup> ; and (c) must not occupy more than 25% of the wall area.
wall mural	Central Business Commercial Community Purpose Environmental Management General Business General Industrial Local Business Light Industrial Open Space Recreation Rural Utilities Urban Mixed Use Village Port and Marine Major Tourism Particular Purpose	Must not extend beyond the wall or above the top of the wall to which it is attached.
window sign	All Zones	Must not occupy more than 25% of each window assembly.

## C2.0 Parking and Sustainable Transport Code

### C2.1 Code Purpose

The purpose of the Parking and Sustainable Transport Code is:

- C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.
- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
- C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to a locality.
- C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.
- C2.1.6 To provide for the implementation of parking precinct plans.

### C2.2 Application of this Code

- C2.2.1 Unless stated otherwise in a Particular Purpose Zone, clause C2.2.2 or clause C2.2.3, this Code applies to all use and development.
- C2.2.2 Clause C2.5.3 only applies to use and development in the following Use Classes:
  - (a) Business and Professional Services;
  - (b) Community Meeting and Entertainment;
  - (c) Custodial Facility;
  - (d) Crematoria and Cemeteries;
  - (e) Educational and Occasional Care;
  - (f) Food Services;
  - (g) General Retail and Hire;
  - (h) Hospital Services;
  - (i) Hotel Industry;
  - (j) Pleasure Boat Facility;
  - (k) Residential if for a communal residence, multiple dwellings or hostel use;
  - (l) Sports and Recreation; and
  - (m) Tourist Operation.
- C2.2.3 Clause C2.5.4 only applies to use and development in the following Use Classes:
  - (a) Bulky Goods Sales;
  - (b) General Retail and Hire;
  - (c) Manufacturing and Processing; and
  - (d) Storage.

## C2.3 Definition of Terms

C2.3.1 In this Code, unless the contrary intention appears:

Term	Definition
floor area	means the gross floor area, excluding the area of stairs, loading bays, access ways, or parking areas, of any area occupied by machinery required for air conditioning, heating, power supply, or lifts.
no requirement	means the use or development is not required to provide any on-site parking.
parking precinct plan	means a plan relating to on-site parking of cars and other vehicles within a defined area of land, shown on an overlay map in the relevant Local Provisions Schedule, and subject to Clause C2.7.
pedestrian priority street	means a road shown on an overlay map in the relevant Local Provisions Schedule, as having active street frontages where pedestrian movement and activity take priority over siting of vehicle parking and access.

## C2.4 Use or Development Exempt from this Code

C2.4.1 There are no exemptions to this Code.

## C2.5 Use Standards

C2.5.1 Car Parking Numbers

Objective:	To ensure that an appropriate level of car parking is provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria	
<p><b>A1</b></p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> <li>(a) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</li> <li>(c) the site is subject to Clause C2.5.5; or</li> <li>(d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> <li>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or</li> </ul> </li> </ul>	<p><b>P1.1</b></p> <p>The number of on-site car parking spaces for uses other than residential uses, must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the availability of off-street public car parking spaces within reasonable walking distance;</li> <li>(b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>(i) variations in car parking demand over time; or</li> <li>(ii) efficiencies gained by consolidation of car parking spaces;</li> </ul> </li> <li>(c) the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>(d) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</li> <li>(e) the availability, accessibility and safety of</li> </ul>	

<p>development, in which case no additional on-site car parking is required.</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified</p>	<p>on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(f) an assessment of the actual car parking demand determined taking into account the nature of the use and development;</p> <p>(g) the effect on streetscape; and</p> <p>(h) the recommendations of any traffic and parking impact assessment prepared by a suitably qualified person for the proposal; or</p> <p><b>P1.2</b></p> <p>The number of car parking spaces for residential uses must meet the reasonable needs of the use, having regard to:</p> <p>(a) the intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the locality.</p>
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## C2.5.2 Bicycle Parking Numbers

Objective:	To ensure that an appropriate level of bicycle parking spaces are provided to meet the needs of the use.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table C2.1.</p>	<p><b>P1</b></p> <p>Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <p>(a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and</p> <p>(b) the availability and accessibility of existing and planned parking facilities for bicycles in the locality.</p>



## C2.5.3 Motorcycle Parking

Objective:	To ensure that on-site motorcycle parking is provided to meet the needs of the use.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A Use that requires more than 20 car parking spaces by Table C2.1 must provide one motorcycle parking space on site with one additional motorcycle parking space on site for each additional 20 car parking spaces required.</p> <p>Where an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</p>	<p><b>P1</b></p> <p>Motorcycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the proposed use and development;</li> <li>(b) the availability and accessibility of motorcycle parking spaces on the street or in the vicinity; and</li> <li>(c) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.</li> </ul>

## C2.5.4 Loading Bays

Objective:	To ensure adequate access for goods delivery and collection, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A loading bay must be provided for uses with a floor area more than 1000m<sup>2</sup> in a single occupancy.</p>	<p><b>P1</b></p> <p>Adequate space for loading and unloading must be provided, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the types of vehicles associated with the use;</li> <li>(b) the nature of the use;</li> <li>(c) the frequency of loading and unloading;</li> <li>(d) the location of the site;</li> <li>(e) the nature of traffic in the surrounding area;</li> <li>(f) the area and dimensions of the site; and</li> <li>(g) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping.</li> </ul>

## C2.5.5 Number of Car Parking Spaces within the Inner Residential Zone and General Residential Zone

Objective:	To facilitate the adaptive reuse of existing non-residential buildings within the Inner Residential Zone and General Residential Zone so that the car parking generated by that reuse has limited impacts on residential amenity.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within the Inner Residential Zone and General Residential Zone, on-site car parking is not required for:</p> <ul style="list-style-type: none"> <li>(a) Food Services uses up to 100m<sup>2</sup> floor area or 30 seats, whichever is the greater; and</li> <li>(b) General Retail and Hire uses up to 100m<sup>2</sup> floor area</li> </ul> <p>provided the use complies with the hours of operation specified for the relevant Zone.</p>	<p><b>P1</b></p> <p>In the Inner Residential Zone and General Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to:</p> <ul style="list-style-type: none"> <li>(a) car parking demand generated by the proposed use during its proposed hours of operation;</li> <li>(b) the availability of on-street and public car parking in the locality;</li> <li>(c) the availability and frequency of public transport within a 400m walking distance of the site;</li> <li>(d) the availability and likely use of other modes of transport;</li> <li>(e) the availability and suitability of alternative arrangements for car parking provision;</li> <li>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</li> <li>(g) any car parking deficiency or surplus associated with the existing use of the land;</li> <li>(h) any relevant parking plan for the area adopted by Council;</li> <li>(i) any existing on-street car parking restrictions; and</li> <li>(j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.</li> </ul>

## C2.6 Development Standards for Buildings and Works

### C2.6.1 Construction of Parking Areas

Objective:	To ensure that parking areas are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria	
<b>A1</b> All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> <li>(a) have a gradient of no more than 10%;</li> <li>(b) be constructed with a durable all weather pavement;</li> <li>(c) be drained to the public stormwater system, or contain stormwater on the site;</li> <li>(d) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement; and</li> <li>(e) excluding a single dwelling, be delineated by line marking or other clear physical means.</li> </ul>	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the use;</li> <li>(b) the topography of the land;</li> <li>(c) the drainage system available;</li> <li>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</li> <li>(e) the likelihood of generating dust; and</li> <li>(f) the nature of the proposed surfacing and line marking.</li> </ul>	

### C2.6.2 Design and Layout of Parking Areas

Objective:	To ensure that parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solutions	Performance Criteria	
<b>A1.1</b> Car parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> <li>(a) comply with the following:               <ul style="list-style-type: none"> <li>(i) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</li> <li>(ii) have an access width not less than the requirements in Table C2.2;</li> </ul> </li> </ul>	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the proposed slope, dimensions and layout;</li> <li>(c) vehicle and pedestrian traffic safety;</li> <li>(d) the nature and use of the development;</li> </ul>	

<p>(iii) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(iv) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; and</p> <p>(v) have a vertical clearance of not less than 2.1m above the parking surface level; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking Facilities Parts 1-6</i>.</p> <p><b>A1.2</b></p> <p>Car parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian Standard AS 2890.6 – 2009 Parking facilities - Off-street parking for people with disabilities</i>.</p>	<p>(e) the expected number and type of vehicles;</p> <p>(f) the likely use of the parking areas by persons with a disability;</p> <p>(g) the nature of traffic in the surrounding area; and</p> <p>(h) the provisions of <i>Australian Standards AS 2890.1 - Parking Facilities, Part 1: Off Road Car Parking</i> and <i>AS 2890.2 -2002 Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities</i>.</p>
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## C2.6.3 Number of Accesses for Vehicles

Objective:	<p>To ensure that:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses ;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</p> <p>(c) accesses do not have a dominating impact on the streetscape.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses whichever is the greater.</p>	<p><b>P1</b></p> <p>The number of accesses for each road frontage must be minimised, having regard to:</p> <p>(a) the loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p>

	(e) the streetscape.
<b>A2</b>  Within the Central Business Zone, no new access is provided unless an existing access is removed.	<b>P2</b>  Within the Central Business Zone and in a pedestrian priority street, any new accesses must: <ul style="list-style-type: none"> <li>(a) not have an adverse impact on:               <ul style="list-style-type: none"> <li>(i) pedestrian safety and amenity; or</li> <li>(ii) traffic safety; and</li> </ul> </li> <li>(b) be consistent with the streetscape.</li> </ul>

## C2.6.4 Lighting of Parking Areas within the General Business Zone and Central Business Zone

Objective:	To ensure parking and vehicle circulation roadways and pedestrian paths within the General Business Zone and Central Business Zone which are utilised outside daylight hours are provided with lighting to a standard which: <ul style="list-style-type: none"> <li>(a) enables easy and efficient use;</li> <li>(b) promotes the safety of users;</li> <li>(c) minimises opportunities for crime or anti-social behaviour; and</li> <li>(d) prevents unreasonable light overspill impacts.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  Within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking space, which are utilised outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standards AS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting</i> .	<b>P1</b>  Within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are utilised outside daylight hours must be provided with lighting to a standard which satisfies the following: <ul style="list-style-type: none"> <li>(a) it enables easy and efficient use of the area;</li> <li>(b) it minimises potential for conflicts involving pedestrians, cyclists and vehicles;</li> <li>(c) it reduces opportunities for crime or anti-social behaviour by supporting passive surveillance and clear sight lines and treating the risk from any concealment or entrapment points;</li> <li>(d) it prevents unreasonable impact on the amenity of adjoining properties through light overspill; and</li> <li>(e) it is appropriate to the hours of operation of the use.</li> </ul>

## C2.6.5 Pedestrian Access

Objective:	To ensure pedestrian access is provided in a safe and convenient manner.
Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> <li>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, except where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> <li>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</li> <li>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</li> </ul> </li> <li>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</li> </ul> <p><b>A1.2</b></p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p><b>P1</b></p> <p>Safe pedestrian access must be provided within car parks, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the nature of the use;</li> <li>(c) the number of parking spaces;</li> <li>(d) the frequency of vehicle movements;</li> <li>(e) the needs of persons with a disability;</li> <li>(f) the location and number of footpath crossings;</li> <li>(g) vehicle and pedestrian traffic safety;</li> <li>(h) the location of any access ways or parking aisles; and</li> <li>(i) any protective devices proposed for pedestrian safety.</li> </ul>

## C2.6.6 Loading Bays

Objective:	To ensure adequate access for goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	<p><b>P1</b></p> <p>Loading bays must have an area and dimensions suitable for the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the types of vehicles likely to use the site;</li> <li>(b) the nature of the use;</li> <li>(c) the frequency of loading and unloading;</li> <li>(d) the area and dimensions of the site; and</li> </ul>

	(e) the location of the site and nature of traffic in the area of the site.
<b>A2</b>  The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities</i> .	<b>P2</b>  Access for commercial vehicles to and from the site must be safe, having regard to: <ul style="list-style-type: none"> <li>(a) the types of vehicles associated with the use;</li> <li>(b) the nature of the use;</li> <li>(c) the frequency of loading and unloading;</li> <li>(d) the area and dimensions of the site;</li> <li>(e) the location of the site and nature of traffic in the area of the site;</li> <li>(f) the effectiveness or efficiency of the surrounding road network; and</li> <li>(g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</li> </ul>

## C2.6.7 Bicycle Parking and Storage Facilities within the General Business Zone and Central Business Zone

Objective:	To ensure that parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business and the Zones.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  Within the General Business Zone and Central Business Zone, bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: <ul style="list-style-type: none"> <li>(a) be accessible from a road, cycle path, bicycle lane, shared path or access way;</li> <li>(b) be located within 50m from an entrance;</li> <li>(c) be visible from the main entrance or otherwise signed; and</li> <li>(d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian Standard AS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements</i>.</li> </ul>	<b>P1</b>  Within the General Business Zone and Central Business Zone, bicycle parking must be provided in a safe, secure and convenient location, having regard to: <ul style="list-style-type: none"> <li>(a) the accessibility to the site;</li> <li>(b) the characteristics of the site;</li> <li>(c) the nature of the proposed use;</li> <li>(d) the number of employees;</li> <li>(e) the users of the site and the likelihood of travel by bicycle;</li> <li>(f) the location and visibility of proposed parking for bicycles;</li> <li>(g) whether there are other parking on the site; and</li> <li>(h) the opportunity for sharing bicycle parking on nearby sites.</li> </ul>

<p><b>A2</b></p> <p>Bicycle parking spaces must:</p> <ul style="list-style-type: none"> <li>(a) have dimensions not less than: <ul style="list-style-type: none"> <li>(i) 1.7m in length;</li> <li>(ii) 1.2m in height; and</li> <li>(iii) 0.7m in width at the handlebars;</li> </ul> </li> <li>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</li> <li>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3 1993 Parking facilities - Bicycle parking facilities Part 3: Bicycle parking facilities</i>.</li> </ul>	<p><b>P2</b></p> <p>Bicycle parking spaces and access must be convenient, safe and efficient to use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the space available;</li> <li>(c) the safety of cyclists; and</li> <li>(d) the provisions of <i>Australian Standard AS 2890.3 1993 Parking facilities - Bicycle parking facilities Part 3: Bicycle parking facilities</i>.</li> </ul>
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## C2.6.8 Siting of Parking and Turning Areas

<p><b>Objective:</b></p>	<p>To ensure that the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone do not cause an unreasonable visual impact on streetscape character or loss of amenity .</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings except if a parking area is already provided in front of the building line.</p>	<p><b>P1</b></p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone parking spaces and vehicle turning areas, including garages or covered parking areas may be located in front of the building line where topographical or other site constraints dictate that this is the only practical solution because of one or more of the following:</p> <ul style="list-style-type: none"> <li>(a) there is insufficient space behind the building line;</li> <li>(b) it is not reasonably possible to provide vehicle access to the side or rear of the property;</li> <li>(c) the gradient between the front and the rear of existing or proposed buildings is more than 1 in 5;</li> <li>(d) the length of access or shared access required to service the car parking would constitute more than 75% of the depth of the relevant lot; or</li> </ul>



	<p>(e) the access driveway cannot be located at least 2.5m from a window of a habitable room of a dwelling; or</p> <p>and only if the parking spaces and vehicle turning areas are designed and located so that:</p> <ul style="list-style-type: none"> <li>(i) they do not visually dominate the site;</li> <li>(ii) they maintain streetscape character and amenity;</li> <li>(iii) they do not result in an unreasonable loss of amenity for the occupants of immediately adjoining properties, having regard to the nature of the Zone in which the site is located and its preferred uses; and</li> <li>(iv) they facilitate opportunities for passive surveillance of the street.</li> </ul>
<p><b>A2</b></p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a street block frontage must:</p> <ul style="list-style-type: none"> <li>(a) have no new vehicle accesses, unless an existing access is removed;</li> <li>(b) retain an active street frontage; and</li> <li>(c) not result in parked cars being visible from public places in the adjacent roads.</li> </ul>	<p><b>P2</b></p> <p>Within the Central Business Zone, any car parking structure or area must:</p> <ul style="list-style-type: none"> <li>(a) be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road;</li> <li>(b) not detract from the character of the streetscape; avoid unreasonable loss of amenity of the occupants of adjoining properties; and</li> <li>(c) not prejudice opportunities for active uses on a street frontage in a pedestrian priority street.</li> </ul>

## C2.7 Parking Precinct Plan

### C2.7.1 Parking Precinct Plan

Objective:	To reduce the amount of on-site car parking spaces within an area defined by parking precinct plan, and to ensure parking does not detract from the streetscape of the area.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within an area defined by parking precinct plan, on-site car parking must:</p> <ul style="list-style-type: none"> <li>(a) not provided; or</li> <li>(b) not increased above existing parking numbers.</li> </ul>	<p><b>P1</b></p> <p>Within an area defined by parking precinct plan, on-site car parking must:</p> <ul style="list-style-type: none"> <li>(a) demonstrate that it is necessary for the operation of the use; and</li> <li>(b) not exceed the number specified in Table C2.1.</li> </ul>

**Table C2.1 Parking Space Requirements**

Use	Parking Space Requirements	
	Car	Bicycle
<b>Bulky Goods Sales</b>		
Motor vehicle, boat or caravan sales	1 space per 100m <sup>2</sup> of display, storage and workshop floor area	1 space per 500m <sup>2</sup> of floor area
Retail plant nursery	15 spaces or 0.5 spaces per 100m <sup>2</sup> of site area, whichever is greater	No requirement
Bulky Goods Sales except as otherwise specified in this Table	1 space per 50m <sup>2</sup> of floor area	1 space per 500m <sup>2</sup> of floor area
<b>Business and Professional Services</b>		
Bank, real estate agency, travel agent	1 space per 50m <sup>2</sup> of floor area	1 space per 500m <sup>2</sup> of floor area
Office	1 space per 40m <sup>2</sup> of floor area	1 space per 500m <sup>2</sup> of floor area
Doctors' surgery, clinic, consulting room	4 spaces per practitioner	2 spaces for each 8 practitioners
Veterinary surgery	4 spaces per practitioner	No requirement
Funeral parlour	1 space per employee + 1 visitor space + 1 space per 4 chapel seats	1 space per 50 chapel seats
Business and Professional Services, except as otherwise specified in this Table	1 space per 30m <sup>2</sup> of floor area	1 space per 500m <sup>2</sup> of floor area
<b>Community Meeting and Entertainment</b>		
Art and craft centre	1 space per 30m <sup>2</sup> of floor area	1 space per 50m <sup>2</sup> floor area or 1 space per 40 seats whichever is greater
Exhibition centre, library, museum or public art gallery	1 space per 20m <sup>2</sup> of floor area	4 plus 2 spaces for each 1500m <sup>2</sup> of floor area
Cinema, church, civic centre, function centre, public hall, theatre	1 space per 15m <sup>2</sup> of floor area or for each 3 seats, whichever is greater	1 space per 50m <sup>2</sup> floor area or 1 space per 40 seats whichever is greater
Community Meeting and Entertainment, except as otherwise specified in this Table	1 space per 15m <sup>2</sup> of floor area or 1 space per 4 seats, whichever is greater	1 space per 50m <sup>2</sup> floor area or 1 space per 40 seats whichever is greater
<b>Custodial Facility</b>	1 space per 2 employees + 1 space per 5 inmates	No requirement
<b>Crematoria and Cemeteries</b>	1 space per employee + 1 visitor space + 1 space per 4 chapel seats	1 space per 50 chapel seats
<b>Domestic Animal Breeding, Boarding or Training</b>	1 space per employee + 2 visitor spaces	No requirement

Use	Parking Space Requirements	
	Car	Bicycle
<b>Educational and Occasional Care</b>	1 space per employee + 1 space per 6 tertiary education students	1 space per 5 employees and tertiary education students
<b>Emergency Services</b>		
Fire/ambulance	1 space per employee	No requirement
Emergency Services, except as otherwise specified in this Table	No requirement	No requirement
<b>Equipment and Machinery Sales and Hire</b>	1 space per 50m <sup>2</sup> of floor area	No requirement
<b>Extractive Industry</b>	1 space per 2 employees	No requirement
<b>Food Services</b>		
Restaurant	1 space per 15 m <sup>2</sup> of floor area (including any outdoor dining areas) + 6 queuing spaces for drive through (if applicable) unless subject to Clause C2.5.5	1 space per 75m <sup>2</sup> floor area
Take-away food premises	1 space per 15 m <sup>2</sup> of floor area (including any outdoor dining areas) + 6 queuing spaces for drive through (if applicable) unless subject to Clause C2.5.5	1 space per 75m <sup>2</sup> floor area
Food Services, except as otherwise specified in this Table	15 for each 100m <sup>2</sup> of floor area or 1 space for each 3 seats, whichever is greater unless subject to Clause C2.5.5	1 space per 75m <sup>2</sup> floor area
<b>General Retail and Hire</b>	1 space per 30m <sup>2</sup> of floor area unless subject to Clause C2.5.5	1 space per 100m <sup>2</sup> of floor area
<b>Hospital Services</b>	1 space per 4 beds + 1 space per doctor + 1 space per 2 other employees	1 space per 10 beds
<b>Hotel Industry</b>	1 space per 20m <sup>2</sup> of floor area available to the public + 1 space per bedroom + 6 spaces for drive-in bottle shop	1 space per 100m <sup>2</sup> of floor area available to the public
<b>Manufacturing and Processing</b>	1 space per 200m <sup>2</sup> of floor area or 2 spaces per 3 employees, whichever is greater	1 space per 5 employees
<b>Motor Racing Facility</b>	No requirement	No requirement
<b>Natural and Cultural Values Management</b>	No requirement	No requirement
<b>Passive Recreation</b>	No requirement	No requirement
<b>Pleasure Boat Facility</b>		
Marina	0.6 spaces for each wet berth and 0.2 spaces for each dry storage berth and 0.5 spaces to each marina employee	No requirement
Boathouse	0.5 space for each boathouse.	No requirement
Pleasure Boat Facility, except as otherwise specified in this Table	No requirement	No requirement
<b>Port and Shipping</b>	No requirement	No requirement
<b>Recycling and Waste Disposal</b>	1 space per 500m <sup>2</sup> of site area + 1 space per employee	No requirement

Use	Parking Space Requirements	
	Car	Bicycle
<b>Research and Development</b>	1 space per 100m <sup>2</sup> of floor area or 2 spaces per 3 employees, whichever is greater	No requirement
<b>Residential</b>		
If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling	No requirement
If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	2 spaces per dwelling	No requirement
Visitor parking for multiple dwellings in the General Residential Zone	1 dedicated space per 4 dwellings (rounded up to the nearest whole number); or 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)	No requirement
Other Residential use in the General Residential Zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 10 bedrooms (rounded up to the nearest whole number)	No requirement for residential care facility, assisted housing and retirement village. All other uses require 1 space per 5 bedrooms in other forms of accommodation.
Any Residential use in any other Zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 multiple dwellings or every 10 bedrooms for a non-dwelling residential use (rounded up to the nearest whole number)	No requirement for single dwellings, multiple dwellings, residential care facility, assisted housing and retirement village. All other uses require 1 space per 5 bedrooms in other forms of accommodation.
<b>Resource Development</b>		
Aquaculture	2 spaces per 3 employees	No requirement
Resource development, except as otherwise specified in this Table	No requirement	No requirement
<b>Resource Processing</b>	2 spaces per 3 employees	1 space per 5 employees

Use	Parking Space Requirements	
	Car	Bicycle
<b>Service Industry</b>	1 space per 80m <sup>2</sup> of floor area or 2 spaces per 3 employees, whichever is greater	1 space per 5 employees
<b>Sports and Recreation</b>		
Bowling green	6 spaces per bowling rink	No requirement
Fitness centre	4.5 spaces per 100m <sup>2</sup> of floor area.	No requirement
Golf course	4 spaces per golf hole	No requirement
Swimming pool (other than in conjunction with a single dwelling)	5 spaces for each 100m <sup>2</sup> of site area.	1 space per 100m <sup>2</sup> of site area
Tennis court or Squash court (other than in conjunction with a single dwelling)	3 spaces for each tennis or squash court + 1 space per 5 spectator places	No requirement
Major Sporting Facility	1 space per 5 seats	No requirement
Sports and Recreation, except as otherwise specified in this Table	50 spaces per facility.	No requirement
<b>Storage</b>	1 space per 200m <sup>2</sup> of the site area or 1 space per 2 employees, whichever is greater	No requirement
<b>Tourist Operation</b>	1 space per 200m <sup>2</sup> of floor area or 1 space for each 500m <sup>2</sup> of the site area, whichever is greater	1 space per 1000m <sup>2</sup> of floor area or 1 space per 500m <sup>2</sup> of site area, whichever is the greater
<b>Transport Depot and Distribution</b>	3.5 spaces for each 100m <sup>2</sup> of gross floor area	1 space per 5 employees
<b>Utilities</b>	No requirement	No requirement
<b>Vehicle Fuel Sales and Servicing</b>	4 spaces per service bay	1 space per 5 employees
<b>Vehicle Parking</b>	No requirement	No requirement
<b>Visitor Accommodation</b>	1 space per self-contained accommodation unit, allocated tent or caravan space, or 1 space per 4 beds, whichever is the greater	No requirement

## Notes to Table C2.1:

- 1) The number of parking spaces required is to be calculated based on the proposed use or development.
- 2) Parking spaces must be individually accessible, except that tandem parking spaces may be used to serve a dwelling.
- 3) Except for visitor parking for multiple dwellings in the General Residential Zone, fractions of a space are to be rounded to the nearest whole number, so that a full number of spaces is provided for any fraction of a quota of floor area or number of employees.
- 4) Where a proposal contains multiple Use Classes, the car parking requirements must be calculated as the sum of the requirements for each individual use component.
- 5) Reference to an employee is equivalent to 1 full-time employee.

**Table C2.2 Internal access way widths for vehicles**

Number of parking spaces served	Internal Access Way widths	Passing bay dimensions for two-way traffic in addition to the access way width
1 to 5	A width not less than 3m.	2m wide by 5m long, plus entry and exit tapers, every 30m, unless on land within the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone or Open Space Zone.
6 to 20	(a) A width not less than 4.5m for the first 7m from the road carriageway and 3m thereafter, and (b) At changes of direction or intersections have: (i) an internal radius of not less than 4m, or (ii) a width more than 4.2m.	2m wide by 5m long, plus entry and exit tapers, every 30m.
21 and over	A width not less than 5.5m.	Not applicable.

**Table C2.3 Dimensions of car parking spaces and combined access and manoeuvring space adjacent to parking spaces**

Angle of Car Spaces to Manoeuvring space	Combined Access And Manoeuvring Width	Car Park Widths	Car Park Length
Parallel	3.6m	2.3m	6.7m
45 degrees	3.5m	2.6m	5.4m
60 degrees	4.9m	2.6m	5.4m
90 degrees	6.4m	2.6m	5.4m
90 degrees	5.8m	2.8m	5.4m
90 degrees	5.2m	3m	5.4m
90 degrees	4.8m	3.2m	5.4m

Notes to Table C2.3:

- 1) If entry to the car space is from a road, the combined access and manoeuvring width may include the road.

## C3.0 Road and Railway Assets Code

### C3.1 Purpose of the Road and Railway Assets Code

The purpose of this Code is:

- C3.1.1 To protect the safety and efficiency of the road and railway networks; and
- C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network

### C3.2 Application of this Code

C3.2.1 This Code applies to a use or development, including subdivision, that:

- (a) will increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5 m using an existing vehicle crossing or private level crossing;
- (b) will require a new vehicle crossing, junction or level crossing; or
- (c) involves a subdivision or habitable building within a road or railway attenuation area if for a sensitive use.

### C3.3 Definition of Terms

C3.3.1 In this code, unless the contrary intention appears:

Term	Definition
average annual daily traffic	means the total volume of vehicle traffic for a year divided by 365 days.
category 1 road	means a category 1 road as defined in the Tasmanian State Road Hierarchy, Department of State Growth 2006.
future major road	means land shown on the planning scheme maps within which a major road is intended to be built.
future railway	means land shown on the planning scheme maps within which an extension to the rail network is intended to be built.
junction	means an intersection between two or more roads at a common level, including the intersections of on and off ramps, and grade-separated roads.
level crossing	means as defined in s.35 of the <i>Rail Infrastructure Act 2007</i> .
limited access road	means a road proclaimed as limited access under s.52A of the <i>Roads and Jetties Act 1935</i> .

Term	Definition
major road	means a category 1, 2 or 3 road as defined in the Tasmanian State Road Hierarchy, Department of State Growth 2006, and any other road described in an Other Major Roads List in the Local Provisions Schedule at C3.1.
private level crossing	means a level crossing across the rail network by a private road or vehicular right of way which does not service any public use.
rail network	means as defined in the <i>Rail Infrastructure Act 2007</i> .
road or railway attenuation area	means a road or a railway attenuation area shown on the planning scheme maps or if not shown, an area within 50 m of the boundary of: <ul style="list-style-type: none"> <li>(a) a major road with a speed limit above 60 km/h;</li> <li>(b) the rail network;</li> <li>(c) a future major road; or</li> <li>(d) a future railway</li> </ul>
traffic impact assessment	means a study or a statement prepared in accordance with the Austroads Guide to Traffic Management Part 12: Traffic Impact of Developments by a person with qualifications and a level of experience appropriate to the significance of the traffic impact.
vehicle crossing	means a driveway for vehicular traffic to enter or leave a road carriageway from land adjoining a road.
vehicular traffic	means traffic composed of motor vehicles as motor vehicle is defined in s.3 of the <i>Vehicle and Traffic Act 1999</i> .

### C3.4 Use or Development Exempt from this Code

C3.4.1 This Code does not apply to the use or development of vehicle crossings, level crossings or junctions by the road or rail authority.

### C3.5 Use Standards

C3.5.1 Traffic Generation at a Vehicle Crossing, Level Crossing or New Junction

Objective:	To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.
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Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> <li>(a) a new junction;</li> <li>(b) a new vehicle crossing;</li> <li>(c) a new level crossing; or</li> </ul> <p><b>A1.2</b></p> <p>For a road, other than a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority; or</p> <p><b>A1.3</b></p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority; and</p> <p><b>A1.4</b></p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>the amounts in Table C3.1; or</p> <p>allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road; and</p> <p><b>A1.5</b></p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p><b>P1</b></p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> <li>(h) any written advice received from the rail or road authority.</li> </ul>

**Table C3.1 Acceptable increase in average annual daily traffic to and from the site (total of ingress and egress)**

Location	Vehicles up to 5.5m long	Vehicles longer than 5.5m long
Vehicle crossing on major roads and private level crossings	10% or 10 vehicle movements per day, whichever is the greater	10%
Vehicle crossings on other roads	20% or 40 vehicle movements per day, whichever is the greater	20% or 5 vehicle movements per day, whichever is the greater

## C3.6 Development Standards

### C3.6.1 Subdivision for Sensitive Uses within a Road or Railway Attenuation Area

Objective:	To minimise adverse effects of noise, vibration, light and air emissions on lots for sensitive uses from existing and future major roads and the rail network.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Lots intended for sensitive uses must have a building area that is not within a road or railway attenuation area.</p>	<p><b>P1</b></p> <p>Lots intended for sensitive uses must be sited, designed or screened to minimise adverse effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) any buffers created by natural or other features;</li> <li>(c) the location of buildings on the site;</li> <li>(d) the frequency of use of the rail network;</li> <li>(e) the speed limit and traffic volume of the road;</li> <li>(f) any noise, vibration, light and air emissions from the rail network or road;</li> <li>(g) the nature of the road;</li> <li>(h) the nature of the intended uses;</li> <li>(i) the layout of the subdivision;</li> <li>(j) the need for the subdivision;</li> <li>(k) any traffic impact assessment;</li> <li>(l) any mitigating measures proposed;</li> <li>(m) any recommendations from a suitably qualified person for mitigation of noise; and</li> <li>(n) any written advice received from the rail or road authority.</li> </ul>

### C3.6.2 Habitable Buildings for Sensitive Uses within a Road or Railway Attenuation Area

Objective:	To minimise adverse effects of noise, vibration, light and air emissions on sensitive uses from existing and future major roads and the rail network.
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Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Unless within a building area that is on a plan of subdivision that has been approved by the granting of a permit in accordance with this Code, habitable buildings for a sensitive use must be:</p> <ul style="list-style-type: none"> <li>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the immediately adjacent habitable building;</li> <li>(b) an extension which extends no closer to the existing or future major road or rail network than: <ul style="list-style-type: none"> <li>(i) the existing habitable building; or</li> <li>(ii) an immediately adjacent habitable building for a sensitive use; or</li> </ul> </li> <li>(c) located or designed to ensure that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the Noise Measurement Procedures Manual, Second Ed., Environment Division Department of Environment, Parks, Heritage and the Arts, Hobart, July 2008.</li> </ul>	<p><b>P1</b></p> <p>Habitable buildings for sensitive uses must be sited, designed or screened to minimise adverse effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the proposed setback;</li> <li>(c) the location of buildings on the site;</li> <li>(d) the frequency of use of the rail network;</li> <li>(e) the speed limit and traffic volume of the road;</li> <li>(f) any noise, vibration, light and air emissions from the rail network or road;</li> <li>(g) the nature of the road;</li> <li>(h) the nature of the development;</li> <li>(i) the need for the development;</li> <li>(j) any traffic impact assessment;</li> <li>(k) any mitigating measures proposed;</li> <li>(l) any recommendations from a suitably qualified person for mitigation of noise; and</li> <li>(m) any written advice received from the rail or road authority.</li> </ul>

**Table C3.2 Acceptable noise levels within a road or railway attenuation area**

Roads	Railways
The arithmetic average of the A-weighted L10 sound pressure levels for each of the one-hour periods between 6:00 AM and midnight on any day [L10 (18-hour)] of 63 dB(A).	A 24-hour Leq and Lmax noise level of 65 dB(A) and 87dB(A) Lmax assessed as a single event maximum sound pressure level.

## **C4.0 Electricity Transmission Infrastructure Protection Code**

### **C4.1 Purpose of the Electricity Transmission Infrastructure Protection Code**

The purpose of the Electricity Transmission Infrastructure Protection Code is:

- C4.1.1 To protect use and development against hazards associated with proximity to electricity transmission infrastructure.
- C4.1.2 To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure.
- C4.1.3 To maintain future opportunities for electricity transmission infrastructure.

### **C4.2 Application of this Code**

C4.2.1 This Code applies to use or development of land within the following areas:

- (a) electricity transmission corridor, and if for:
  - (i) buildings or works;
  - (ii) a sensitive use contained within a building;
  - (iii) use listed in Table C4.1; or
  - (iv) subdivision; and
- (b) communications station buffer area, and if for:
  - (i) buildings or works;
  - (ii) use listed in Table C4.1; or
  - (iii) subdivision; and
- (c) substation facility buffer area, and if for:
  - (i) a sensitive use contained within a building;
  - (ii) a use listed in Table C4.1;
  - (iii) buildings or works within 5m of a substation facility; or
  - (iv) subdivision.

## C4.3 Definition of Terms

C4.3.1 In this Code, unless the contrary intention appears:

Term	Definition
communications station	means an antenna and any supporting tower or pole that is: (a) used for carrying communications associated with the electricity transmission entity; and (b) located on land within a communications station buffer area.
communications station buffer area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a communications station buffer area.
electricity entity	means as defined in the <i>Electricity Supply Industry Act 1995</i> that is licenced to carry on operations in the electricity supply industry under that Act with respect to transmission of electricity.
electricity transmission infrastructure	means as defined in the <i>Electricity Supply Industry Act 1995</i> for or associated with the transmission of electricity. This includes but is not limited to overhead lines, underground electricity and communication cables, substations, communications station, buildings, structures and access tracks for or associated with the transmission of electricity.
electricity transmission corridor	means land shown on an overlay map in the relevant Local Provisions Schedule, as within an electricity transmission corridor, and may include an inner protection area or a registered electricity easement.
inner protection area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within an Inner Protection Area.
registered electricity easement	means: (a) an easement registered under the <i>Land Titles Act 1980</i> that relates to electricity transmission infrastructure; or (b) a registered wayleave as defined in the <i>Electricity Wayleaves and Easement Act 2000</i> .
substation facility	means land shown on an overlay map in the relevant Local Provisions Schedule, as containing a substation facility.
substation facility buffer area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a substation facility buffer area.

## C4.4 Use or Development Exempt from this Code

C4.4.1 The following use or development is exempt from this Code:

- (a) buildings or works, or a sensitive use within an electricity transmission corridor, but not within an inner protection area or registered electricity easement for:
  - (i) alterations or extensions to an existing building provided it does not increase the site coverage by more than 150m<sup>2</sup> from the effective date;
  - (ii) a building comprising non-habitable rooms provided the site coverage is not more than 150m<sup>2</sup> from the effective date; or
  - (iii) minor utilities;
- (b) buildings or works within a communications station buffer area if:
  - (i) the building height is not more than 9.5m; and
  - (ii) is located not less than:
    - a. 5m from a security fence associated with a communications station; or
    - b. 5m from the boundary of a lot containing a communications station;
- (c) use or development for Utilities, other than telecommunications within a communications station buffer area;
- (d) use or development of electricity transmission infrastructure;
- (e) use or development within a building area on a sealed plan approved under this planning scheme; and
- (f) consolidation of lots.

## C4.5 Use Standards

C4.5.1 Sensitive Use within a Substation Facility Buffer Area

Objective:	To ensure that a sensitive use contained within a building and located within a substation facility buffer area adequately responds to the potential amenity impact of substation noise.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  A sensitive use, excluding any non-habitable rooms, contained within a building and located within a substation facility buffer area must: <ul style="list-style-type: none"> <li>(a) be for an existing sensitive use, provided the distance between the building and the substation facility is not reduced; or</li> </ul>		<b>P1</b>  A sensitive use, excluding any non-habitable rooms, contained within a building and located within a substation facility buffer area must be appropriately located or designed to not cause unreasonable loss of amenity due to substation noise emission, having regard to:

<p>(b) not be exposed to substation noise emission higher than:</p> <ul style="list-style-type: none"> <li>(i) 55 dB(A) (LAeq) within the hours of 8:00am to 6:00pm;</li> <li>(ii) 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is less, within the hours of 6:00pm to 8:00am; and</li> <li>(iii) 65 dB(A) (LAm<sub>ax</sub>).</li> </ul> <p>Noise levels are to be averaged over a 15 minute interval.</p>	<ul style="list-style-type: none"> <li>(a) the nature of the sensitive use;</li> <li>(b) proximity to the substation facility;</li> <li>(c) noise levels generated by the substation facility;</li> <li>(d) any existing buffers to noise impacts;</li> <li>(e) any mitigation measures proposed;</li> <li>(f) any written advice from a suitably qualified person; and</li> <li>(g) any written advice from the electricity entity.</li> </ul>
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## C4.5.2 Airborne Contaminants within an Electricity Transmission Corridor

Objective:	To ensure that airborne contaminants do not adversely affect the safe and reliable operation of overhead electricity transmission infrastructure within an electricity transmission corridor.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use listed in Table C4.1 and located within an electricity transmission corridor, excluding electricity transmission infrastructure located underground, must not generate airborne contaminants that cause an unreasonable impact on the operation of electricity infrastructure, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the proposed use and the materials that will be stored and handled on the site;</li> <li>(b) the conductivity or corrosiveness of any airborne contaminants and their potential to affect the operation of the electricity infrastructure;</li> <li>(c) proximity to the electricity infrastructure;</li> <li>(d) any mitigation measures proposed; and</li> <li>(e) any written advice from the electricity entity.</li> </ul>



## C4.5.3 Airborne Contaminants within a Substation Facility Buffer Area

Objective:	To ensure that airborne contaminants do not cause an unreasonable impact on the safe and reliable operation of electricity transmission infrastructure within a substation facility buffer area.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  A use listed in Table C4.1 and located within a substation facility buffer area must not generate airborne contaminants that cause an unreasonable impact on the operation of a substation facility, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the proposed use and the materials that will be stored and handled on the site;</li> <li>(b) the conductivity or corrosiveness of any airborne contaminants and their potential to affect the operation of the substation facility;</li> <li>(c) proximity to the substation facility;</li> <li>(d) any mitigation measures proposed; and</li> <li>(e) any written advice from the electricity entity.</li> </ul>

**Table C4.1 Uses with the Potential to Create Airborne Contaminants**

Use Class	Qualification
Bulky Goods Sales	If not located within a building and: <ul style="list-style-type: none"> <li>(a) for a garden and landscape suppliers;</li> <li>(b) for a supplier for Resource Development, Extractive Industry or Resource Processing; or</li> <li>(c) for a timber yard.</li> </ul>
Crematoria and Cemeteries	If for a Crematoria.
Extractive Industry	If not located within a building
Manufacturing and Processing	If not located within a building
Recycling and Waste Disposal	If not located within a building
Resource Processing	If not located within a building

Use Class	Qualification
Service Industry	If not located within a building
Storage	If not located within a building and: (a) for a liquid, solid or gas fuel depot; or (b) for a wood yard.

## C4.6 Development Standards for Buildings or Works

### C4.6.1 Buildings or Works within an Electricity Transmission Corridor

Objective:	To ensure that buildings or works within an electricity transmission corridor are located at appropriate distances from transmission lines or cables to: (a) ensure operational efficiencies, access to and security of existing or future electricity transmission infrastructure; and (b) protect against a safety hazard associated with proximity to existing or future electricity transmission infrastructure.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings or works within an electricity transmission corridor must not be within: (a) an inner protection area; or (b) a registered electricity easement.	<b>P1</b> Buildings or works within an electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation or access to existing or future transmission infrastructure, having regard to: (a) the nature, height and materials of the buildings and works; (b) the extent to which the buildings and works are within the electricity transmission corridor; (c) the location of the buildings and works within the electricity transmission corridor; and (d) any written advice from the electricity entity.

## C4.6.2 Buildings or Works within a Substation Facility Buffer Area

Objective:	To ensure that buildings or works within a substation facility buffer area are appropriately located to protect against risk to the security, operation , safety and access to existing and future electricity transmission infrastructure.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings or works within a substation facility buffer area must be located not less than 5m from a substation facility.	<b>P1</b> Buildings or works within a substation facility buffer area and located less than 5m from a substation facility, must not cause an unreasonable impact on the security, operation or access to the substation facility, having regard to: <ul style="list-style-type: none"> <li>(a) the nature and materials of the buildings and works;</li> <li>(b) the location of the buildings and works;</li> <li>(b) any proposed mitigation measures; and</li> <li>(c) any written advice from the electricity entity.</li> </ul>

## C4.6.3 Buildings or Works within a Communications Station Buffer Area

Objective:	To ensure that buildings or works in close proximity to a communications station does not adversely impact upon the security, operation and access to those facilities.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings or works within a communications station buffer area must: <ul style="list-style-type: none"> <li>(a) be located:               <ul style="list-style-type: none"> <li>(i) not less than 5m from any security fence associated with a communications station; or</li> <li>(ii) not less than 5m from a lot boundary of a lot containing a communications station; and</li> </ul> </li> <li>(b) building height must be not more than the height relative to the communications station's antennae or dish.</li> </ul>	<b>P1</b> Buildings or works within a communications station buffer area must not cause an unreasonable impact on the security, operation or access to the communication station, having regard to: <ul style="list-style-type: none"> <li>(a) the nature, height and materials of the buildings and works;</li> <li>(b) the location of the buildings and works;</li> <li>(c) any written advice from the electricity entity.</li> </ul>

## C4.7 Development Standards for Subdivision

### C4.7.1 Subdivision

Objective:	<p>To provide for subdivision that:</p> <ul style="list-style-type: none"> <li>(a) allows for development to be suitably located to avoid hazards from electricity transmission infrastructure and enable appropriate levels of amenity; and</li> <li>(b) ensures that future development does not compromise safety, security and operation of existing and future electricity transmission infrastructure.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, wholly or partly within an electricity transmission corridor, must:</p> <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing buildings where the buildings are located wholly outside an inner protection area or a registered electricity easement;</li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the creation of a lot that contains a building area not less than 10m x 15m and is located outside an inner protection area or registered electricity easement.</li> </ul>	<p><b>P1</b></p> <p>Each lot, wholly or partly within the electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation or access to the transmission infrastructure to existing or future transmission infrastructure, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intended use of the proposed lots;</li> <li>(b) the location of any proposed building areas; and</li> <li>(c) any written advice from the electricity entity.</li> </ul>
<p><b>A2</b></p> <p>Each lot, wholly or partly within a substation facility buffer area, must be:</p> <ul style="list-style-type: none"> <li>(a) for the creation of separate lots for existing buildings;</li> <li>(b) be for the creation of a lot that contains a building area not less than 10m x 15m and is located outside the substation facility buffer area; or</li> <li>(c) be for the creation of a lot with a building area not less than 10m x 15m and satisfies the following: <ul style="list-style-type: none"> <li>(i) is not less than 5m from the substation</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>Each lot, wholly or partly within a substation facility buffer area, must not cause an unreasonable impact on the operation of the substation facility, having regard to:</p> <ul style="list-style-type: none"> <li>(a) provision of access to and security of the substation facility;</li> <li>(b) safety hazards associated with proximity to the substation facility, and</li> <li>(c) if the subdivision creates an opportunity for a sensitive use: <ul style="list-style-type: none"> <li>(i) the nature of the sensitive use;</li> <li>(ii) proximity to the substation facility;</li> </ul> </li> </ul>

<p>facility; and</p> <p>(ii) if the subdivision creates an opportunity for a sensitive use, is not exposed to substation noise emissions that exceed the following:</p> <ul style="list-style-type: none"> <li>a. 55 dB(A) (LAeq) within the hours of 8.00am to 6.00pm;</li> <li>b. 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, within the hours of 6.00pm to 8.00am; and</li> <li>c. 65 dB(A) (LAm<sub>ax</sub>).</li> </ul> <p>Noise levels are to be averaged over a 15 minute interval.</p>	<ul style="list-style-type: none"> <li>(iii) noise levels generated by the substation facility;</li> <li>(iv) any existing buffers to noise impacts;</li> <li>(v) any mitigation measures proposed; and</li> <li>(vi) any written advice from a suitably qualified person regarding the likelihood of a sensitive use on the lot experiencing an environmental nuisance as a result of noise emissions from the substation facility; and</li> </ul> <p>(d) any written advice from the electricity entity.</p>
<p><b>A3</b></p> <p>Each lot, wholly or partly within a communications station buffer area, must:</p> <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing buildings;</li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) identify a building area with dimensions of not less than 10m x 15m that is located no less than either: <ul style="list-style-type: none"> <li>(i) 5m from any security fence associated with a communications station; or</li> <li>(ii) 5m from a boundary of a lot that accommodates a communications station.</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>Each lot, wholly or partly within a communications station buffer area, must identify a building area that will not compromise access, security or the operation of a communications station, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intended use of the proposed lots;</li> <li>(b) the location of any proposed building areas; and</li> <li>(c) any written advice from the electricity entity.</li> </ul>

## C5.0 Telecommunications Code

### C5.1 Code Purpose

The Purpose of the Telecommunications Code is:

- C5.1.1 To provide for telecommunication networks as an essential service for the community.
- C5.1.2 To ensure that facilities are co-located where practicable and use mitigation measures to avoid an unreasonable loss of visual amenity.

### C5.2 Application of this Code

- C5.2.1 Unless otherwise stated in a Particular Purpose Zone, this Code applies to all development for telecommunication facilities.
- C5.2.2 This Code does not apply to use.

### C5.3 Definition of Terms

- C5.3.1 In this Code, unless the contrary intention appears:

Term	Definition
facility	means, any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure used, or for use, in or in connection with a telecommunications network.
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.
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.

### C5.4 Use or Development Exempt from this Code

- C5.4.1 There are no exemptions from this Code.

### C5.5 Use Standards

- C5.5.1 There are no Use Standards in this Code.

## C5.6 Development Standards for Buildings and Works

### C5.6.1 Visual Amenity

Objective:	To ensure facilities do not cause an unreasonable loss of visual amenity.	
Acceptable Solutions	Performance Criteria	
<b>A1</b>  No Acceptable Solutions.	<b>P1.1</b>  Facilities located within existing utility corridors or on sites with existing facilities, must not cause an unreasonable loss of visual amenity having regard to: <ul style="list-style-type: none"> <li>(a) the siting and design of facilities;</li> <li>(b) best practice methods to:               <ul style="list-style-type: none"> <li>(i) reduce the visual impact of facilities; or</li> <li>(ii) conceal facilities within the surrounding natural or built environment;</li> </ul> </li> <li>(c) the need to minimise clearing of vegetation; and</li> <li>(d) functional and safety requirements to establish, operate and maintain facilities.</li> </ul> <b>P1.2</b>  Facilities not located within existing utility corridors or on sites with existing facilities, must not cause an unreasonable loss of visual amenity having regard to: <ul style="list-style-type: none"> <li>(a) the need to locate the facility outside existing utility corridors or on a site with an existing facility;</li> <li>(b) the siting and design of facilities;</li> <li>(c) best practice methods to:               <ul style="list-style-type: none"> <li>(i) reduce the visual impact of facilities; or</li> <li>(ii) conceal facilities within the surrounding natural or built environment;</li> </ul> </li> <li>(d) the need to minimise clearing of vegetation; and</li> <li>(e) functional and safety requirements to establish, operate and maintain the facilities.</li> </ul>	
<b>A2</b>  Building height of freestanding aerials, towers and masts must be not more than: <ul style="list-style-type: none"> <li>(a) 30m in the Rural Living Zone, General</li> </ul>	<b>P2</b>  The height of freestanding aerials, towers and masts must not cause an unreasonable visual impact on vistas to significant public buildings, streetscapes and land reserved or designated for natural or scenic	

<p>Business Zone, Central Business Zone, Commercial Zone, General Industrial Zone, Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Major Tourism, Port and Marine Zone, or Utilities; and</p> <p>(b) 20m in the Inner Residential Zone, General Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, Light Industrial Zone, Community Purpose Zone, Recreation Zone, and Open Space Zone.</p>	<p>values, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography and predominant height of existing buildings or vegetation in the surrounding area;</li> <li>(b) best practice methods to reduce visual impact;</li> <li>(c) functional and safety requirements to establish, operate and maintain the facility;</li> <li>(d) the siting and design of the facility; and</li> <li>(e) the necessity or critical role of the facility within the telecommunications network.</li> </ul>
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## C6.0 Local Historic Heritage Code

### C6.1 Code Purpose

The purpose of the Local Historic Heritage Code is:

- C6.1.1 To recognise and protect the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential and significant trees by regulating development that may impact on their values, features and characteristics.

### C6.2 Application of this Code

C6.2.1 This Code applies to:

- (a) development on land within any of the following, as defined in this Code:
- (i) a local heritage place;
  - (ii) a heritage precinct;
  - (iii) a historic landscape precinct; and
  - (iv) for excavation only, a place or precinct of archaeological potential, unless it is heritage works, as defined under the *Historic Cultural Heritage Act 1995*, on a registered place entered on the Tasmanian Heritage Register; and
- (b) the lopping, pruning, removal or destruction of a significant tree as defined in this Code.

C6.2.2 This Code does not apply to use.

C6.2.3 This Code does not apply to internal building or works as exempt under Clause 4.0 of this planning scheme.

### C6.3 Definition of Terms

C6.3.1 In this Code, unless the contrary intention appears:

Term	Definition
archaeological evidence	means the remains of former structures and surfaces, construction debris, demolition debris, fabric, fittings and finishes, modified landforms, burials, subsurface features and deposits, artefacts, discarded waste and/or by-products, residues, pollen.
archaeological impact assessment	means a report prepared by a suitably qualified person that includes a design review and describes the impact of proposed works upon archaeological sensitivity as defined in a statement of archaeological potential.
conservation	means all the processes of looking after a place so as to retain its local historic heritage significance.
historic landscape precinct	means an area that has been identified as having particular local historic heritage significance because of the collective heritage value of individual

Term	Definition
	<p>elements and features, both natural and constructed, as a group for their landscape value and which is:</p> <p>(a) shown on an overlay map in the relevant Local Provisions Schedule; and</p> <p>(b) listed and identified in the Historic Landscape Precincts List in the relevant Local Provisions Schedule.</p>
local historic heritage significance	<p>means significance in relation to a local heritage place or a heritage precinct or historic landscape precinct, and its value:</p> <p>(a) because of:</p> <p>(i) its role in, representation of, or potential for contributing to the understanding of:</p> <p>a. local history;</p> <p>b. creative or technical achievements;</p> <p>c. a class of building or place; or</p> <p>d. aesthetic characteristics; or</p> <p>(ii) its association with:</p> <p>a. a particular community or cultural group for social or spiritual reasons; or</p> <p>b. the life or works of a person, or group of persons, of importance to the locality or region; and</p> <p>(b) as identified in the relevant List, in the relevant Local Provisions Schedule.</p>
local heritage place	<p>means a place that is listed and identified in the Local Heritage Places List in the relevant Local Provisions Schedule.</p>
heritage precinct	<p>means an area that has been identified as having particular local historic heritage significance because of the collective heritage value of individual places as a group for their streetscape or townscape values, and which is:</p> <p>(a) shown on an overlay map in the relevant Local Provisions Schedule; and</p> <p>(b) listed and identified in the Heritage Precincts List in the relevant Local Provisions Schedule.</p>
place or precinct of archaeological potential	<p>means a place that is a site, precinct or parcel of land that has been identified as having the potential to contain archaeological remains that provide information about the past and which is:</p> <p>(a) shown on an overlay map in the relevant Local Provisions Schedule; and</p> <p>(b) listed and identified in the Places or Precincts of Archaeological Potential List in the relevant Local Provisions Schedule.</p>
registered place	<p>means a place as defined in the <i>Historic Cultural Heritage Act 1995</i> and entered on the Tasmanian Heritage Register.</p>
setting	<p>means the surroundings or environment of a local heritage place.</p>
significant tree	<p>means a tree listed and identified in the Significant Trees List in the relevant Local Provisions Schedule.</p>
statement of	<p>means a statement prepared by a suitably qualified person that includes:</p>

Term	Definition
archaeological potential	<ul style="list-style-type: none"> <li>(a) a written and illustrated site history;</li> <li>(b) overlay plans depicting the main historical phases of site development and land use on a modern base layer;</li> <li>(c) a disturbance history; and</li> <li>(d) a written statement of archaeological significance and potential, accompanied by an archaeological sensitivity overlay plan depicting the likely surviving extent of important archaeological evidence which takes into consideration key phases of site development and land use and the impact of disturbance.</li> </ul>
tree protection zone (TPZ)	means the space surrounding individual trees based on trunk (stem) diameter (DBH), measured at 1.4m up from ground level. The radius of the TPZ is calculated by multiplying the tree's DBH by 12. For example, a tree with 0.4m DBH requires a TPZ of 4.8m. The method provides a TPZ that addresses both tree stability and growth requirements. TPZ distances are measured as a radius from the centre of the trunk at ground level <sup>1</sup> .

## C6.4 Development Exempt from this Code

C6.4.1 Development described in Table C6.4.1 is exempt from this Code provided it meets the corresponding qualifications.

**Table C6.4.1**

Exempt Development	Qualifications
Development within a local heritage place	<ul style="list-style-type: none"> <li>(a) temporary structural stabilisation works as certified by a structural engineer;</li> <li>(b) permanent structural stabilisation works considered by a suitably qualified person to meet the purpose and objectives of this Code; or</li> <li>(c) building works, alterations and modifications required for compliance with fire regulation under the Building Code of Australia which are not visible externally upon completion from any public viewpoint including the street, road, access way, or public open space.</li> </ul>
Development within a local heritage place, heritage precinct or historic landscape precinct	<ul style="list-style-type: none"> <li>(a) works incidental to the maintenance of a private garden, public garden, public park, national park or State-reserved land;</li> <li>(b) 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;</li> <li>(c) a maximum of 1 mast for telecommunications and a single flagpole, provided each is not more than 6m in height and is not attached to any building</li> </ul>

<sup>1</sup> Tree protection zone is based on the method outlined in *AS 4970-2009 Protection of trees on development sites*.

Exempt Development	Qualifications
	<p>specifically part of a local heritage place listed in the relevant Local Provisions Schedule;</p> <p>(d) the construction or demolition of:</p> <p>(i) side and rear boundary fences:</p> <p>a. not adjoining a road or public reserve; and</p> <p>b. not more than a total height of 2.1m above existing ground level; except where they are within a garden or grounds that is specifically part of a local heritage place listed in the relevant Local Provisions Schedule;</p> <p>(ii) fencing of agricultural land or for protection of wetlands and watercourses; or</p> <p>(iii) temporary fencing associated with occasional sporting, social and cultural events, construction works and for public safety;</p> <p>(e) the planting, clearing or modification of vegetation on pasture or cropping land, other than for plantation forestry on prime agricultural land;</p> <p>(f) electricity, optic fibre and telecommunications cables, water, sewerage and drainage connections and gas lines to individual buildings;</p> <p>(g) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;</p> <p>(h) repainting or re-rendering of an exterior surface that has been previously painted or rendered, in a colour similar to the existing;</p> <p>(i) solar collector panels and photovoltaic cells aligned with the plane of a roof and located on a roof plane not visible from any public viewpoint including the street, road, access way, or public open space;</p> <p>(j) one satellite dish not more than 2m in diameter, and if on a local heritage place not visible from the principal public viewpoint of the local heritage place; or</p> <p>(k) minor upgrade 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:</p> <p>(i) minor widening or narrowing of existing carriageways or making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices; and</p> <p>(ii) road markings, street lighting and landscaping, except where any of those elements are specifically part of a local heritage place listed in the relevant Local Provisions Schedule.</p>
Development involving a place or precinct of	<p>(a) development not involving ground disturbance;</p> <p>(b) works involving excavation within an area that has been assessed under a</p>

Exempt Development	Qualifications
archaeological potential	<p>previous development application and the archaeological potential was realised when that permit was acted upon or the site was found not to be of archaeological sensitivity;</p> <p>(c) minor excavations where a suitably qualified person has prepared an archaeological impact assessment and determined that there is no chance of disturbance to significant archaeological values;</p> <p>(d) removal of non-significant deposits by a suitably qualified person to test, confirm or refine an archaeological assessment and temporarily expose underlying deposits without disturbing them;</p> <p>(e) excavation of land to a depth of not more than 1m on a site provided it is within an existing building that is not listed as a local heritage place; or</p> <p>(f) excavation of land to a depth of not more than 0.3m and not more than 20m<sup>2</sup> in area on a site provided it is for the purposes of minor building works and structures.</p>
Involving development to significant trees	(a) the pruning of a tree to improve its health or appearance provided its normal growth habit is not retarded.
Signs	All signs, excluding any associated excavation works on a place or precinct of archaeological potential not exempt from this Code <sup>2</sup> .

## C6.5 Use Standards

C6.5.1 There are no Use Standards in this Code.

## C6.6 Development Standards for Local Heritage Places

C6.6.1 Demolition

Objective:	To ensure that the demolition or removal of buildings and structures does not impact on the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solutions.		<b>P1</b> Demolition of buildings or parts of buildings and structures on a local heritage place must not cause an unreasonable impact on the local historic heritage significance of the place, having regard to: <ul style="list-style-type: none"> <li>(a) the physical condition of the local heritage place;</li> <li>(b) the extent and rate of deterioration of the building</li> </ul>

<sup>2</sup> Standards for signs located on land in a local heritage place, heritage precinct or historic landscape precinct are contained in the Signs Code.

	<p>or structure;</p> <p>(c) the safety of the building or structure;</p> <p>(d) the streetscape or setting in which the building or structure is located;</p> <p>(e) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</p> <p>(f) any options to reduce or mitigate deterioration;</p> <p>(g) whether demolition is a reasonable option to secure the long-term future of a building or structure; and</p> <p>(h) any overriding economic considerations.</p>
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## C6.6.2 Maintenance and Repair of Buildings and Structures

Objective:	To ensure that maintenance and repair of buildings and structures are undertaken to be sympathetic to and not detract from the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  New materials and finishes used in the maintenance and repair of buildings and structures must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule; and</li> <li>(b) the character and appearance of the existing building or place.</li> </ul>

## C6.6.3 Site Coverage

Objective:	To ensure that site coverage is compatible with the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  The site coverage must be compatible with the local historic heritage significance of a local heritage place,

	<p>having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site; and</li> <li>(b) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule.</li> </ul>
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## C6.6.4 Height and Bulk of Buildings

Objective:	To ensure that the height and bulk of buildings are compatible with the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>The height and bulk of buildings must be compatible with the local historic heritage significance of a local heritage place and its setting, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the character and appearance of the existing building or place; and</li> <li>(c) the height and bulk of other buildings in the surrounding area.</li> </ul>

## C6.6.5 Siting of New Buildings and Structures

Objective:	To ensure that the siting of buildings are compatible with the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>The front, side and rear setbacks of a building must be compatible with the local historic heritage significance of the place, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the topography of the site;</li> <li>(c) the size, shape, and orientation of the lot; and</li> <li>(d) the setbacks of other buildings in the surrounding</li> </ul>

	area.
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## C6.6.6 Fences

Objective:	To ensure that fences are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  New fences on local heritage places must be designed and constructed to match existing original fences on the site.		<b>P1</b>  New fences must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place and setting identified in the relevant Local Provisions Schedule;</li> <li>(b) the architectural style of the buildings on the site;</li> <li>(c) the dominant fencing style in the setting; and</li> <li>(d) the original or previous fences on the site.</li> </ul>

## C6.6.7 Roof Form and Materials

Objective:	To ensure that roof form and materials are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Replacement roofs on local heritage places which will be visible from any public viewpoint including the street, road, access way or public open space must be of a form and material to match the existing roof being replaced.		<b>P1</b>  Roof form and materials must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place in the relevant Local Provisions Schedule;</li> <li>(b) the design, period of construction and materials of the building on the site that the roof directly relates to;</li> <li>(c) the dominant roofing style and materials in the setting; and</li> <li>(d) the streetscape.</li> </ul>



## C6.6.8 Building Alterations other than Roof Form and Materials

Objective:	To ensure that building alterations, other than roof form and materials, are consistent with the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  Building alterations including alterations to the front or side exterior walls of an existing building that is a local heritage place must be consistent with and not detract from the local historic heritage significance of the place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to;</li> <li>(c) the dominant external building materials in the setting; and</li> <li>(d) the streetscape.</li> </ul>

## C6.6.9 Outbuildings and Structures

Objective:	To ensure that the siting of outbuildings and structures are compatible with the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Outbuildings and structures on local heritage places must: <ul style="list-style-type: none"> <li>(a) not be located in the front setback;</li> <li>(b) not be visible from any public viewpoint including the street, road, access way, or public open space;</li> <li>(c) not have a side that is longer than 3m;</li> <li>(d) have a gross floor area less than 9m<sup>2</sup> and a combined total area not more than 20m<sup>2</sup>;</li> <li>(e) have a maximum height less than 2.4m above existing ground level;</li> </ul>	<b>P1</b>  Outbuildings and structures must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the location of existing infrastructure services;</li> <li>(c) the bulk, form and size of buildings on the site;</li> <li>(d) the bulk, form and size of the outbuilding or structure;</li> <li>(e) the external materials, finishes and decoration of</li> </ul>

<p>(f) not have a maximum change of level as a result of cut or fill of more than 1m; and</p> <p>(g) not encroach on any service easement or be located within 1m of any underground service.</p>	<p>the outbuilding or structure; and</p> <p>(f) the visibility of the outbuilding or structure from any road or public open space.</p>
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## C6.6.10 Driveways and Parking

Objective:	To ensure that driveways and parking for non-residential purposes are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Car parking areas for non-residential purposes on local heritage places must be located behind the building line of primary buildings located or proposed on a site.</p>		<p><b>P1</b></p> <p>Driveways and car parking areas for non-residential purposes must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</p> <p>(b) the loss of any building fabric;</p> <p>(c) the removal of gardens or vegetated areas;</p> <p>(d) parking availability in the surrounding area;</p> <p>(e) vehicle and pedestrian traffic safety; and</p> <p>(f) the streetscape.</p>

## C6.6.11 Removal, Destruction or Lopping of Trees or Removal of Vegetation that is specifically part of a Local Heritage Place

Objective:	To ensure that the removal, destruction or lopping of trees or the removal of vegetation that is specifically part of a local heritage place does not impact on the local historic heritage significance of the place.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>The removal, destruction or lopping of trees or the removal of vegetation which is specifically part of a local heritage place listed in the relevant Local Provisions Schedule, must be required only because the tree or vegetation is near the end of its expected life or in poor health, and its removal is supported by a statement prepared by a suitably</p>		<p><b>P1</b></p> <p>The removal, destruction or lopping of trees or the removal of vegetation which is specifically part of a local heritage place listed in the relevant Local Provisions Schedule must not cause an unreasonable impact on, having regard to:</p> <p>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions</p>

qualified person.	<p>Schedule;</p> <p>(b) the age and condition of the tree or vegetation;</p> <p>(c) the size and form of the tree or vegetation; and</p> <p>(d) the importance of the tree or vegetation to the local historic heritage significance of a local heritage place.</p>
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## C6.7 Development Standards for Heritage Precincts and Historic Landscape Precincts

### C6.7.1 Demolition

Objective:	To ensure that demolition within a heritage precinct or a historic landscape precinct does not have an unreasonable impact on the local historic heritage significance of the precinct.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within a heritage precinct or a historic landscape precinct, demolition of a building, works, fabric or landscape elements including trees, fences, walls and outbuildings must:</p> <p>(a) not be on a local heritage place;</p> <p>(b) not be visible from any public viewpoint including the street, road, access way or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</p>	<p><b>P1</b></p> <p>Within a heritage precinct or a historic landscape precinct, demolition of a building, works, fabric or landscape elements including trees, fences, walls and outbuildings, must not cause an unreasonable impact on the local historic heritage significance of the heritage precinct or historic landscape precinct as identified in the relevant Local Provisions Schedule, having regard to the environmental, economic or safety issues.</p>

### C6.7.2 Buildings and Works other than Demolition

Objective:	To ensure that development within a heritage precinct or a historic landscape precinct is sympathetic to the character of that particular precinct.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within a heritage precinct or historic landscape precinct, building and works other than demolition must:</p> <p>(a) not be on a local heritage place;</p>	<p><b>P1.1</b></p> <p>Within a heritage precinct, design and siting of buildings and works other than demolition must be compatible with the local historic heritage significance of the heritage precinct, as identified in the relevant Local Provisions Schedule, except if the local heritage</p>

<p>(b) not be visible from any public viewpoint including the street, road, access way or public open space; and</p> <p>(c) not involve a value, feature or characteristic specifically part of a heritage precinct or historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p>place is of an architectural style different from that characterising the precinct.</p> <p><b>P1.2</b></p> <p>Within a heritage precinct, extensions to existing buildings must be compatible with the local historic heritage significance of the heritage precinct, as identified in the relevant Local Provisions Schedule.</p> <p><b>P1.3</b></p> <p>Within a historic landscape precinct, design and siting of buildings and works other than demolition must:</p> <p>(a) be compatible with the statement of local historic heritage significance for the historic landscape precinct, as identified in the relevant Local Provisions Schedule; and</p> <p>(b) comply with any relevant design criteria or conservation policy for the historic landscape precinct, as identified in the relevant Local Provisions Schedule.</p>
<p><b>A2</b></p> <p>Within a heritage precinct, new front fences and gates must be designed and constructed to match the original design, based on photographic, archaeological or other historical evidence.</p>	<p><b>P2</b></p> <p>Within a heritage precinct, new front fences and gates must be compatible in design including height, form, style and materials, and setbacks to the style, period and characteristics of fences and gates in the precinct.</p>

## C6.8 Development Standards for Places or Precincts of Archaeological Potential

### C6.8.1 Building and Works

Objective:	To ensure that building and works on a place or precinct of archaeological potential is implemented in a manner that seeks to retain or protect, preserve or otherwise appropriately manage significant archaeological evidence.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings and works on places or precincts of archaeological potential does not involve excavation or ground disturbance.</p>	<p><b>P1</b></p> <p>Building and works on places or precincts of archaeological potential must not cause an unreasonable impact on archaeological evidence, having regard to:</p> <p>(a) the nature of the archaeological evidence, either</p>

	<p>known or predicted;</p> <p>(b) measures proposed to investigate the archaeological evidence to confirm predictive statements of potential;</p> <p>(c) strategies to avoid, minimise and/or control impacts arising from building, works and demolition;</p> <p>(d) measures proposed to preserve significant archaeological evidence 'in situ'.</p>
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## C6.9 Significant Trees

### C6.9.1 Significant Trees

Objective:	To ensure that significant trees are not unnecessarily destroyed and are managed in a way that maintains their health, structural stability and appearance.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>Works involving construction, soil disturbance or soil compaction within the tree protection zone of a significant tree must not impact the health and appearance of the tree, and be supported by a written statement to that effect prepared by a suitably qualified person.</p>
<p><b>A2</b></p> <p>No Acceptable Solutions.</p>	<p><b>P2</b></p> <p>Works requiring the removal of a listed tree or which may impact on the health, structural stability or appearance of a listed tree must demonstrate:</p> <p>(a) that there are no feasible alternatives which could be implemented to avoid impacting on the tree and the proposed methodology of the works incorporates measures to minimise and mitigate any damage to the tree; and</p> <p>(b) there are environmental, economic or safety reasons of greater value to the community than the cultural significance of the tree; or</p> <p>(c) the tree is determined to be dead or dying based on a written statement to that effect prepared by a suitably qualified person.</p>

## C6.10 Development Standards for Subdivision

### C6.10.1 Lot Design on a Local Heritage Place

Objective:	To ensure that subdivision does not impact on the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  Subdivision must not cause an unreasonable impact on the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the local historic heritage significance of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the historic development pattern of the area;</li> <li>(c) the separation of buildings or structures from their original setting;</li> <li>(d) the lot sizes, dimensions, frontage, access and orientation;</li> <li>(e) the suitability of the proposed lots for their intended uses; and</li> <li>(f) the removal of vegetation, significant trees or garden settings.</li> </ul>

### C6.10.2 Lot design for a Heritage Precinct or a Historic Landscape Precinct

Objective:	To ensure: <ul style="list-style-type: none"> <li>(a) that subdivision within a heritage precinct is consistent with historic patterns of development and does not create potential for future incompatible development; and</li> <li>(b) that subdivision within a historic landscape precinct retains the character of the precinct and does not increase the likelihood of incompatible development.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  Subdivision must be compatible with the local historic heritage significance of a heritage precinct or a historic landscape precinct, as identified in the relevant Local Provisions Schedule and must have regard to:

	<p>(a) the historic pattern of subdivision of the precinct; and</p> <p>(b) an increased likelihood of future development that is incompatible with the local historic heritage significance of the precinct.</p>
<p><b>A2</b></p> <p>No Acceptable Solutions.</p>	<p><b>P2</b></p> <p>Subdivision must be consistent with any relevant design criteria or conservation policy for a heritage precinct or historic landscape precinct, as identified in the relevant Local Provisions Schedule.</p>

## C6.10.3 Subdivision works for Places or Precincts of Archaeological Potential

Objective:	To ensure that works associated with subdivision, including infrastructure, do not increase the likelihood of adverse impact on a place or precinct of archaeological potential.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>Works associated with subdivision must not impact on archaeological evidence on places or precincts of archaeological potential by demonstrating either that:</p> <p>(a) no archaeological evidence exists on the land; or</p> <p>(b) there is no significant impact upon archaeological potential;</p> <p>(c) an increased likelihood of future development that is incompatible with a place or precinct of archaeological potential..</p>

## **C7.0 Natural Assets Code**

### **C7.1 Code Purpose**

The purpose of the Natural Assets Code is:

- C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
- C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- C7.1.4 To protect identified threatened native vegetation communities and threatened flora species.
- C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

### **C7.2 Application of this Code**

C7.2.1 This Code applies to development on land within the following areas:

- (a) a waterway and coastal protection area;
- (b) a future coastal refugia area; and
- (c) a priority vegetation area only if within the following zones:
  - (i) Rural Living Zone;
  - (ii) Rural Zone;
  - (iii) Landscape Conservation Zone;
  - (iv) Environmental Management Zone;
  - (v) Major Tourism Zone;
  - (vi) Utilities Zone;
  - (vii) Community Purpose Zone;
  - (viii) Recreation Zone;
  - (ix) Open Space Zone;
  - (x) Particular Purpose Zone; or
  - (xi) General Residential Zone and Low Density Residential Zone only where application is for subdivision.

C7.2.2 This Code does not apply to use.



## C7.3 Definition of Terms

C7.3.1 In this Code, unless the contrary intention appears:

Term	Definition
coastal values	means the values of coastal areas derived from their coastal habitat and vegetation, physical elements, landscape values, recreational values and economic values and the processes and functions that underpin them.
future coastal refugia	means land where coastal processes are likely to occur naturally and can continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes, and other sensitive coastal habitats due to sea-level rise.
future coastal refugia area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a future coastal refugia area.
littoral vegetation	means vegetation adjacent to a sea, lake or river that is close to the shore. It includes the intertidal Zone to high water mark and can include wetlands.
natural streambank and streambed condition	means the natural rate of erosion or accretion of the bank and bed of a watercourse and natural hydrological processes, as determined using The Tasmanian River Condition Index (TRCI): Physical Form Field Manual and Hydrology User's Manual (NRM South 2009), as amended from time to time.
natural assets	means biodiversity, environmental flows, natural streambank and stream bed condition, riparian vegetation, littoral vegetation, water quality, wetlands, river condition and waterway and/or coastal values.
priority vegetation	means native vegetation where any of the following apply: <ul style="list-style-type: none"> <li>(a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the <i>Nature Conservation Act 2002</i>;</li> <li>(b) is a threatened flora species; or</li> <li>(c) it forms a significant habitat for a threatened fauna species.</li> </ul>
priority vegetation area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a priority vegetation area.
residual impacts	means those environmental effects predicted to remain after the initial effects of development have been avoided or minimised through design.
riparian vegetation	means vegetation found within or adjacent to watercourses, wetlands, lakes and recharge basins.
river condition	means condition of a waterway as determined using the Tasmanian River Condition Index (TRCI) (NRM South 2009), as amended from time to time.

Term	Definition														
significant habitat	<p>means the habitat within the known or core range of a threatened fauna species, where any of the following applies:</p> <p>(a) is known to be of high priority for the maintenance of breeding populations throughout the species' range; or</p> <p>(b) the conversion of it to non-priority vegetation is considered to result in a long-term negative impact on breeding populations of the threatened fauna species.</p>														
threatened fauna species	means listed under the <i>Threatened Species Protection Act 1995</i> or listed as threatened or migratory under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .														
threatened flora species	means listed under the <i>Threatened Species Protection Act 1995</i> or as threatened under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .														
waterway and coastal protection area	<p>means land:</p> <p>(a) shown on an overlay map in the relevant Local Provisions Schedule, as within a waterway and coastal protection area; or</p> <p>(b) within the relevant distance from a watercourse, wetland, lake or the coast shown in the Table 1 below, but does not include a piped watercourse or drainage line.</p> <p>Table 1:</p> <table border="1"> <thead> <tr> <th>Spatial Extent of Waterway and Coastal Protection Areas</th><th>Width</th></tr> </thead> <tbody> <tr> <td>Class 1: Watercourses named on the 1:100,000 topographical series maps, lakes, artificial water storages (other than farm dams), and the high water mark of tidal waters.</td><td>40m</td></tr> <tr> <td>Class 2: Watercourses from the point where their catchment exceeds 100ha.</td><td>30m</td></tr> <tr> <td>Class 3: Watercourses carrying running water for most of the year between the points where their catchment is from 50ha to 100ha.</td><td>20m</td></tr> <tr> <td>Class 4: All other watercourses carrying running water for part or all of the year for most years.</td><td>10m</td></tr> <tr> <td>Ramsar Wetlands: Wetlands listed under the Convention on Wetlands of International Importance, (the Ramsar Convention).</td><td>100m</td></tr> <tr> <td>Other Wetlands: Wetlands not listed under the Ramsar Convention.</td><td>50m</td></tr> </tbody> </table> <p>(a) For the purpose of spatially defining 'width' in Table 1:</p> <p>(i) width is measured from the top of bank or high water mark of</p>	Spatial Extent of Waterway and Coastal Protection Areas	Width	Class 1: Watercourses named on the 1:100,000 topographical series maps, lakes, artificial water storages (other than farm dams), and the high water mark of tidal waters.	40m	Class 2: Watercourses from the point where their catchment exceeds 100ha.	30m	Class 3: Watercourses carrying running water for most of the year between the points where their catchment is from 50ha to 100ha.	20m	Class 4: All other watercourses carrying running water for part or all of the year for most years.	10m	Ramsar Wetlands: Wetlands listed under the Convention on Wetlands of International Importance, (the Ramsar Convention).	100m	Other Wetlands: Wetlands not listed under the Ramsar Convention.	50m
Spatial Extent of Waterway and Coastal Protection Areas	Width														
Class 1: Watercourses named on the 1:100,000 topographical series maps, lakes, artificial water storages (other than farm dams), and the high water mark of tidal waters.	40m														
Class 2: Watercourses from the point where their catchment exceeds 100ha.	30m														
Class 3: Watercourses carrying running water for most of the year between the points where their catchment is from 50ha to 100ha.	20m														
Class 4: All other watercourses carrying running water for part or all of the year for most years.	10m														
Ramsar Wetlands: Wetlands listed under the Convention on Wetlands of International Importance, (the Ramsar Convention).	100m														
Other Wetlands: Wetlands not listed under the Ramsar Convention.	50m														

Term	Definition
	<p>tidal waters, watercourses or freshwater lakes.</p> <p>(ii) In the case of watercourses, the waterway and coastal protection area includes the waterway itself, being between the top of the banks on either side</p> <p>(b) For the purpose of defining a Class 4 watercourse in Table 1, it means the watercourse is within or adjoining any of the following Zones:</p> <ul style="list-style-type: none"> <li>(i) Inner Residential Zone;</li> <li>(ii) General Residential Zone;</li> <li>(iii) Low Density Residential Zone;</li> <li>(iv) Urban Mixed Use Zone;</li> <li>(v) Local Business Zone;</li> <li>(vi) General Business Zone;</li> <li>(vii) Central Business Zone;</li> <li>(viii) Commercial Zone;</li> <li>(ix) Light Industrial Zone;</li> <li>(x) Major Tourism Zone;</li> <li>(xi) Port and Marine Zone; or</li> <li>(xii) Particular Purpose Zone.</li> </ul> <p>If an inconsistency in regards to width exists between Table 1 and the area shown on the overlay map, the greater distance prevails.</p> <p>The depiction of a watercourse, or a section of a watercourse on an overlay map in the relevant Local Provisions Schedule is definitive regardless of the actual area of the catchment.</p>
waterway values	means the values of watercourses and wetlands derived from their aquatic habitat and riparian vegetation, physical elements, landscape function, recreational function and economic function.

## C7.4 Development Exempt from this Code

### C7.4.1 The following development is exempt from this Code:

- (a) works by or on behalf of a relevant agency or Council to remedy an unacceptable risk to public or private safety or to mitigate or prevent environmental harm;
- (b) development assessed as a Level 2 Activity;
- (c) clearance and conversion or disturbance of non-priority vegetation within a priority vegetation area;
- (d) clearance and conversion or disturbance of priority vegetation within a priority vegetation area,
  - (i) on pasture or crop production land, vineyard or orchard land; or

- (ii) if the vegetation is within a private garden, public garden or park, national park, or within reserves under State Government or Council ownership

provided the vegetation is not protected by a permit condition, an agreement made under Part 5 of the Act or a Covenant in Gross;

- (e) forest practices or forest operations in accordance with a forest practices plan certified under the *Forest Practices Act 1985*;
- (f) works by or on behalf of a relevant agency or Council for the protection of a water supply, watercourse, lake, wetland, or tidal waters or coastal assets as part of an endorsed or approved management plan;
- (g) coastal protection works by or on behalf of a relevant agency or Council that have been designed by a suitably qualified person; and
- (h) consolidation of lots.

## C7.5 Use Standards

C7.5.1 There are no Use Standards in this Code.

## C7.6 Development Standards for buildings and works

C7.6.1 Buildings and works within a Waterway and Coastal Protection Area or a Future Coastal Refugia Area

Objective:	To ensure that buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings and works within a waterway and coastal protection area must: <ul style="list-style-type: none"> <li>(a) for a Class 1, 2 or 3 watercourse, be within a building area on a sealed plan approved under this planning scheme.</li> <li>(b) for a Class 4 watercourse, not impede the flow of water.</li> </ul>	<b>P1</b> Buildings and works within a waterway and coastal protection area for a Class 1, 2, 3 or 4 watercourse must: <ul style="list-style-type: none"> <li>(a) avoid or minimise impacts on natural assets;</li> <li>(b) minimise and manage adverse erosion, siltation, sedimentation and runoff impacts on natural assets;</li> <li>(c) avoid or minimise impacts on riparian or littoral vegetation;</li> <li>(d) if within the spatial extent of a Class 1, 2 or 3 watercourse, maintain natural streambank and streambed condition (where it exists);</li> <li>(e) minimise impact on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</li> <li>(f) avoid significantly impeding natural flow and</li> </ul>

	<p>drainage;</p> <p>(g) maintain fish passage where known to exist;</p> <p>(h) avoid land filling of wetlands; and</p> <p>(i) be undertaken generally in accordance with Wetlands and Waterways Works Manual (DPIWE, 2003), as amended from time to time and Tasmanian Coastal Works Manual (DPIPWE, Page and Thorp, 2010), as amended from time to time, and the unnecessary use of machinery within watercourses or wetlands is avoided.</p>
<p><b>A2</b></p> <p>Buildings and works within a waterway and coastal protection area, excluding for a Class 1, 2, 3 or 4 watercourse, must:</p> <p>(a) be within a building area on a sealed plan approved under this planning scheme; or</p> <p>(b) be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.</p>	<p><b>P2</b></p> <p>Buildings and works within a waterway and coastal protection area, excluding that for a Class 1, 2, 3 or 4 watercourse, must:</p> <p>(a) satisfy the following:</p> <p>(i) not be for Residential or Visitor Accommodation use and must be for a use which relies upon a coastal location to fulfil its purpose for one or more of the following reasons:</p> <ol style="list-style-type: none"> <li>to access a specific resource, other than land, in a coastal location;</li> <li>for a marine farming shore facility;</li> <li>to access infrastructure available in a coastal location;</li> <li>to service a marine or coastal related activity;</li> <li>to provide an essential utility or marine infrastructure; or</li> <li>to provide for marine-related educational, research, open space or recreational facilities;</li> </ol> <p>(ii) new facilities are grouped with existing facilities, where reasonably practical;</p> <p>(iii) native vegetation is retained, replaced or re-established so that overall impact on native vegetation is negligible;</p> <p>(iv) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill; and</p> <p>(v) impacts on coastal processes, including sand movement and wave action, are</p>

	<p>minimised and any potential impacts are mitigated so that there are no significant long-term impacts; or</p> <p>(b) satisfy the following:</p> <ul style="list-style-type: none"> <li>(i) avoid or minimise impacts on natural assets;</li> <li>(ii) minimise and manage adverse erosion, siltation, sedimentation and runoff impacts on natural assets;</li> <li>(iii) avoid land filling of wetlands; and</li> <li>(iv) works are undertaken generally in accordance with Wetlands and Waterways Works Manual (DPIWE, 2003), as amended from time to time and Tasmanian Coastal Works Manual (DPIPWE, Page and Thorp, 2010), as amended from time to time, and the unnecessary use of machinery within watercourses or wetlands is avoided.</li> </ul>
<p><b>A3</b></p> <p>Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<p><b>P3</b></p> <p>Buildings and works within a future coastal refugia area must:</p> <p>(a) satisfy the following:</p> <ul style="list-style-type: none"> <li>(i) not be for Residential or Visitor Accommodation use and must be for a use which relies upon a coastal location to fulfil its purpose for one or more of the following reasons: <ul style="list-style-type: none"> <li>a. to access a specific resource in a coastal location;</li> <li>b. for a marine farming shore facility;</li> <li>c. to access infrastructure available in a coastal location;</li> <li>d. to service a marine or coastal related activity;</li> <li>e. to provide an essential utility or marine infrastructure; or</li> <li>f. to provide for marine-related educational, research, open space or recreational facilities;</li> </ul> </li> <li>(ii) new facilities are grouped with existing facilities, where reasonably practical;</li> <li>(iii) native vegetation is retained, replaced or re-established so that overall impact on native</li> </ul>

	<p>vegetation is negligible;</p> <p>(iv) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill; and</p> <p>(v) impacts to coastal processes are minimised and any potential impacts are mitigated so that there are no significant long-term impacts; or</p> <p>(b) satisfy the following:</p> <p>(i) allow for the landward colonisation of wetlands and other coastal habitats from adjacent areas;</p> <p>(ii) avoid creation of barriers or drainage networks that would prevent future tidal inundation;</p> <p>(iii) allow the coastal processes of deposition or erosion can continue to occur;</p> <p>(iv) avoid or minimise impacts on natural assets; and</p> <p>(vi) works are undertaken generally in accordance with Wetlands and Waterways Works Manual (DPIWE, 2003), as amended from time to time and the Tasmanian Coastal Works Manual (DPIPWE, Page and Thorp, 2010), as amended from time to time.</p>
<p><b>A4</b></p> <p>Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p><b>P4</b></p> <p>Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must:</p> <p>(a) minimise risk of erosion and sedimentation;</p> <p>(b) mitigate and manage any impacts on natural assets likely to arise from erosion, sedimentation and runoff; and</p> <p>(c) avoid significant adverse impact on natural assets.</p>
<p><b>A5</b></p> <p>No Acceptable Solutions.</p>	<p><b>P5</b></p> <p>Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area, must:</p> <p>(a) be necessary to establish a new or expanded use or development or continue an existing use or development on adjacent land; and</p> <p>(b) minimise and manage potential impacts on coastal</p>

	processes that may lead to increased risk of inundation on adjacent land, including sand movement and wave action, so that there are no significant long-term impacts.
<b>A6</b> No Acceptable Solutions.	<b>P6</b> Coastal protection works within a waterway and coastal protection area or a future coastal refugia area must; (a) be designed by a suitably qualified person; and (b) minimise adverse impact on coastal processes that may lead to increased risk of inundation, including wave action and behaviour, sediment dynamics, current and tidal flows in the area.

## C7.6.2 Clearance and Conversion or Disturbance within a Priority Vegetation Area

<b>Objective:</b>	To ensure that clearance and conversion or disturbance of priority vegetation within a priority vegetation area: (a) does not result in unreasonable loss of priority vegetation; (b) is appropriately managed to adequately protect identified priority vegetation; and (c) minimises and appropriately manages impacts from construction and development activities.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Clearance and conversion or disturbance of priority vegetation within a priority vegetation area must: (a) be within a building area on a sealed plan approved under this planning scheme; or (b) be on an existing lot within the Rural Living Zone and the area of clearance and conversion or disturbance is not more than 3000m <sup>2</sup> .	<b>P1</b> Clearance and conversion or disturbance of priority vegetation within a priority vegetation area must: (a) satisfy the following: (i) the development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings; and (iii) additional mitigation measures are to be implemented to minimise the remaining impacts on priority vegetation values on the site from the development; or (b) satisfy the following: (i) the development demonstrates overriding benefits that justify an impact on priority



	<p>vegetation and satisfies the following:</p> <ul style="list-style-type: none"> <li>a. for an existing use on site, any clearance and conversion or disturbance is contained within the area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service (or delegate);</li> <li>b. the use or development will result in significant long term social and economic benefits and there is no feasible alternative location or design;</li> <li>c. a report prepared by a suitably qualified person demonstrates that ongoing pre-existing management cannot ensure the survival of the threatened native vegetation community and there is little potential for recruitment or for long term persistence; or</li> <li>d. there is a net conservation benefit achieved through onsite offsetting of priority vegetation and which is supported by a report prepared by a suitably qualified person.</li> </ul>
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## C7.7 Development Standards for Subdivision

### C7.7.1 Subdivision within a Waterway and Coastal Protection Area or a Future Coastal Refugia Area

Objective:	<p>To ensure that:</p> <ul style="list-style-type: none"> <li>(a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and</li> <li>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, wholly or partly within a waterway and coastal protection area or a future coastal refugia area, must:</p> <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing</li> </ul>	<p><b>P1</b></p> <p>Each lot, wholly or partly within a waterway and coastal protection area or a future coastal refugia area, must:</p> <ul style="list-style-type: none"> <li>(a) minimise impact on natural assets; and</li> </ul>

<p>dwelling;</p> <p>(b) be 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, Council or by a statutory authority;</p> <p>(c) be required for the provision of Utilities;</p> <p>(d) be for the consolidation of a lot;</p> <p>(e) not include works, other than boundary fencing, within a waterway and coastal protection area or future coastal refugia area; or</p> <p>(f) have any building area, services, bushfire hazard management area and vehicular access located outside a waterway and coastal protection area or a future coastal refugia area.</p>	<p>(b) provide for any building area and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area.</p>
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## C7.7.2 Subdivision within a Priority Vegetation Area

Objective:	<p>To ensure that:</p> <p>(a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and</p> <p>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, wholly or partly within a priority vegetation area, must:</p> <p>(a) be for the purposes of creating separate lots for existing dwellings;</p> <p>(b) be 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, Council or by a statutory authority;</p> <p>(c) be required for the provision of Utilities;</p> <p>(d) be for the consolidation of a lot;</p> <p>(e) not include works, other than boundary fencing, within a priority vegetation area; or</p> <p>(f) include any building area, bushfire hazard management area, services and vehicular access outside the priority vegetation area.</p>	<p><b>P1</b></p> <p>Each lot, wholly or partly within a priority vegetation area, must:</p> <p>(a) satisfy the following:</p> <p>(i) subdivision works are designed and located to minimise impacts, having regard to constraints such as topography or land hazard;</p> <p>(ii) impacts resulting from future bushfire hazard management measures are minimised as far as reasonably practicable through appropriate siting of any building area; and</p> <p>(i) the priority vegetation on the lot, located outside the area impacted by subdivision works, the building area and the likely future bushfire hazard management area, are all retained and protected by</p>

	<p>appropriate mechanisms on the land title; or</p> <p>(b) satisfy the following:</p> <ul style="list-style-type: none"> <li>(i) the development demonstrates overriding benefits that justify an impact on priority vegetation and satisfies the following: <ul style="list-style-type: none"> <li>a. for an existing use on site, any clearance and conversion or disturbance is contained within the area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service (or delegate);</li> <li>b. the use or development will result in significant long term social and economic benefits and there is no feasible alternative location or design;</li> <li>c. a report prepared by a suitably qualified person demonstrates that ongoing pre-existing management cannot ensure the survival of the threatened native vegetation community and there is little potential for recruitment or for long term persistence; or</li> <li>d. there is a net conservation benefit achieved through onsite offsetting of priority vegetation and which is supported by a report prepared by a suitably qualified person.</li> </ul> </li> </ul>
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## C8.0 Scenic Protection Code

### C8.1 Code Purpose

The purpose of the Scenic Protection Code is:

- C8.1.1 To recognise and protect landscapes that are identified as important for their scenic values.

### C8.2 Application of this Code

- C8.2.1 This Code applies to development on land within a scenic protection area or scenic road corridor and only if within the following Zones:

- (a) Landscape Conservation Zone;
- (b) Rural Living Zone;
- (c) Rural Zone;
- (d) Agriculture Zone;
- (e) Environmental Management Zone; or
- (f) Open Space Zone.

- C8.2.2 This Code does not apply to use.

### C8.3 Definition of Terms

- C8.3.1 In this Code, unless the contrary intention appears:

Term	Definition
destruction	means the alteration of appearance to vegetation through actions including cutting down, felling, thinning, logging, removing, destroying, poisoning, ringbarking, uprooting, slashing or burning.
management objectives	means the management objectives for the scenic protection area or scenic road corridor as detailed in the Scenic Protection Area List in the relevant Local Provisions Schedule.
scenic protection area	means an area shown on an overlay map in the relevant Local Provisions Schedule, as within a scenic protection area, and is listed and described in the Scenic Protection Area List in the relevant Local Provisions Schedule.
scenic value	means the specific characteristics or features of the landscape that collectively contribute to a scenic protection area or a scenic road corridor, as described in the Scenic Protection Area List in the relevant Local Provisions Schedule.

Term	Definition
scenic road corridor	means an area shown on an overlay map in the relevant Local Provisions Schedule, as within a scenic road corridor, and is listed and described in the Scenic Protection Area List in the relevant Local Provisions Schedule.

## **C8.4 Use or Development Exempt from this Code**

C8.4.1 The following development is exempt from this Code:

- (a) planting or destruction of vegetation on existing pasture or crop production land, unless for the destruction of the following:
  - (i) exotic trees, other than part of an agricultural crop, more than 10m in height within a scenic road corridor; or
  - (ii) hedgerows immediately adjacent to a scenic road within a scenic road corridor,
- (b) planting or destruction of vegetation within a private garden, public garden, public park, national park, or State-reserved land;
- (c) agricultural buildings and works, including structures for controlled environment agriculture, irrigation and netting, on land within an Agriculture Zone or Rural Zone;
- (d) alterations or extensions to an existing building if:
  - (i) the gross floor area is increased by not more than 25% from the effective date;
  - (ii) there is no increase in the building height; and
  - (iii) external finishes are the same or similar to the existing building;
- (e) subdivision not involving any works;
- (f) development subject to the Telecommunications Code; and
- (g) any development or works associated with road maintenance and construction within a scenic road corridor.

## **C8.5 Use Standards**

C8.5.1 There are no Use Standards in this Code.

## C8.6 Development Standards for Buildings and Works

### C8.6.1 Development within a Scenic Protection Area

Objective:	<p>To ensure that:</p> <ul style="list-style-type: none"> <li>(a) destruction of native vegetation does not cause an unreasonable reduction of the scenic value of a scenic protection area; and</li> <li>(b) buildings and works do not cause an unreasonable reduction of the scenic value of a scenic protection area.</li> </ul>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Destruction of native vegetation within a scenic protection area must:</p> <ul style="list-style-type: none"> <li>(a) be on land not less than 50m in elevation below a skyline; and</li> <li>(b) be not more than 500m<sup>2</sup> in extent.</li> </ul>		<p><b>P1</b></p> <p>Destruction of native vegetation within a scenic protection area must be minimised, and:</p> <ul style="list-style-type: none"> <li>(a) not have an unreasonable visual impact on a skyline;</li> <li>(b) not cause an unreasonable reduction of the scenic value; and</li> <li>(c) be consistent with any management objectives.</li> </ul>
<p><b>A2</b></p> <p>Buildings or works within a scenic protection area must:</p> <ul style="list-style-type: none"> <li>(a) be on land not less than 50m in elevation below a skyline; and</li> <li>(b) be not more than 500m<sup>2</sup> in extent.</li> </ul>		<p><b>P2</b></p> <p>Buildings or works within a scenic protection area must not cause an unreasonable reduction of the scenic value and must:</p> <ul style="list-style-type: none"> <li>(a) have driveways or access tracks as close as practical to running parallel with contours and be surfaced to blend with the landscape;</li> <li>(b) have buildings with external finishes that are of low reflectance and coloured to blend with the landscape;</li> <li>(c) have buildings designed to: <ul style="list-style-type: none"> <li>(i) minimise visual impact due to height and bulk; and</li> <li>(ii) minimise cut and fill;</li> </ul> </li> <li>(d) not cause an unreasonable visual impact on a skyline;</li> <li>(e) be located to take advantage of any existing vegetation for visual screening purposes, as far as practical; and</li> <li>(f) be consistent with any management objectives.</li> </ul>

## C8.6.2 Development within a Scenic Road Corridor

Objective:	<p>To ensure that:</p> <ul style="list-style-type: none"> <li>(a) destruction of native vegetation or exotic vegetation does not cause an unreasonable loss of scenic value of scenic road corridors; and</li> <li>(b) buildings and works do not cause an unreasonable loss of the scenic value of scenic road corridors.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must not be visible from the pertinent road.</p>	<p><b>P1</b></p> <p>Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must:</p> <ul style="list-style-type: none"> <li>(a) not cause an unreasonable reduction of the scenic value; and</li> <li>(b) be consistent with any management objectives.</li> </ul>
<p><b>A2</b></p> <p>Buildings or works within a scenic road corridor must not be visible from the pertinent road.</p>	<p><b>P2</b></p> <p>Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value and must:</p> <ul style="list-style-type: none"> <li>(a) be separated from the pertinent road as far as practical;</li> <li>(b) have buildings with external finishes that are of low reflectance and coloured to blend with the landscape;</li> <li>(c) have buildings designed to: <ul style="list-style-type: none"> <li>(i) minimise visual impact due to height and bulk; and</li> <li>(ii) minimise cut and fill;</li> </ul> </li> <li>(d) be located to maintain any significant view corridors from the pertinent road;</li> <li>(e) be located to take advantage of any existing vegetation for visual screening purposes, as far as practical; and</li> <li>(f) be consistent with any management objectives.</li> </ul>

## C9.0 Attenuation Code

### C9.1 Code Purpose

The purpose of the Attenuation Code is:

- C9.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from uses which have the potential to cause environmental harm.
- C9.1.2 To minimise likelihood for sensitive use to conflict with, interfere with, or constrain, uses which have the potential to cause environmental harm.
- C9.1.3 To ensure that use and development are compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.
- C9.1.4 To limit the number of people residing in an area likely to be subject to significant levels of aircraft noise.

### C9.2 Application of this Code

C9.2.1 This Code applies to:

- (a) activities and uses listed in Tables C9.1 and C9.2;
- (b) sensitive uses, and subdivision if it creates an opportunity for a sensitive use, within an attenuation area;
- (c) sensitive uses within an airport noise buffer area; and
- (d) development within an airport prescribed airspace area.

### C9.3 Definition of Terms

C9.3.1 In this Code, unless the contrary intention appears:

Term	Definition
airport master plan	means a final master plan approved under the <i>Airports Act 1996</i> (Commonwealth).
airport noise buffer area	means land shown on an overlay map in the relevant Local Provisions Schedule to be within an airport noise buffer area.
airport prescribed airspace area	means land shown on an overlay map in the relevant Local Provisions Schedule to be within an airport prescribed airspace area. The airport prescribed airspace area constitutes separate areas for which a maximum total height above existing ground level is identified for development within the relevant area.



Term	Definition
attenuation area	<p>means land, excluding land within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone and Utilities Zone, that is:</p> <p>(a) shown on an overlay map in the relevant Local Provisions Schedule to be within an attenuation area; or</p> <p>(b) within the relevant attenuation distance from an activity or use listed in Table C9.1 or C9.2, which is an existing activity or an activity for which a planning permit is in force.</p> <p>If an inconsistency exists with regards to the relevant attenuation distance in Tables C9.1 or C9.2, and an attenuation area shown on an overlay map in the relevant Local Provisions Schedule, the distance demonstrated on the overlay map prevails.</p>
attenuation distance	<p>means the distance listed in Tables C9.1 and C9.2 for the relevant use or activity measured as the shortest distance from the boundary of the development area on which the use is located. This may be reflected within an attenuation area shown on an overlay map in the relevant Local Provisions Schedule.</p>

## C9.4 Use or Development Exempt from this Code

C9.4.1 The following use or development is exempt from this Code:

- (a) activities or uses listed in Tables C9.1 and C9.2 within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone or Utilities Zone;
- (b) use or development assessed as a level 2 Activity;
- (c) additions or alterations to an existing building used for sensitive use provided that the gross floor area does not increase by more than 50% or 100m<sup>2</sup>, whichever is the greater, from the effective date of the relevant Local Planning Schedule; and
- (d) development that is not more than the total height above existing ground level specified for the development site in the relevant airport prescribed airspace area.

## C9.5 Use Standards

C9.5.1 Use with Potential to Cause Environmental Harm

Objective:	To ensure that use with potential to cause environmental harm is sufficiently attenuated to ameliorate unreasonable effects on sensitive use within an attenuation area.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  The attenuation area of an activity or use listed in Tables C9.1 or C9.2 must not include a site used for a sensitive use which is existing, or has a planning		<b>P1</b>  An activity or use listed in Tables C9.1 or C9.2 must not cause an unreasonable loss of amenity or unreasonable impacts on health and safety of a

permit in force for a sensitive use.	<p>sensitive use which is existing or has a planning permit in force, having regard to:</p> <ul style="list-style-type: none"> <li>(a) operational characteristics;</li> <li>(b) scale and intensity;</li> <li>(c) degree of hazard or pollution that may be emitted from the activity;</li> <li>(d) hours of operation;</li> <li>(e) nature of likely light, noise, odour, particulate, radiation, vibration or waste emissions;</li> <li>(f) existing ambient background levels of light, noise, odour, particulate, radiation, vibration or waste emissions; and</li> <li>(g) measures to eliminate, mitigate or manage emissions.</li> </ul>
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## C9.5.2 New Sensitive Use within the Attenuation Distance

Objective:	To ensure that new sensitive use located within an attenuation area does not fetter the operation of an existing activity or use listed in Tables C9.1 or C9.2.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>New sensitive use within an attenuation area, must not cause an unreasonable conflict with, interfere with or constrain an existing activity or use listed in Tables C9.1 or C9.2, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the use with potential to cause environmental harm including: <ul style="list-style-type: none"> <li>(i) operational characteristics;</li> <li>(ii) scale and intensity; and</li> <li>(iii) degree of hazard or pollution that may be emitted from the activity;</li> </ul> </li> <li>(b) the degree of encroachment by the sensitive use into the attenuation area;</li> <li>(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions;</li> <li>(d) any advice provided in writing by the Director, Environment Protection Authority; and</li> </ul>

	(e) any advice provided in writing by the Director of Mines.
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### C9.5.3 Sensitive Use within an Airport Noise Buffer Area

Objective:	To ensure that: (a) the operation of airports are not fettered by the amenity expectations of sensitive uses; and (b) sensitive uses are appropriately located or designed to minimise exposure to excessive aircraft noise.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  A sensitive use within an airport noise buffer area must not prejudice the future operation of an airport having regard to:  (a) noise attenuation measures required by Section 3 of the <i>Australian Standard AS 2021 – 2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction</i> ; and  (b) the requirements of any airport master plan.

## C9.6 Development Standards for Buildings and Works

### C9.6.1 Development within an Airport Prescribed Airspace Area

Objective:	To ensure that buildings do not interfere with safe aircraft operations in the vicinity of an airport and on land within an airport prescribed airspace area.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Buildings and works within an airport prescribed airspace area for the Hobart International Airport or Launceston Airport is approval from the relevant authority under the <i>Airports Act 1996</i> (Commonwealth).	<b>P1</b>  Buildings and works within an airport prescribed airspace area for an airport other than the Hobart International Airport or Launceston Airport, that has a total height of more than the maximum height specified for the area of the development site, must not interfere with safe aviation operation, having regard to any advice from Airservices Australia, the Civil Aviation Safety Authority and the airport operator.

## C9.7 Development Standards for Subdivision

### C9.7.1 Lot design

Objective:	To provide for subdivision that: <ul style="list-style-type: none"> <li>(a) allows for development for sensitive use to be suitably located to avoid potential environmental harm and enable appropriate levels of amenity;</li> <li>(b) ensures future development for sensitive use does not fetter existing uses with potential to cause environmental harm; and</li> <li>(c) ensures future development for sensitive use does not compromise the operation of existing airport uses.</li> </ul>	
Acceptable Solutions	Performance Criteria	
<b>A1</b> Each lot, wholly or partly within an airport noise buffer area or within an attenuation area or both must: <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing buildings;</li> <li>(b) be for the creation of a lot for public open space public reserve, road or access;</li> <li>(c) be for the consolidation of lots;</li> <li>(d) be for the creation of a lot that contains a building area with dimensions of at least 10m x 15m located entirely outside of the airport noise buffer area and the attenuation area; or</li> <li>(e) not be intended for a sensitive use.</li> </ul>	<b>P1</b> Each lot, wholly or partly within an airport noise buffer area or within an attenuation area or both, must not result in the potential for a sensitive use to be impacted by environmental harm, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the use with the potential to cause environmental harm, including:             <ul style="list-style-type: none"> <li>(i) operational characteristics;</li> <li>(ii) scale and intensity; and</li> <li>(iii) degree of hazard or pollution that may be emitted from the activity; and</li> </ul> </li> <li>(b) the likely intended use of the lot.</li> </ul>	

**Table C.9.1 Attenuation Distances**

Activity		Level 1 Activity	Level 2 Activity
<b>Abattoir (primary)</b> All animal types – emissions such as odour, noise, dust and light pollution		500m	1000m
<b>Abrasive blasting</b> Emissions such as noise and dust	Blasting in cabinets less than 5 cubic metres in volume or totally enclosed automatic blast cleaning units	100m	-

Activity		Level 1 Activity	Level 2 Activity
	All other types of operation	300m	-
<b>Agricultural produce processing works</b> Processing of vegetables, seed, grain, or any other agricultural crop – emissions such as odour and noise		100m	300m
<b>Animal saleyard</b> Pig and cattle slurry – emissions such as odour, noise, dust and light pollution		500m	-
<b>Aquaculture operation</b> Emissions such as odour and noise	Marine or estuarine operations	300m	-
	Land operations	100m	-
<b>Bakery</b> Emissions such as noise	Night-time operation	200m	-
<b>Beverage production (non-alcoholic)</b> Emissions such as odour and noise		300m	-
<b>Biosolids application to land</b> Class 2 biosolids – emissions such as odour, noise and disease vectors	Downslope (slope greater than 3%)	100m	100m
	Flat (slope equal to or less than 3%) or upslope	100m	100m
<b>Boat building or Maintenance</b> Emissions such as odour, noise, dust and gases	Organotin compounds used or removed from vessels	500m	-
	All other types of operation	300m	-
<b>Brewery or distillery</b> Emissions such as odour and noise		200m	500m
<b>Cement works</b> Emissions such as noise and dust		-	2,000m
<b>Ceramic works</b> Bricks, tiles, pipes, etc. – emissions such as noise and dust		200m	500m
<b>Chemical works</b> Emissions such as odour, noise and gases	Inorganic chemicals	300m	1,000m
	Organic chemicals	500m	1,500m
<b>Composting</b> Emissions such as odour and noise	Vegetation only	250m	500m
	Human or animal wastes	500m	1,000m

Activity		Level 1 Activity	Level 2 Activity
<b>Concrete batching plants</b> Emissions such as noise and dust		200m	-
<b>Concrete or stone product manufacture</b> Emissions such as odour, noise and dust		300m	-
<b>Crematoria</b> Emissions such as odour and gases		300m	-
<b>Dog kennels</b> Commercial operations only – emissions such as odour and noise		300m	-
<b>Feedlot</b> Intensive animal husbandry (excluding piggeries and poultry farms) – emissions such as odour, noise and dust		3,000m	-
<b>Fibreglass manufacture</b> Emissions such as odour and noise		300m	-
<b>Fish processing</b> Emissions such as odour and noise	Primary such as fish filleting, etc.	250m	500m
	Secondary such as fishmeal production, etc.	500m	1,000m
<b>Flour mill</b> Emissions such as noise and dust		300m	-
<b>Frost fan</b> Emissions such as noise		2,000m	-
<b>Fuel burning</b> Emissions such as odour, particles, gases and smoke particles.	Waste incinerator: Wood waste	100m	300m
	Waste incinerator: Plastic or rubber waste	500m	1,000m
	Waste incinerator: Chemical, biomedical or organic waste	500m	1,000m
	All other types of operation	100m	300m
<b>Gas distribution works</b> Emissions such as odour, noise and gases		300m	-
<b>Horse stables</b> Commercial operations only – emissions such as odour, noise and dust		500m	-
<b>Joinery</b> Emissions such as noise and dust		200m	-

<b>Activity</b>		<b>Level 1 Activity</b>	<b>Level 2 Activity</b>
<b>Liquid waste spray application to land</b> Vegetable wastes only (for spray application of treated sewage effluent, refer to Table C.9.2)	Primary treated	500m	-
	Secondary treated	200m	-
<b>Liquid waste treatment</b> Treatment lagoons for washdown, processing effluent, etc. (excluding wastewater treatment works) – emissions such as odour		300m	-
<b>Marinas</b> Emissions such as noise and light pollution		200m	-
<b>Materials handling</b> Chemicals, rubber, rock, ores and other minerals (includes mineral works, coal handling/washing and other coal processing) – emissions such as noise and dust	Crushing or grinding	750m	750m
	Other methods	500m	500m
<b>Metal fabrication</b> Emissions such as noise and particles		1,000m	-
<b>Metal melting</b> Metal melting or casting – emissions such as odour and noise		300m	1,000m
<b>Metallurgical works</b> Emissions such as odour, noise, dust and gases		-	2,000m
<b>Milk processing works</b> Production of milk, cheese and other dairy products – emissions such as odour and noise		100m	500m
<b>Milking shed (dairy)</b> On dairy farms, etc. – emissions such as odour, noise, dust and light pollution		300m	-
<b>Mine</b> Emissions such as noise, dust, light pollution, ground vibration and shock waves	Open cut	1,000m	2,000m
	Underground	1,000m	1,000m
<b>Motor bodyworks</b> Panel beating, spray painting, etc. – emissions such as odour and noise		100m	-
<b>Motor racing or performance trials</b> Motor vehicles and motor-driven boats – emissions such as odour,		3,000m	-

Activity		Level 1 Activity	Level 2 Activity
noise, dust and light pollution			
<b>Oil and gas extraction and production</b> Land or offshore – emissions such as odour, noise and gases		2,000m	-
<b>Oil refinery</b> Refined crude petroleum oil, shale oil or lubricating oil or refined oil reprocessed by filtration or physical or chemical separation – emissions such as odour, noise, gases and light pollution	Refining of recycled oil	-	500m
	All other refining	-	2,000m
<b>Organic waste treatment</b> Pig or cattle slurry, etc. (excluding individual septic systems) – emissions such as odour, gases and disease vectors		500m	-
<b>Piggery</b> Intensive animal husbandry – emissions such as odour and noise		2,500m	-
<b>Plant nurseries and hothouses</b> Commercial operations only – emissions such as odour	With manure or refuse use	300m	-
	All other types of operation	100m	-
<b>Poultry farm</b> Intensive animal husbandry – emissions such as odour and noise		500m	-
<b>Pre-mix bitumen plant</b> Batching, etc. – emissions such as odour and noise		500m	1,000m
<b>Pulp and paper works</b> Emissions such as odour, noise, particles and gases	Process involving combustion of sulphur or sulphur – containing materials	-	5,000m
	All other processes	-	1,000m
<b>Quarry or extractive pit</b> Extraction of rock, gravel, sand or clay – emissions such as noise, dust, light pollution, ground vibration and shock waves	No blasting, crushing or vibratory screening	300m	300m
	Vibratory screening	500m	500m
	Crushing or grinding	750m	750m
	Blasting	1,000m	1,000m
<b>Rendering or fat extraction</b> Rendering, etc. – emissions such as odour and noise		1,000m	1,500m



Activity		Level 1 Activity	Level 2 Activity
<b>Scrap metal recovery</b> Recovery, crushing and storage only – emissions such as noise, dust and light pollution		500m	-
<b>Service station</b> Emissions such as odour, noise and light pollution	Operating hours Monday-Saturday 0700-1900 hours	50m	-
	All other operating hours	200m	-
<b>Shooting range</b> Emissions such as noise		2,000m	-
<b>Smallgoods manufacture</b> Emissions such as odour, noise and smoke particles	Smoking, drying and curing	250m	-
	All other types of operation	100m	-
<b>Storage</b> Emissions such as odour, noise and light pollution			
	Petroleum products and crude oil with fixed roofs:	500m	-
	Petroleum products and crude oil with floating roofs	200m	-
	Wet salted or unprocessed hides	300m	-
	Chemicals	500m	-
<b>Surface coating</b> Electroplating, galvanising, chemical etching, spraying and the like – emissions such as gases, odour, noise and dust		300m	-
<b>Textile bleaching and dying</b> Emissions such as odour, noise and gases	Textile bleaching and dying factory	500m	1,000m
	All other types of operation	500m	-
<b>Transport vehicle depot</b> Trucks and buses – emissions such as noise and light pollution		200m	-
<b>Waste depot</b> Landfill or other waste depot emissions such as odour, noise, dust, light pollution and disease vectors	Waste depot non-putrescible waste only	150m	300m
	Waste depot putrescible waste	300m	750m
<b>Waste transfer station</b> emissions such as odour, noise, dust, light pollution and disease vectors		150m	-

Activity		Level 1 Activity	Level 2 Activity
<b>Wind energy facility</b> Emissions such as noise, electromagnetic radiation, shadow flicker and blade glint · Output per wind turbine generator < 250 kW:			
	single generator <10kW	60m	
	single generator >10kW	250m	-
	wind farm with 2-4 generators	350m	-
	wind farm with 5 or more generators	500m	500m
<b>Wind energy facility</b> Emissions such as noise, electromagnetic radiation, shadow flicker and blade glint · Output per wind turbine generator 250 kW or greater	single generator	500m	-
	wind farm with 2-4 generators	750m	750m
	wind farm with 5 or more generators	1,000m	1,000m
<b>Winery</b> Emissions such as odour and noise		500m	-
<b>Woodchip mill</b> Emissions such as noise, particles and light pollution	Less than 1,000 tonnes per year production capacity	250m	-
	1,000 tonnes to 20,000 tonnes per year production capacity	-	500m
	More than 20,000 tonnes per year production capacity	-	1,000m
<b>Wood preservation works</b> Emissions such as odour and noise		-	300m
<b>Wood processing works</b> Emissions such as noise and particles	Sawmill	250m	500m
	All other types of operation (excluding joinery, firewood merchant or woodchip mill)	250m	1,000m
<b>Wool scouring, tannery or fellmongery</b> Emissions such as odour and noise		250m	500m
<b>Wrecking yard (automotive)</b> Emissions such as noise and dust		200m	-

**Table C9.2 Attenuation distances for Sewage Treatment Plants**

Sewage Treatment Plant throughput	Designed capacity average dry weather flow in kL/day	<275	<1375	<5500	<13750	>13750
	Person equivalent	< 1000	<5000	<20000	<50000	>50000
Type of treatment process		Distance in metres				
Mechanical/biological treatment (includes aerated lagoons)		100	200	300	400	>400
Aerobic lagoons		150	350	700	1000	>1000
Facultative lagoons		300	550	700	1000	>1000
Anaerobic lagoons		400	700	1400	2200	>2200
Effluent irrigation schemes		Refer to critical distances specified in section 6.2 and Table 6-1 of the Environmental Guidelines for the Use of Recycled Water in Tasmania; Environment Division, Department of Primary Industries, Water and Environment; December 2002				

## C10.0 Coastal Erosion Hazard Code

### C10.1 Code Purpose

The purpose of the Coastal Erosion Hazard Code is:

- C10.1.1 To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.
- C10.1.2 To ensure that use or development subject to risk from coastal erosion is appropriately located and managed so that:
- (a) people, property and infrastructure are not exposed to an unacceptable level of risk;
  - (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;
  - (c) it does not increase the risk from coastal erosion to other properties or public infrastructure; and
  - (d) works to protect land from coastal erosion are undertaken in a way that provides appropriate protection without increasing risks to other properties.

### C10.2 Application of this Code

- C10.2.1 This Code applies to use and development of land within a coastal erosion hazard area.

### C10.3 Definition of Terms

- C10.3.1 In this Code, unless the contrary intention appears:

Term	Definition
coastal erosion hazard	means: (a) coastal erosion; (b) coastal recession; or (c) landslide.
coastal erosion hazard area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a coastal erosion hazard area, which is classified into one of three hazard bands.
coastal erosion hazard report	means a report prepared by a suitably qualified person for a site that considers: (a) whether the use or development can achieve and maintain a tolerable level of risk for the intended life of the use or development, having regard to: (i) the nature, intensity and duration of the use; (ii) the type, form and duration of any development; (iii) the likely change in the level of risk across the intended life of the use or development; (iv) the ability to adapt to a change in the level of risk; (v) the ability to maintain access to utilities and services;

Term	Definition
	<ul style="list-style-type: none"> <li>(vi) the need for coastal defences on the site;</li> <li>(vii) the need for protection measures beyond the boundary of the site; and</li> <li>(viii) any advice of decision for a relevant entity with administrative or regulatory responsibility to provide such advice; and</li> <li>(b) whether the use or development is likely to cause or contribute to the occurrence of coastal erosion on the site or on adjacent land; and</li> <li>(c) any matter specifically required by Performance Criteria in this Code.</li> </ul>
critical use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Emergency Services; or</li> <li>(b) Hospital Services.</li> </ul>
hazard bands	<p>means the classification of land within a coastal erosion hazard area into one of the following coastal erosion hazard bands:</p> <ul style="list-style-type: none"> <li>(a) low;</li> <li>(b) medium; or</li> <li>(c) high.</li> </ul>
hazardous use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Crematoria and Cemeteries;</li> <li>(b) Extractive Industry, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(e) Recycling and Waste Disposal;</li> <li>(f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(i) Vehicle Fuel Sales and Service; and</li> <li>(j) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity.</li> </ul>

Term	Definition
non-urban Zone	<p>means land shown on a zoning map in the relevant Local Provisions Schedule, as within the following Zones:</p> <ul style="list-style-type: none"> <li>(a) Rural Living Zone;</li> <li>(b) Landscape Conservation Zone;</li> <li>(c) Rural Zone;</li> <li>(d) Agriculture Zone;</li> <li>(e) Utilities Zone;</li> <li>(f) Environmental Management Zone;</li> <li>(g) Open Space Zone; and</li> <li>(h) Particular Purpose Zone if for a Future Urban Zone.</li> </ul>
tolerable risk	<p>means the lowest level of likely risk from coastal erosion to secure the benefits of a use or development in a coastal erosion hazard area, and which can be managed through routine regulatory measures or by specific hazard management measures for the intended life of each use or development.</p>
urban Zone	<p>means land shown on a zoning map in the relevant Local Provisions Schedule, as within the following Zones</p> <ul style="list-style-type: none"> <li>(a) General Residential Zone;</li> <li>(b) Inner Residential Zone;</li> <li>(c) Low Density Residential Zone;</li> <li>(d) Urban Mixed Use Zone;</li> <li>(e) Village Zone;</li> <li>(f) Central Business Zone;</li> <li>(g) General Business Zone;</li> <li>(h) Local Business Zone;</li> <li>(i) Commercial Zone;</li> <li>(j) Light Industrial Zone;</li> <li>(k) General Industrial Zone;</li> <li>(l) Major Tourism Zone;</li> <li>(m) Port and Marine Zone;</li> <li>(n) Community Purpose Zone;</li> <li>(o) Recreation Zone; and</li> <li>(p) Particular Purpose Zone excluding a Future Urban Zone.</li> </ul>
vulnerable use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Custodial Facility;</li> <li>(b) Educational and Occasional Care;</li> <li>(c) Residential, if the use is for respite centre, residential care facility, retirement village or group home; or</li> <li>(d) Visitor Accommodation, if the use accommodates more than 12 guests.</li> </ul>

## C10.4 Use or Development Exempt from this Code

C10.4.1 Except where development occurs on an actively mobile landform, the following use or development is exempt from this Code:

- (a) use or development that requires a building permit provided it is not:
  - (i) a critical use, hazardous use, or vulnerable use;
  - (ii) located within a high hazard band; or
  - (iii) coastal protection works;
- (b) intensification of an existing use, if not for a critical, hazardous, or vulnerable use;
- (c) alterations or extensions to an existing building located within a high hazard band, if:
  - (i) the site coverage is not increased by more than 20m<sup>2</sup> from that existing at the effective date; and
  - (ii) not for a critical, hazardous, or vulnerable use;
- (d) use or development of land in the following Use Classes:
  - (i) Resource Development except in the high hazard bands where a building permit is required;
  - (ii) Passive Recreation;
  - (iii) Natural and Cultural Values Management;
  - (iv) Port and Shipping in a proclaimed wharf area; or
  - (v) minor utilities;
- (e) planting or disturbance of vegetation on existing pasture or crop production land; and
- (f) consolidation of lots.

## C10.5 Use Standards

C10.5.1 Use within a High Hazard Band

Objective:	To: <ul style="list-style-type: none"> <li>(a) ensure that use within a high hazard band is reliant on a coastal location and the likely risks from exposure to a coastal erosion hazard are tolerable; and</li> <li>(b) deem that Residential and Visitor Accommodation are not uses that are reliant on a coastal location.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solutions.		<b>P1</b> A use within a high hazard band must : <ul style="list-style-type: none"> <li>(a) not be for Residential or Visitor Accommodation use and be for a use which relies upon a coastal location to fulfil its purpose:               <ul style="list-style-type: none"> <li>(i) to access a specific resource in a coastal</li> </ul> </li> </ul>

	<p>location;</p> <p>(ii) for a marine farming shore facility;</p> <p>(iii) to access infrastructure available in a coastal location;</p> <p>(iv) to service a marine or coastal related activity;</p> <p>(v) to provide an essential utility or marine infrastructure; or</p> <p>(vi) to provide for marine-related educational, research, open space or recreational facilities; and</p> <p>(b) be supported by a coastal erosion hazard report that demonstrates that a tolerable level of risk from a coastal erosion hazard can be achieved and maintained for the type, form and duration of the use, while minimising the:</p> <p>(i) increase in risk to public infrastructure; and</p> <p>(ii) reliance on coastal protection works.</p>
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## C10.5.2 Uses Located within a Non-urban Zone and within a Low or Medium Hazard Band

Objective:	To ensure the likely risks from exposure to a coastal erosion hazard are tolerable for a use located within a non-urban Zone and within a low or medium hazard band.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use located within a non-urban Zone and within a low or medium hazard band must be supported by a coastal erosion hazard report that demonstrates:</p> <p>(a) that any increase in the level of risk from a coastal erosion hazard does not warrant any specific hazard reduction protection or measures; or</p> <p>(b) a tolerable level of risk from a coastal erosion hazard can be achieved and maintained for the type, form and duration of the use, while minimising:</p> <p>(i) increase in risk to public infrastructure; and</p> <p>(ii) reliance on coastal protection works.</p>



## C10.5.3 Critical Use, Hazardous Use or Vulnerable Use

Objective:	To ensure the likely risks from exposure to a coastal erosion hazard are tolerable for critical, hazardous and vulnerable uses.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A critical use, hazardous use, or vulnerable use must:</p> <ul style="list-style-type: none"> <li>(a) be supported by a coastal erosion hazard report that demonstrates:             <ul style="list-style-type: none"> <li>(i) that any increase in the level of risk from a coastal erosion hazard does not warrant any specific hazard reduction protection or measures; or</li> <li>(ii) a tolerable level of risk from a coastal erosion hazard can be achieved and maintained for the type, form and duration of the use, while minimising :                 <ul style="list-style-type: none"> <li>a. increase in risk to public infrastructure; and</li> <li>b. reliance on coastal protection works; and</li> </ul> </li> </ul> </li> <li>(b) if located within a non-urban Zone or a high hazard band, be for a use which relies upon a coastal location to fulfil its purpose:             <ul style="list-style-type: none"> <li>(i) to access a specific resource in a coastal location;</li> <li>(ii) to access infrastructure available in a coastal location;</li> <li>(iii) to access infrastructure available in a coastal location;</li> <li>(iv) to service a marine or coastal related activity;</li> <li>(v) to provide an essential utility or marine infrastructure; or</li> <li>(vi) to provide for marine-related educational, research, open space or recreational facilities.</li> </ul> </li> </ul>

<p><b>A2</b></p> <p>No Acceptable Solutions.</p>	<p><b>P2</b></p> <p>A critical use within a coastal erosion hazard area must be supported by a coastal erosion hazard report that demonstrates, in addition to the requirements in clause C10.5.3 P1(a), that a coastal erosion event will not:</p> <ul style="list-style-type: none"> <li>(a) impact on the ability of the use to function and maintain service during the coastal erosion event and recovery period;</li> <li>(b) interrupt the operation of the critical use in locations external to the immediate impact of the coastal erosion event; and</li> <li>(c) create a risk to the health or safety of people from damage or disruption to: <ul style="list-style-type: none"> <li>(i) a water supply; or</li> <li>(ii) the drainage and treatment of waste water.</li> </ul> </li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solutions.</p>	<p><b>P3</b></p> <p>A hazardous use within a coastal erosion hazard area must be supported by a coastal erosion hazard report that demonstrates, in addition to the requirements in clause C10.5.3 P1(a), that a coastal erosion event will not impact on the health and safety of people, property or the environment.</p>
<p><b>A4</b></p> <p>No Acceptable Solutions.</p>	<p><b>P4</b></p> <p>A vulnerable use within a coastal erosion hazard area must be supported by a coastal erosion hazard report that demonstrates, in addition to the requirements in clause C10.5.3 P1(a), the people who may live or work on, or visit, the site have the ability to:</p> <ul style="list-style-type: none"> <li>(a) be protected from a coastal erosion event; or</li> <li>(b) be easily evacuated in the case of an emergency.</li> </ul>

## C10.6 Development Standards for Buildings and Works

### C10.6.1 Buildings and Works within a Coastal Erosion Hazard Area

Objective:	To ensure the likely risks from exposure to a coastal erosion hazard are tolerable for building and works within a coastal erosion hazard area.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  Buildings and works within a coastal erosion hazard area must be supported by a coastal erosion hazard report that demonstrates: <ul style="list-style-type: none"> <li>(a) that any increase in the level of risk from a coastal erosion hazard does not warrant any specific hazard reduction protection or measures; or</li> <li>(b) a tolerable level of risk from a coastal erosion hazard can be achieved and maintained for the type, form and duration of the development, while minimising:               <ul style="list-style-type: none"> <li>(i) an increase in risk to adjacent properties and public infrastructure; and</li> <li>(iii) reliance on coastal protection works; and</li> </ul> </li> <li>(c) in all cases is not located on actively mobile landforms unless for engineering or remediation works to protect land, property and human life.</li> </ul>

### C10.6.2 Coastal Protection Works within a Coastal Erosion Hazard Area

Objective:	To ensure that coastal protection works are kept to a minimum, appropriately located, fit for purpose and do not increase the likely risks from a coastal erosion hazard to adjacent properties.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solutions.	<b>P1</b>  Coastal protection works within a coastal erosion hazard area must be kept to a minimum and: <ul style="list-style-type: none"> <li>(a) be supported by a coastal erosion hazard report that demonstrates:               <ul style="list-style-type: none"> <li>(i) there will not be an increased risk from</li> </ul> </li> </ul>

	<p>coastal erosion to adjacent properties;</p> <p>(ii) it can mitigate the risks from coastal erosion to 2100; and</p> <p>(iii) the cost of construction and ongoing maintenance can be met by the proponent; and</p> <p>(b) if within a non-urban Zone or a high hazard band, be for the protection of a use that relies upon a coastal location to fulfil its purpose.</p>
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## C10.7 Development Standards for Subdivision

### C10.7.1 Subdivision within a Coastal Erosion Hazard Area

Objective:	To ensure subdivision within a coastal erosion hazard area does not create opportunity for development that will be unnecessarily exposed to unacceptable risk from a coastal erosion hazard.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, wholly or partly, within a coastal erosion hazard area must:</p> <p>(a) be for the creation of separate lots for existing buildings;</p> <p>(b) be 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, Council or by a statutory authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the creation of a lot in which the building area, access and services are outside a coastal erosion hazard area.</p>	<p><b>P1</b></p> <p>Each lot, wholly or partly, within a coastal erosion hazard area must:</p> <p>(a) not create an opportunity for use or development that will be exposed to an intolerable risk from a coastal erosion hazard;</p> <p>(b) not increase risks from a coastal erosion hazard to adjacent properties;</p> <p>(c) not cause an unacceptable level of risk to use or development arising from an increased reliance on public infrastructure;</p> <p>(d) minimise the need for future remediation works;</p> <p>(e) not result in access to the lot being lost or substantially compromised by a coastal erosion hazard on or off-site;</p> <p>(f) not have a building area located within a coastal erosion hazard area; and</p> <p>(g) in all cases is not located on actively mobile landforms unless for engineering or remediation works to protect land, property and human life.</p>

## C11.0 Coastal Inundation Hazard Code

### C11.1 Code Purpose

The purpose of the Coastal Inundation Hazard Code is:

- C11.1.1 To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.
- C11.1.2 To ensure that use or development subject to risks from coastal inundation is appropriately located and managed so that:
- (a) people, property and infrastructure are not exposed to an unacceptable level of risk;
  - (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;
  - (c) it does not increase the risk from coastal inundation hazard to other properties or public infrastructure; and
  - (d) works to protect land from coastal inundation are undertaken in a way that provides appropriate protection without increasing risks to other properties.

### C11.2 Application of this Code

- C11.2.1 This Code applies to use and development of land within a coastal inundation hazard area.

### C11.3 Definition of Terms

- C11.3.1 In this Code, unless the contrary intention appears:

Term	Definition
coastal inundation hazard	means flooding as a result of: <ul style="list-style-type: none"> <li>(a) storm surge;</li> <li>(b) extreme storm events;</li> <li>(c) floods or tides; or</li> <li>(d) sea-level rise as a result of climate change.</li> </ul>
coastal inundation hazard area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a coastal inundation hazard area, which is classified into one of three hazard bands or a coastal investigation area.
coastal inundation hazard report	means a report prepared by a suitably qualified person for a site that considers: <ul style="list-style-type: none"> <li>(a) whether the use or development can achieve and maintain a tolerable level of risk for the intended life of the use or development, having regard to:               <ul style="list-style-type: none"> <li>(i) the nature, intensity and duration of the use;</li> <li>(ii) the type, form and duration of any development;</li> <li>(iii) the likely change in the level of risk across the intended life of the use or development;</li> <li>(iv) the ability to adapt to a change in the level of risk;</li> </ul> </li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>(v) the ability to maintain access to utilities and services;</li> <li>(vi) the need for coastal protection works on the site;</li> <li>(vii) the need for coastal inundation reduction or protection measures beyond the boundary of the site; and</li> <li>(viii) any advice of decision for a relevant entity with administrative or regulatory responsibility to provide such advice; and</li> <li>(b) whether the use or development is likely to cause or contribute to the occurrence of coastal inundation on the site or on adjacent land;</li> <li>(c) any matter specifically required by Performance Criteria in this Code.</li> </ul>
coastal investigation area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a coastal investigation area, which must be classified into a hazard band or classified as acceptable in accordance with the AHD provided in Appendix 10 of the Coastal Hazards Report (Department of Premier and Cabinet, Tasmania) by a site survey prepared by a suitably qualified person.
critical use	means a use that is within one of the following Use Classes: <ul style="list-style-type: none"> <li>(a) Emergency Services; or</li> <li>(b) Hospital Services.</li> </ul>
hazard bands	means the classification of land within a coastal inundation hazard area into one of the following coastal inundation hazard bands: <ul style="list-style-type: none"> <li>(a) low;</li> <li>(b) medium; or</li> <li>(c) high.</li> </ul>
hazardous use	means a use that is within one of the following Use Classes: <ul style="list-style-type: none"> <li>(a) Crematoria and Cemeteries;</li> <li>(b) Extractive Industry, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(e) Recycling and Waste Disposal;</li> <li>(f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(i) Vehicle Fuel Sales and Service; or</li> <li>(j) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity.</li> </ul>

Term	Definition
non-urban Zone	<p>means land shown on a zoning map in the relevant Local Provisions Schedule, as within the following Zones:</p> <ul style="list-style-type: none"> <li>(a) Rural Living Zone;</li> <li>(b) Landscape Conservation Zone;</li> <li>(c) Rural Zone;</li> <li>(d) Agriculture Zone;</li> <li>(e) Utilities Zone;</li> <li>(f) Environmental Management Zone; and</li> <li>(g) Open Space Zone; and</li> <li>(h) Particular Purpose Zone if for a Future Urban Zone.</li> </ul>
tolerable risk	<p>means the lowest level of likely risk from coastal inundation to secure the benefits of a use or development in a coastal inundation hazard area, and which can be managed through routine regulatory measures or by specific hazard management measures for the intended life of each use or development.</p>
urban Zone	<p>means land shown on a zoning map in the relevant Local Provisions Schedule, as within the following Zones:</p> <ul style="list-style-type: none"> <li>(a) General Residential Zone;</li> <li>(b) Inner Residential Zone;</li> <li>(c) Low Density Residential Zone;</li> <li>(d) Urban Mixed Use Zone;</li> <li>(e) Village Zone;</li> <li>(f) Central Business Zone;</li> <li>(g) General Business Zone;</li> <li>(h) Local Business Zone;</li> <li>(i) Commercial Zone;</li> <li>(j) Light Industrial Zone;</li> <li>(k) General Industrial Zone;</li> <li>(l) Major Tourism Zone;</li> <li>(m) Port and Marine Zone;</li> <li>(n) Community Purpose Zone;</li> <li>(o) Recreation Zone; and</li> <li>(p) Particular Purpose Zone excluding a Future Urban Zone.</li> </ul>
vulnerable use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Custodial Facility;</li> <li>(b) Educational and Occasional Care;</li> <li>(c) Residential, if the use is for respite centre, residential care facility, retirement village or group home; or</li> <li>(d) Visitor Accommodation, if the use accommodates more than 12 guests.</li> </ul>

## C11.4 Use or Development Exempt from this Code

C11.4.1 The following use or development is exempt from this Code:

- (a) use or development that requires a building permit provided it is not:
  - (i) a critical use, hazardous use, or vulnerable use;
  - (ii) located within a high hazard band;
  - (iii) located within a non-urban Zone and within a medium hazard band; or
  - (iv) coastal protection works;
- (b) intensification of an existing use, if not for a critical, hazardous, or vulnerable use;
- (c) alterations or extensions to an existing building located within a high hazard band, if:
  - (i) the site coverage is not increased by more than 20m<sup>2</sup> from that existing at the effective date; and
  - (ii) not for a critical, hazardous, or vulnerable use;
- (d) use or development of land for:
  - (i) Resource Development;
  - (ii) Passive Recreation;
  - (iii) Natural and Cultural Values Management;
  - (iv) Port and Shipping in a proclaimed wharf area; or
  - (v) minor utilities;
- (e) planting or disturbance of vegetation on existing pasture or crop production land;
- (f) use or development on land within a coastal investigation area that has been classified as acceptable; and
- (g) consolidation of lots.

## C11.5 Use Standards

C11.5.1 Uses within a High Hazard Band

Objective:	To: <ul style="list-style-type: none"> <li>(a) ensure that use within a high hazard band is reliant on a coastal location and the likely risks from exposure to a coastal inundation hazard are tolerable; and</li> <li>(b) deem that Residential and Visitor Accommodation are not uses that are reliant on a coastal location.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solutions.		<b>P1</b>  A use within a high hazard band must: <ul style="list-style-type: none"> <li>(a) not be for a Residential or Visitor Accommodation use and be for a use which relies upon a coastal location to fulfil its purpose</li> </ul>



	<p>for the following reasons:</p> <ul style="list-style-type: none"> <li>(i) to access a specific resource in a coastal location;</li> <li>(iii) to access infrastructure available in a coastal location;</li> <li>(iv) to service a marine or coastal related activity;</li> <li>(v) to provide an essential utility or marine infrastructure; or</li> <li>(vi) to provide for marine-related educational, research, open space or recreational facilities; and</li> </ul> <p>(b) be supported by a coastal inundation hazard report that demonstrates that a tolerable level of risk from a coastal inundation hazard can be achieved and maintained for the type, form and duration of the use, while minimising the:</p> <ul style="list-style-type: none"> <li>(i) increase in risk to public infrastructure; and</li> <li>(ii) reliance on coastal protection works.</li> </ul>
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## C11.5.2 Uses located within a Non-urban Zone and within a Medium Hazard Band

Objective:	<p>To:</p> <ul style="list-style-type: none"> <li>(a) ensure that a use located within a non-urban Zone and within a medium hazard band is reliant on a coastal location and the likely risks from exposure to a coastal inundation hazard are tolerable; and</li> <li>(b) deem that Residential and Visitor Accommodation are not uses that are reliant on a coastal location.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use located within a non-urban Zone and within a medium hazard band must:</p> <ul style="list-style-type: none"> <li>(a) not be for a Residential or Visitor Accommodation use and be for a use which relies upon a coastal location to fulfil its purpose for the following reasons: <ul style="list-style-type: none"> <li>(i) to access a specific resource in a coastal location;</li> <li>(ii) for a marine farming shore facility;</li> <li>(iii) to access infrastructure available in a</li> </ul> </li> </ul>

	<p>coastal location;</p> <p>(iv) to service a marine or coastal related activity;</p> <p>(v) to provide an essential utility or marine infrastructure; or</p> <p>(vi) to provide for marine-related educational, research, open space or recreational facilities; and</p> <p>(b) be supported by a coastal inundation hazard report that demonstrates that a tolerable level of risk from a coastal inundation hazard can be achieved and maintained for the type, form and duration of the use, while minimising the:</p> <p>(i) increase in risk to public infrastructure; and</p> <p>(ii) reliance on coastal protection works.</p>
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## C11.5.3 Uses located within a Non-urban Zone and within a Low Hazard Band

Objective:	To ensure the likely risks from exposure to a coastal inundation hazard are tolerable for a use located within a non-urban Zone and within a low hazard band.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A use located within a non-urban Zone and within a low hazard band must be supported by a coastal inundation hazard report that demonstrates:</p> <p>(a) that any increase in the level of risk from a coastal inundation hazard does not warrant any specific hazard reduction protection or measures; or</p> <p>(b) a tolerable level of risk from a coastal inundation hazard can be achieved and maintained for the type, form and duration of the use, while minimising:</p> <p>(i) increase in risk to public infrastructure; and</p> <p>(ii) reliance on coastal protection works.</p>

## C11.5.4 Critical Use, Hazardous Use or Vulnerable Use

Objective:	To ensure the likely risks from exposure to a coastal inundation hazard are tolerable for critical, hazardous and vulnerable uses.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>A critical use, hazardous use, or vulnerable use must:</p> <ul style="list-style-type: none"> <li>(a) be supported by a coastal inundation hazard report that demonstrates : <ul style="list-style-type: none"> <li>(i) that any increase in the level of risk from a coastal inundation hazard does not warrant any specific hazard reduction protection or measures; or</li> <li>(ii) a tolerable level of risk from a coastal inundation hazard can be achieved and maintained for the type, form and duration of the use, while minimising: <ul style="list-style-type: none"> <li>a. increase in risk to public infrastructure; and</li> <li>b. reliance on coastal protection works; and</li> </ul> </li> </ul> </li> <li>(b) if located within a non-urban Zone or a high hazard band, be for a use which relies upon a coastal location to fulfil its purpose: <ul style="list-style-type: none"> <li>(i) to access a specific resource in a coastal location;</li> <li>(ii) to access infrastructure available in a coastal location;</li> <li>(iii) to access infrastructure available in a coastal location;</li> <li>(iv) to service a marine or coastal related activity;</li> <li>(v) to provide an essential utility or marine infrastructure; or</li> <li>(vi) to provide for marine-related educational, research, open space or recreational facilities..</li> </ul> </li> </ul>

<p><b>A2</b></p> <p>No Acceptable Solutions.</p>	<p><b>P2</b></p> <p>A critical use within a coastal inundation hazard area must be supported by a coastal inundation hazard report that demonstrates, in addition to the requirements in clause C11.5.4 P1(a), that a 1% AEP coastal inundation event in 2100 will not:</p> <ul style="list-style-type: none"> <li>(a) impact of the ability of the use to function and maintain service during the coastal inundation event and recovery period;</li> <li>(b) interrupt the operation of the critical use in locations external to the immediate impact of the coastal inundation event; and</li> <li>(c) create a risk to the health or safety of people from damage or disruption to: <ul style="list-style-type: none"> <li>(i) a water supply; or</li> <li>(ii) the drainage and treatment of waste water.</li> </ul> </li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solutions.</p>	<p><b>P3</b></p> <p>A hazardous use within a coastal inundation hazard area must be supported by a coastal inundation hazard report that demonstrates, in addition to the requirements in clause C11.5.4 P1(a), that a 1% AEP coastal inundation event in 2100 will not impact on the health and safety of people, property, or the environment.</p>
<p><b>A4</b></p> <p>No Acceptable Solutions.</p>	<p><b>P4</b></p> <p>A vulnerable use within a coastal inundation hazard area must be supported by a coastal inundation hazard report that demonstrates, in addition to the requirements in clause C11.5.4 P1(a), the people who may live or work on, or visit, the site have the ability, in a 1% AEP coastal inundation event in 2100, to:</p> <ul style="list-style-type: none"> <li>(a) be protected from the coastal inundation event; or</li> <li>(b) be easily evacuated in the case of an emergency.</li> </ul>

## C11.6 Development Standards for Buildings and Works

### C11.6.1 Buildings and Works within a Coastal Inundation Hazard Area

Objective:	To ensure the likely risks from exposure to a coastal inundation hazard are tolerable for building and works within a coastal inundation hazard area.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>Buildings and works within a coastal inundation hazard area must be supported by a coastal inundation hazard report that demonstrates :</p> <ul style="list-style-type: none"> <li>(a) that any increase in the level of risk from a coastal inundation hazard does not warrant any specific hazard reduction protection or measures; or</li> <li>(b) a tolerable level of risk from a coastal inundation hazard can be achieved by mitigating the risk from a 1% AEP coastal inundation event in 2100 and maintained for the type, form and duration of the development, while: <ul style="list-style-type: none"> <li>(i) not causing an increased risk of inundation from a 1% AEP coastal inundation event in 2100 to adjacent properties;</li> <li>(ii) not causing an increased risk of inundation from a 1% AEP coastal inundation event in 2100 to public infrastructure; and</li> <li>(iii) not relying on any temporary coastal protection works.</li> </ul> </li> </ul>

## C11.6.2 Coastal Protection Works within a Coastal Inundation Hazard Area

Objective:	To ensure that coastal protection works are kept to a minimum, appropriately located, fit for purpose and do not increase the likely risks from a coastal inundation hazard to adjacent properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solutions.	<b>P1</b> Coastal protection works within a coastal inundation hazard area must be kept to a minimum and: <ul style="list-style-type: none"> <li>(a) be supported by a coastal inundation hazard report that demonstrates:               <ul style="list-style-type: none"> <li>(i) there will not be an increased risk of inundation from a 1% AEP coastal inundation event in 2100 to adjacent properties;</li> <li>(ii) it will mitigate the inundation to a level of at least a 1% AEP coastal inundation event in 2100; and</li> <li>(iii) the cost of construction and ongoing maintenance can be met by the proponent; and</li> </ul> </li> <li>(b) if within a non-urban Zone or a high hazard band, be for the protection of a use that relies upon a coastal location to fulfil its purpose</li> </ul>

## C11.7 Development Standards for Subdivision

## C11.7.1 Subdivision within a Coastal Inundation Hazard Area

Objective:	To ensure subdivision within a coastal inundation hazard area does not create an opportunity for use or development that will be unnecessarily exposed to unacceptable risk from a coastal inundation hazard.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, wholly or partly, within a coastal inundation hazard area must: <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing buildings;</li> <li>(b) be required for public use by the State</li> </ul>	<b>P1</b> Each lot, wholly or partly, within a coastal inundation hazard area must: <ul style="list-style-type: none"> <li>(a) not create an opportunity for use or development that will be exposed to an intolerable risk from a coastal inundation</li> </ul>

<p>Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State, Council or by a statutory authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the creation of a lot in which the building area, access and services are outside a coastal inundation hazard area.</p>	<p>hazard;</p> <p>(b) not increase risk from a coastal inundation hazard to adjacent properties;</p> <p>(c) not cause an unacceptable level of risk to use or development arising from an increased reliance on public infrastructure;</p> <p>(d) demonstrate the need for future remediation works is minimised;</p> <p>(e) demonstrate that access to the lot will not be removed or substantially compromised by a coastal inundation hazard on or off-site; and</p> <p>(f) not have a building area located within a coastal inundation hazard area.</p>
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## C12.0 Riverine Inundation Hazard Code

### C12.1 Code Purpose

The purpose of the Riverine Inundation Hazard Code is:

- C12.1.1 To manage use and development in areas at risk from periodic or permanent riverine inundation so that:
- (a) people, property and infrastructure are not exposed to an unacceptable level of risk;
  - (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and
  - (c) it does not increase the risk from riverine inundation hazard to other properties or public infrastructure.
- C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flooding from a riverine watercourse.

### C12.2 Application of this Code

- C12.2.1 This Code applies to use on land within a riverine inundation hazard area if for:
- (a) a change of use that converts a non-habitable building to a habitable building; or
  - (b) a new habitable room within an existing building.
- C12.2.2 This Code applies to all development on land within a riverine inundation hazard area.

### C12.3 Definition of Terms

C12.3.1 In this Code, unless the contrary intention appears:

Term	Definition
critical use	means a use that is within one of the following Use Classes: <ul style="list-style-type: none"> <li>(a) Emergency Services; or</li> <li>(b) Hospital Services.</li> </ul>
hazardous use	means a use that is within one of the following Use Classes: <ul style="list-style-type: none"> <li>(a) Crematoria and Cemeteries;</li> <li>(b) Extractive Industry if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(e) Recycling and Waste Disposal;</li> <li>(f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> </ul>



Term	Definition
	<ul style="list-style-type: none"> <li>(h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(i) Vehicle Fuel Sales and Service; or</li> <li>(j) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity.</li> </ul>
riverine inundation hazard	means permanent or periodic flooding of land from a riverine watercourse.
riverine inundation hazard area	means an area shown on an overlay map in the relevant Local Provisions Schedule, as within a riverine inundation hazard area.
riverine inundation hazard report	<p>means a report prepared by a suitably qualified person for a site that considers:</p> <ul style="list-style-type: none"> <li>(a) whether the use or development can achieve and maintain a tolerable level of risk for the intended life of the use or development, having regard to: <ul style="list-style-type: none"> <li>(i) the nature, intensity and duration of the use;</li> <li>(ii) the type, form and duration of any development;</li> <li>(iii) the likely change in the level of risk across the intended life of the use or development;</li> <li>(iv) the ability to adapt to a change in the level of risk;</li> <li>(v) the ability to maintain access to utilities and services;</li> <li>(vi) the need for riverine inundation reduction or protection measures beyond the boundary of the site; and</li> <li>(viii) any advice of decision for a relevant entity with administrative or regulatory responsibility to provide such advice; and</li> </ul> </li> <li>(b) whether the use or development is likely to cause or contribute to the occurrence of riverine inundation on the site or on adjacent land; and</li> <li>(c) any matter specifically required by Performance Criteria in this Code.</li> </ul>
tolerable risk	means the lowest level of likely risk from riverine inundation to secure the benefits of a use or development in a riverine inundation hazard area, and which can be managed through routine regulatory measures or by specific hazard management measures for the intended life of each use or development.
vulnerable use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Custodial Facility;</li> <li>(b) Educational and Occasional Care;</li> <li>(c) Residential, if the use is for respite centre, residential care facility, retirement village or group home; or</li> <li>(d) Visitor Accommodation, if the use accommodates more than 12 guests.</li> </ul>

## C12.4 Use or Development Exempt from this Code

C12.4.1 The following use or development is exempt from this Code:

- (a) alterations or extensions to an existing building if:
  - (i) the site coverage is not increased by more than 20m<sup>2</sup> from that existing at the effective date; and
  - (ii) not for a critical, hazardous, or vulnerable use;
- (b) use or development of land for:
  - (i) Resource Development if not for a habitable building;
  - (ii) Passive Recreation;
  - (iii) Natural and Cultural Values Management;
  - (iv) Port and Shipping in a proclaimed wharf area;
  - (v) minor utilities;
  - (vi) hydro-electric infrastructure; and
  - (vii) outbuildings;
- (c) planting or disturbance of vegetation on existing pasture or crop production land; and
- (d) consolidation of lots.

## C12.5 Use Standards

C12.5.1 Uses within a Riverine Inundation Hazard Area

Objective:	To ensure the likely risks from exposure to a riverine inundation hazard are tolerable for a habitable building.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solutions.		<b>P1</b> A change of use that converts a non-habitable building to a habitable building, or a use involving a new habitable room within an existing building, within a riverine inundation hazard area must be supported by a riverine inundation hazard report that demonstrates: <ul style="list-style-type: none"> <li>(a) that any increase in the level of risk from a riverine inundation hazard does not warrant any specific hazard reduction protection or measures; or</li> <li>(b) a tolerable level of risk from a riverine inundation hazard can be achieved and maintained for the type, form and duration of the use, while minimising:</li> </ul>

	<ul style="list-style-type: none"> <li>(i) increase in risk to public infrastructure; and</li> <li>(ii) reliance on protection works.</li> </ul>
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## C12.5.2 Critical Use, Hazardous Use or Vulnerable Use

Objective:	To ensure the likely risks from exposure to a riverine inundation hazard are tolerable for critical, hazardous and vulnerable uses.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solutions.	<b>P1</b> A critical, hazardous, or vulnerable use within a riverine inundation hazard area must be supported by a riverine inundation hazard report that demonstrates: <ul style="list-style-type: none"> <li>(a) that any increase in the level of risk from a riverine inundation hazard does not warrant any specific hazard reduction protection or measures; or</li> <li>(b) a tolerable level of risk from a riverine inundation hazard can be achieved and maintained for the type, form and duration of the use, while minimising:               <ul style="list-style-type: none"> <li>(i) increase in risk to public infrastructure; and</li> <li>(ii) reliance on protection works.</li> </ul> </li> </ul>
<b>A2</b> No Acceptable Solutions.	<b>P2</b> A critical use within a riverine inundation hazard area must be supported by a riverine inundation hazard report that demonstrates, in addition to the requirements in clause C12.5.2 P1, that a riverine inundation event will not: <ul style="list-style-type: none"> <li>(a) impact on the ability of the use to function and maintain service during the riverine inundation event and recovery period;</li> <li>(b) interrupt the operation of the critical use in locations external to the immediate impact of the riverine inundation event; and</li> <li>(c) create a risk to the health or safety of people from damage or disruption to:               <ul style="list-style-type: none"> <li>(i) a water supply; or</li> <li>(ii) the drainage and treatment of waste water.</li> </ul> </li> </ul>

<b>A3</b> No Acceptable Solutions.	<b>P3</b> A hazardous use within a riverine inundation hazard area must be supported by a riverine inundation hazard report that demonstrates, in addition to the requirements in clause C12.5.2 P1 that a riverine inundation event will not impact on the health and safety of people, property, or the environment.
<b>A4</b> No Acceptable Solutions.	<b>P4</b> A vulnerable use within a riverine inundation hazard area must be supported by a riverine inundation hazard report that demonstrates, in addition to the requirements in clause C12.5.2 P1, the people who may live or work on, or visit the site have the ability in a riverine inundation event to: <ul style="list-style-type: none"> <li>(a) be protected from the riverine inundation event; or</li> <li>(b) be easily evacuated in the case of an emergency.</li> </ul>

## C12.6 Development Standards for Buildings and Works

### C12.6.1 Buildings and Works within a Riverine Inundation Hazard Area

Objective:	To ensure: <ul style="list-style-type: none"> <li>(a) the likely risks from exposure to a riverine inundation hazard are tolerable for building and works within a riverine inundation hazard area; and</li> <li>(b) that buildings and works do not increase the risk from exposure to a riverine inundation hazard to adjacent properties and public infrastructure.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solutions.	<b>P1</b> Buildings and works within a riverine inundation hazard area must be supported by a riverine inundation hazard report that demonstrates: <ul style="list-style-type: none"> <li>(a) that any increase in the level of risk from a riverine inundation hazard does not warrant any specific hazard reduction protection or measures; or</li> <li>(b) that a tolerable level of risk from a riverine inundation hazard can be achieved and maintained for the type, form and duration of the development, while:</li> </ul>

	<ul style="list-style-type: none"> <li>(i) not causing an increased risk of damage from a riverine inundation event to adjacent properties;</li> <li>(ii) not causing an increased risk of damage from a riverine inundation event to public infrastructure; and</li> <li>(iii) minimising the need for future remediation works.</li> </ul>
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## C12.7 Development Standards for Subdivision

### C12.7.1 Subdivision within a Riverine Inundation Hazard Area

Objective:	To ensure subdivision within a riverine inundation hazard area does not create an opportunity for use or development that will be unnecessarily exposed to unacceptable risk from a riverine inundation hazard.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, wholly or partly within a riverine inundation hazard area, must:</p> <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing buildings;</li> <li>(b) be 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, Council or by a statutory authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the creation of a lot in which the building area, access, and services, excluding stormwater services, are outside the riverine inundation hazard area.</li> </ul>	<p><b>P1</b></p> <p>Each lot, wholly or partly within a riverine inundation hazard area, must:</p> <ul style="list-style-type: none"> <li>(a) not create an opportunity for use or development that will be exposed to an intolerable risk from a riverine inundation hazard;</li> <li>(b) not increase risks from a riverine inundation hazard to adjacent properties;</li> <li>(c) not cause an unacceptable level of risk to use or development arising from an increased reliance on public infrastructure;</li> <li>(d) the need for future remediation works is minimised;</li> <li>(e) access to the lot will not be lost or substantially compromised by a riverine inundation hazard on or off-site; and</li> <li>(f) no building area is located within a riverine inundation hazard area.</li> </ul>

## C13.0 Bushfire-Prone Areas Code

### C13.1 Code Purpose

The purpose of the Bushfire-Prone Areas Code is:

- C13.1.1 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.

### C13.2 Application of this Code

C13.2.1 This Code applies to:

- (a) development on land, consisting of the 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; and

C13.2.2 A permit is required for all use and development to which this Code applies that is not exempt from this Code under clause C13.4.

### C13.3 Definition of Terms

C13.3.1 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 AS3959 –2009 Construction of Buildings in Bushfire Prone Areas as ‘a means of measuring the severity of a building’s potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire’.
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; and</li> <li>(b) (i) where there is no overlay on a planning scheme map; or</li> <li>(ii) where the land is outside the boundary of a bushfire-prone area shown on an overlay on such a map,</li> </ul> land that is within 100m of an area of bushfire-prone vegetation equal to or

Term	Definition
	greater than 1 hectare.
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 20 metres.
fire hydrant	means as described in AS2419.1-2005 Fire hydrant installations – System design, installation and commissioning.
hardstand	means as described in AS 2419.1-2005 Fire hydrant installations – 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) hazardous chemicals are stored on a site; 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.
part 5 agreement	means as defined in the Act.
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.
static water supply	means water stored in a tank, swimming pool, dam, or lake, that is available for fire fighting purposes at all times.
TFS	means Tasmania Fire Service.
vulnerable use	means a use that is within one or more of the following use classes - <ul style="list-style-type: none"> <li>(a) Custodial Facility;</li> <li>(b) Education and Occasional Care;</li> <li>(c) Residential if the use is for assisted housing, residential care facility, respite centre or retirement village.</li> </ul>

Term	Definition
water connection 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 (including a dam, lake or pool.).
water corporation	means the corporation within the meaning of the <i>Water and Sewerage Corporation Act 2012</i> .

### C13.4 Use or Development Exempt from this Code

C13.4.1 The following 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 7.3 of this planning scheme.

### C13.5 Use Standards

C13.5.1 Vulnerable Uses.

Objective:	Only in exceptional circumstances should vulnerable uses be located on land which is within a bushfire-prone area. If a vulnerable use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures must reduce the risk to firefighters, and must reflect the risk arising from the bushfire-prone vegetation and the characteristics, nature and scale of the use taking into consideration the specific circumstances of the occupants including their ability to: <ul style="list-style-type: none"> <li>(a) protect themselves and defend property from bushfire attack;</li> <li>(b) evacuate in an emergency; and</li> <li>(c) understand and respond to instructions in the event of a bushfire.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> No acceptable solution		<b>P1</b> Where a vulnerable use is proposed to be located in a bushfire-prone area it must be demonstrated that: <ul style="list-style-type: none"> <li>(a) there is an overriding benefit to the community;</li> <li>(b) there is no suitable alternative lower-risk site; and</li> <li>(c) the bushfire risk can be managed to an acceptable level having regard to any advice from the TFS.</li> </ul>
<b>A2</b> A bushfire hazard management plan that contains		<b>P2</b> No performance criteria.



<p>appropriate bushfire protection measures that:</p> <ul style="list-style-type: none"> <li>(a) addresses the characteristics, nature and scale of the vulnerable use;</li> <li>(b) addresses the characteristics of its occupants of the vulnerable use;</li> <li>(c) addresses the nature and extent of the surrounding bushfire-prone vegetation; and</li> <li>(d) is certified by the TFS or an accredited person.</li> </ul>	
<p><b>A3</b></p> <p>An emergency plan which:</p> <ul style="list-style-type: none"> <li>(a) is consistent with TFS Bushfire Emergency Planning Guidelines;</li> <li>(b) complies with AS3745-2010 Planning for emergencies in facilities;</li> <li>(c) if applicable, complies with AS4083-2010 Planning for emergencies – Health care facilities; and</li> <li>(d) is approved by the TFS.</li> </ul>	<p><b>P3</b></p> <p>No performance criteria.</p>

## C13.5.2 Hazardous Uses.

Objective:	<p>Only in exceptional circumstances should hazardous uses be located on land which is within a bushfire-prone area. If a hazardous use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures must reflect the risk arising from the bushfire-prone vegetation and take into consideration the characteristics, nature and scale of the use to:</p> <ul style="list-style-type: none"> <li>(a) prevent the hazardous use from contributing to the spread or intensification of bushfire;</li> <li>(b) limit the potential for bushfire to be ignited on the site;</li> <li>(c) prevent exposure of people and the environment to the hazardous chemicals, explosives or emissions as a consequence of bushfire; and</li> <li>(d) reduce the risk to firefighters.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No acceptable solution</p>	<p><b>P1</b></p> <p>Where a hazardous use is proposed to be located in a bushfire-prone area it must be demonstrated that:</p> <ul style="list-style-type: none"> <li>(a) there is an overriding benefit to the community;</li> <li>(b) there is no suitable alternative lower-risk site; and</li> <li>(c) the bushfire risk can be managed to an acceptable</li> </ul>

	level having regard to any advice from the TFS.
<b>A2</b> A bushfire hazard management plan that contains appropriate bushfire protection measures that: <ul style="list-style-type: none"> <li>(a) addresses the characteristics, nature and scale of the hazardous use;</li> <li>(b) addresses the nature and extent of the surrounding bushfire-prone vegetation;</li> <li>(c) that takes into consideration; <ul style="list-style-type: none"> <li>(i) exposure to hazardous chemicals;</li> <li>(ii) ignition potential from the site; and</li> <li>(iii) flammable material contributing to the intensification of a fire; and</li> </ul> </li> <li>(d) is certified by the TFS or an accredited person.</li> </ul>	<b>P2</b> No performance criteria.
<b>A3</b> An emergency plan which: <ul style="list-style-type: none"> <li>(a) is consistent with TFS Bushfire Emergency Planning Guidelines;</li> <li>(b) complies with AS3745-2010 Planning for emergencies in facilities;</li> <li>(c) if applicable, complies with AS4083-2010 Planning for emergencies – Health care facilities; and</li> <li>(d) is approved by the TFS.</li> </ul>	<b>P3</b> No performance criteria.

## C13.6 Development Standards for Subdivision

### C13.6.1 Provision of Hazard Management Areas

Objective:	To ensure that subdivision provides for hazard management areas that: <ul style="list-style-type: none"> <li>(a) facilitate an integrated approach between subdivision and subsequent building on a lot;</li> <li>(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</li> <li>(c) provide protection for lots at any stage of a staged subdivision.</li> </ul>
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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 subdivisions;</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 AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas;</li> <li>(iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas greater than the separation distances required for BAL 19 in Table 2.4.4 of AS3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and</li> <li>(v) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement 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.</li> </ul>	<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 taking into consideration:</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; and</li> <li>(g) any advice from the TFS.</li> </ul>

## C13.6.2 Public and Fire Fighting Access

Objective:	<p>To ensure that 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</li> </ul>
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	<p>defended when under bushfire attack and for hazard management works to be undertaken;</p> <p>(c) are designed and constructed to allow for fire appliances to be manoeuvred;</p> <p>(d) provide access to water supplies for fire appliances; and</p> <p>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</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 specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables C13.1, C13.2 &amp; C13.3, is included in a bushfire hazard management plan certified by the TFS or accredited person.</p>	<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> <p>a) appropriate design measures, including:</p> <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; and</li> </ul> <p>b) the provision of access to</p> <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> <p>c) any advice from the TFS.</p>

**Table C13.1: Standards for roads**

Column 1		Column 2
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>(i) Two-wheel drive, all-weather construction;</li> <li>(ii) Load capacity of at least 20 tonnes, including for bridges and culverts;</li> <li>(iii) Minimum carriageway width is 7 metres for a through road, or 5.5 metres for a dead-end or cul-de-sac road;</li> <li>(iv) Minimum vertical clearance of 4 metres;</li> <li>(v) Minimum horizontal clearance of 2 metres from the edge of the carriageway;</li> <li>(vi) Cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(vii) 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>(viii) Curves have a minimum inner radius of 10 metres;</li> <li>(ix) Dead-end or cul-de-sac roads are not more than 200 metres in length unless the carriageway is 7 metres in width;</li> <li>(x) Dead-end or cul-de-sac roads have a turning circle with a minimum 12 metres outer radius; and</li> <li>(xi) Carriageways less than 7 metres wide have 'No Parking' zones on one side, indicated by a road sign that complies with AS1743-2001 Road signs-Specifications.</li> </ul>

**Table C13.2: Standards for Property Access**

Column 1		Column 2
Element		Requirement
A.	Property access length is less than 30 metres; or access is not required for a fire appliance to access a water connection point.	There are no specified design and construction requirements.
B.	Property access length is 30 metres or greater; or access for a fire appliance to a water connection point.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(i) All-weather construction;</li> <li>(ii) Load capacity of at least 20 tonnes, including for bridges and culverts;</li> </ul>

		<ul style="list-style-type: none"> <li>(iii) Minimum carriageway width of 4 metres;</li> <li>(iv) Minimum vertical clearance of 4 metres;</li> <li>(v) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;</li> <li>(vi) Cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(vii) Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</li> <li>(viii) Curves with a minimum inner radius of 10 metres;</li> <li>(ix) Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and</li> <li>(x) Terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> <li>(a) A turning circle with a minimum inner radius of 10 metres; or</li> <li>(b) A property access encircling the building; or</li> <li>(c) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long.</li> </ul> </li> </ul>
<b>C.</b>	Property access length is 200 metres or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(i) The Requirements for B above; and</li> <li>(ii) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.</li> </ul>
<b>D.</b>	Property access length is greater than 30 metres, and access is provided to 3 or more properties.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(i) Complies with Requirements for B above; and</li> <li>(ii) Passing bays of 2 metres additional carriageway width and 20 metres length must be provided every 100 metres.</li> </ul>

**Table C13.3: Standards for Fire Trails**

Column 1		Column 2
Element		Requirement
<b>A.</b>	All fire trails	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> <li>(i) All-weather, 4-wheel drive construction;</li> <li>(ii) Load capacity of at least 20 tonnes, including for bridges and culverts;</li> <li>(iii) Minimum carriageway width of 4 metres;</li> <li>(iv) Minimum vertical clearance of 4 metres;</li> <li>(v) Minimum horizontal clearance of 2 metres from the edge of</li> </ul>

		<p>the carriageway;</p> <p>(vi) Cross falls of less than 3 degrees (1:20 or 5%);</p> <p>(vii) Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</p> <p>(viii) Curves with a minimum inner radius of 10 metres;</p> <p>(ix) 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> <p>(x) Gates if installed at fire trail entry, have a minimum width of 3.6 metres, and if locked, keys are provided to TFS; and</p> <p>(xi) Terminate with a turning area for fire appliances provided by one of the following:</p> <p style="padding-left: 40px;">(a) A turning circle with a minimum radius of 10 metres; and</p> <p style="padding-left: 40px;">(b) A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.</p>
<b>B.</b>	Fire trail length is 200 metres or greater.	<p>The following design and construction requirements apply:</p> <p>(i) The Requirements for A above; and</p> <p>(ii) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.</p>

## C13.6.3 Provision of Water Supply for Fire Fighting Purposes

Objective:	To ensure that an adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; or</p> <p>(b) 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; or</p> <p>(c) A proposed plan of subdivision showing the layout of fire hydrants, and building</p>		<p><b>P1</b></p> <p>No performance criteria.</p>

areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table C13.4.	
<b>A2.</b> In areas that are not serviced by reticulated water by the water corporation: <ul style="list-style-type: none"> <li>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; or</li> <li>(b) 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; or</li> <li>(c) 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 E7.</li> </ul>	<b>P1.</b> No performance criteria

**Table C13.4: Reticulated Water Supply for Fire Fighting**

Column 1		Column 2
Element		Requirement
<b>A.</b>	Distance between building area to be protected and water supply.	The following requirements apply: <ul style="list-style-type: none"> <li>(i) The building area to be protected must be located within 120 metres of a fire hydrant; and</li> <li>(ii) The distance must be measured as a hose lay, between the water connection point and the furthest part of the building area.</li> </ul>
<b>B.</b>	Design criteria for fire hydrants.	The following requirements apply: <ul style="list-style-type: none"> <li>(i) Fire hydrant system must be designed and constructed in accordance with TasWater Supplement to Water Supply Code of Australia WSA03 – 2011 – 3.1 MRWA Edition 2.0; and</li> <li>(ii) Fire hydrants are not installed in parking areas.</li> </ul>
<b>C.</b>	Hardstand.	A hardstand area for fire appliances must be provided: <ul style="list-style-type: none"> <li>(i) No more than three metres from the hydrant, measured as a</li> </ul>



		<p>hose lay;</p> <p>(ii) No closer than six metres from the building area to be protected;</p> <p>(iii) With a minimum width of three metres constructed to the same standard as the carriageway; and</p> <p>(iv) Connected to the property access by a carriageway equivalent to the standard of the property access.</p>
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**Table C13.5: Static Water Supply for Fire Fighting**

Column 1		Column 2
Element		Requirement
<b>A.</b>	Distance between building area to be protected and water supply.	<p>The following requirements apply:</p> <p>(i) The building area to be protected must be located within 90 metres of the water connection point of a static water supply; and</p> <p>(ii) The distance must be measured as a hose lay, between the water connection point and the furthest part of the building area.</p>
<b>B.</b>	Static Water Supplies.	<p>The static water supply:</p> <p>(i) May have a remotely located offtake connected to the static water supply;</p> <p>(ii) 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;</p> <p>(iii) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems;</p> <p>(iv) Must be metal, concrete or lagged by non-combustible materials if above ground; and</p> <p>(v) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by:</p> <p>(a) Metal;</p> <p>(b) Non-combustible material; or</p> <p>(c) Fibre-cement a minimum of 6mm thickness.</p>

<b>C.</b>	Fittings, pipework and accessories (including stands and tank supports)	<p>Fittings and pipework associated with a water connection point for a static water supply must:</p> <ul style="list-style-type: none"> <li>(i) Have a minimum nominal internal diameter of 50mm;</li> <li>(ii) Be fitted with a valve with a minimum nominal internal diameter of 50mm;</li> <li>(iii) Be metal or lagged by non-combustible materials if above ground;</li> <li>(iv) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23);</li> <li>(v) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment;</li> <li>(vi) Ensure the coupling is accessible and available for connection at all times;</li> <li>(vii) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length);</li> <li>(viii) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and</li> <li>(ix) Where a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> <li>(a) Visible;</li> <li>(b) Accessible to allow connection by fire fighting equipment;</li> <li>(c) At a working height of 450 – 600mm above ground level; and</li> <li>(d) Protected from possible damage, including damage by vehicles.</li> </ul> </li> </ul>
<b>D.</b>	Signage for static water connections.	<p>The water connection 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 comply with:</p> <ul style="list-style-type: none"> <li>(i) Water tank signage requirements of AS 2304-2011 Water storage tanks for fire protection systems; or</li> <li>(ii) The following requirements: <ul style="list-style-type: none"> <li>(a) Be marked with the letter “W” contained within a circle with the letter in upper case of not less than 100 mm in height;</li> <li>(b) Be in fade-resistant material with white reflective lettering and circle on a red background;</li> <li>(c) Be located within one metre of the water connection</li> </ul> </li> </ul>

		<p>point in a situation which will not impede access or operation; and</p> <p>(d) Be no less than 400 mm above the ground.</p>
<b>E.</b>	Hardstand.	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none"> <li>(i) No more than three metres from the water connection point, measured as a hoselay (including the minimum water level in dams, swimming pools and the like);</li> <li>(ii) No closer than six metres from the building area to be protected;</li> <li>(iii) With a minimum width of three metres constructed to the same standard as the carriageway; and</li> <li>(iv) Connected to the property access by a carriageway equivalent to the standard of the property access.</li> </ul>

## C14.0 Potentially Contaminated Land Code

### C14.1 Purpose of the Potentially Contaminated Land Code

The purpose of the Potentially Contaminated Land Code is:

C14.1.1 To ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

### C14.2 Application of this Code

C14.2.1 This Code applies to:

- (a) a use on potentially contaminated land, or land that is shown as potentially contaminated land on the planning scheme overlay map, that is a sensitive use or a use listed in a use class in Table C14.1 and is one of the uses specified as a qualification; or
- (b) development on land that is:
  - (i) shown as potentially contaminated land on the planning scheme overlay map; or
  - (ii) identified as potentially contaminated land in a report that is lodged with an application for a permit; or
  - (iii) subject to sub clause C14.2.2, identified as potentially contaminated land in a report prepared by a suitably qualified person, in response to a request under s.54 of the Act.

C14.2.2 The planning authority may only make a request under clause C14.2.1(b)(iii) where it has information to form the opinion that the land has been used, or may have been used, for one of the potentially contaminating activities listed in Table C14.2

**Table C14.1**

Use Class	Qualification
Passive recreation	If for public parks, gardens and playgrounds.
Sports and recreation	If for outdoor recreation facilities.

C14.2.3 A permit is required for all use and development to which this Code applies that is not exempt from this Code under clause C14.4.

### C14.3 Definition of Terms

C14.3.1 In this Code, unless the contrary intention appears:

Term	Definition
background concentration	means as defined in Part 5A of the <i>Environmental Management and Pollution Control Act 1994</i> .
contaminated	means the condition of land or water, where any chemical substance or waste has been added as a direct or indirect result of human activity at above background concentration and represents or potentially represents an adverse impact on human health or the environment.
environmental site assessment	means a report prepared by a suitably qualified person on the nature, extent and levels of existing contamination and the actual or potential risk to human health or the environment, on or off the site, resulting from that contamination, prepared in accordance with National Environment Protection Council (2013), <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i> , as amended 16 May 2013, Department of Environment (C'th), Canberra.
Director	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
potentially contaminating activity	means an activity listed in Table C14.2 as a potentially contaminating activity that is not directly associated with and subservient to a Residential use class.
potentially contaminated land	means land that is, or adjoins, land that the applicant or the planning authority: <ul style="list-style-type: none"> <li>a) knows to have been used for a potentially contaminating activity including by reference to:               <ul style="list-style-type: none"> <li>(i) a notice issued in accordance with Part 5A of the <i>Environmental Management and Pollution Control Act 1994</i>;</li> <li>(ii) a previous permit; or</li> </ul> </li> <li>b) has been identified as potentially contaminated land in a report lodged with the application.</li> </ul>
site history	means the collection of information from various historical sources to determine if a site is likely to have been impacted by a potentially contaminating activity.

suitably qualified person	<p>means a person who is, either certified under the Site Contamination Practitioners Australia (SCP Australia) scheme, or is a contaminated land auditor accredited under the following legislation:</p> <ul style="list-style-type: none"> <li>a) <i>Contaminated Land Management Act 1997</i> (NSW);</li> <li>b) <i>Environment Protection Act 1993</i> (SA);</li> <li>c) <i>Environment Protection Act 1970</i> (Vic);</li> <li>d) <i>Contaminated Sites Act 2003</i> (WA); or</li> <li>e) <i>Environment Protection Act 1994</i> (Qld).</li> </ul>
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## C14.4 Use or Development Exempt from this Code

C14.4.1 The following use or development is exempt from this Code:

- (a) development:
  - (i) to investigate potentially contaminated land; or
  - (ii) in accordance with a notice issued in accordance with Part 5A of the Environmental Management and Pollution Control Act 1994;
- (b) development that does not involve disturbance of more than 1m<sup>2</sup> of land;
- (c) any use or development where a site history prepared by a suitably qualified person has been provided to the planning authority that confirms potentially contaminating activities did not impact the site;
- (d) any use or development that the Director, or a person approved by the Director for the purpose of this Code, having regard to the objective stated in all applicable standards in this Code, has issued a certificate stating that there is insufficient increase in risk from contamination to warrant any specific remediation and protection measures; or
- (e) any use or development that operates in accordance with an approval granted as a result of an assessment of that use or development by the Board of the Environment Protection Authority.

## C14.5 Use Standards

### C14.5.1 Suitability for Intended Use

Objective:	To ensure that potentially contaminated land is suitable for a sensitive use or a use class listed in Table C14.1 and is one of the uses specified as a qualification.
Acceptable solutions	Performance criteria
<p><b>A1</b></p> <p>The Director, or a person approved by the Director for the purpose of this Code:</p> <p>(a) certifies that land is suitable for the intended use; or</p> <p>(b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the land is suitable for the intended use.</p>	<p><b>P1</b></p> <p>Land is suitable for the intended use, having regard to:</p> <p>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</p> <p>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</p> <p>(c) a plan to manage contamination and associated risk to human health or the environment that includes:</p> <p>(i) an environmental site assessment;</p> <p>(ii) any specific remediation and protection measures required to be implemented before any use commences; and</p> <p>(iii) a statement that the land is suitable for the intended use.</p>

## C14.6 Development Standards for Subdivision

### C14.6.1 Subdivision for Sensitive Use

Objective:	To ensure that subdivision of potentially contaminated land that allows for a sensitive use or a use class listed in Table C14.1 and is one of the uses specified as a qualification does not adversely impact on human health or the environment.
Acceptable solutions	Performance criteria
<p><b>A1</b></p> <p>For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code:</p> <ul style="list-style-type: none"> <li>(a) certifies that the land is suitable for the intended use or development; or</li> <li>(b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on human health or the environment and is suitable for its intended use or development.</li> </ul>	<p><b>P1</b></p> <p>Subdivision does not adversely impact on human health or the environment and is suitable for its intended use or development, having regard to:</p> <ul style="list-style-type: none"> <li>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</li> <li>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</li> <li>(c) a plan to manage contamination and associated risk to human health and the environment that includes: <ul style="list-style-type: none"> <li>(i) an environmental site assessment;</li> <li>(ii) any specific remediation and protection measures required to be implemented before any use or development commences; and</li> <li>(iii) a statement that the land is suitable for the intended use or development.</li> </ul> </li> </ul>



## C14.6.2 Excavation

Objective:	To ensure that works involving excavation of potentially contaminated land does not adversely impact on human health or the environment.	
Acceptable solutions		Performance criteria
<b>A1</b> Excavation involves less than 250 m <sup>3</sup> of site disturbance.		<b>P1</b> Excavation does not adversely impact on human health or the environment, having regard to: <ul style="list-style-type: none"> <li>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</li> <li>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</li> <li>(c) a plan to manage contamination and associated risk to human health and the environment that includes:               <ul style="list-style-type: none"> <li>(i) an environmental site assessment;</li> <li>(ii) any specific remediation and protection measures required to be implemented before excavation commences; and</li> <li>(iii) a statement that the excavation does not adversely impact on human health or the environment.</li> </ul> </li> </ul>

**Table C14.2 Potentially Contaminating Activities**

*Some activities have a higher probability of causing soil and groundwater contamination at a site and this contamination may migrate to nearby properties. Any commercial, mining, industrial or agricultural site has the potential to be contaminated. However some activities intrinsically give rise to contamination more frequently than others. Some of these specific industries and land uses are listed below. Note that this list is not exhaustive.*

Potentially Contaminating Activity	Potentially Contaminating Activity
Acid / alkali plant and formulation	Mineral processing
Ammunition manufacture and usage (e.g. shooting ranges)	Mine sites involving waste rock or tailings deposits
Asbestos production, handling or disposal	Oil or gas production or refining
Asphalt/bitumen manufacturing	Paint formulation and manufacture
Battery manufacturing or recycling	Pesticide manufacture and formulation sites
Boat/ship building, marinas, slip ways and associated boat yards	Petroleum product or oil storage
Boiler or kiln usage	Pharmaceutical manufacture and formulation
Chemical manufacture and formulation (e.g. fertilisers, paints, pesticides, photography, plastics, solvents)	Power stations
Commercial engine and machinery repair sites	Printing
Drum conditioning works	Radio-active material usage (e.g. hospitals)
Dry cleaning establishments	Railway yards
Electrical transformers	Scrap yards and recycling facilities
Ethanol production plants	Sewage treatment plants
Explosives industries	Sheep and cattle dips
Fertiliser manufacturing plants	Sites of fires involving hazardous materials, including firefighting foam use
Fill material imported onto a site from a potentially contaminated source	Sites of incidents involving release of hazardous materials
Foundry operations	Spray painting industries

Potentially Contaminating Activity	Potentially Contaminating Activity
Gas works	Spray storage and mixing sites (e.g. for orchards)
Herbicide manufacture	Tanning and associated trades
Industrial activities involving hazardous chemicals in significant quantities	Textile operations
Iron and steel works	Tyre manufacturing and retreading works
Landfill sites, including on-site waste disposal and refuse pits	Wood preservation and storage or cutting of treated timber
Metal smelting, refining or finishing	Wool scouring
Metal treatments (e.g. electroplating) and abrasive blasting	

## C15.0 Landslip Hazard Code

### C15.1 Code Purpose

The purpose of the Landslip Hazard Code is:

- C15.1.1 To require that a tolerable level of risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.

### C15.2 Application of this Code

C15.2.1 This Code applies to:

- (a) use within a medium-active or high landslip hazard band shown on the planning scheme overlay maps except for, Natural and Cultural Values, Passive Recreation, Resource Development, and Utilities;
- (b) critical use, hazardous use or vulnerable use in the low, medium, medium-active or high landslip hazard band shown on the planning scheme overlay maps;
- (c) development in the low, medium, medium-active or high landslip hazard band shown on the planning scheme overlay maps.

### C15.3 Definition of Terms

C15.3.1 In this Code, unless the contrary intention appears:

Term	Definition
critical use	means a use that is within the Emergency Services or Hospital Services use classes.
hazardous use	means a use that is within one or more of the following use classes - <ul style="list-style-type: none"> <li>(a) Crematoria and Cemeteries;</li> <li>(b) Extractive Industries, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(e) Recycling and Waste Disposal;</li> <li>(f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(h) Transport Depot and Distribution if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(i) Vehicles Fuel Sales and Service; or</li> </ul>

Term	Definition
	(j) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity.
landslip	means the downslope movement of a mass of rock, debris, or earth.
landslip hazard area	means land shown on an overlay map in the relevant Local Provisions Schedule, as being within a landslip hazard area.
landslip hazard band	means the classification of land within a landslip hazard area into one of the following landslip hazard bands: <ul style="list-style-type: none"> <li>(a) low</li> <li>(b) medium;</li> <li>(c) medium-active; or</li> <li>(d) high</li> </ul>
landslip hazard report	means a report prepared by a geotechnical engineer or an engineering geologist whose specialty area of expertise is geotechnical reports (including landslip risk assessment) in accordance with the Director of Building Control's Certificates of Specialists or Other Persons using the methodology of the 2007 Guidelines for Landslide Risk Management published by the Australian Geomechanics Society that concludes: <ul style="list-style-type: none"> <li>(a) whether the use or development is likely to be at risk from the occurrence of a landslip 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 landslip 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 intended life of the development having regard to: <ul style="list-style-type: none"> <li>(i) the nature, intensity and duration of the use;</li> <li>(ii) the type, form and duration of any development;</li> <li>(iii) the likely change in the level of risk across the intended life of the use or development;</li> <li>(iv) the ability to adapt to a change in the level of risk;</li> <li>(v) the ability to maintain access to utilities and services;</li> <li>(vi) the need for specific landslip hazard reduction or protection measures on the site;</li> <li>(vii) the need for landslip hazard reduction or protection measures beyond the boundary of the site; and</li> <li>(viii) any advice or decision of a relevant entity with administrative or regulatory responsibility for landslip hazard management</li> </ul> </li> </ul>
major works	means any of the following: <ul style="list-style-type: none"> <li>(a) excavation or fill to a depth of more than 1m;</li> <li>(b) temporary disturbance of ground including excavation and backfilling of a trench to a depth of more than 1m;</li> <li>(c) excavation or fill of more than 100m<sup>3</sup> whether or not material is</li> </ul>

Term	Definition
	<p>sourced on the site or imported;</p> <p>(d) disturbance of the surface to a depth of more than 0.3m over a contiguous area of more than 1,000m<sup>2</sup>;</p> <p>(e) removal, redirection, or introduction of drainage of surface or groundwater except into a stormwater drainage system; and</p> <p>(f) the collection, pooling or storage of water in a dam, pond, tank or swimming pool with a volume of more than 45,000 litres.</p>
tolerable risk	means the lowest level of likely risk from landslide that is reasonably practical for society to live with so as to secure the benefits of a use or development on land in a landslide hazard area, and which can be managed through routine regulatory measures or by specific hazard management measures for the intended life of each use or development.
vulnerable use	<p>means a use that is within one or more of the following use classes -</p> <p>(a) Custodial Facility;</p> <p>(b) Education and Occasional Care;</p> <p>(c) Residential if the use is for assisted housing, residential care facility, respite centre or retirement village.</p> <p>(d) Visitor Accommodation if the use is to accommodate more than 12 guests.</p>

## C15.4 Use or Development Exempt from this Code

C15.4.1 The following use or development is exempt from this Code:

- (a) Use and development for Extractive Industries where a mining lease under the *Mineral Resources and Development Act 1995* is in force except where it is defined as a Hazardous Use;
- (b) Development for linear and minor utilities;
- (c) Development on land within a low or medium landslide hazard band for which a building permit is required;
- (d) Development including subdivision other than major works on land within a low landslide hazard band;
- (e) Subdivision in the medium-active or high landslide hazard band if it does not involve any works;
- (f) Subdivision of land within a medium landslide hazard band if:
  - (i) it does not involve major works; or
  - (ii) it does not create a new road lot, or extend an existing road.

## C15.5 Use Standards

C15.5.1 Use within a Low, Medium, Medium-active or High Landslip Hazard Band

Objective:	To ensure the likely risk to a use, including critical, hazardous or vulnerable use from exposure to a landslide event is tolerable for the nature and intended duration of the use.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No acceptable solution.	<b>P1</b>  If a use, including a critical use, hazardous use, or vulnerable use, is on land within a landslide hazard area: <ul style="list-style-type: none"> <li>(a) a landslide hazard report must conclude that:               <ul style="list-style-type: none"> <li>(i) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measure; or</li> <li>(ii) a tolerable level of risk can be achieved and maintained for the type, form and duration of the use; and</li> </ul> </li> <li>(b) if a landslide hazard report establishes the need to involve land external to the site for hazard management purposes, the consent in writing of the owner of that land must be provided for the effected land to be managed in accordance with recommendations for hazard management.</li> </ul>
<b>A2</b>  No Acceptable Solutions.	<b>P2</b>  If a critical use within a landslide hazard area, the landslide hazard report must conclude that a landslide event will not: <ul style="list-style-type: none"> <li>(a) impact on the ability of the use to respond to a landslide event;</li> <li>(b) impact on ability of the use to function and maintain service during a landslide event and the recovery period;</li> <li>(c) interrupt business continuity in locations external to the immediate impact of the landslide event; and</li> <li>(d) create 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>
<b>A3</b>  No Acceptable Solutions.	<b>P3</b>  If a hazardous use within a landslide hazard area, the landslide hazard report must conclude that the release of dangerous substances as a consequence of a landslide event will not impact on the health and safety of people, property or the environment.

<p><b>A4</b></p> <p>No Acceptable Solutions.</p>	<p><b>P4</b></p> <p>If a vulnerable use within a landslip hazard area, the landslip hazard report must conclude that:</p> <ul style="list-style-type: none"> <li>(a) the people who may live, work or visit on the site have the capability in a landslip event to: <ul style="list-style-type: none"> <li>(i) protect themselves;</li> <li>(ii) evacuate in an emergency; and</li> <li>(iii) understand and respond to instruction in the event of an emergency; and</li> </ul> </li> <li>(b) there is an acceptable level of risk for emergency personnel involved in evacuation and rescue tasks.</li> </ul>
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## C15.6 Development Standards for Buildings and Works

### C15.6.1 Development within a Landslip Hazard Area

Objective:	<p>To ensure that development on land within a landslip hazard area will:</p> <ul style="list-style-type: none"> <li>(a) minimise the likelihood of triggering a landslip event; and</li> <li>(b) provide a tolerable risk from exposure to landslip for the type, form, scale and intended duration of each development.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solutions.</p>	<p><b>P1</b></p> <p>If development is on land within a landslip hazard area:</p> <ul style="list-style-type: none"> <li>(a) a landslip hazard report must conclude that: <ul style="list-style-type: none"> <li>(i) there is an insufficient increase in the level of risk to warrant any specific hazard reduction or protection measure; or</li> <li>(ii) a tolerable level of risk can be achieved and maintained for the for the type, form, scale and intended duration of the development; and</li> </ul> </li> <li>(b) if a landslip hazard report establishes the need to involve land external to the site for hazard management purposes, then consent in writing from the owner of that land must be provided for the effected land to be managed in accordance with recommendations for hazard management.</li> </ul>



## Requirements for the Local Provisions Schedules

### LP1.0 Maps

LP1.0.1. Local Provisions Schedules contain:

- (a) maps providing for the spatial application of the Zones;
- (b) overlay maps identifying the application of Codes; and
- (c) maps identifying the area of Special Area Plans.

### LP2.0 Zones

LP2.0.1 Local Provisions Schedules must contain a map that provides for the spatial application of the Zones applying to land in the local planning area.

LP2.0.2 Local Provisions Schedules may include a Particular Purpose Zone which is particular to an area of land within the local planning area which includes specification on the structure to which the Local Provisions Schedule must conform.

LP2.0.3 Local Provisions Schedules may include the Particular Purpose Zone – Future Urban Zone which includes specification on the structure to which the Local Provisions Schedule must conform and the provisions that it must contain.

LP2.0.4 The zoning map contained within the Local Provisions Schedule must use the following standard colours to indicate the spatial application of each Zone.

LP2.0.5 The zoning map contained within the Local Provisions Schedules must differentiate between Rural Living A, Rural Living B and any applicable Particular Purpose Zones through the use of annotations on the zoning maps.

Zone	Colour	
General Residential Zone	Red 255, Green 0, Blue 0	
Inner Residential Zone	Red 128, Green 0, Blue 0	
Low Density Residential Zone	Red 240, Green 128, Blue 128	
Rural Living Zone	Red 255, Green 201, Blue 210	
Village Zone	Red 255, Green 165, Blue 0	
Urban Mixed Use Zone	Red 221, Green 221, Blue 221	
Local Business Zone	Red 143, Green 188, Blue 255	
General Business Zone	Red 9, Green 109, Blue 255	
Central Business Zone	Red 4, Green 50, Blue 154	
Commercial Zone	Red 181, Green 145, Blue 197	

Light Industrial Zone	Red 176, Green 0, Blue 176	
General Industrial Zone	Red 92, Green 0, Blue 92	
Rural Zone	Red 228, Green 172, Blue 144	
Agriculture Zone	Red 179, Green 113, Blue 59	
Landscape Conservation Zone	Red 150, Green 146, Blue 0	
Environmental Management Zone	Red 90, Green 89, Blue 45	
Major Tourism Zone	Red 129, Green 134, Blue 143	
Port and Marine Zone	Red 0, Green 244, Blue 238	
Utilities Zone	Red 255, Green 255, Blue 0	
Community Purpose Zone	Red 255, Green 255, Blue 192	
Recreation Zone	Red 50, Green 226, Blue 27	
Open Space Zone	Red 51, Green 153, Blue 102	
Particular Purpose Zone	Red 255, Green 33, Blue 118	

## LP3.0 Codes

LP3.0.1 The Codes identify areas or planning issues which require compliance with additional provisions.

LP3.0.2 The Codes set out provisions for:

- (a) particular types of use or development that may apply to land within more than one Zone; and
- (b) matters that affect land that are not appropriately described by Zone boundaries.

LP3.0.3 A Code may require or allow an overlay map included in the Local Provisions Schedule, to be used to identify the areas where the Code is to apply in a planning area.

LP3.0.4 A Code may allow for the overlay map specified in the relevant clauses to be modified in relation to a part of the municipal area contained in a Local Provisions Schedule.

LP3.0.5 The following requirements apply specifically to the relevant Codes.

### LP3.1 Parking and Sustainable Transport Code

LP3.1.1 The Parking and Sustainable Transport Code is a State Planning Provision which allows a Local Provisions Schedule to contain a map that provides the spatial application of the Code to:

- (a) a pedestrian priority street; and
- (b) a parking precinct plan.

### LP3.2 Road and Railway Assets Code

LP3.2.1 The Road and Railway Assets Code is a State Planning Provision which allows a Local Provisions Schedule to contain an overlay map that provides the spatial application of the Code to:

- (a) a future railway; and
- (b) a road or railway attenuation area.

LP3.2.2 The Road and Railway Assets Code allows a Local Provisions Schedule to contain detail on the application of this Code to particular places or areas in the municipal area for roads identified as major roads.

LP3.2.3 If a Planning Authority does not **have a list for** any of these places or areas then the heading must still be used following by the term “*there are no places or areas as the case may be listed in this Local Provisions Schedule*”.

LP3.2.4 The application of this Code relates to the detail provided in the relevant Lists and the mapping shown on the planning scheme maps that form part of a Local Provisions Schedule.

LP3.2.5 The template for the relevant list in this Code is contained within Appendix A.

### LP3.3 Electricity Transmission Infrastructure Protection Code

LP3.3.1 The Electricity Transmission Infrastructure Protection Code is a State Planning Provision which requires a Local Provisions Schedule to contain an overlay map prepared by TasNetworks, dated XXX, unless modified in accordance with clause LP3.3.2, showing:

- (a) an electricity transmission corridor;
- (b) an inner protection area;
- (c) a communications station buffer area;
- (d) a substation facility; and
- (e) a substation facility buffer area.

LP3.3.2 The Code allows for the map showing the overlays specified in clause LP3.3.1 to be modified in relation to a part of the municipal area contained in a Local Provisions Schedule.

### LP3.4 Local Historic Heritage Code

LP3.4.1 The Local Historic Heritage Code is a State Planning Provision which includes specification on the structure to which a Local Provisions Schedule must conform and the form that it must take.

LP3.4.2 The Code allows a Local Provisions Schedule to provide and contain detail on the application of this Code to particular places or precincts in the municipal area, as follows:

- (a) heritage places;
- (b) heritage precinct;
- (c) heritage landscape precincts;
- (d) places or precincts of archaeological potential; and
- (e) significant trees.

- LP3.4.3 If a Planning Authority does not **have a list for** any of these places or precincts then the heading must still be used following by the term “*there are no places or precincts as the case may be listed in this Local Provisions Schedule*”.
- LP3.4.4 The Code allows a Local Provisions Schedule to contain an overlay map that provides the spatial application of the Code to:
- (a) a heritage precinct;
  - (b) a historic landscape precinct; and
  - (c) a place or precinct of archaeological potential.
- LP3.4.5 The application of this Code relates to the detail provided in the relevant Lists and the mapping shown on the planning scheme maps that form part of a Local Provisions Schedule.
- LP3.4.6 The template for the relevant lists in this Code is contained within Appendix A.

### **LP3.5 Natural Assets Code**

- LP3.5.1 The Natural Assets Code is a State Planning Provision which requires a Local Provisions Schedule to contain an overlay map prepared by Department of Primary Industry, Parks, Water and Environment, dated XXX, unless modified in accordance with clause LP3.5.2, showing:
- (a) a waterway and coastal protection area;
  - (b) a future coastal refugia area; and
  - (c) a priority vegetation area.
- LP3.5.2 The Code allows for the map showing the overlays specified in clause LP3.5.1 to be modified in relation to a part of the municipal area contained in a Local Provisions Schedule.

### **LP3.6 Scenic Protection Code**

- LP3.6.1 The Scenic Protection Code is a State Planning Provision which includes specification on the structure to which a Local Provisions Schedule must conform and the form that it must take.
- LP3.6.2 The Code allows a Local Provisions Schedule to contain an overlay map that provides the spatial application of the Code to:
- (a) a scenic protection area; and
  - (b) a scenic road corridor.
- LP3.6.3 The application of this Code relates to the detail provided in the relevant Lists and the mapping shown on the planning scheme maps that form part of a Local Provisions Schedule.
- LP3.6.4 The template for the relevant lists in this Code Appendix A.

### **LP3.7 Attenuation Code**

- LP3.7.1 The Attenuation Code is a State Planning Provision which allows a Local Provisions Schedule to contain an overlay map that provides the spatial application of the Code to an attenuation area.
- LP3.7.2 The Code allows a Local Provisions Schedule to contain a map in accordance with the relevant airport master plan, unless modified in accordance with clause LP3.7.3, showing:
- (a) an airport noise buffer area; and

(b) an airport prescribed airspace area.

LP3.7.3 The Code allows for the map showing the overlays specified in clause LP3.7.2 to be modified in relation to a part of the municipal area contained in a Local Provisions Schedule.

### **LP3.8 Coastal Erosion Hazard Code**

LP3.8.1 The Coastal Erosion Hazard Code is a State Planning Provision which requires a Local Provisions Schedule to contain an overlay map showing the coastal erosion hazard bands prepared by Department Premier and Cabinet, dated XXX, unless modified in accordance with clause LP3.8.2.

LP3.8.2 This Code allows for the map showing the coastal erosion hazard bands specified in clause LP3.8.1 to be modified in relation to a part of the municipal area contained in a Local Provisions Schedule.

### **LP3.9 Coastal Inundation Hazard Code**

LP3.9.1 The Coastal Inundation Hazard Code is a State Planning Provision which requires a Local Provisions Schedule to contain an overlay map showing the coastal inundation hazard bands prepared by Department Premier and Cabinet, dated XXX, unless modified in accordance with clause LP3.9.2.

LP3.9.2 The Code allows for the map showing the coastal inundation hazard bands specified in clause LP3.9.1 to be modified in relation to a part of the municipal area contained in a Local Provisions Schedule.

### **LP3.10 Riverine Inundation Hazard Code**

LP3.10.1 The Riverine Inundation Hazard Code is a State Planning Provision which allows a Local Provisions Schedule to contain an overlay map that provides the spatial application of the Code to a riverine inundation hazard area.

### **LP3.11 Bushfire-Prone Areas Code**

LP3.11.1 The Bushfire-Prone Areas Code is a State Planning Provision which allows a Local Provisions Schedule to contain an overlay map that provides the spatial application of the Code to a Bushfire-Prone Area.

### **LP3.12 Potentially Contaminated Land Code**

LP3.12.1 The Potentially Contaminated Land Code is a State Planning Provision which allows a Local Provisions Schedule to contain an overlay map that provides for the spatial application of the Code to potentially contaminated land.

### **LP3.13 Landslip Hazard Code**

LP3.13.1 The Landslip Hazard Code is a State Planning Provision which requires a Local Provisions Schedule to contain an overlay map showing the landslip hazard bands prepared by Department of Premier and Cabinet, dated XXX, unless modified in accordance with clause LP3.13.2.

LP3.13.2 This Code allows for the map showing the landslip hazard bands specified in clause LP3.13.1 to be modified in relation to a part of the municipal area contained in a Local Provisions Schedule.

## LP4.0 Structure of Local Provisions Schedule

### LP4.1 Local Provisions Schedule

- LP4.1.1 The Local Provisions Schedules comprise Local Planning Provisions that apply to each local Council area. This Local Planning Provisions includes Zone and overlay maps, local area objectives, lists relevant to Codes, Particular Purpose Zones, Specific Area Plans, and any Site Specific Qualifications for specific circumstances. The format of the Local Provisions Schedule is contained within Appendix A.

### LP4.2 Particular Purpose Zones

- LP4.2.1 Local Provisions Schedules may include a Particular Purpose Zone which is particular to an area of land within the local planning area. This Particular Purpose Zone may include specifications on the structure to which the Local Provisions Schedule must conform.

- LP4.2.2 The format of the Particular Purpose Zone is contained within Appendix A.

- LP4.2.3 The format provides for:

- (a) Particular Purpose Zone Purpose.
- (b) Definition of Terms.
- (c) Use Table.
- (d) Use Standards.
- (e) Development Standards for Buildings and Works.
- (f) Development Standards for Subdivision.

- LP4.2.4 A Planning Authority must utilise the sections for:

- (a) Particular Purpose Zone Purpose;
- (b) Use Table;
- (c) Development Standards for Buildings and Works; and
- (d) Development Standards for Subdivision.

- LP4.2.5 A Planning Authority may not utilise the sections for:

- (a) Definition of Terms; and
- (b) Use Standards.

- LP4.2.6 If a Planning Authority does not utilise one of these sections then the heading must still be used followed by the term “There are no defined terms or use standards in this Particular Purpose Zone”.

- LP4.2.7 Any defined terms within a Particular Purpose Zone must be additional to those set out in Section 3.0 of the State Planning Provisions and must not change the meaning of an existing defined term.

### LP4.3 Specific Area Plans

- LP4.3.1 Local Provisions Schedules may include a Specific Area Plan which sets out more detailed planning provisions for use or development in areas identified on the overlay maps.
- LP4.3.2 The format of the Specific Area Plan is contained within Appendix A.
- LP4.3.3 The format provides for:
- (a) Specific Area Plan Purpose.
  - (b) Application.
  - (c) Definition of Terms.
  - (d) Use Table.
  - (e) Use Standards.
  - (f) Development Standards for Buildings and Works.
  - (g) Development Standards for Subdivision.
- LP4.3.4 A Planning Authority must utilise the sections:
- (a) Specific Area Plan Purpose; and
  - (b) Application,
- as well as at least one other section.
- LP4.3.5 If a Planning Authority does not utilise a section then the heading must still be used followed by the term “*There are no insert name in this Specific Area Plan*”.
- LP4.3.6 If a Planning Authority utilises all headings within a Specific Area Plan then it must be demonstrated why a Particular Purpose Zone should not be used.
- LP4.3.7 Any defined terms within a Specific Area Plan must be additional to those set out in Section 3.0 of the State Planning Provisions and must not change the meaning of an existing defined term.

#### **LP4.4 Site Specific Qualifications**

- LP4.4.1 Local Provisions Schedules may include a Site Specific Qualification which allows for a variation from a Zone Use Table or use or development standard, or a Code use or development standard.
- LP4.4.2 The format of the Site Specific Qualification is contained within Appendix A.

### **LP5.0 Form of Particular Purpose Zone – Future Urban Zone**

- LP5.1 Local Provisions Schedules may include the Particular Purpose Zone – Future Urban Zone which includes specification on the structure to which the Local Provisions Schedule must conform and the provisions that it must contain.
- LP5.2 If a Planning Authority identifies land for future urban development, it must utilise this Particular Purpose Zone – Future Urban Zone to manage development on future urban land.
- LP5.3 The format of the Particular Purpose Zone – Future Urban Zone can be found within Appendix B.
- LP5.4 If a Planning Authority does not utilise this Particular Purpose Zone, the Zone heading must still be used following by the term “*This Zone is not used in this Local Provisions Schedule*”.

## Local Provisions Schedules

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Break O'Day Local Provisions Schedule

Brighton Local Provisions Schedule

Burnie Local Provisions Schedule

Central Coast Local Provisions Schedule

Central Highlands Local Provisions Schedule

Circular Head Local Provisions Schedule

Clarence City Local Provisions Schedule

Derwent Valley Local Provisions Schedule

Devonport Local Provisions Schedule

Dorset Local Provisions Schedule

Flinders Local Provisions Schedule

George Town Local Provisions Schedule

Glamorgan Spring Bay Local Provisions Schedule

Glenorchy Local Provisions Schedule

Hobart Local Provisions Schedule

Huon Valley Local Provisions Schedule

Kentish Local Provisions Schedule

Kingborough Local Provisions Schedule

King Island Local Provisions Schedule

Latrobe Local Provisions Schedule

Launceston Local Provisions Schedule

Meander Valley Local Provisions Schedule

Northern Midlands Local Provisions Schedule

Sorell Local Provisions Schedule

Southern Midlands Local Provisions Schedule

Tasman Local Provisions Schedule

Waratah-Wynyard Local Provisions Schedule

West Coast Local Provisions Schedule

West Tamar Local Provisions Schedule



## **Council Name Local Provisions Schedule**

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## **Council Name Local Provisions Schedule**

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- SX.0 Name Specific Area Plan

### **Site Specific Qualifications**

Applied, Adopted or Incorporated Documents

Local Provisions Schedule Amendments

## **Council Name Local Provisions Schedule**

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### **1.0 Identification of the Local Provisions Schedule**

#### **1.1 Local Provisions Schedule Title**

- 1.1.1 This Local Planning Schedule is called the Council Name Local Provisions Schedule.

#### **1.2 Composition of this Local Provisions Schedule**

- 1.2.1 This Local Provisions Schedule consists of the zoning maps and overlay maps, Local Area Objectives, Particular Purpose Zones, Specific Area Plans and Site Specific Qualifications for the Council Name planning area.
- 1.2.2 Zoning Maps are to identify the spatial application of the Zone provisions.
- 1.2.3 The overlay maps are for the operation of Codes, Specific Area Plans, and may be used for the operation of Zone provisions, Local Area Objectives and Site Specific Qualifications.

#### **1.3 Local Provisions Schedule Area**

- 1.3.1 The Local Provisions Schedule area comprises all the land within the municipal area of Council Name except areas excluded by regulation.

### **2.0 Local Provisions Schedule Purpose**

- 2.1 This Local Provisions Schedule is for the purpose of providing zoning maps, overlay maps, lists, and other provisions that are required for the spatial application of State Planning Provisions of the Tasmanian Planning Scheme in accordance with s.32(2) of the Act.
- 2.2 This Local Provisions Schedule is for the purpose of setting out local planning controls permitted by the State Planning Provisions of the Tasmanian Planning Scheme in accordance with s.32(3) and s.32(4) of the Act.

### 3.0 Local Area Objectives

Zone	Area Description	Local Area Objectives
Insert Zone name	Describe the area to which the local area objective applies. This may be by reference to a street name, locality or an overlay.	<p>Set out any Local Area Objectives that relate to a particular Zone.</p> <p>The Local Area Objectives may be used to assess a Discretionary use in the relevant Zone or used to assess a discretionary development where referred to in the Performance Criteria to a standard in the relevant Zone.</p> <p>Local Area Objectives must:</p> <ul style="list-style-type: none"> <li>(a) be clear and concise;</li> <li>(b) clearly identify the local area to which they apply; and</li> <li>(c) not conflict with the Zone purpose, Use Table, or use or development standards in the relevant Zone in the State Planning Provisions.</li> </ul>

### C3.0 Lists to Road and Railway Assets Code

#### C3.1 Other Major Roads List

Road	From	To

### C6.0 Lists to Local Historic Heritage Code

#### C6.1 Local Heritage Places List

Ref. No.	Property Name	Street No.	Street / Location	Certificate of Title	Statement of Local Historic Heritage Significance (if applicable)	Specific Extent / Exclusions
1	Smith House	123	Smith Street, Smith Town	123456/1		As shown in Figure X.X

#### C6.2 Heritage Precincts List

Ref. No.	Name of Precinct	Statement of Local Historic Heritage Significance	Design Criteria / Conservation Policy
SS1	Smith Street	This precinct is significant for reasons including:	

#### C6.3 Historic Landscape Precincts List

Ref. No.	Name of Precinct	Statement of Local Historic Heritage Significance	Design Criteria / Conservation Policy
SS1	Smith Street	This precinct is significant for reasons including:	

#### C6.4 Places or Precinct of Archaeological Potential List

Ref. No.	Property Name / Address	Certificate of Title(s)	Specific Extent / Exclusions	Likely Archaeological Potential	General Description (site features) <sup>1</sup>
1	Smith House	123456/ 1	As shown in planning scheme maps.		

<sup>1</sup> The General Description column of Places or Precincts of Archaeological Potential List has the status of a footnote. It is not a statutory part of this planning scheme.

**C6.5 Significant Trees List**

<b>Ref. No.</b>	<b>Street / Property / Location</b>	<b>Botanical Name</b>	<b>Common Name</b>	<b>No. of trees</b>
1	1 Smith Street / easting/northing ref / As shown on Figure X.X.	Cupressus torulosa	Bhutan Cypress	

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## C8.0 Lists to Scenic Protection Code

### C8.1 Scenic Protection Area List

Scenic Protection Area	Scenic Value	Management Objectives
Insert scenic protection area number and/or name.	Identify scenic values of the scenic protection area.	Insert any specific management objectives for the scenic protection area.

### C8.2 Scenic Road Corridor List

Scenic Road Corridor	Scenic Value	Management Objectives
Insert scenic road corridor number and/or name.	Identify scenic values of the scenic road corridor.	Insert any specific management objectives for the scenic road corridor.

## PX.0 Particular Purpose Zone – Name

### PX.1 Zone Purpose

The purpose of the Particular Purpose Zone – Name is:

PX.1.1 Insert Zone Purpose statement

PX.1.2 Insert Zone Purpose statement

### PX.2 Definition of Terms

PX.2.1 In this Particular Purpose Zone, unless the contrary intention appears:

Terms	Definition
insert term	means...insert definition

### PX.3 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Insert use class	Insert qualification
<b>Permitted</b>	
Insert use class	Insert qualification
<b>Discretionary</b>	
Insert use class	Insert qualification
<b>Prohibited</b>	
All other uses	

### PX.4 Use Standards

PX.4.1 Title of Provision

Objective:	
Acceptable Solutions	Performance Criteria
A1	P1

**PX.5 Development Standards for buildings and works**

PX.5.1 Title of Provision

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

**PX.6 Development Standards for Subdivision**

PX.6.1 Title of Provision

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>



## SX.0 Specific Area Plan – Name

### SX.1 Specific Area Plan Purpose

The purpose of the Name Specific Area Plan is:

SX.1.1 Insert Specific Area Plan statement

SX.1.2 Insert Specific Area Plan statement

### SX.2 Application

SX.2.1 The specific area plan applies to the area of land designated as Name Specific Area Plan on the planning scheme maps.

### SX.3 Definition of Terms

SX3.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
insert term	means...insert definition

### SX.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Insert use class	Insert qualification
<b>Permitted</b>	
Insert use class	Insert qualification
<b>Discretionary</b>	
Insert use class	Insert qualification
<b>Prohibited</b>	
All other uses	

### SX.5 Use Standards

SX.5.1 Title of Provision

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

<b>A1</b>	<b>P1</b>
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## **SX.6 Development Standards for buildings and works**

SX.6.1 Title of Provision

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

## **SX.7 Development Standards for Subdivision**

SX.7.1 Title of Provision

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

**Site Specific Qualifications – Name**

Site / property (PID and CT reference)	Description of variation	Relevant Clause in State Planning Provisions
Smiths Bay (defined by XXX overlay map in the relevant Local Provisions Schedule)	Notwithstanding the Use Table, Aquaculture is a Permitted use in the Rural Living Zone.	11.2 Use Table
123 Smith Street, Smith Town (Vol 123456, Fol 1)	Notwithstanding Performance Criteria 12.4.2 P1, building height must be no greater than 8.5m.	12.4.2 Building Height, Setback and Siting

## P1.0 Particular Purpose Zone – Future Urban Zone

### P1.1 Zone Purpose

The purpose of the Particular Purpose Zone – Future Urban Zone is:

- P1.1.1 To identify non-urban land intended to be largely converted to urban use and development in the future.
- P1.1.2 To ensure that the development of the identified non-urban land does not compromise its potential for future urban use and development.
- P1.1.3 To support a land release program of rezoning of non-urban land into urban land.

### P1.2 Definition of Terms

- P1.2.1 There are no defined terms in this Particular Purpose Zone.

### P1.3 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Residential	If for a single dwelling or home-based business.
Resource Development	If for agricultural use, excluding controlled environment agriculture.
Utilities	If for minor utilities.
<b>Discretionary</b>	
Utilities	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## P1.4 Use Standards

P1.4.1 There are no Use Standards in this Zone.

## P1.5 Development Standards for Buildings and Works

P1.5.1 Building Height and Works

Objective:	To ensure that buildings and works do not prejudice the efficient future utilisation of land for urban development.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Buildings and works must: <ul style="list-style-type: none"> <li>(a) be for an addition to an existing dwelling, an ancillary dwelling or a home based business;</li> <li>(b) be for a single dwelling and is on a lot not more than 1000m<sup>2</sup> in size; or</li> <li>(c) be of a temporary nature able to be readily removed prior to the development of the land for urban purposes.</li> </ul>		<b>P1</b> Buildings and works must not preclude or hinder the effective and efficient future subdivision and development of the land to urban densities.

## P1.6 Development Standards for Subdivision

P1.6.1 Subdivision

Objective:	To ensure that subdivision of land not in accordance with a Specific Area Plan does not prejudice the efficient future utilisation of land for urban development.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solutions.		<b>P1</b> Subdivision of land must: <ul style="list-style-type: none"> <li>(a) be to provide for public open space, a riparian or littoral reserve or utilities; or</li> <li>(b) be for the excision of an existing dwelling provided that the lot design and layout does not preclude or hinder the effective and efficient future subdivision and development of the land to urban densities.</li> </ul>

## Applied, Adopted or Incorporated Documents

Document Title	Publication Details	Relevant Clause in State Planning Provision
Australian Standard, AS1158.3.1: 2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – performance and design requirements.		C2.6.7, A1 C2.6.4, A1
Australian Standard AS1743-2001 Road signs-Specifications		Table C13.1
Australian Standard AS2021 – 2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction. Section 3,		C.10.5.3, P1
Australian Standard AS 2304-2011 Water storage tanks for fire protection systems		Table C13.5
Australian Standard, AS2419.1-2005 Fire hydrant installations – System design, installation and commissioning		C13.3.1
Australian Standard AS2890 – Parking facilities Parts 1-6.		C.2.6.2, A1.1
Australian Standards AS2890.1 – Parking Facilities, Part 1: Off Road Car Parking		C.2.6.2, P1
Australian Standard, AS2890.2 – 2002, Parking facilities, Part 2: Parking facilities – Off-street commercial vehicle facilities.		C2.6.2, P1, C2.6.6, A1 and A2
Australian Standard, AS2890.3 1993, Parking facilities – Bicycle Parking Facilities Part 3: Bicycle Parking Facilities.		C2.6.7, A2 and P2
Australian Standard AS2890.6 – 2009, Parking facilities – Off-street parking for people with disabilities.		C2.6.2, A1.2
Australian Standard, AS3745-2010 Planning for emergencies in facilities		C13.5.1, A3, C13.5.2, A3
Australian Standard, AS3959-2009, Construction of Buildings in Bushfire Prone Areas.		C13.3.1, C13.6.1 A1, Table C13.5

## Tasmanian Planning Scheme – State Planning Provisions – Version 1.0

Australian Standard AS4083-2010 Planning for emergencies – Health care facilities		C13.5.1, A3, C13.5.2, A3
Australian/ New Zealand Standard AS/NZS 3500.1-2003 Plumbing and Drainage. Clause 5.23		Table C13.5
Building Code of Australia	Australian Building Codes Board	3.1.3
Coastal Inundation Hazard Bands	Department of Premier and Cabinet, Tasmania	C12.3.1
The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance	Kerr, J., National Trust of Australia, NSW, 7 <sup>th</sup> Edition. 2013.	7.4.3
Environmental Guidelines for the Use of Recycled Water in Tasmania, December 2002	Department of Primary Industries, Water and Environment. Tasmanian Government	Table C9.2
Geodetic Datum of Australia Technical Manual, version 2.3(1), Chapter 8	ANZLIC Committee on Surveying and Mapping	3.1.3
Guide to Road Design, Part 6A, as amended	Austroroads	8.6.2, P1; 9.6.2, P1; 10.6.2, P1.
Guide to Traffic Management Part 12: Traffic Impact of Developments	Austroroads	C3.3.1
Guidelines for Landslide Risk Management	Australian Geomechanics Society, 2007	C16.3.1
Land Capability Handbook, Second Edition,	Grose, C. J., Department of Primary Industries, Water and Environment, 1999,	3.1.3
National Environment Protection (Assessment of Site Contamination) Measure 1999, as amended 16 May 2013,	National Environment Protection Council, Department of Environment (C'th), Canberra.	C15.3.1
Noise Measurement Procedures Manual, Second Ed., Part D	Environment Division Department of Environment, Parks, Heritage and the Arts, Hobart, July 2008.	C3.6.2, A1
Tasmanian Coastal Works Manual	Page and Thorp, Department of Primary Industries Parks, Water and Environment, Page and Thorp, 2010	C.7.6.1, P1, P2 and P3
Tasmanian River Condition Index (TRCI) Physical Form Field Manual and Hydrology User's Manual	Natural Resource Management South 2009	C7.3.1
Tasmanian State Road Hierarchy	Department of State Growth 2006	C3.3.1
TasWater Supplement to Water Supply Code of Australia WSA 03-2011-3.1		Table C13.4

## Tasmanian Planning Scheme – State Planning Provisions – Version 1.0

MRWA Edition 2.0		
TFS Bushfire Emergency Planning Guidelines		C13.5.1 A3, C13.5.2 A3
Wetlands and Waterways Works Manual	Department of Primary Industries Water and Environment 2003	C.7.6.1, P1, P2 and P3

**Referenced Documents**

Document Title	Description	Date
Insert document title	Insert description	Insert date

**Local Provisions Schedule Amendments**

Number	Description	Effective Date
Insert number	Insert description	Insert date



**Appendix C – Summary of the representations and the  
Commission’s opinion as to merit [section  
25(2)(b)]**

## Summary of the Representations and the Commission's opinion as to merit [section 25(2)(b)]

The Commission received 294 representations and accepted nine late representations. The representations raised literally thousands of individual issues. The Commission found that many of the representations raised matters of merit. While some representations informed recommendations for modifications, in some instances, due to the limitations of the process, the Commission's recommendations for modification were constrained. In many other instances, representations raised matters that were observations and opinions about process and other matters beyond the scope of the Commission's consideration.

In Table 1 below, a statement as to the Commission's opinion regarding the merit of matters raised in representations includes a reference to relevant section of the report for more information. Further elaboration on the merit of key issues can be found in the report. Recommended modifications, incorporated in a modified version of the SPPs are in Appendix D.

The issues in Table 1 are attributed to summaries of the representations in Table 2, which follows. Table 2 presents the representations individually and where representations are similar, as groups of representations.

Copies of the representations in full can be found on [www.iplan.tas.gov.au](http://www.iplan.tas.gov.au).

**Table 1 – Statement as to merit**

Issue	Statement as to merit
<b>General comments</b>	
Process	<p>Many representors were concerned that the process for preparation and assessment of the SPPs has not promoted meaningful public participation. Representors were concerned that the 60 day exhibition period was not long enough, particularly given the volume and complexity of information to understand during that period. Other representors questioned the merit of commencing the SPP process when the interim planning scheme process had not been completed, requested the SPP assessment process be delayed or abandoned or proposed alternatives or changes to the current SPP assessment process. Many representors called for public hearings.</p> <p>Other representors were satisfied with that the preparation and assessment processes were collaborative, diverse, extensive and allowed ample opportunity for participation.</p> <p>While the Commission agrees that the time available for the consideration of the draft SPPs imposed limitations on the process, it accepts that timeframes and key milestones for the introduction of the Tasmanian Planning Scheme, of which the SPPs are a part, have been set down by Parliament through amendments to the Act in December 2015.</p>

Appendix C: Summary of the representations and the Commission's opinion as to merit

Issue	Statement as to merit
	<p>The Commission agreed with representors that hearings would assist its consideration of the draft SPPs and has held hearings, making best endeavours to provide opportunities for participation within the time available.</p>
LUPAA objectives	<p>Many representors were concerned that the SPPs do not further the objectives of the Act.</p> <p>The Commission's consideration requires it to be satisfied that the SPPs criteria have been met. This includes furtherance of the objectives of the Act. The Commission considered the matters raised in representations, however, it is satisfied that the objectives of the Act have been furthered. See 8.2 in the report.</p>
Public participation	<p>Representations raised concerns about a number of SPP provisions perceived to limit public participation as a matter of policy, through the manner they are drafted. In particular, provisions in the Environmental Management Zone and the General, Inner and Low Density Residential zones. Others were concerned that the cost of accessing applied, adopted or incorporated documents was an impediment to participation.</p> <p>The Commission acknowledges the concerns raised by representors. However, it accepts the policy approach of avoiding duplication of approvals where possible. See 3.2.1 and 4.8 in the report.</p> <p>It also notes that concerns regarding the status of multiple dwellings are not new as similar provisions are already in place under interim planning schemes as a consequence of Planning Directive No.4.1 – Residential Development Standards in the General Residential Zone. See 4.1.4 in the report.</p> <p>In a number of other zones, the drafting approach in the draft SPPs has been to include more No Permit Required and Permitted Uses. The Commission accepts that this is a deliberate policy and that standards are still required to be met.</p> <p>The Commission recommends that wider public access to Australian Standards be explored as they are incorporated documents. See 7.2.4 in the report.</p>
Residential amenity	<p>It is acknowledged that many representors were concerned that PD4.1 is not delivering appropriate levels of residential amenity and the SPPs, which, combined with the application of the 450m<sup>2</sup> minimum lot size in the General Residential Zone State wide, will increase residential density at the cost of residential amenity. Other representors were concerned that overshadowing of adjoining properties is not prevented by the SPP's nor is it adequately dealt</p>

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Issue	Statement as to merit
	<p>with regarding multiple dwellings on the same site. Others expressed support for higher density housing, provided it is compatible with existing housing. A smaller number of representors believed the residential zones are too restrictive regarding residential use and development.</p> <p>As stated in the report, the General Residential and Inner Residential zones require review together with a review of PD4.1 performance. As a result, only minor modifications to harmonise provisions and implement policy have been made for these residential zones. See 4.1 in the report.</p>
Local character	<p>Many representors were concerned about the limited ability for councils to tailor the SPPs and LPSs to take account of local conditions. This includes the loss of DFCS and the limited application of LOCAL AREA OBJECTIVESs. Others questioned why LPS should override the SPP as this undermines the State wide nature of the SPPs. Others were concerned about a SAP overriding a code. Many representors commented on the standardisation of planning provisions across the State. Comments were both supportive and critical.</p> <p>The Commission accepts that the SPPs intend to limit the application of LOCAL AREA OBJECTIVESs and other mechanisms for local variation as part of taking a state-wide approach. It acknowledges that there will be local character is affected and that planning authorities may seek more exceptions at the LPS stage. See 4.12. in the report.</p>
State Policies	<p>Many representors were concerned that the SPPs have been drafted without a full set of State Policies to guide them. Some representors listed new State Policies that ought to be formulated, others listed other government policies that they considered relevant to the SPPs and believed ought to be taken into account in their drafting. Others submitted the SPPs do not implement State Policies in force.</p> <p>It is acknowledged that State Policies do not exist for all matters covered in the SPPs. Those State Policies that are in place have been considered in accordance with the Act. See 8.3 in the report.</p>
LGBMPA	<p>Many councils and some individuals identified a gap between SPP and LGBMPA provisions regarding subdivision and requested either clarification to exclude LGBMPA operation in the SPPs or legislative change.</p> <p>The Commission acknowledges this has been a long standing matter that requires legislative review and has recommended it be</p>

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Issue	Statement as to merit
	progressed. See 7.2.5 in the report.
<b>General drafting issues</b>	
Drafting	<p>A large number of representations received by the Commission suggesting redrafting various clauses in the SPPs.</p> <p>Many representations expressed drafting preferences, sometimes preferring the drafting that is in interim planning schemes. Many representations also noted inconsistencies in drafting across the SPPs. In many instances there were divergent suggestions regarding drafting generally, or of specific provisions, for example some representors expressed a desire for greater flexibility in standards whilst others preferred tighter, more prescriptive controls.</p> <p>Some others proposed drafting changes that would result in a different policy position to that in either interim planning schemes or the SPPs.</p> <p>The Commission has taken a pragmatic approach to representations on drafting matters due to the number of representations, the detail contained in each one, the breadth of drafting suggestions made and the time frame available to consider the SPPs.</p> <p>It has recommended modifications to the drafting of the draft SPPs, many of which were matters raised in representations including drafting that:</p> <ul style="list-style-type: none"> <li>• does not comply with legislative or other legal requirements;</li> <li>• does not implement the policy position intended by reference to complementary parts of the SPPs (for example, exemptions that were broader than intended or narrower than intended);</li> <li>• impacts effective implementation (for example, incomplete formula for calculating car parking requirements);</li> <li>• applies inconsistent expression, terms and tests to the same issues across zones and codes;</li> <li>• is internally inconsistent (for example, zone or code purpose, objectives and expression does not align).</li> </ul> <p>Except as discussed in the report, the Commission did not recommend changes where drafting suggestions were essentially preferences and did not warrant modification to the SPPs.</p>

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Stormwater	<p>Many representors, including many councils, were concerned that stormwater management, especially water quality, has not been adequately addressed in the SPPs. Various solutions were offered including a separate code, legislative change and changes to zone provisions.</p> <p>The Commission considers that representations identifying a need for provisions have merit and recommend modifications to clause 6.11.1 in the short term with further consideration to be given to a code or provisions. See 5.15.2 in the report.</p>
Servicing provisions	<p>Representors, including TasWater, identified matters requiring redrafting to ensure operational effectiveness in relation to servicing standards for subdivision across the SPPs. TasNetworks and Engineers Australia also suggested the inclusion of an additional servicing standard regarding the provision of electricity infrastructure at subdivision stage. NBN Co Ltd suggested the inclusion of Victorian Planning Provision style provisions that require provision of telecommunications services at subdivision stage.</p> <p>The Commission accepts that some of the representations in relation to servicing have merit and recommend modifications to the servicing standards for clarity and effective policy implementation. However, additional provisions regarding electricity and telecommunications were not supported by the Commission. See 4.10 in the report.</p>
Landscaping provisions	<p>Some representors requested provision in the SPPs to enable the application of conditions of approval relating to landscaping, suggesting various options for inclusion of head-powers or standards for landscaping, including with reference to general requirements, subdivision and development generally to zone specific clauses.</p> <p>The Commission considered that there was merit in making further provision for landscaping in industrial zones. See 3.3.4 and 4.4 in the report.</p>

<b>Administration and general provisions</b>	
Exemptions	<p>Many representors raised concerns about the drafting and extent of exemptions in the SPPs. This includes exemptions clause 4.0 and those in the codes. Some drafting suggestions related to alignment with other legislative exemptions, others pointed out exemptions that did not implement the intended policy position or created a confused policy approach. Others requested additional exemptions, identified a 'gap' in determining provisions to apply where exemptions are exceeded or were unhappy with existing exemptions contained in LUPAA. Representors were divided in relation to whether exemptions should apply to matters approved under other jurisdictions that may not share the planning system's objectives – particularly in relation to vegetation clearance.</p> <p>The Commission accepts the policy that the duplication of assessment should be avoided and is not persuaded by the representations that assessment processes outside the planning scheme are deficient. However, it has recommended modifications to the exemptions based on representations that improve the drafting and operation of exemptions and in some cases impact the scope of exemptions. See 3.2 in the report.</p>
Visitor Accommodation exemption	<p>Most representations on the draft SPP approach to visitor accommodation raised policy and implementation issues, particularly in relation to the exemption for use of a dwelling for up to 42 days.</p> <p>The Commission agreed that the 42 day limit would be hard to enforce and has made recommendations for an alternate approach. See 3.2.6 in the report.</p>
<b>Zones</b>	
8.0 General Residential Zone and 9.0 Inner Residential Zone	<p>Issues raised in representations for these zones related mainly to residential amenity, density and affordability issues. There were many representations regarding these zones.</p> <p>While the Commission has made few recommendations for modification to provisions in these zones, it is on the basis that it recommends that a wider review is necessary as a priority. The Commission considers some representations may have merit however, it does not consider the current process is appropriate for consideration of those issues. See 4.1 in the report.</p>

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<p>10.0 Low Density Residential Zone</p>	<p>Many representors requested a larger lot size than that in the draft SPPs. Suggested lot sizes varied from 800m<sup>2</sup> to 10,000m<sup>2</sup>, including the concept of an absolute minimum lot size and concern for on-site waste water disposal and appropriateness of setbacks.</p> <p>Some councils and individuals requested changes to align more closely with their interim planning scheme, were concerned that the zone will be applied to areas with existing smaller lots that are unserviced. For example southern beaches in Sorell and coastal villages in Clarence. Many representors were concerned about the Permitted use status for multiple dwellings in this zone.</p> <p>Some representors wanted to apply the Scenic Protection Code and Natural Assets Code to this zone whilst others supported their non-application.</p> <p>The Commission did not support the inclusion of additional lot sizes in the Low Density Residential Zone, but has recommended other minimum lot sizes for the Rural Living Zone. It agrees with representations that multiple dwellings ought to be discretionary and recommends modification to the Use Table. It also agrees that application of the Scenic Protection Code is appropriate. See 4.2 in the report.</p>
<p>11.0 Rural Living Zone and 22.0 Landscape Conservation Zone (including removal of the Environmental Living Zone)</p>	<p>The most common issue raised by representors regarding these zones is the removal of the Environmental Living Zone from the suite of zones available and replacing it with the Landscape Conservation Zone. Many representors believe neither the Landscape Conservation Zone nor the Rural Living Zone are appropriate replacements. Particular concerns were raised with respect to Zone Purpose, the inappropriate extent of Permitted or exempt vegetation clearance, dwelling requirements (especially change to Discretionary use status in the Landscape Conservation Zone) , minimum lot size, measurability of light reflectance values, the limited number of Permitted uses, Resource Development and Residential uses, and a range of drafting suggestions.</p> <p>Councils that commented on this zone requested further guidance on implementation and some were concerned that the Explanatory Document suggested use of SAPs to provide additional subdivision potential in these zones appears to subvert the zone intent.</p> <p>The Commission considers that representations regarding the 'gap' between the Rural Living Zone and Landscape Conservation Zones have merit and have recommended further minimum lot sizes in the Rural Living Zone. See 4.2 and 4.7 in the report.</p>



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<p>20.0 Rural Zone and 21.0 Agriculture Zone</p>	<p>Most representations regarding these zones related to conflict between agricultural and residential uses in these zones. Many representors were concerned that the standards designed to protect agricultural activity did not give sufficient priority to agricultural activities. Councils in particular identified a lack of differentiation between the Rural and Agriculture zones. Some representors expressed a belief that Performance Criteria are overly strict when seeking approval to excise a dwelling whilst others believed these provisions were not strict enough and could lead to further fragmentation of agricultural land.</p> <p>The Commission has responded to representors concerns regarding the differentiation between zones and has recommended drafting modifications to assist this. See 4.5 in the report.</p>
<p>23.0 Environmental Management Zone</p>	<p>Many representors believed the drafting approach for this zone inappropriately excludes public participation and local council discretion regarding use and development on public land. Of particular concern was the reliance on the Parks and Wildlife Reserve Activity Assessment (RAA) process to enable Permitted use status or an Acceptable Solution pathway. Many representors considered this process is not transparent, is non-statutory, does not have time frames for decision making or clearly mandate when community consultation should occur and does not have appeal rights regarding a decision. Some stated those making decisions that will result in a Permitted pathway under the SPPs do not have the appropriate expertise to take into account relevant planning matters.</p> <p>Some representors supported the effort to remove duplication of assessment. Many representors responsible for the management of private land with natural values (for example, with conservation covenants) requested that this zone also be applied to private land.</p> <p>Others were concerned that the Natural Assets Code could not be applied to the zone.</p> <p>The Commission considers that some of the representations have merit and has made drafting modifications to the Environmental Management Zone to clarify its operation, to allow for application of the zone to all land irrespective of tenure. However, it accepts the draft SPPs intend not to duplicate assessment and was not persuaded by representations that this was approach is unsound. See 4.8 in the report.</p>

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<p>Other zones</p> <p>Village and Urban Mixed Use zones; the Commercial Zones (Local Business, General Business, Central Business, Commercial); Light Industrial and General Industrial, Recreation, Community Purpose Open Space and Major Tourism zones</p>	<p>Some representations commented on the detail of these zones, much of which could be characterised as comment on drafting.</p> <p>Representations on the commercial zones considered some standards are overly restrictive. There was a general support for the use of Local Area Objectives to assess Discretionary applications in the commercial zones. Others believed the commercial zones are indistinguishable in terms of purpose and permissible development and they do not support the implementation of activity centre hierarchies. Representors expressed both support and concern over treatment of Bulky Goods Sales, General Retail and Hire and floor areas in various zones.</p> <p>In the Industrial, Port and Marine and Utilities zones representors requested landscaping standards and subdivision standards that contemplate subdivision on un-serviced land.</p> <p>In the Major Tourism Zone, some representors considered the zone purpose and standards were too broad, others broadly supported the zone standards. Other representors considered that the zone was unnecessary, as PPZs could be used to provide a tailored outcome. Some considered that the purpose of the zone should provide for application to sites that are not significant.</p> <p>The Commission has made modifications in response to some of the representations but limited to drafting modifications that improve clarity and consistency, rather than changing policy intent.</p> <p>See 4.3, 4.4, 4.9 and 4.10 in the report.</p>
<p>Environmental Living Zone</p>	<p>See discussion regarding Rural Living and Landscape Conservation zones below.</p>

<b>Codes</b>	
C1.0 Signs Code	<p>Representations regarding this code were mainly from industry and councils. Some representors were unhappy with the discretionary status for all signs in a heritage area suggesting an Acceptable Solution should be provided.</p> <p>Others supported the code and believed it to be an improvement, especially in relation to exemptions, third party signs and the increased types of allowable signs in the Central Business Zone.</p> <p>Other representors were unhappy with the prescriptive drafting style and believed it to be too restrictive.</p> <p>Most representations regarding this code were either drafting preference or a policy approach differing to the SPP approach. The Commission has recommended a modification to include an Acceptable Solution for signs in a heritage area. Other representations have led to recommendations limited to drafting modifications. See 5.1 in the report.</p>
C2.0 Parking and Sustainable Transport	<p>Most representations were in relation to different preferences for parking numbers, some believing parking numbers to be too onerous, including calculating parking for shopping complexes.</p> <p>Some regional councils did not support the mandatory application of bicycle parking requirements and some councils did not support mapping pedestrian priority streets as it restricts flexibility, or the restrictive nature of a parking precinct plans.</p> <p>Some representors were concerned about the interaction of this code with potential PPZs or SAPs that may be transferred from existing interim planning schemes (for example the Calvary PPZ).</p> <p>Bicycle Network Tasmania recommended bicycle parking rate changes, provisions relating to end of trip facilities, parking facilities and the incorporation of amended provisions aligned with Victorian Planning Provisions.</p> <p>Some councils noted the code does not require accessible parking but has reference to the relevant Australian Standard creating a 'loop' that may require further planning assessment if parking numbers change at building permit stage.</p> <p>The Heart Foundation recommended there be no requirements for car parking as a means to encourage sustainable transport.</p> <p>The Commission has recommended minimal change to the code as a result of representations but has recommended modifications to improve the clarity and consistency of drafting. See 5.2 in the report.</p>

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<p>C3.0 Road and Railways Assets Code</p>	<p>Representors questioned the extent of exemptions, provided redrafting suggestions, were concerned the code will unfairly constrain development adjacent to roads and railways and provided alternative calculation models for noise.</p> <p>The Commission considered that some of the representations had merit and has recommended modifications to the manner the LPS require spatial application of the code and a number of drafting modifications. See 5.3 and 6.0 in the report.</p>
<p>C4.0 Electricity Transmission Infrastructure Protection Code</p>	<p>TasNetworks made a representation providing a number of corrections and the inclusion of a notification requirement.</p> <p>Some councils were concerned about how to source mapping required for this code, questioned the need for this code or indicated it was not required for their planning area. Another representor was concerned at the cost of noise assessment under the code.</p> <p>The Commission agrees that limited exemptions are appropriate and includes these as recommended modifications as well as a number of other suggestions. It did not consider there was merit in modifying the standards requiring noise assessment and notes that mapping is available. See 5.4 in the report.</p>
<p>C5.0 Telecommunications Code</p>	<p>Representations regarding the telecommunications code were mainly in support of the code, although the telecommunications industry sought greater flexibility regarding height requirements.</p> <p>Many of the representations regarding telecommunications infrastructure commented not only on the code but also the exemptions. The industry sought broader exemptions whereas others raised concerns about the impact of infrastructure exemptions on other infrastructure, including water supply and irrigation.</p> <p>The Commission was not persuaded of the merit of most representations and has recommended only minor modifications to the code. See 5.5 in the report.</p>
<p>C6.0 Local Historic Heritage Code</p>	<p>Representors from peak bodies and from the community provided general support for the code, but also raised a range of concerns and made drafting suggestions relating to:</p> <ul style="list-style-type: none"> <li>divergent views that properties on the Tasmanian heritage Register be included or excluded;</li> <li>the exclusion of application to internal works;</li> <li>the lack of reference and implementation of the Burra Charter, especially in relation to defined terms and standards;</li> <li>limiting code application to development, when use could also</li> </ul>

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	<p>impact upon heritage values;</p> <p>that the approach to demolition would lead to poor conservation outcomes; and</p> <p>the inconsistency of including significant trees within the code.</p> <p>Some representors considered the cost of compliance with the code would impose an unreasonable financial burden, eg obtaining specialist reports. Councils raised concern over the cost of studies required to complete LPS tables and the current accuracy of listings.</p> <p>The Commission agrees with a number matters raised in representations. It recommends modifications to remove significant trees from the scope of the code, that trees on heritage sites can be listed as heritage places and that there be consideration given to a separate code for trees with other values. It has recommended a number of drafting modifications but did not support reference to the Burra Charter. The Commission has also recommended consequential modifications to the relevant parts of the LPS requirements. See 5.6 and 6.0 in the report.</p>
C7.0 Natural Assets Code	<p>A large number of representations raised concerns with the Natural Assets Code and made suggestions about the policy outcomes that should be delivered through this code, including the following:</p> <ul style="list-style-type: none"> <li>• it does not apply to the General Residential, Low Density Residential and Agriculture zones;</li> <li>• there is a lack of rigour under the <i>Forest Practices Act 1985</i>; and</li> <li>• up to 3000m<sup>2</sup> of priority vegetation is an Acceptable Solution in the Rural Living Zone.</li> </ul> <p>Some considered that natural assets, future coastal refugia and wetlands and waterways should be separate codes.</p> <p>Many representors raised concerns that biodiversity, priority habitat, habitat fragmentation and connectivity were overlooked, and that this is a significant policy shift from some interim planning schemes.</p> <p>There was concern about the quality of mapping data to be prepared by the Department of Primary Industries, Parks, Water and Environment.</p> <p>Some representors raised concern over the impact that the future coastal refugia provisions would have on private property values and rights.</p> <p>The Commission has recommended that the Natural Assets Code requires further work. It considers that there may be merit in some of the representations received. See 5.7 in the report.</p>

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C8.0 Scenic Protection Code	<p>The majority of representors expressed concern that the code should apply to all zones, particularly the General Residential and Low Density Residential zones due to impacts on skylines and narrower exemptions.</p> <p>Others considered that the Agriculture Zone should be exempt from the code to ensure consistency with the State Policy for the Protection of Agricultural Land 2009.</p> <p>The application of the code via nomination of road corridors was also raised as an issue. A few representors noted that the future impact of this code was difficult to determine until mapping had been produced.</p> <p>The Commission found merit in some of the representations and supports application of the code in the Low Density Residential Zone and the clarification of how the code is applied through overlays. See 5.8 in the report.</p>
C9.0 Attenuation Code (including provisions for airports)	<p>Representations raised issues about the zones in which the code can be applied and many had comments about specific attenuation distances.</p> <p>There were representations from airport operators, councils and the industry body regarding the protection of airports being addressed in the Attenuation Code, recommending a separate code.</p> <p>The Commission considered that representations on airports had merit and has recommended that a separate code for the safeguarding of airports is prepared.</p> <p>Modifications to some attenuation distances were recommended by the Commission but largely as a result of modifications provided by the PPU and the EPA through the hearing process rather than directly in response to representations. See 5.9 in the report.</p>
C10.0 - C12.0 and C15.0 Hazard Codes (Coastal Erosion, Coastal Inundation, Riverine Inundation and Landslip)	<p>Several representors, particularly councils, identified inconsistencies of terms and standards between codes and suggested additional terms. Suggestions were made to provide more Acceptable Solutions to avoid additional development costs.</p> <p>The major concerns by representors included that:</p> <ul style="list-style-type: none"> <li>• use of the defined term tolerable level of risk was vague and ill defined;</li> <li>• council's should be provided with more discretion, rather than relying on reports;</li> <li>• limiting use to that reliant on a coastal location will be overly restrictive; and</li> <li>• the hazard maps should have been advertised with the State</li> </ul>

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	<p>Planning Provisions.</p> <p>Some councils identified that there was a lack of clarity about the overlap of coastal inundation and riverine inundation, given both can contribute to flooding at the same location.</p> <p>Several representors identified that the Coastal Erosion Code is inconsistent with State Coastal Policy 1996 in relation to development (including subdivision) on actively mobile landforms. See 5.10, 5.11 and 5.14 in the report.</p>
C13.0 Bushfire-Prone Areas Code	<p>The main issue raised in representations was the policy change to leaving bushfire protection measure assessment to the building permit stage for most uses, potentially resulting in the need for a further planning assessment. Representors were also concerned about:</p> <ul style="list-style-type: none"> <li>• restricting dwelling construction in bushfire-prone areas;</li> <li>• application of the code in certain zones;</li> <li>• the definition for a bushfire-prone area;</li> <li>• accuracy of bushfire-prone areas mapping</li> <li>• potential to undermine biodiversity as a result of bushfire management;</li> <li>• whether the code allows for development that puts community safety at risk; and</li> <li>• the visual impact of clearing resulting from compliance with bushfire protection requirements..</li> </ul> <p>The Commission acknowledges that there may be process implications as a result of limiting the scope of the code to use and subdivision but it does not support a return to the former approach. Although it recommends modifications to the code, these are limited and minor in nature. See 5.12 in the report.</p>
C14.0 Potentially Contaminated Land Code	<p>A number of representors had concerns with some definitions; the extent of Acceptable Solutions for excavation, that do not account for the mobility of contaminants; and difficulty in undertaking the required assessments where properties are already developed.</p> <p>A number of representors were concerned that the definition of suitably qualified person unfairly excluded alternative accreditation schemes.</p> <p>Other concerns included: inaccuracy of records of potentially contaminated land and preference for mapping; impracticality of application to adjacent land, by application of the code to all use.</p> <p>The Commission considers that some of the representations raised</p>

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	issues of merit and has recommended specific modifications to improve the application of the code. See 5.13 in the report.
Additional codes	<p>Some councils and other representors proposed the inclusion of additional codes that are either found in interim planning schemes or that ought to be newly drafted. Examples include on-site waste water, dispersive soils, public art, Aboriginal heritage, acid sulphate soils, sodic soils, karst.</p> <p>The Commission was not persuaded that the new codes proposed were essential to the draft SPPs and although some further codes may be appropriate, the Commission's consideration of the draft SPPs did not provide an appropriate process for the introduction of new codes. See 5.15 and 5.15.2 in the report.</p>
<b>LPS requirements</b>	
LPS requirements	<p>Issues were raised regarding the structure, implementation and enforceability of LPS requirements.</p> <p>The Commission has reviewed the operation and implementation of the LPS requirements in the draft SPPs and recommended modifications. Further guidance, such as a guideline under section 8A of the Act or a Commission Practice note will be required to assist the preparation of LPSs. See 6.0 and 7.2.1 in the report.</p>
<b>Outside scope</b>	
Outside the scope of SPPs consideration	<p>Representations raised many issues that are either not a relevant consideration in the SPP assessment process, or are not relevant at this stage. For example, the need to establish a method to monitor or measure success of the SPPs, review of regional land use strategies, reference to phrases such as 'better, faster, cheaper, simpler', questioning the qualifications or experience of local council planners or councillors to implement the SPPs, the quality the draft SPPs, the role of the Commission or the Minister, the quality or effectiveness of other legislative regimes, the need for future amendments to the SPPs or LPSs, zone application in an LPS, zoning of particular properties, whether existing provisions (eg: SAPs and PPZs) will be carried into LPSs, the legislative tests for local variation in the Act, whether councils will have the resources to prepare LPSs or whether the SPP's would create savings, a range of suggested legislative changes. Others proposed restricting where future PPZ's and SAP's could be applied, potential appeal costs as a result of the SPP drafting and implementation, potential impact on real estate values as a result of the SPPs.</p> <p>The Commission acknowledges that many of these matters are of long standing and great concern to representors. However, many of</p>



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	<p>the matters raised in this category are not relevant to the Commission's consideration although they may be addressed when planning authorities prepare their LPSs.</p> <p>Many other matters raised express very general opinions or refer to matters not capable of being addressed in the Tasmanian Planning Scheme.</p>
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**Table 2 - Summary of representations**

Rep No	Name	Summary of Issues	Statement as to merit
Grouped Representations (sorted in order of the lowest representation number in the group)			
28	Peter Watson	Considers that aims of LUPAA not met by the SPPs. As Councils cannot refer back to LUPAA objectives in assessing a development, it is critical that the SPPs implement the objectives.	LUPAA objectives
29	Peter Verbiest		Public participation
31	Alastair Page and Jan Lee		Process
37		The SPPs are inconsistent with objective 1(c) Schedule 1 of the Act as they provide for more uses and development to be Permitted and exempt and therefore not open to public comment and appeal.	Local Character
44	Miles and Anne Harrison		Codes
48	Margaret Jacobs		State Policies
56	Russell Grierson	Lack of practical, easy to understand information about the changes is contrary to the goal of encouraging public participation.	
57			
59			
76	Luca Vanzino	Considers that objectives 1(e) and 2(a) is not met because the SPPs significantly reduce the role of Local Government in planning. SPPs provide limited opportunities for SAPs or to vary the SPPs for local needs.	
125	Peter and Rosanne Johnstone		
150	Brian and Linley Falloon		
165	Roger Scales	Concerned that objective 2(c) is not met due to the extent of activities exempt from the Natural Assets Code. Calls into question how well environmental impacts will be considered.	
166			
188			
217	PJ and ES Turner	Questions how objective 2(d) of schedule 1 of LUPAA can be met as the SPPs have been developed without a full set of State Policies or reference to a range of existing government policies relating to population, tourism, infrastructure, climate change and vegetation clearance. This will result in poor planning outcomes.	
220	Margaret and Alan Taylor		
229	Warwick Risby		
247	Ross Stewart	Considers that objective 2(i) is not met by the SPPs because they permit higher density in residential areas without	
268	Catharine Errey		
	Jen Brown		
	Terrie Sanders		
	Robert and Vicki Daly		
	Austra Maddox		

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Rep No	Name	Summary of Issues	Statement as to merit
	Robert Vincent	<p>considering capacity of land and character of the surrounding area.</p> <p>Concerned that development under SPPs will change the character of their area and there will be fewer chances to have a say in what happens in their neighbourhood.</p> <p>Request TPC to hold hearings.</p>	
49 63 65 70 84 87 89 90 91 96 98 101 102 108 109 110 111 112 113 114 118 121 136 137 139	<p>Sophie Underwood</p> <p>Leanne Banfield</p> <p>Colin and Joan von Bibra</p> <p>John Sampson</p> <p>Max and Marion King</p> <p>Cynthia Greaves</p> <p>Roslyn Hogan</p> <p>Barrett Greaves</p> <p>Kate Foster</p> <p>Yabbo Thompson</p> <p>Susan Clennett</p> <p>Mikal Greaves</p> <p>Gary and Dorothy Glover</p> <p>Jan Young</p> <p>Janet Hawkins</p> <p>Pat Penrose</p> <p>Viv and Chris Holloway</p>	<p>Sophie Underwood representations.</p> <p>These representations have expressed support for Sophie Underwood's representation.</p> <p>Within the Environmental Management Zone (which will cover National Parks and public reserves), significant new tourism projects will be able to be approved without public input or opportunities for appeals against development decisions. Strong belief that significant developments on public land should be subject to public scrutiny, and characterised as a 'Discretionary' development under the SPPs.</p> <p>Vegetation clearance within National Parks will not be adequately scrutinised as the Natural Assets Code will not apply to these areas.</p> <p>Request for TPC to hold hearings.</p>	<p>Public participation</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p> <p>Process</p>

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Rep No	Name	Summary of Issues	Statement as to merit
156 159 178 185 189 207 213 248 264 302	Craig Hawkins Carol Hillier Linden Beswick Larnie Linton Diana Nunn Mark McRae Kip Nunn Peter Anderson Claire Richardson Alvaro Ascui Alex and Rosalie Kain Lucy Jongbloed Molly Greaves Karen Watson Margaret Newton Paula and Ray Bevan Susan Blackburn Hans-Joachim Mueller		
56 76	Luca Vanzino Roger Scales	Also see grouped representations above.  Wants a meaningful say in shaping the future character of the State and local areas. Desired Future Character Statements are community driven planning.  Consultation has been selective and undertaken with individuals and groups	See grouped representations above  Local Character Process  LUPAA objectives  Outside the scope of

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		<p>with vested interests in development outcomes.</p> <p>The Scheme should include clear statements of the intended long-term social, economic and environmental outcomes.</p> <p>The planning process should consider the anticipated social and environmental impacts of the proposed provisions before the Tasmanian Planning Scheme is finalised.</p> <p>The Commission will conduct the assessment of the SPPs but the ultimate decision is the Minister's. The Minister is therefore responsible for both drafting and approving so the Commission has been neutered.</p> <p>Concerns regarding impact on Kingborough Council Area</p> <p>In Kingborough, Desired Future Character Statements and Local Area Objectives have helped to guide development consistent with the desired future character of areas. Now, Local Area Objectives won't even apply to Residential zones. Local councils may adopt 'Local Area Objectives' for specific local areas, however Local Area Objectives may only be considered in relation to applications for Discretionary use and development in business, commercial and tourism zones (not in residential zones, unless the site is within a SAP). This limits the opportunities for local councils to shape, plan for and protect the character of particular areas.</p> <p>General Residential Zone: Concerned about the reduction in lot size and in the Low Density Residential Zone, with unit development permitted - resulting in McMansions blighting the area.</p> <p>Rural Living Zone: Can clear and convert</p>	<p>SPPs consideration</p> <p>Zones</p> <p>Codes</p> <p>Environmental Living</p> <p>Drafting</p>

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		<p>up to 3000m<sup>2</sup> of priority veg. Minimum lot size should be 5ha. This zone will encourage fragmentation and intensification of development around settlements that will inevitably lead to urban density in future rezoning applications.</p> <p>Rural Zone potentially has no minimum lot size. Rural land should not be fragmented or subdivided in coastal locations.</p> <p>Agricultural Zone: Should have no subdivision in this zone as intent is to maintain productive capacity of land. SPPs do not consider land capacity, with reference to Huntingfield which has Class 3 soils so should be protected under the PAL policy and was zoned Primary Industry in Kingborough Planning Scheme 2000 but changed to PPZ Urban Growth in the Kingborough IPS, in contravention of the PAL policy.</p> <p>In the Environmental Management Zone, council will have no power seek public comment on proposals. The Reserve Activity Assessment Process provides no guarantee of public involvement or opportunity for appeal against decisions.</p> <p>Codes</p> <p>Stormwater code and on-site wastewater code removal not supported. Reduced lot size in Low Density Residential Zone and Rural Living Zone will cause issues with capacity of soil to absorb/ disperse wastewater.</p> <p>Landscape plans will no longer be required for multiple housing development applications.</p> <p>Queries the adequacy of a 12m height restriction and 5m setback for farm sheds adjacent to houses.</p>	

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Rep No	Name	Summary of Issues	Statement as to merit
		<p>Scenic Protection Areas can only be applied in Rural and Landscape Conservation zones, not in General Residential and Low Density Residential zones. Major failing as no protection now for skyline, coastal and environmental values in these zones.</p> <p>Natural Assets Code should apply to all zones. Does not apply to clearing in Agricultural Zone or General Residential and Low Density Residential Zone. Waters down previous biodiversity protection provisions.</p> <p>Attenuation Code should apply to all zones. Many industrial activities will now be exempt from present requirements, not supported.</p> <p>Bushfire Prone Areas Code. Does not support buildings being assessed at the building stage not planning stage.</p> <p>Woodbridge specific concerns</p> <p>All the current residential zones will allow for denser development and the current Environmental Living Zone on the periphery of Woodbridge will be removed. Result will be 1ha suburbia in Woodbridge and around the State. Councils will be forced to zone land as Rural Living, with subdivision of 1ha allowed, down from the current 5 ha. Will do irreplaceable damage to the visual landscape, exacerbate the unsustainable demand for low density urban fringe development and resulting costs in increased traffic congestion, demand for services and infrastructure and pressure on habitats. As has happened in Brighton and Acton.</p> <p>Natural Assets Code subclause C7.4.1. Forestry is exempt if a valid Forest Practices Plan in place ie. self-regulated. This has a long history of compliance</p>	

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		<p>failure. Council is removed from the process, as are the public with only immediate neighbours given 30 days' notice and no right of appeal.</p> <p>Desired Future Character Statements negotiated with the Woodbridge community for the 2000 planning scheme and need to be reinstated. Local Area Objectives in the SPPs are flawed as they can only be considered for discretionary applications and for development in business, commercial and tourism zones. In Woodbridge an 8.5 m high building could be permitted in the Village zone, regardless of the heritage nature of the village.</p>	
181 183	Latrobe Council  Kentish Council	<p>These Councils submitted the same representation.</p> <p>Concern at a lack of policy direction and the need for more policies to inform the State wide approach.</p> <p>Inconsistent language was identified. Examples include: Use of 'to provide' in some standards and 'to ensure' in others.</p> <p>Objective for Clauses 20.3.1 and 21.3.1 are basically the same and should be worded as such.</p> <p>Identified that multiple synonyms have been used and should be consistent. e.g. adjoining, adjacent, neighbouring and lot, site, property are used.</p> <p>Overarching</p> <p>Subdivision provisions (8.6.1 and equivalent in each zone) do not provide a mechanism for Regional Land Use Strategy density recommendations.</p> <p>Questions the appropriateness of Visitor Accommodation as Permitted without qualifications in General Residential, Rural</p>	<p>State Policies</p> <p>Drafting</p> <p>Visitor Accommodation</p> <p>Zones</p> <p>Codes</p> <p>Definitions</p> <p>Exemptions</p>



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		<p>Living and Village Zones. Suggests control via qualifications in use table regarding scale.</p> <p>Subdivision provisions in most zones do not require assessment of any new road. (15.5.1 and 2 and equivalent in other zones).</p> <p>Table 6.2. Concerned that bottle shops should only be classified as 'Hotel Industry' when co-located with such. If this use is stand-alone it should be classified as 'General retail or hire' with corresponding qualifications and use status changes in the Village, Local Business zones.</p> <p>General Provisions: Questions the need for a demolition planning permit when the land is not subject to the Local Historic Heritage Code (7.9.1).</p> <p>Concern that No Permit Required for single dwellings prevents on site waste water disposal assessment. No Permit Required should be retained where the lot is connected to sewer but Permitted if not connected with a corresponding Acceptable Solution to provide a Permitted pathway (raised in Rural Living and Village zones). Similar issue for exempt outbuildings.</p> <p>Questions the need for the Landscape Conservation Zone. These areas could be incorporate into the Scenic Protection Code.</p> <p>Definitions: Height should be measured from natural ground level, not existing as it is difficult to take account of fill activity. Include new definition of natural ground level. Typo regarding alphabetical order of definitions.</p> <p>Exemptions : Points out an anomaly between treatment of roadworks and</p>	

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Rep No	Name	Summary of Issues	Statement as to merit
		<p>minor infrastructure. Roadworks exemption is subject to local heritage area and minor infrastructure is not.</p> <p>Questions why unroofed decks abutting a house with a floor level less than 1m is not included in the exemption.</p> <p>Questions why an outbuilding is exempt if associated with an existing dwelling but not exempt if there is no dwelling?</p> <p>Landfilling – this exemption can have a cumulative impact and can cause issues for run off and overlooking for adjoining properties.</p> <p>Use table qualifications and use status</p> <p>Suggests various use table qualifications and changes in use status across all zones to reduce land use conflict and better fulfil zone purpose.</p> <p>Use and Development Standards</p> <p>Points out instances where the provisions of a standard do not support the Objective and the Objectives for standards do not clearly relate to the purpose of the zone.</p> <p>Development standards restricting local shop hours of operation to 6pm for a Permitted pathway are too restrictive, 8pm is more appropriate (eg: General Residential, Village).</p> <p>Questions the need for zone specific use standards relating to matters covered by the Attenuation Code.</p> <p>General Residential Zone: Suggests more flexibility regarding non-residential uses with limited impact by applying Permitted status and use table qualifications similar to those in Cradle Coast Interim Planning Schemes.</p> <p>Rear setback of 1.5m supported as it reduces discretionary applications.</p>	

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Rep No	Name	Summary of Issues	Statement as to merit
		<p>Rural Living Zone: Concern that there are no clauses enabling assessment of traffic impact in this zone. (11.3.1).</p> <p>Concern that site coverage is too restrictive taking into account lot size and stormwater management needs. (11.4).</p> <p>Questions the need for two Rural Living zones and suggests a redraft.</p> <p>40m frontage is excessive and is greater than Rural frontage of 25m, redraft to control lot shape.</p> <p>Village Zone: Multiple dwellings that can demonstrate effective on-site waste disposal should be Permitted.</p> <p>Rural Zone: Questions the broad nature of Permitted uses and identifies potential land use conflicts. For example: No Permit Required status for Resource Development, Permitted status for motor racing facility, some utilities subclasses should be Discretionary and questions the need for Business and Professional Services not associated with a rural use.</p> <p>Should there be landscape considerations for Discretionary uses?</p> <p>Questions the value of the current test for new residential use (that's covered in the Attenuation Code), should there be another test?</p> <p>The link between the subdivision clause objective and standards is not there in relation to facilitation of allowable uses in this zone.</p> <p>Codes</p> <p>Signs: No support for Discretionary status for all signs in Local Heritage Area.</p> <p>Parking and Sustainable Transport: Showing pedestrian priority streets on the planning scheme map inappropriately</p>	

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		<p>restricts the ability of a road authority to make decisions on this matter. Bicycle and motorcycle parking requirements need more flexibility to tailor for local conditions.</p> <p>Local Historic Heritage: should be a Permitted pathway for demolition.</p>	
192 203 239 256	<p>Brighton Council</p> <p>Glamorgan Spring Bay Council</p> <p>Southern Midlands Council</p> <p>Tasman Council</p>	<p>Resource Sharing Councils</p> <p>A component of each representation in this group comprised detailed officer comments which are the same for each representation. These are summarised here. (Note: Each Council in this group also made its own representation based on issues considered important for that Council. These are discussed separately in relation to each representation.)</p> <p>Site specific measures should be mapped.</p> <p>Requirement for expert reports in codes could be onerous for applicants, suggests whether alternate drafting is preferable.</p> <p>LGBMPA: Subdivision standards need review to clarify relationship with s.109 of the Act.</p> <p>PD4.1 based standards outside Hobart – too high and too dense, drafting style could be streamlined.</p> <p>Subdivision doesn't consider urban design.</p> <p>Outbuildings should not be considered sensitive use for the purposes of use standards.</p> <p>Natural and Cultural Values Management Use class is a vague and rarely applicable.</p> <p>Exemptions: What standards apply if exemption is exceeded?</p> <p>No need for copy of title in application requirements as Councils can access the information readily.</p>	<p>Drafting</p> <p>LGBMPA</p> <p>Residential amenity</p> <p>Exemptions</p> <p>Landscaping</p> <p>Codes</p> <p>Zones</p> <p>Stormwater</p>

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Rep No	Name	Summary of Issues	Statement as to merit
		<p>Support some types of development not categorised by use.</p> <p>Demolition should be Discretionary in commercial zones to allow streetscape and activity centre policies to be considered.</p> <p>Complete consistency won't deliver outcomes.</p> <p>Definitions: amendments requested to home based business, building area, cinema, family day care, land filling, local shop, serviced apartments, deletion of crop production requested and discussion about the differing meaning for public open space.</p> <p>Exemptions: amendments requested to exemptions regarding utilities, minor infrastructure, landscaping and vegetation management, retaining wall, road works and a new exemption requested regarding Council capital works up to \$1 million.</p> <p>Extend condition on permits to include landscaping and wastewater.</p> <p>Change of use for heritage places should include Tasmanian Heritage Register.</p> <p>General Residential Zone purpose and standards revision suggestions; multiple dwellings should be Discretionary; outbuildings on vacant land; discourage internal lots; subdivision provisions require revision.</p> <p>A number of Low Density Residential Zone standards will result in many discretionary applications, need an option of other minimum lot sizes.</p> <p>Rural Living Zone also requires more lot sizes.</p> <p>Village zone subdivision standards should reflect serviced and unserved situations.</p>	

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Rep No	Name	Summary of Issues	Statement as to merit
		<p>Qualifications for use in the Urban Mixed Use and Local Business zones; Light Industrial height, front setback and subdivision standards require review.</p> <p>Light Industrial zone standards for height, front setback, road design and subdivision require review.</p> <p>Rural Zone purpose, use table, setbacks and subdivision require review; Part 5 Agreements for access are problematic; water connection unnecessary.</p> <p>Agriculture zone purpose requires review, residential use should be qualified, subdivision provisions could be abused.</p> <p>Landscape Conservation Zone contains no provisions for form and design to mitigate impact.</p> <p>Major Tourism Zone should be simply Tourism zone.</p> <p>Parking and Sustainable Transport Code needs standards for design and construction for extension of existing facilities.</p> <p>Natural Assets Code. No distinction between relative significance of values, other drafting suggestions.</p> <p>Onsite waste water not addressed. Could use zone provisions or code.</p> <p>Stormwater Code should be provided for. Pursue legislative amendments or include code drafted by Derwent Estuary Program (draft provided).</p> <p>Tasman and Brighton Councils supported a change to the Scheme to allow for Discretionary boundary adjustment in all zones where Clause 9.3 is exceeded.</p>	

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39	Joanne Shugg	Concerns raised by these representations include the lack of Council and community input into development proposals in National Parks, reserved land and land in the Environmental Management Zone. Many of these representations relate specifically to Freycinet National Park.	Public participation Drafting
68	Owen Whitton		
81	Chris Bell	Other matters raised in these representations that do not fall into this category are discussed separately.	
85	Xan Nunn		
119	Richard von Witt		
124	John Gledhill		
128	Jeffrey Tonge		
151	Jenny Morgan		
157	Bridget Wilcken		
169	Elinor Wilcken		
198	Albert and Diana		
206	Jongbloed		
215	Richard Donaghey		
221	Christopher Cowles and Diane McPherson		
223	Leslie Frost		
240	Bob and Mary Dowling		
259	Tamar Natural Resource Management (Program Coordinator, Gill Basnett)		
266	Barbara Murphy		
286	Geoff Law		
290	Jane Lazaroff		
	Malcolm Waterston		

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1	<p>Flinders Council  (General Manager, Roaul Harper)</p>	<p>Concerned that the Explanatory Document does not clarify the SPPs policy position and requests clarity regarding the level of local variation that will be tolerated in relation to many aspects of the SPPs.</p> <p>As Flinders does not have an IPS, section 32(4) (a) and(b) will be the test for its LPS. There are no criteria for what level of supporting information will be accepted and concerned that 'significant' and 'unique' may be rather too subjective.</p> <p>The restriction of Local Area Objectives to Discretionary uses combined with maximised Permitted and No Permit Required uses limits the achievement of Local Area Objectives unless a significant amount of Specific Area Qualifications are applied which in turn will unnecessarily complicate the scheme.</p> <p>Whilst zone purpose statements seem strategically sound, in many cases, Acceptable Solutions and Performance Criteria do not relate to or meet the objective for that standard or the local objectives for the land to be incorporated into that zone. Whilst economic activity may be facilitated, the SPPs are likely to compromise the zone intent and the objectives of the Act regarding environmental and social outcomes.</p> <p>The Flinders Scheme, as with others, will need amendments to correct operational issues identified once schemes become effective – will the TPC receive more resources to deal with these amendments occurring across many councils.</p> <p>The Natural Assets Code should be redrafted to incorporate a landscape approach to biodiversity management that acknowledges the importance of connectivity, buffering and environmental services and the Natural Values Atlas requires ground trothing at the State's</p>	<p>Local character</p> <p>Outside the scope of SPPs consideration</p> <p>LUPAA objectives</p> <p>Drafting</p> <p>Codes</p> <p>Zones</p> <p>LGBMPA</p> <p>Public participation</p>
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		<p>expense in Flinders.</p> <p>The SPPs do not adequately deal with the need for unobtrusive development subservient to the considerable landscape elements on Flinders and would prefer more guidance on form, scale and design and the tolerable extent of local qualifications to achieve local strategic landscape outcomes.</p> <p>Flinders requires all development to have on site waste water treatment. No permit required status for dwellings in particular prevents consideration of this. No permit required status may also lead to costly reworking to comply with bushfire protection requirements.</p> <p>In the Rural Zone 20.5.1 P1 reliance on a section 71 Agreement to prevent residential use if there is no dwelling on the balance lot will achieve a desired local outcome but the method (section 71 Agreement) is unpalatable.</p> <p>Questions the effectiveness and measurability of the Light Reflectance Value clauses in the Landscape Conservation and Environmental Management zones.</p> <p>There is disparity between the Rural Living Zone site coverage and Scenic Management Code clearance provisions.</p> <p>Matters in sections 80-90 of LGBMPA related to subdivision may not be adequately covered off on, leading to a gap and uncertain operation.</p> <p>Suggests changes to residential use class qualifications in the Village Zone.</p> <p>Whilst the Low Density Residential Zone (10.6.3) could be applied to several locations on Flinders this provision effectively excludes its application due to there being no Performance Criteria and A1 requires connection to a reticulated potable water supply.</p>	
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		<p>Clauses and uses in the Environmental Management Zone undermine its intent and finds the lack of standards for Permitted uses unhelpful to meet local objectives. Questions the adequacy of the National Parks and Reserved Land Regulations 2009 to sufficiently inform the Director in decision making for uses normally regulated under LUPAA.</p> <p>States that a SAP is drafted for Reserved Land which would likely be in conflict with the pathway for Permitted uses in the Environmental Management Zone as it stands and also questions how the Bushfire Code will apply under these circumstances.</p> <p>Implementation issues regarding the Rural and Agricultural zones. The purposes for these zones fit with land use patterns on Flinders but lot sizes and permissible uses are inconsistent with local conditions. Questions how this can be dealt with in local variations.</p> <p>Unsure if the method for local qualification in the Scenic Management Code will be effective to protect the landscape on Flinders.</p> <p>The Telecommunications Code has been written for urban areas. On Flinders telecommunications infrastructure overrides virtually all other considerations including location on prominent hills and questions whether the critical nature of this infrastructure is sufficient to rely upon for approval. The need to identify based on title will likely lead to further scheme modifications later.</p> <p>The Parking and Sustainable Transport Code is irrelevant and a disincentive to development on Flinders. It should not apply to Flinders as the Flinders Council Structure Plan identifies future parking in Whitemark.</p> <p>Concerned that the use of vague,</p>	
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		subjective and undefined terminology will not improve consistency in decision making at the development application level.	
2	Susan Abey	Concerned that poorly drafted standards will lead to increased appeals and costs for developers and residents and that standards may not provide for adequate protection, such as natural light and overshadowing.	Residential amenity Public participation Drafting
3	JAC Management Pty Ltd  (Chloe Lyne obo)	Supportive of the Signs Code, noting it improves on the current code in Launceston.  Supports: C1.4 exemptions; removal of E18.5.1 (LIPS); C1.6.1 A3 and third party signage; and the increased range of allowable sign types in the Central Business Zone.	Codes Exemptions Drafting
4	Tasmanian Irrigation Pty Ltd  (Pitt and Sherry, Principal Planner, Ian Abernathy, obo)	Concerned about the lack of clarity and consistency for the treatment of Tasmanian Irrigation projects with regard to exemptions, utility definitions and use status' especially as they relate to ancillary use and development.  Concerned that there is the potential for doubling up on assessment processes.	Drafting Exemptions
5	Graham Nott	Concerned that the Rural Living Zone categorisation, application, lot sizes, frontage and servicing requirements will not deliver appropriate local character or efficient subdivision and development. Suggests that a range of lot sizes should be employed and matters of servicing and frontage should be provided greater flexibility.	Zones Drafting
6	John Tucker	Concerned that application of the Scenic Protection Code forces forestry uses under an approved Forest Practices Plan to be Discretionary, is inconsistent with the State Policy for the Protection of	State Policies Codes Drafting

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		Agricultural Land as Principle 9 only provides for plantation forestry to be Discretionary.	
7	F L and S D Davies	Concerned about the process for the Hobart IPS's PPZ. Calvary Hospital will be incorporated into the Local Planning Schedule, and how site specific provisions (currently being considered by the Commission under the current scheme) related to car parking will be implemented into Parking and Sustainable Transport Code.	Outside the scope of SPPs consideration
8	Huon Valley Council (Executive Manager Regulatory and Development Services, Matthew Grimsey)	<p>Supports the Tasmanian Planning Scheme in principle but the SPPs will not reduce development cost or time, rather the IPS has and SPPs will likely increase the amount of discretionary applications.</p> <p>Standardisation does not provide sufficient consideration of local character.</p> <p>The SPPs require review for consistency and clarity to provide certainty of interpretation.</p> <p>The Agriculture and Rural zones need consistent spatial application (and direction on application criterion).</p> <p>Further guidance is required on translating zones, including dealing with split zones, and the removal of the Environmental Living zone and application of Rural Living A and B.</p> <p>Planning Directive 4.1 requires review.</p> <p>Subdivision standards are not consistent with considerations under LGBMPA.</p> <p>Reliance on agreements under section 71 for access or residences are not needs or evidence based.</p> <p>Definition of potentially contaminated land lacks certainty.</p> <p>Interpretation and exemptions related to home based business and home occupation require are confused.</p>	<p>Outside the scope of SPPs consideration</p> <p>Local character</p> <p>Drafting</p> <p>Residential amenity</p> <p>LGBMPA</p> <p>Zones</p> <p>Codes</p> <p>Exemptions</p>

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		<p>The SPPs require revision to more appropriately deal with:</p> <p>General Residential subdivision layout (C8.6.2).</p> <p>Meet drafting standards (C13.3.2, 15.3.2, 16.3.2).</p> <p>Frontage setbacks in Major Tourism Zone.</p> <p>Minimum lot sizes in the Agriculture Zone.</p> <p>Distinctions between use and development in the Signs Code.</p> <p>Assessment of 'sustainable development' in the Agriculture Zone lacks clarity and certainty.</p> <p>The Natural Assets Code does not consider building areas approved under previous schemes.</p>	
9	Break O'Day Council (General Manager, John Brown)	<p>There is a need for more State wide strategies to be delivered through policies to inform land use planning.</p> <p>Planning, building and bushfire management regulation should use common terms.</p> <p>The Scenic Management Code (rather than the Scenic Protection Code) should be retained.</p> <p>A Stormwater code should be included.</p> <p>Many of the SPP Performance Criteria are subjective and imprecise.</p> <p>Translating Environmental Living Zone to Landscape Conservation Zone lacks guidance, will downgrade residential use and development rights and impinge upon Local Area Objectives related to character, subdivision and visual impact.</p> <p>Building height should refer to natural not existing ground level.</p> <p>Defined term of 'secondary residence' has no merit over current 'ancillary dwelling'.</p> <p>Use of the term 'quality' within the</p>	<p>State Policies</p> <p>Drafting</p> <p>Codes</p> <p>Stormwater</p> <p>Environmental Living Zone</p> <p>Zones</p> <p>Exemptions</p>

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		<p>streetscape definition is subjective.</p> <p>A range of specific issues with exemptions.</p> <p>A range of potential revisions to use tables or standards; questions applicability of standards.</p> <p>There are a number of matters not addressed (that should be) in the General Residential, Rural Living, General Industrial, Rural, Land Conservation, and Environmental Management Zones.</p>	
10	Leigh and Christine Miller	<p>Strongly object to the proposed Planning Scheme for Tasmania. There has been inadequate consultation with stakeholders including councils, community groups and householders. Tiny advertisement providing opportunity to comment is symptomatic of the attempt to avoid serious scrutiny.</p> <p>Widespread community perception that the government is unduly partisan to the extent that the 'planning' has all been done for the sake of the vested interests of developers.</p> <p>The volume of information and short time frame made it a huge ask to be read on-line and understood by most ordinary stakeholders.</p> <p>Concern about intention to drive residential building into smaller and smaller allotments at the expense of residential amenity.</p> <p>There is an inherent failure to foresee the mental health and other community costs arising from the compression of population associated with the reduction in residential amenity within the proposed planning scheme.</p> <p>Concern that stormwater and sewage disposal will not be considered prior to the initial planning permits being issued.</p> <p>Concern about increased litigation due to vague and poorly defined terms such as</p>	<p>Process</p> <p>Outside the scope of SPPs consideration</p> <p>Residential amenity</p> <p>Stormwater</p> <p>Drafting</p>

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		'have regard to' and 'tolerable risk'.	
11	Chloe Lyne	<p>Support for not applying the Scenic Protection Code to residential zones.</p> <p>Natural Assets Code: Support for not applying to residential zones.</p> <p>Concern about inaccuracy of current mapping and SPP operation where vegetation is mapped as priority but is not in reality.</p> <p>C7.6.2, P1 (b) d, and C7.7.1, P2 (b), d restrict offset to subject land. This is overly restrictive as the offset may also be achieved on an alternate or adjoining site, separately titled.</p> <p>Additional Performance Criteria should be included that allows the prevalence and representation of the priority vegetation in the surrounding area to be taken into account when determining whether its removal is appropriate. If a threatened community on a lot is well represented in the surrounding area, particularly in reserves and public spaces where it is likely to be retained, then clearance of small pockets of vegetation for developments that will have an overall benefit should be able to be considered.</p>	<p>Codes</p> <p>Drafting</p>
12	Peter Robins	<p>Request for continued prohibition on subdivision at Devon Hills (Northern Midlands IPS).</p> <p>Concern that subdivision in Devon Hills under the SPPs will lead to loss of character, scenic and natural values, increased traffic volumes and could lead to noise and vibration based land use conflict with adjoining railway line.</p> <p>Questions further subdivision based on waste water disposal capacity.</p> <p>Further subdivision will conflict with covenants on titles in Devon Hills restricting development of one dwelling</p>	<p>Local character</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p>

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		<p>per lot.</p> <p>The majority of Devon Hills' residents and council support retaining prohibition on subdivision in this area.</p> <p>Does not support the Low Density Residential Zone 1500m<sup>2</sup> lot size, prefers current Northern Midlands IPS 10,000m<sup>2</sup>. If applied to Devon Hills the characteristics of this zone that appeal to people could not possibly be attained.</p> <p>Proposes an alternative SAP for Devon Hills with 10,000m<sup>2</sup> lot size.</p>	
13	<p>Ceres 152 Pty Ltd</p> <p>(Ireneinc Planning, Jen Welch obo)</p>	<p>Ceres 152 are investigating development opportunities to improve the existing building at 152 Macquarie Street Hobart and make its representation on this basis.</p> <p>Central Business Zone height provisions unnecessarily and inappropriately restrict the development of the commercial centre of Hobart.</p> <p>Central Business Zone Subclause 16.4.1A1 maximum permitted height is 20m which is substantially less than the 42m to the topmost habitable floor level permitted under Hobart Interim Planning Scheme. Considers that current permitted height in the SPPs places unreasonable limitation on development.</p> <p>Macquarie Street has an established character of buildings over 40m in height. The existing No 152 Macquarie St is 35.6m in height and is in the Central Business Zone. Development of over 40m in height will not unreasonably impact the townscape of the city but will not meet the Performance Criteria for building height.</p> <p>Parking and Sustainable Transport Code: Subclause C2.7 Parking Precinct Plan - Considers it critical that a parking precinct plan is applied to the Central Business Zone in Hobart as the parking generated by the likely floor area of the development</p>	<p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Code</p>



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		<p>site would be inappropriately high. But subclause C2.7 should allow for some limited parking to service the development as the current parking provisions in the Hobart Interim Planning Scheme and should be retained.</p> <p>Potentially Contaminated Land Code: It is not known whether the site has previously been used for any contaminating activities. If the code were to apply and an application was made for a use and/or development it would be required to be assessed in terms of P1(c) of C14.5.1. This requires a statement that the land is suitable for the intended use. As the use would be occurring 9 floors above ground level, there would potentially be no disturbance at ground level and the requirement for an environmental site assessment could be challenging to comply with.</p>	
14	Glenorchy City Council (Strategic Planner, Lyndal Byrne)	<p>SPPs will cause land use conflict by providing a broad range of allowable uses without adequate provisions protecting amenity. For example, controls at residential subdivision/industrial development stage give an opportunity to redesign and ensures impact identification and mitigation at planning stage, not later via an EMPCA action; provisions regarding noise impact mitigation on a residential use in the Urban Mixed Use or the three Commercial zones at planning stage provide appropriate protection for existing and new uses; Bulky Goods Sales, Storage and Service Industry in the Commercial zones does not support the creation of a quality pedestrian environment.</p> <p>Concerned that the SPPs create 'planning application loops'. For example construction of a cafe in a bushfire prone area is approved at planning stage. When vegetation removal is required to comply with building code bushfire protection provisions, a separate planning application</p>	<p>Drafting</p> <p>Zones</p> <p>Local character</p> <p>Codes</p> <p>LUPAA objectives</p> <p>Outside the scope of SPPs consideration</p> <p>Process</p> <p>Exemptions</p> <p>Stormwater</p>

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		<p>is required for this.</p> <p>Concerned that the SPPs lack provisions for 'determining' applications, general amenity considerations and undermine existing strategic work including Glenorchy's activity centre hierarchy.</p> <p>Concerned about the impact of 'one size fits all' lot sizes, height and setback controls and inappropriate facilitation of multiple dwellings in Low Density Residential Zone.</p> <p>Concerned that the SPPs will erode vegetation values and impacts on the Glenorchy skyline because they restrict application of the Environmental Management Zone to public land, remove the Environmental Living Zone, provide significant vegetation clearance exemptions in the Landscape Conservation Zone and limit the application of the Scenic Protection Code, undermining strategic work already done on this issue.</p> <p>The draft provisions do not appear to meet the objectives of the Act.</p> <p>Concerned about the significant resourcing cost but supports the use of iplan.</p> <p>No real distinction between all of the business and mixed use zones.</p> <p>Specific comments regarding definitions, exemptions, planning scheme operation (clause 5.0), application requirements (clause 6.1), conditions and restrictions on permits (clause 6.11), use classes (Table to 6.2), general provisions (Clause 7.0), all Zones and Codes.</p> <p>Proposes the inclusion of a stormwater management Code.</p>	
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15	National Parks and Wildlife Advisory Council (Chair, Malcolm Wells)	<p>Concerned that the operation of the Environmental Management Zone, which is exempted from the proposed Natural Assets Code will result in reduced public participation in development decision-making within the reserve estate, and provide possibilities for perceived political interference.</p> <p>Clause 7.6.1 will allow roads to be built through reserves irrespective of their internal zoning or values.</p> <p>Clause 7.7.1 will allow buildings on adjacent properties to project over reserves.</p>	<p>Zones</p> <p>Codes</p> <p>Drafting</p>
16	Marcus Higgs	<p>The SPPs and the process used to develop them do not adequately meet Objective 1(c) of LUPAA (encourage public involvement in resource management and planning).</p> <p>Concern about short time frames for consideration and representation on SPPs by individuals and community groups.</p> <p>Environmental Living Zone should be retained for Kingborough.</p> <p>Increased densification of development has the potential to affect many property owners inconsistent with LUPAA Objectives 1(c) and (f). The Planning Reform Taskforce has not adequately prepared social and environmental impact statements describing the impacts of the SPPs by comparison with existing Interim Planning Scheme Schemes.</p> <p>Suggests establishing a working group of Council planners and further public consultation based on the work of that group enabling the general public to participate more effectively in the process.</p>	<p>LUPAA objectives</p> <p>Process</p> <p>Environmental Living Zone</p> <p>Public Participation</p> <p>Outside the scope of SPPs consideration</p> <p>Residential amenity</p>

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17	Sporting Shooters Association of Australia (Tasmania) Inc. (President, Andrew Judd)	<p>Concern that SPP recalibration of Agriculture and Rural zones will lead to wider application of the Agriculture zone than the current IPS Significant Agriculture zone. As 'sport and recreation' is prohibited in the Agriculture zone, will fetter existing operations, especially shooting ranges.</p> <p>Concern that it is now unclear and confusing where these zones will apply.</p> <p>No clear reason why 'sport and recreation' should be prohibited if the Agriculture zone. Believes shooting ranges can be compatible with zoning objectives and agricultural activities, for example, grazing. Prohibited status would mean existing facilities become non-conforming and expansions or changes would create unnecessary red tape and confusion.</p>	Drafting Zones
18	Michael Foster	Questions the practical compliance difficulty of the 42 night visitor accommodation restriction – it is incapable of being monitored by the public or a planning authority – it should be abandoned.	Visitor Accommodation Drafting
19	Clarence City Council (General Manager, Andrew Paul)	<p>Recommends that where more accurate scientific and engineering data exists for hazard codes, this data be applied in preference to the less accurate State wide modelling.</p> <p>A public art code, stormwater management code and onsite wastewater code be added as State provisions or permissible in the local provisions schedule.</p> <p>Commonwealth land such as the Hobart airport should not need to be zoned.</p> <p>The SPPs inadequately provide for character by overly standardising use and development standards, more local variation should be permissible.</p> <p>Tests for Discretionary uses are too easily</p>	<p>Stormwater</p> <p>New code (other)</p> <p>Drafting</p> <p>Local character</p> <p>Exemptions</p> <p>Zones</p> <p>Codes</p> <p>LUPAA objectives</p> <p>Residential amenity</p>

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		<p>achieved and need to consider a greater range of matters (such as general considerations) to ensure holistic assessments and to avoid land use conflict and erosion of community expectations.</p> <p>In determining applications, considerations for a Discretionary use are not extended to development and zone purposes generally do not provide assistance in assessment of individual merit.</p> <p>Subdivision standards do not adequately provide for consideration of urban design criteria and connectivity to public open space and requiring use to be specified is fraught.</p> <p>Use of 'having regard to' does not provide guidance or weighted assessment.</p> <p>Demolition is not well managed.</p> <p>Mandatory application requirements in codes, is unnecessary and onerous.</p> <p>PD4/4.1 provisions make for overly complicated assessment.</p> <p>Reliance on agreement under Part 5 and timing of agreement is administratively and financially expensive.</p> <p>Identifies a range of gaps and issues with the zone and code framework in terms of future application.</p> <p>Issues and potential revisions with the definitions of access strip; building height; dwelling; and exemptions for visitor accommodation.</p> <p>Support for clause 6.2.6, recommends inclusion of a miscellaneous use class; and issues related to outbuildings in the residential use class.</p> <p>A comprehensive range of issues and revisions to the: Low Density Residential, Rural Living, Local Business, General Business, Commercial, Light Industrial, General Industrial, Rural, Agriculture and</p>	
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		<p>Landscape Conservation zones.</p> <p>A comprehensive range of issues and revisions to the Local Historic Heritage, Natural Assets, Scenic Protection and Coastal Erosion Hazard codes.</p>	
20	<p>Hobart City Council</p> <p>(Manager Planning Policy and Heritage City Planning, James McIlhenny)</p>	<p>Common structure and drafting of general provisions that apply across the State is a positive outcome.</p> <p>The single state- wide planning scheme does not deliver a 'fairer, faster, cheaper, simpler' planning process.</p> <p>The format of the scheme with 'local issues' in a 'local provisions schedule' separate from the State provisions with 'overriding' of State provisions allowed makes reading the scheme more complex.</p> <p>The standardisation of figures and values in the scheme does not respond to local environment and community expectations, and in some cases would not be ideally suitable for any municipal area in Tasmania.</p> <p>The scope of allowable local area provisions does not appear to allow for changes to the use table across whole zones, which exacerbates this issue – request numerous use table revisions in zones.</p> <p>Standardising numerical provisions as Acceptable Solutions does not reflect the existing or desired character of many areas eg subdivision in Local Business zone at Fern Tree and Mt Nelson.</p> <p>In Hobart, historical development patterns have resulted in unique areas that do not necessarily fit a 'neat' zoning structure as they might in other municipalities that have more distinct separation between services. For example, the areas zoned Light Industrial Zone, Commercial Zone and Local Business Zones do not fit comfortably with the standards provided in the new scheme. As a result, it may be</p>	<p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Local character</p> <p>Stormwater</p> <p>Services</p> <p>Zones</p> <p>Codes</p> <p>Visitor accommodation</p> <p>Exemptions</p> <p>New code (other)</p>

		<p>necessary to consider producing more overriding provisions in the LPS, PPZs (PPZs), SAPs (SAPs) - increases the complexity of the scheme.</p> <p>Hobart proposes to override many of the standards in the Central Business zone with a SAP as they not appropriate for the Hobart CBD. The SAP will address matters such as the current active frontage overlay, pedestrian priority streets, pedestrian links and height standards.</p> <p>It is not clear whether 'wastewater' disposal includes both sewage and stormwater in zones where reticulated disposal is not mandatory.</p> <p>Stormwater disposal must be included in all zones (ie Rural Living has no stormwater servicing requirements).</p> <p>Council does not appear to have a head of power to even request information on the serviceability of the likely development area, let alone require the sewer to be gravity-reticulated.</p> <p>Stormwater Management Code removal means scheme should be revised to include State Stormwater Strategy targets (for certain size/value/contaminant developments), information requirements for assessment of capacity issues and 'headworks' contributions.</p> <p>Use tables should allow for Discretionary urban agricultural gardens in zones such as Urban Mixed Use, Village, Local Business, General Business, Commercial, Central business zones, and potentially others.</p> <p>In residential zones there should be use table qualifications to prevent displacement of residential uses, insufficient to rely on the zone purpose statements to prevent a proliferation of commercial uses - limit to existing buildings without displacing residential</p>	
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		<p>use.</p> <p>Want revisions to use standards to avoid proliferation of visitor accommodation - a significant issue for residents in strata complexes (particularly those in unit blocks) in General Residential and Inner Residential Zones.</p> <p>Want standards in the residential zones for appropriate provision of ways and public open space - to be consistent with Southern Tasmanian Regional Land Use Strategy (STRLUS).</p> <p>Inner Residential zone does not have standards to require high density development/subdivision or options for no private open space to be provided where public space is adequate.</p> <p>Concerns with application of the Landscape Conservation and Rural Living zones:</p> <p>Rural Living zone will be the only zone appropriate to large lot bushland residential areas that are constrained in terms of significant subdivision, but do not comply with the very large lot sizes of the Landscape Conservation Zone but zone purpose and development standards do not have sufficient regard to vegetation retention and development sensitive to environmental issues eg Fern Tree.</p> <p>Explanatory document suggests that a SAP be used if further subdivision is desired in Landscape Conservation zone but this seems to subvert the zone.</p> <p>The Landscape Conservation zone is not a suitable translation for the Environmental Living zone. The alternative of applying the Rural Living Zone would allow for significantly more intense subdivision than desired. A particular issue in those parts of Lenah Valley, Fern Tree and Ridgeway currently zoned Environmental Living which have significant natural and</p>	
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		<p>landscape values but are mostly not large properties as envisaged in the Landscape Conservation Zone.</p> <p>Suggest allowing different densities in the Landscape and Conservation Zone through an A and B designation as per the Rural Living Zone.</p> <p>Commercial Zone provisions are not an appropriate fit for the area of land currently zoned commercial in Hobart - no other zone under the SPPs would provide for an appropriate substitution. If the City of Hobart were to retain the current intent for those areas it is likely it would have by way of a SAP.</p> <p>Light Industrial Zone in Hobart is small in size and surrounded by the Inner Residential Zone. There are higher amenity impact issues than in other light industrial zones and therefore specific standards are necessary. The City of Hobart will need to consider alternative options to reflect the unique context of the area currently zoned Light Industrial.</p> <p>Port and Marine Zone provisions are not a good fit at Selfs Point. Hobart would have a series of overriding provisions in the LPS or develop a PPZ or SAP.</p> <p>Australian standards are referenced in numerous clauses- they will quickly become out of date as standards change. Provision should be made for references to the standards to include any future amendments, also impacts on whether changes to Performance Criteria can be made or are need via LPSs.</p> <p>The codes generally lack quantitative parameters to provide definitive design standards applicable to many developments. The Performance Criteria in the codes liberally uses words such 'tolerable risk' and 'reasonable' which are subject to individual interpretation by developers, owners, the Council etc. This</p>	
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		<p>appears to be minefield for disputes, unless there is some codification or standard guidance provided. Wants to incorporate and reference relevant documents to provide some guidance.</p> <p>Wants to include a code or provisions for protection for linear bicycle and walking infrastructure on public land. Such assets are deserving of the same level of protection as other linear community assets (road, rail, electricity).</p> <p>Wants to include an onsite wastewater code or provisions (detailed rationale provided in attachment A to representation) aimed not only at subdivision but also at the development of existing vacant blocks and the redevelopment of existing dwellings. The community is at a disadvantage if onsite wastewater management is not considered until the latter stages of the development process through subsequent statutory processes and instruments.</p> <p>Signs code seems unnecessarily restrictive for some sign types, want review of consistency and revisions to exemptions and definitions.</p> <p>Local Historic Heritage Code (LHHC)</p> <p>Wants code name change to 'Heritage Code' to reflect sound heritage practice and because 'Local' is misleading (i.e. within Part B and written by local councils), but it is a State mandated code.</p> <p>Concerned that LHHC restricts assessment of Places on Tasmanian Heritage Register.</p> <p>Significant tree provisions within the 'heritage code' is not a logical. Concern with LPS list and zone purpose statements</p> <p>Wants to include a list of application requirements.</p> <p>Exclusions for internal works is not supported and conflicts with LUPAA.</p>	
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		<p>Should include references to the Burra Charter.</p> <p>Natural Assets Code: Application, definitions, exemptions are very broad and not consistent with management best practice, duplication of <i>Threatened Species Protection Act 1995</i>, consistency with Tasmanian Government Policy for Maintaining a Permanent Native Forest Estate and Forest Practices Regulations, some standards not capable of achieving stated objectives.</p> <p>Scenic Protection Code: Suggest changes to definitions and exemptions, particularly exempting 'subdivision not involving works' could have significant effects on scenic areas. Codes should not allow for a subdivision that was not possible under the relevant zone provisions.</p> <p>Attenuation Code: Include more exemptions, and attenuation distances for small bakeries and music/performance venues.</p> <p>Coastal Erosion Hazard Code: Requests that additional terms be defined, possibility of protection for existing uses in non-urban zones, inappropriate to prohibit all uses other than 'a use which relies upon a coastal location' in the high hazard band where all proposed development is outside the high hazard band just because part of a lot contains the hazard band.</p> <p>Coastal Inundation Hazard Code: Requests additional terms be defined, possibility of protection for existing uses in non-urban zones, inappropriate to prohibit all uses other than 'a use which relies upon a coastal location' in the high hazard band where all proposed development is outside the high hazard band just because part of a lot contains the hazard band.</p> <p>Riverine Inundation Hazard Code: Concern with the extent of application as code only</p>	
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		<p>applies to mapped areas and Hobart City Council has limited detailed modelling, therefore may capture too much or too little. Terms, definitions, and exemptions need clarification.</p> <p>Bushfire-Prone Areas Code: Exclusion of habitable buildings from this code may have negative implications for developers by requiring a further planning approval.</p> <p>Potentially Contaminated Land Code. Supports amendments to this Code (compared with HIPS) particularly the inclusion of the definition of a suitably qualified person, some terms and exemptions need clarification, Acceptable Solution for excavation of a contaminated site seems excessive, it must take into account the area exposed and contaminant levels and likely mobility.</p> <p>Landslip Hazard Code terms, definition, expression need clarification.</p> <p>Local Provisions Schedule</p> <p>Difficulties in drafting Local Area Objectives that don't conflict with SPPs and operation of Local Area Objectives as there are no Performance Criteria in the SPPs relating to development that mention Local Area Objectives.</p> <p>Should not need to populate the Local Heritage Places List with Statements of Local Heritage Significance as these can be very long and summaries would not be appropriate.</p> <p>Site specific qualifications: Clarify what the extent of a 'specific lot or site' can be, and whether this includes the whole area to which a zone is applied. It is preferred that the ability to alter a provision over the whole zone is allowable, as there is likely to be a proliferation of PPZs and SAPs if a small number of zone provisions that may be highly inappropriate to a specific municipal area cannot be overridden over</p>	
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		<p>the whole zone as part of the Site Specific Qualifications.</p> <p>Direction that only prohibited uses may be made Permitted or Discretionary is overly restrictive and the reasoning behind this is unclear.</p> <p>Should formalise the option to use a map for Places or Precincts of Archaeological Potential.</p>	
21	Steven and Debbie Daw	<p>Concerned about the provision and operation of PPZs in Local Provision Schedules Eg: Huon Valley Interim Planning Scheme Clause 32.5.1.</p>	Outside the scope of SPPs consideration
22	Cathy Doe	<p>Opposition to dwelling densities in the SPPs.</p> <p>Biodiversity, scenic landscapes, protection from industrial impact is watered down, not strengthened (Attenuation Code).</p> <p>Concern about non-existent or poorly defined rights of neighbours and community stakeholders.</p>	<p>Residential amenity Codes</p> <p>Public participation</p> <p>Drafting</p>
23	Holiday Rental Industry Association (Chair of the Regulations Committee, Trevor Atherton) (HRIA)	<p>Support the general intent and objectives of the SPPs re regulations around short term holiday rental (Visitor Accommodation).</p> <p>Strongly supports making short term residential accommodation Permitted in all the appropriate zones.</p> <p>5 supporting documents provided including a report on regulatory approaches in other Australian States and recommendations for a uniform NSW wide regulatory solution.</p> <p>Suggests that amenity issues relating to short term holiday rentals are not addressed adequately and that the self-regulated Holiday Rental Code of Conduct should be the basis for managing such issues.</p> <p>Concerns regarding definitions including dwelling, visitor accommodation and</p>	<p>Visitor Accommodation</p> <p>Drafting</p>

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		<p>serviced apartments.</p> <p>Concerned that the 160m<sup>2</sup> gross floor area limit for Visitor Accommodation in most zones is unnecessarily restrictive. The threshold should be 4 bedrooms instead of floor area.</p> <p>Suggest that short term accommodation be exempt up to the threshold of 4 bedrooms. Over 4 bedrooms should be Permitted subject to appropriate controls and if noncomplying with these controls becomes discretionary.</p>	
24	Jorine Verschuur	<p>Old Clause 4.4.2 under old Sorell Planning Scheme relating to Carlton Beach, that has been omitted from Sorell IPS, and requests this to be carried into the SPPs.</p>	Outside the scope of SPPs consideration
25	Fraser Petrie	<p>Concern about lack of information during review period and does not want SPPs implemented without this being publicly accessible.</p> <p>Concern that Planning Reform Taskforce composition did not represent the environment.</p> <p>Asks where are provision in the SPPs that recognise and give greater protection to threatened species and their habitat?</p> <p>Concern that the SPPs curtail local residents being allowed to voice their concerns about local development.</p>	<p>Process</p> <p>Codes</p> <p>Public Participation</p> <p>Drafting</p>
26	John Biggs	<p>Concern that the SPPs provide less opportunity for communities to have their say.</p> <p>Development in National Parks and Reserves can be Permitted without Council or public comment.</p> <p>No support for increases in permitted land clearing.</p> <p>Natural Assets Code application is too narrow and no support for loss of Environmental Living Zone, threatening</p>	<p>Public Participation</p> <p>Drafting</p> <p>Zones</p> <p>Codes</p> <p>Environmental Living Zone</p> <p>Local character</p> <p>Stormwater</p> <p>Process</p>

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		<p>biodiversity.</p> <p>Concern about loss of local character due to standardised building, height, setback and lot sizes.</p> <p>Concern about inability to assess run off impacts.</p> <p>The IPS work has not been adopted in the SPPs and more consultation and time is requested to consider them.</p>	
27	<p>Jennifer Parish and Coby Roach</p> <p>(Matthew Hunt obo)</p>	<p>Zoning of their property at Hillwood will be considered as existing in the Agriculture or Rural Zone and think its current size and usage is more in line with the Rural Living Zone. Would like an opportunity to make a further representation when Commission releases zones maps for areas covering Agricultural, Rural, Rural Living and Rural Living B Zones</p>	<p>Outside the scope of SPPs consideration</p>
28	<p>Peter Watson and Leona Hendry</p>	<p>Concerned that aims of the Act won’t be met.</p> <p>Provides for more uses and development to be Permitted and exempt there not open to public comment and appeal – inconsistent with objective 1(c) Schedule 1 of the Act. Uses example of development in Red Knights Road, Sandy Bay.</p> <p>Objective 1(e) not met because the SPPs significantly reduce the role of local government in planning. Limited opportunities for SAPs or to vary the SPPs.</p> <p>Objective 2(c) not met due to the extent of activities exempt from the Natural Assets Code. Calls into question how well environmental impacts will be considered.</p> <p>Objective 2(d) of schedule 1 of LUPAA not met – developed without full set of State Policies and reference to a range of existing government policies relating to population, tourism, infrastructure, climate change and vegetation clearance.</p>	<p>LUPAA Objectives</p> <p>Public Participation Codes</p> <p>State Policies</p> <p>Local character</p> <p>Residential amenity</p> <p>Drafting Process</p>

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		<p>Will result in poor planning outcomes.</p> <p>Objective 2(i) not met because higher density in residential areas allowed without considering capacity of land and character of surrounding area.</p> <p>Concerned that development under SPPs will change character of area and there will be fewer chances to have a say in what happens in the neighbourhood.</p> <p>Request TPC to hold hearings.</p>	
29	Peter Verbiest	See grouped representations.	See grouped representations
30	Don Challen	<p>Support simplification in the planning process. However, unacceptable cost to the objectives of sensible planning as set out in LUPAA.</p> <p>Concerned about loss of amenity and character in Blackmans Bay due to PD4, the interim scheme process and now SPPs.</p> <p>In particular concerned as the loss of 5m height limit for buildings on land adjacent to the coastal reserve.</p> <p>Is of the opinion that it will open up development to legal challenges</p>	<p>Residential amenity</p> <p>Drafting</p>
31	Alastair Page and Jan Lee	<p>Aims of LUPAA not met by the SPPs.</p> <p>Process contrary to goal of encouraging public participation.</p> <p>Concerned about Rural Living and Low Density Zones.</p> <p>Provides for more uses and development to be Permitted and exempt there not open to public comment and appeal – inconsistent with objective 1(c) Schedule 1 of the Act.</p> <p>Rural Living Zone height of 8 metres and setback of 10 m does not make provision for what occurs when discretion is exercised – concerned about overshadowing and residential amenity.</p>	<p>LUPAA objectives</p> <p>Process</p> <p>Zones</p> <p>Public participation</p> <p>Residential amenity</p> <p>Codes</p> <p>Drafting</p>



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		<p>The SPPs don't meet objective 2(c) of the Act as many amenity and character considerations have been removed.</p> <p>Amenity of residences will impact ability for solar energy due to overshadowing.</p> <p>Concerned about the extent of activities exempt from the Natural Assets Code.</p> <p>Concerned that development under SPPs will change the character of areas and there will be fewer chances to have a say in what happens in the neighbourhood.</p> <p>Request TPC hold hearings.</p>	
32	Tom Kingston	<p>Lack of State Policies to guide strategic planning decisions.</p> <p>Need to promote renewable energy options and SPPs do not provide opportunities.</p> <p>Require walking, cycling and efficient movement of public transport and bicycle paths should be provided in arterial and collector roads in subdivision in Rural Living or Village Zones.</p> <p>Public consultation should be held in centres around the State and in at least each of the 5 electorates.</p>	<p>State Policies</p> <p>Zones</p> <p>Process</p>
33	4 Planning Pty Ltd (Ian Newman)	<p>Exemptions for fishing, marine farming etc mean capacity to further objectives of the Act are severely hindered.</p> <p>Unclear to what extent other policy such as affordable housing, transit-oriented development, urban design and place making are able to be addressed.</p> <p>Consider that objective 1(d) of the Act will not be met because of multiplicity of LPS provisions.</p> <p>Resourcing for Councils in preparing their LPSs.</p> <p>Policy vacuum – State policies, updated RLUSs and clear policy about the extent of variation allowed between LPSs.</p>	<p>Exemptions</p> <p>LUPAA objectives</p> <p>Outside the scope of SPPs consideration</p> <p>State Policies</p> <p>Local character</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p> <p>Process</p>

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		<p>Appears State wide consistency may prevail over local aspirations/character.</p> <p>Supports Telecommunications Code not covering aesthetics and likes Signs, Coastal Erosion, Coastal Inundation and Riverine Inundation Codes.</p> <p>Unclear how much local provisions can override State provisions.</p> <p>Potential lack of consistency through multitude of PPZs and SAPs and SSQs.</p> <p>PPZ Future Urban should be a zone.</p> <p>List of applied, adopted and incorporated documents are extensive and costly – adds costs to developments.</p> <p>Provided detailed comments on:</p> <p>Administration (interpretation, some exemptions, planning scheme operation)</p> <p>Densities in Residential Zones and 'business' hours of operation.</p> <p>Separation distances for Rural Living Zone.</p> <p>Signs code is good but would like to see more exemptions.</p> <p>Comments on Road and Rail and Electricity Infrastructure Code, Local Heritage, Scenic Protection, Attenuation.</p>	
34	Peter Pearce	<p>Concern with 'sporadic growth' of commercial uses throughout Battery Point and in Heritage precincts in general. Have made a representation to the IPS process and wants that decision to be considered with this representation. Notes that development standards for commercial activities are 'qualitative' rather than 'quantitative', relying on subjective assessments devoid of policy direction.</p> <p>Particularly concerned with the number of Discretionary uses in the Inner Residential Zone and that these are in conflict with the objective and purpose of the zone and the Local Historic Heritage Code.</p>	<p>Outside the scope of SPPs consideration</p> <p>Drafting Process</p>

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		<p>Submits that the specific uses....</p> <p>General retail and Hire and Food Services</p> <p>Community Meeting and Entertainment</p> <p>Sport and Recreation</p> <p>Educational and Occasional Care</p> <p>Business and Professional Service</p> <p>are in direct 'conflict' with the objectives and purpose detailed in the Inner Residential Zone and the Local Historic Heritage Code and should be classified as 'not permitted' rather than Discretionary.</p> <p>Considers that the Mixed Use Zone has been the proactive planning area for commercial uses and that any changes in the land use mix should be pursued by rezoning rather than the ad hoc process of discretionary development control.</p> <p>The 'Permitted Use' classification given to Visitor Accommodation in Heritage Precincts (in particular Battery Point) has been included in the SPPs without any consultation with the Community. .</p>	
35	Ben Hiscutt	<p>Much easier document to read and the outcomes for development seem clearer and less restrictive. However, full of subjective criteria.</p> <p>Objects to having a guide to the future development of the State tied to the PAL Policy.</p> <p>Concern with making it difficult to develop houses on rural titles.</p> <p>Would like the PAL Policy to be abandoned and use beefed up right to farm legislation to protect farmers.</p> <p>Refers to clause 20.5.1 for subdivision in the Rural Zone – why restrict subdivision to 40 hectares when the demand for peri urban production is for areas far smaller than this.</p>	<p>Drafting</p> <p>State Policies</p> <p>Outside the scope of SPPs consideration</p> <p>Zone</p> <p>Public participation</p>

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		<p>Would like population to be enticed to Tasmania from overpopulated cities to the north.</p> <p>Planning should only interfere where obvious conflicts exist. Objectors should have a clear interest.</p>	
36	<p>Central North Field</p> <p>Naturalists and Wynyard Landcare</p> <p>(President, Peter Lawrence)</p>	<p>SPPs reduce the capacity of the public to participate in natural resource management and planning, contrary to objectives of the Act.</p> <p>Concerned with lack of input by Councils and public to development proposals in National Parks and land-clearing and forestry activities on private land.</p> <p>Natural Assets Code should be called Biodiversity Code and encompass all biodiversity not just threatened flora and fauna</p> <p>Does not support exemptions for Aquaculture, Dams, Mining Exploration, Forestry.</p>	<p>Public participation</p> <p>LUPAA objectives</p> <p>Zones</p> <p>Codes</p> <p>Outside the scope of SPPs consideration</p> <p>Exemptions</p> <p>Drafting</p>
37	<p>Miles and Anne Harrison</p>	<p>Recognise need for simpler planning processes but think the SPPs are a threat to quality of life, heritage, the natural environment and in some cases real estate values.</p> <p>Concerned about higher densities.</p> <p>IPS came in without any input prior to coming into effect.</p> <p>Streetscape only defined as extending 100m.</p> <p>Consider that the Act objectives have not been met, particularly for encouraging public input, sharing of responsibility, sustainable development, coordinated action between State and Local Government and considering social and economic effects of decisions.</p> <p>No measure of how the SPPs are fairer, faster, cheaper and simpler. No impact statement.</p>	<p>LUPAA objectives</p> <p>Residential amenity</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting</p> <p>Process</p> <p>Public participation</p> <p>State Policies</p> <p>Local character</p> <p>Zones</p> <p>Exemptions</p>

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		<p>Would like there to be public hearings.</p> <p>Don't think SPPs promote good design and proper planning.</p> <p>Denial of natural justice because there are so many Permitted developments.</p> <p>Concerned about amount of exemptions, No Permit Required and that a number of Codes do not apply to residential zones.</p> <p>Omissions. No mention of climate change mitigation, affordable housing, the need for public open space with increasing densities or consideration of RMPS in decision making.</p> <p>Not clear if Councils have the authority to represent community in developing LPS.</p> <p>Concerned with the process of developing the SPPs and that this has not been transparent.</p> <p>In particular concerned about how the SPPs will apply in Blackmans Bay and request 2 new zones – medium density zone with min lot size of 1000 m<sup>2</sup> and a second Low Density Residential zone (lot size above 1500 m<sup>2</sup> and units not allowed).</p> <p>Request SAPs for 2 areas in Blackmans Bay that limit height.</p> <p>Where is the zone for public parks?</p> <p>Concerned with Ministerial power increase due to amendments in Act in 2015.</p>	
38	Jane Jupe	<p>Concerned about density of development. Little provision for lower density development.</p> <p>Concerned with 450 m<sup>2</sup> minimum lot size, units being Permitted everywhere and increased height of development in Blackmans Bay.</p> <p>Concerned that the SPPs will allow loss of biodiversity and mature trees as habitat for birds.</p>	<p>Residential amenity</p> <p>Codes</p> <p>Local character</p> <p>Drafting</p> <p>Exemptions</p>

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		Does not support the loss of Desired Future Character Statements.	
39	Joanna Shugg	<p>See grouped representations.</p> <p>Objects to National Parks being zoned Environmental Management.</p> <p>Concerned that the SPPs enable the Tasmanian Government to manage, develop and exercise Ministerial discretion without a due process of opportunity for Local Council and the Community to have input.</p>	<p>See grouped representations</p> <p>Zones</p> <p>Process</p> <p>Public participation</p> <p>Local character</p> <p>Drafting</p>
40	David Potter	<p>Concerned with the residential provisions under the West Tamar IPS, the impact on density, their residential amenity particularly privacy by overlooking.</p> <p>Neighbour use surveillance cameras. Privacy and amenity are not being sufficiently addressed under the new scheme.</p>	<p>Residential amenity</p> <p>Outside the scope of SPPs consideration</p>
41	Friends of Four Mile Creek Inc. (Planning Delegate, Bill Manning)	<p>Questions the need for planning reforms.</p> <p>Subdivision should be consolidated to existing serviced areas and dwellings restricted in bushfire hazard zones.</p> <p>No support for forestry and land clearing being excluded from the planning scheme.</p> <p>No support for reduced third party appeal rights and loss of natural justice for community groups.</p>	<p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Code</p> <p>Public participation</p> <p>Exemptions</p> <p>Drafting</p>
42	Tasmanian Farmers and Graziers Association (Rural Affairs Manager, Nick Steel) (TFGA)	<p>TFGA recognise the good work undertaken by the Planning Reform Taskforce, of which TFGA has been part of.</p> <p>All members of the community need to understand the important contribution farming makes, and to ensure this is recognised in the planning process.</p> <p>If the community wants scenic or environmental values there should be appropriate compensation where any legislation or regulation does impinge on the rights of a farmer to carry out their</p>	<p>Process</p> <p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Codes</p> <p>Local Character</p> <p>Exemptions</p> <p>Drafting</p>

		<p>legitimate business. Relevant especially to agricultural activities in the Landscape Conservation Zone and the Environmental Management Zone.</p> <p>Why should LPS's prevail over SPPs as stated in Clause 5.4.3 if the intent is to have a consistent State wide planning scheme?</p> <p>SSP's should include a process which allows for an independent arbitrator to handle differences between landowners and the Tasmanian Planning Scheme.</p> <p>State government funding is recommended for regional advisory committees to ensure farmers are appropriately engaged in Local Government decision regarding planning, rates etc that impact on farming enterprises.</p> <p>Clause 3.0 Interpretation</p> <p>Use actual definition rather than 'means as defined in the relevant Act'.</p> <p>Add additional words to the definitions of Agricultural Use and Crop production.</p> <p>Hours of Operation. Reminder that farmers have no set hours of operation and farms are 7 days a week operations.</p> <p>Land Filling. Clarify if there is a minimum amount</p> <p>Secondary Residence. Clarify if it applies to staff accommodation on the farm.</p> <p>Shipping Container Storage. Does it apply to a shipping container being used for on farm storage?</p> <p>Skyline. Clarify if skyline is from top of hill or mountain from land or what sits upon hill or mountain i.e. trees.</p> <p>Clause 4.0 Exemptions (Table 4.1)</p> <p>Road Works. Clarify if it applies to farm roads.</p> <p>Minor telecommunications. With changing</p>	
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		<p>farming practices (increased pivot irrigators) there needs to be some control over telecommunications coming on farm to undertake works, so as not to impede farming activities.</p> <p>(a) Outbuildings in Rural Zones. Add 'use' to (a). What is the basis for height limit in</p> <p>(b) It will be a problem for silos.</p> <p>Agricultural buildings and works. Add 'substrate or other mediums' to (c). Why limit buildings to only 200m<sup>2</sup> in size?</p> <p>Vegetation removal for safety or in accordance with other statutes. 3m inadequate in Agriculture Zone regarding large trees. Should allow for clearing on the basis of height to erect and maintain a boundary fence. More discretion required regarding vegetation removal as each situation is different.</p> <p>Rain water tanks and fuel tanks. Height in (c) is too low at 1.2m above existing ground level. Many fuel tanks are higher.</p> <p>Clause 6.1. Application Requirements</p> <p>Clause 6.1.3 allows for additional information to be requested by the planning authority. The application form should have all the necessary information that the applicant is needed to provide, instead of having an open ended process.</p> <p>Clause 6.2 Categorising Use or Development. Table 6.2 Use Classes</p> <p>Extractive Industry. Add to definition 'mulch production'</p> <p>Passive Recreation. Definition required of riparian reserves?</p> <p>Resource Development. Add 'irrigating'; and 'viticulture'</p> <p>Utilities. Add to examples, solar and wind generation</p> <p>Visitor Accommodation. Add to examples,</p>	
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		<p>farm accommodation</p> <p>Clause 6.10 Determining Applications</p> <p>Why does Subclause 6.10.3 exclude consideration of subclauses 2.1.1(b) and 2.1.1(c) i.e. the objectives of the Resource Management and Planning System, Schedules 1 and 2 of the Act and relevant State Policies?</p> <p>Clause 6.11 Conditions and Restrictions on a Permit</p> <p>Subclause 6.11.2 (e) What are the predetermined triggers mentioned?</p> <p>Subclause 6.11.2 (f) Does it apply to public and private land? Need to add a definition for 'construction works'.</p> <p>Clause 7.5 Change of Use</p> <p>Subclause 7.5.1 deals with situations when a change of use permit is not required. Subclause 7.5.1(d)(vii) needs to include an agricultural exemption as agriculture operates outside normal business hours.</p> <p>Rural Living Zone</p> <p>Table 11.2 Use Table needs to consider impact on the Agriculture Zone in relation to any approvals for Visitor Accommodation and also for Education and Occasional Use especially for uses such as kindergartens.</p> <p>Impact on Agriculture zone also relevant to Subclause 11.4.2 (A4(c) regarding building siting. Councils should provide information to householders in the Rural Living Zone that farming activities include noise, odour vehicle movements at all times of the day.</p> <p>Rural Zone</p> <p>Clarification needed around the words 'that is appropriate' in subclause 20.1.3 regarding the zone purpose.</p> <p>Agricultural Zone</p> <p>Subclause 21.1.1 include a definition of</p>	
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		<p>'sustainable development' and in subclause 21.1.2(a) add the term 'fetter'.</p> <p>Clause 21.2 Use Table: Resource Development qualification (a), disagrees that a permit is needed on land other than prime agricultural land. Utilities: need definition for 'minor utilities'.</p> <p>Clause 21.5 Development Standards for Subdivision</p> <p>Subclause 21.5.1(b) Clarify objective (b).</p> <p>Subclause 21.5.1 P1(b)(iii) – should be referring to 21.4.2 P1 and P2 (not A1 and A2).</p> <p>Subclause 21.5.1 P2(c) – add 'house'; it is for the excision of an existing use, house or development that satisfies all of the following'.</p> <p>Roads and Railway Assets Code: Why are government authorities exempt?</p> <p>Electricity Transmission Infrastructure Code: No description regarding effects of new infrastructure to Agricultural Zone eg new telecommunications infrastructure impacts on pivot irrigators.</p> <p>Local Historic Heritage Code: Private property owners bear costs regarding heritage preservation. Needs to be recognition of the public benefit and as such the community contribution ought to be greater because of the benefits it gains from heritage preservation.</p> <p>Natural Assets Code. Definition of Terms: Subclause C7.3.1. Term 'Waterway and Coastal Protection Area', Table 1. Class 4 watercourse definition should be deleted as it is too open-ended.</p> <p>Scenic Protection</p> <p>The Agricultural zone should be exempt from this Code.</p> <p>How does a landscape become listed under a scenic protection area, who</p>	
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		<p>identifies it and what sort of consultation process is undertaken prior to listing landscapes?</p> <p>Subclause C8.4.1 Development exempt from the code. Subclause C8.4.1(a)(i) term 'exotic trees' needs to be defined.</p> <p>Attenuation Code</p> <p>Appears that under the Attenuation Code farmers who are looking to diversify or consider alternative energy sources will now have to be cautious because of the attenuation distances stated in table C.9.1.</p> <p>If they are within the Agriculture Zone, farmers should be able change enterprises that may increase noise, odours and dust without planning approval, as long as it is classed as agricultural use.</p> <p>Riverine Inundation Hazard Code</p> <p>How does land become listed and what level of consultation occurs before such a listing is made?</p> <p>Subclause 12.4.1 Development exempt from the code. Subclause 12.4.1(c) add 'weed control'.</p> <p>Bushfire Prone Areas Code: The Agricultural Zone should be exempt from this Code except for Subdivision or Visitor Accommodation; otherwise almost all land in the Agricultural Zone will be classified as bushfire prone, given the definition in Clause 13.3.1.</p>	
43	<p>Riverlee Pty Ltd</p> <p>(Ireneinc Planning, Jen Welch obo)</p>	<p>Riverlee have a valid planning permit for redevelopment of 145-161 Liverpool St and 104-110 Murray St, which includes the historic Odeon Theatre. The current approved development is 45m in height.</p> <p>Central Business Zone</p> <p>Height provisions within the Central Business Zone restrict the development of the commercial centre of Hobart.</p> <p>Subclause 16.4.1A1 maximum permitted</p>	<p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p>

		<p>height is 20m, substantially less than the 42m to the topmost habitable floor level, permitted under Hobart IPS. Current permitted height in the SPPs places unreasonable limitation on development.</p> <p>Subclause 16.4.1P1(e). This Performance Criteria states that building height must be compatible with the streetscape and character of existing development, having regard to ...(e) 'any overshadowing of public places.' This could potentially prohibit development because anything over the permitted height would result in overshadowing of a public space. For example, the current Odeon theatre building is 15m high and completely overshadows the southern footpath of Liverpool St in the equinox.</p> <p>Parking and Sustainable Transport Code</p> <p>Subclause C2.7 Parking precinct Plan: It is critical that a parking precinct plan is applied to the Central Business Zone in Hobart as the parking generated by the likely floor area of the development site would be inappropriately high.</p> <p>It is considered reasonable that new development should have the ability to provide parking to service development and provisions in line with the (b) and (c) of E6.6.5 A1 of the current Hobart IPS 2015 A1 and should be retained within the Acceptable Solution for C2.7.1 A1 of the SPP. ie:</p> <p>No on-site parking is provided; or</p> <p>on-site parking is provided at a maximum rate of 1 space per 200m<sup>2</sup> of gross floor area for commercial uses; or</p> <p>on-site parking is provided at a maximum rate of 1 space per dwelling for residential uses; or</p> <p>on-site parking is required operationally for an essential public service, including, hospital, police or other emergency</p>	
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		<p>service.</p> <p>Potentially Contaminated Land Code: Subclause C14.5.1P1(c) Suitability for Intended Use requires a statement that the land is suitable for the intended use. When existing buildings are on a site, as with the current development, a full Environmental Site Assessment cannot always be done at the application stage, thus this requirement may be restrictive. Should be able to be dealt with via a condition on the permit.</p>	
44	Margaret Jacobs	<p>See grouped representations.</p> <p>Concerned that unsuitable Permitted development could occur in Woodbridge under the SPPs that will change the nature of the village, detract from its character and the enjoyment of living in a quiet and picturesque place.</p> <p>Supports the continued protection of heritage buildings and height restrictions in Woodbridge as these protect amenity.</p>	<p>See grouped representations</p> <p>Residential amenity</p> <p>Public participation</p> <p>Local character</p> <p>Codes</p>
45	Cement, Concrete and Aggregates Australia (State Director, Brian Hauser)	<p>Supports exemptions table regarding vegetation rehabilitation works.</p> <p>Supports many of the zone provisions making Extractive Industry either Permitted or Discretionary and many of the assessment standards.</p> <p>Zones</p> <p>Low Density Residential and Rural Living Zones prohibit Extractive Industry and Manufacturing and Processing. Need to consider the potential sterilization of strategic construction material resources and the need to locate processing of construction materials near to market.</p> <p>General Industrial Zone: Prohibits Extractive Industry. Makes the point that Bridgewater Quarry is a regionally significant resource and currently is assessed using a textual qualification under the Brighton IPS 2015. The</p>	<p>Drafting</p> <p>Zones</p> <p>Codes</p> <p>Exemptions</p>

		<p>boundaries of this zone also need to consider the potential sterilization of strategic construction material resources.</p> <p>Codes (supports many of the provisions).</p> <p>Attenuation C9.1 Attenuation distances for concrete Batching Plants (level 1 activity) is 200m. Points out that in Victoria the required distance is 300m.</p> <p>Bushfire Prone Areas Code (C13.3 Definition of Terms):</p> <p>Bushfire Prone area: Points out that the definition will capture most woodland, plantation, forested areas and farmland. Quarries will have to clear at least 3.5 hectares (100m radius) to avoid onerous bushfire management requirements.</p> <p>Hazardous Use: Definition subclause (a) means a use where hazardous chemicals are stored on site and this is different to the definition in the Coastal Erosion Hazard Code, Coastal Inundation Hazard Code and the Landslip Hazard Code. Notes that diesel is classified as a hazardous chemical, category 4.</p>	
46	<p>Howrah Hills Landcare Group</p> <p>(Julie Alexander obo)</p>	<p>Concerned about loss of local character as a result of the SPPs.</p> <p>Concern about how to deal with dual zoned land and subdivision. Supports inclusion of Clarence IPS clause relating to subdivision along zone boundaries with residential development restriction on subminimum lots.</p> <p>Natural Assets Code: No support for transferring bushfire assessment to building as it excludes assessment under the Natural Assets Code.</p> <p>'private garden' exemption should be removed from C7.4.1(d)(ii) as it means the owners of bush blocks can clear all of the priority vegetation on their property because they can claim it is part of their private garden.</p>	<p>Local character</p> <p>Zones</p> <p>Exemptions</p> <p>Drafting</p> <p>LUPAA objectives</p> <p>Process</p> <p>Codes</p>

		<p>C7.4.1 (c) allows clearance of non-priority vegetation in a priority vegetation area without approval and does not take into consideration that the whole of the priority vegetation area is important in furthering the purposes of the Natural Assets Code.</p> <p>Scenic Protection Code: should apply to the Low Density Residential Zone as many of these areas are already located on a skyline. Clauses allowing vegetation clearance and excluding subdivision from the operation of the Code are contrary to its purpose (C8.4.1 (b) and (e) and 8.6.1).</p> <p>Low Density Residential Zone</p> <p>SPP Low Density Residential Zone is inconsistent with Clarence IPS Low Density Residential Zone.</p> <p>Concerned about increased densities and practical implications for reduced frontage.</p> <p>No support for multiple dwellings in Low Density Residential Zone as bushfire protection required would destroy environmental and landscape values.</p> <p>Concern about blasting for house sites on surrounding properties and the lack of consideration regarding traffic impacts.</p> <p>Concern that impact of increased non-pervious areas resulting from intensified housing density not considered.</p> <p>Landscape and Skyline Conservation Zone generally supported.</p> <p>Concerned that the SPPs do not support the objectives of LUPAA.</p> <p>Call for hearing to elaborate on representation based on further community consultation.</p>	
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47	Nigel Bills	Concern that development standards in residential zones will adversely impact residential amenity and cause loss of views without appeal rights.	Residential amenity Public Participation Drafting
48	Russell Grierson	<p>No support for 450m<sup>2</sup> minimum lot size or 8.5m height in General Residential Zone. (was 5m in Blackman's Bay).</p> <p>Considers the objective of LUPAA will not be met by the SPPs.</p> <p>Concern that the increased Permitted or exempt development reduces community participation (Objective 1(c)).</p> <p>Concern that the lack of practical and easy to understand information about the changes does not encourage public participation.</p> <p>Concerned about the reduced role of Local Government in planning and protecting the character of communities (objectives 1(e) and 2(a)).</p> <p>Concerned about the extent of activities exempt from the Natural Assets Code and as a result calls into question how environmental impacts will be considered (Objective 2(c)).</p> <p>The SPPs have been developed without a full set of State Policies and have not taken into account other government policies (Objective 2(d)).</p> <p>Concerned that the SPPs do not properly take account of land capability regarding higher density development in residential areas or local consideration of capacity of the land or local character (Objective 2(i)).</p> <p>Request for public hearings.</p>	<p>Zones</p> <p>Residential amenity</p> <p>LUPAA objectives</p> <p>Public participation</p> <p>Process</p> <p>Local character</p> <p>Codes</p> <p>State Policies</p>
49	Sophie Underwood	See grouped representations	See grouped representations



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50	Juliet Quarterman	<p>Concerned that SPP will make development easier without adequately considering traffic congestion in Kingborough, other infrastructure such as bike lanes, pedestrian areas and community facilities and green parks so people can stay fit and healthy even with smaller gardens.</p> <p>Concern about density and neighbour conflict created as a result of development standards in residential zones.</p> <p>Concern that community involvement in decisions has been pushed aside in the push for growth at any cost.</p>	<p>Codes</p> <p>LUPAA objectives</p> <p>Residential amenity</p> <p>Zones</p> <p>Public participation</p> <p>Drafting</p>
51	Bicycle Network (Adviser, Gary Bailey obo)	<p>Provides policy background in the Victorian and Tasmanian context. Concentrates on furthering LUPAA objective 2(f) by suggesting changes to the Parking and Sustainable Transport Code and zone subdivision provisions and supporting the Victorian Planning Provisions approach.</p> <p>Recommends change for bicycle parking rates to 10% 'ride to rate'. This translates to 1 bike space per 10 employees (based on 20sq m/ employee) and 1 bike space per 10 visitors and can be implemented by incorporating the Victorian Planning Provisions requirements regarding bicycle parking rates (provided with representation).</p> <p>End of trip facilities should be provided at a rate based on employee numbers for all uses. This includes showers (1/first 5 employees then 1/10), change rooms (1/shower) and storage lockers (1/bike space).</p> <p>All bicycle parking spaces should meet AS 2890.3 1993 Parking facilities Part 3: Bicycle parking facilities and provides guidance regarding dimensions, location, bicycle rails and bicycle compounds or lockers.</p>	<p>Codes</p> <p>Drafting</p> <p>LUPAA objectives</p> <p>Zones</p>

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		Suggests changes to the subdivision provisions for the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone, Village Zone, Urban Mixed Use Zone Local Business Zone, General Business Zone, Central Business Zone to encourage cycling for transport and recreation.	
52	Tasmanian Heritage Council (Chair, Brett Torossi)	<p>Local Historic Heritage Code</p> <p>Supports State wide code.</p> <p>Support for 'switching off' the code in relation to THR listed places. Avoids duplication and inconsistent assessment.</p> <p>Broader commentary - Even with the Code and the THR, there is still a protection gap for places with potential archaeological significance that are not on the THR or listed in the Code</p> <p>Strategic archaeological studies are required for Local Government across the State to bring greater certainty to the management of archaeology in the development process.</p> <p>Set up a method to monitor success of the code.</p> <p>Drafting- the Heritage Council suggests</p> <ul style="list-style-type: none"> <li>• using wording more consistent with heritage practice terminology;</li> <li>• avoidance of overly loose phrases notably 'having regard to'; and</li> <li>• giving order and priority to listed performance measures.</li> </ul> <p>Identification and protection of archaeological values - specific exemptions and Performance Criteria measures are not suitable for areas of potential archaeological value.</p> <p>Demolition: The Code does not differentiate between partial and full demolition which require different</p>	<p>Codes</p> <p>Exemptions</p> <p>Drafting</p>

		<p>responses.</p> <p>Provisions applying to development - some exemptions, Acceptable Solutions, and Performance Criteria could be interpreted in ways likely to result in adverse conservation outcomes.</p> <p>Vegetation and trees at heritage places and precincts- the current phrasing of '6.2 Application' could be understood to authorise removal of all vegetation except for Significant Trees.</p> <p>Information that may be required with the Development Application 6.1.3(b) proponents should be preparing plans impacting local heritage places and Local Government planners assessing development applications encouraged to make greater use of heritage impact statements and archaeological impact assessments.</p> <p>Application of the Code (C6.2)</p> <p>Understanding that SPP cannot apply to building interiors, this issue still needs to be addressed.</p> <p>The current phrasing of C6.2 implies removal of vegetation always permissible other than for Significant Trees, in contravention of C6.6.1 I.</p> <p>Phrasing and terminology concerns. Relates to C6.3 Definition for 'Statement of archaeological potential', the need for a new definition 'Heritage impact Statement', order and priority between criteria, 'having regard to'. Detailed suggestions provided.</p> <p>C6.4, Table 6.4.1 'Development involving a place or precinct of archaeological potential' (e) and (f) contrary to contemporary best practice and should be deleted. Detailed drafting suggestions provided.</p> <p>C6.8 Suggests prioritisation of criteria with the leading measure to be consistency</p>	
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		<p>with an archaeological impact assessment that establishes the likelihood of limited disturbance and which outlines management of all potential impacts.</p> <p>Demolition threshold in the Code is not stringent enough.</p> <p>Various drafting changes designed to prevent inadvertent adverse heritage outcomes. Appendix A to this representation provides examples.</p>	
53	<p>Mobile Carriers Forum (MCF)</p> <p>(Manager, Ray McKenzie)</p>	<p>MCF commends the government on their attempts to simplify and provide consistent procedures for telecommunication facilities but revisions are needed to the C5.0 Telecommunications Code.</p> <p>Exemptions, Table 4.1</p> <p>Telecommunication facilities should be listed as exempt from requiring a permit provided it meets certain qualifications. Suggested qualifications would include various telecommunications facilities as outlined in Attachment A to this representation and based on exemptions utilised in Victoria and NSW planning controls.</p> <p>Due to the need for the mobile carriers to comply with requirements for community consultation in the 'Industry Code C564:2011 Mobile Phone Base Station Deployment' (the 'Deployment Code'), the exemptions proposed will not negate the need for the carriers to notify communities in an area around a proposed telecommunications facility, and then consider and respond to any feedback.</p> <p>Telecommunications Code</p> <p>Subclause 5.1.2: This clause deals with two different issues and should be split in two as follows:</p> <p>'C5.1.2 Encourage carriers to share</p>	<p>Exemptions</p> <p>Drafting</p> <p>Codes</p>

		<p>telecommunications facilities or to co-locate or co-site facilities where appropriate and practicable'.</p> <p>'C5.1.3 Encourage impact mitigation measures to avoid an unreasonable loss of visual amenity'.</p> <p>This suggested change reflects the fact that sharing of infrastructure is not the only means to ensure visual impact mitigation.</p> <p>Subclause 5.6.1 Visual Amenity</p> <p>MCF proposes that the Code within the SPP be altered to bring it into line with the recently adopted Hobart IPS 2015. Attachment B provides a comparison of 'Acceptable Solutions in the SPP, the Launceston IPS and the Hobart IPS.</p> <p>The Code should reflect a balance in allowing increased and varied heights as 'Acceptable Solutions' across the Zones. The 'two-size fits all' Acceptable Solution (being either 30m or 20m) is an oversimplification and MCF consider the heights in the current Hobart IPS as a better solution.</p> <p>C5.6.1, P2 includes matters that require consideration when assessing if a facility has an unreasonable visual impact. However point (e) 'the necessity or critical role of the facility within the telecommunications network' is unrelated to visual impact. The inclusion of this point requires an assessing Officer at Council to make a difficult value judgement about how critical or necessary the facility is and should be deleted.</p>	
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54	Maurice Barry and Nick Alexander	<p>Local Break O'Day zoning issue</p> <p>'Environmental Zone' land currently applied to their Beaumaris land. Believe low density infill and amendment to the Rural Living Zone would be beneficial to the area.</p> <p>No maps or information provided indicating anticipated density for their land.</p> <p>Support for removal of 1km from high water mark restriction currently in the Break O'Day IPS.</p>	<p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Process</p> <p>Drafting</p>
55	Ann Hamilton	<p>Unfortunate SPP drafted prior to review of Part 3 out dated LGBMPA.</p> <p>Unclear how LGBMPA, SPP and Land Acquisition Act 1993 (LAA) acquisition/subdivision requirements for public utilities interact.</p> <p>Section 102 LGBMPA provides for an exemption from the requirement to submit an application for planning assessment where land is transferred to an acquiring authority. Similarly other legislation such as section 56H Water and Sewerage Industry Act 2008 exempts from the assessment process a subdivision of land by a regulated entity that is within the size limits and for the purpose set by the regulations. Given this, it is unclear which subdivisions fall within the Acceptable Solution.</p> <p>The Land Acquisition Act 1993 (LAA) and other State legislation sets out circumstances in which acquisition can occur and the extent of exemption from the need to gain planning approval. Concern that SPP is broader than the criteria for acquisition and planning exemption or under this legislation without a corresponding policy direction.</p> <p>Terms and phrases such as 'public authority' and 'agency' of SPP provisions providing a Permitted pathway for</p>	<p>Outside the scope of SPPs consideration</p> <p>LGBMPA</p> <p>Drafting</p>

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		<p>infrastructure/utilities subdivision internally inconsistent and unnecessarily inconsistent with terms used in other legislation relating to public agency acquisition and subdivision. Does not comply with drafting conventions in explanatory document.</p> <p>SPP refers to subdivision for utilities (or public utilities in some cases), however, 6.2.6 of the SPP does not require subdivision to be allocated a use class.</p> <p>Concern that the approach taken in the SPP regarding part 5 Agreements and access for dwellings is cumbersome and not necessary to appropriately respond to the Bunnings decision.</p> <p>Concern about ability to gain agreement of all affected parties to apply a Part 5 Agreement regarding dwelling access (20.5.1 P1).</p>	
56	Luca Vanzino	See grouped representations.	See grouped representations
57	Peter and Rosanne Johnstone	<p>See grouped representations</p> <p>Concerned that the SPPs will not implement the community's wishes for low density and low height housing, and conservation values at Woodbridge and surrounding land that has been developed as a result of extensive consultation by Kingborough Council.</p> <p>Concerned that the development of high density urban living, smaller blocks and therefore increased population is not desirable in the Channel area as the required infrastructure (eg: roads, water, sewer) has not been planned or in place.</p>	<p>See grouped representations</p> <p>Local character</p> <p>Residential amenity</p> <p>Outside the scope of SPPs consideration</p>

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58	<p>The Environmental Association (TEA) Inc.  (Convenor, Andrew Ricketts)</p>	<p>General</p> <p>The absence of a suite of State Policies reduces the community's ability to understand the qualitative values and intent of the planning system and the underpinning strategic and policy positions, which are necessary to achieve sustainable development, as envisaged by the RMPS objectives.</p> <p>SPP do not further RMPS objectives.</p> <p>Call for public hearing to expand on representation and provide further information.</p> <p>SPP do not draw on RLUS and roles of RLUS now relegated to LPS which was not their original purpose.</p> <p>Time frame for considering SPP too short for all, community, TPC, Councils, individuals.</p> <p>Concern that the SPP make policy changes/positions made without justification or a policy. Documented justification should have occurred and should be included in a proper background report available to the public to facilitate a discussion over the Policy matters before considering the minutia of the SPPs.</p> <p>Concern that the implementation of the SPP will cost Local Governments a substantial financial sum, which will have significant budget and resourcing allocation impacts.</p> <p>Concerns about complication and confusion with starting a new State wide process when the IPS process has not been completed.</p> <p>Questions the need for the planning reforms and legislative changes made to establish the SPP.</p> <p>Urban Growth strategy required via a State policy.</p>	<p>State Policies</p> <p>LUPAA objectives</p> <p>Process</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting</p> <p>Public participation</p> <p>Zones</p> <p>Codes</p> <p>LPS</p> <p>Exemptions</p>
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		<p>Clause specific</p> <p>Concern about inadequate use class definitions and 3.1.3 definitions.</p> <p>Bar for rural dwelling approval too high.</p> <p>Clause 1.0 the area covered by the SPP cannot be transparently determined.</p> <p>3.0 the terms site, site area, site coverage, site area per dwelling confusing and a clearer definition of 'site' is required.</p> <p>'Skyline' inadequate.</p> <p>No support for lack of third party appeals generally and especially regarding forestry operations in and vegetation clearance exemptions in the SPP. Appeal data does not justify this exclusion.</p> <p>Concern for inadequate protection or definition in the SPP regarding priority habitat mapping, scenic protection, acid sulphate soils, Heritage, catchment protection, karst areas, plantation forestry, rural salinity.</p> <p>4.0 Exemptions (pages 25-29 of rep), various suggestions for rewording, opposition to the inclusion of some exemptions.</p> <p>Zones</p> <p>Residential zones – opposition to clauses, considered 'no planning at all'.</p> <p>Low Density Residential and Rural Living Zones– support for five separate standards regarding density to reflect the diversity of conditions in which this zone applies. One of these categories needs to prohibit subdivision.</p> <p>Village zone- lack of standards for dwellings.</p> <p>Agriculture and Rural Zones - opposes No Permit Required status for resource development use class.</p> <p>Rural Zone - Support for zone purpose 20.1.3</p>	
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		<p>Agriculture Zone – Strong opposition to purpose statement does not meet RMPS objectives, fails to acknowledge the role of land in this zone includes the provision of ecological services. Concern about land use conflict between agricultural activities and existing settlements.</p> <p>Landscape Conservation Zone – does not replace Environmental Living Zone, call for return of ELZ. Does not support land with a conservation covenant, Discretionary status for resource development and believes dwelling standards too restrictive.</p> <p>Environmental Management Zone – No support for RAA, a non statutory process, for Permitted pathway and wants broader application of the zone than only public land. Zone purpose statements Clause 23.1.2 is inadequate as the term 'Relevant strategies' is not defined and does not mention Management Plans. Aesthetic Value in Clause 23.1.1 is not defined.</p> <p>Major Tourism – support for application of this zone outside reserved areas.</p> <p>Codes</p> <p>Local Historic Heritage Code – concern that unidentified landscapes cannot be protected by the Code and does not have confidence in the accuracy of local heritage lists. All development affecting heritage places should be discretionary.</p> <p>Natural Assets Code –Should apply to all zones and all areas mapped as 'Biodiversity Priority Habitat'.</p> <p>Amendments to zone purpose C7.1.4 to include 'all listed' after 'identified'. C7.1.5 inadequate and will not achieve sustainable development, call for hearing to present more information. Revision of definitions required and strong opposition to C7.4.1(c) 7 (e) as unsustainable causing habitat fragmentation. No subdivision of land supporting priority vegetation.</p>	
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		<p>Scenic Protection Code (Pages 35-37 of rep) – Strong opposition to the legislative regimes in place exempting PTR activities from planning schemes and believes this undermines the scenic protection code's effectiveness. Call for more resourcing and legislative change to identify, map and protect cultural heritage landscapes. Suggested amendments to broaden 'scenic value' definition. Needs to be a map, not just LPS lists and all development must be discretionary that is subject to the Code.</p> <p>Attenuation Code – suggested setback for forestry operations from sensitive use, increased setback for 10kW wind generators regarding noise and considers 250m setback for woodchip plant inadequate.</p> <p>Bushfire Protection Code – a substitute for State Policy and more appropriately be developed as a State Policy.</p> <p>LP1.0 Maps – concern that State wide mapping of biodiversity and scenic protection continues to be inadequate.</p>	
59	Brian and Linley Falloon	See grouped representations	See grouped representations
60	Robert Thompson	<p>Concern that vested developer interests are making the decisions and make up the taskforce.</p> <p>Concern that SPP will make Tasmania like Queensland.</p> <p>Community consultation too short and token.</p>	<p>Process</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting</p>
61	Kenneth White	SPP so complex that it discourages the public to be involved.	<p>Process</p> <p>Drafting</p>

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62	Neil Shephard and Associates (Neil Shephard obo)	<p>Table 6.2 Use Classes - Hospital Services – As consulting rooms can generate their own demand for car parking spaces, some clarification is required to ensure on the one hand that parking is adequately catered for, and on the other hand that duplication of parking requirements does not occur.</p> <p>There is no ability to restrict the operation times of an activity, or the overall life of a use or development under 6.11.2.</p> <p>Low Density Residential Zone</p> <p>Purpose should be amended to better reflect its use as a transition between the General Residential Zone and adjoining non-urban land.</p> <p>Multiple dwelling provisions subject to the underlying density requirement is supported. However to avoid the potential impacts from large paved areas a minimum permeability standard should be included.</p> <p>Local Business Zone: Concern that Bulky Goods Sales is not adequately constrained by floor area limit per tenancy. Could develop multiple tenancies which would be inconsistent with the Zone purpose, but could not be prevented owing to its Permitted status.</p> <p>Agriculture Zone: Subdivision is supported as it is essential to allow possibilities for small intensive undertakings that do not require large amounts of land, or cannot justify the capital investment. Supports the justification provided in the Explanatory Notes</p> <p>Landscape Conservation Zone</p> <p>Concern about the replacement of the Environmental Living Zone with the far more stringent Landscape Conservation Zone is too great a change, particularly with regard to the minimum allowable lot</p>	<p>Drafting Zones</p> <p>Environmental Living Zone</p> <p>Codes</p>
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		<p>size.</p> <p>Alternative proposals relying on comprehensive assessment of land capability and values, resulting in an integrated management regime, smaller land parcels and suitable controls has proven successful in the Environmental Living Zone on the fringes of Hobart. Its greater level of focus and more stringent controls will through default prevent the ability to consider the alternatives that might otherwise be available as SAPs or site specific qualifications.</p> <p>Landscape Conservation Zone minimum lot size of 50ha compared to, for example, 6ha lot size that is potentially available under the Environmental Living Zone is too great, and will erroneously be treated as an indication of the intent of the Landscape Conservation Zone.</p> <p>Parking and Sustainable Transport Code C2.5.1 A1 – The elements of the formula are incomplete.</p> <p>Table C2.1 – revision of hospital services car parking requirements requires review to provide realistic, fair and easily undertaken requirements. Further comment in rep.</p>	
63	Leanne Banfield	See grouped representations. Same issues as Sophie Underwood representation 49	See grouped representations (rep 49)

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64	Andrew Ricketts	<p>Also submitted rep 58 obo The Environment Association Inc.</p> <p>Fundamental issues with the composition of the Taskforce membership and how it consulted. Environmental interests were not represented and sidelined.</p> <p>Community consultation in preparation of the SPP does not meet LUPAA objectives. Fundamental issue with having to make representations on the SPP which includes the Landscape Conservation Zone when the Meander Valley Interim Planning Scheme process which includes the Environmental Living Zone has not been completed.</p> <p>Time for consideration too short, call for public hearings.</p> <p>RLUS role has been diminished and strategies not appropriately implemented.</p> <p>Lodged a complaint that all the documents referred to cannot be accessed by the public without paying a substantial sum. It is undemocratic and unacceptable.</p> <p>Zones</p> <p>Landscape Conservation Zone: Strongly rejects the inclusion of this zone in its present form and does not agree it replaces the Environmental Living Zone. It changes the purpose of the current residential zone seeking to restrict remaining current economic opportunity, unfairly restricts residential development, does not implement the Northern RLUS, is inconsistent with the RFA covenants created that preclude logging and undermines forest conservation. Forestry now can occur in this zone where it was prohibited in the Environmental Living Zone.</p> <p>Landscape Conservation Zone: To deprive landowners of their few remaining basic rights to development, when they have in good faith and sincerely donated</p>	<p>Outside the scope of SPPs consideration</p> <p>Drafting</p> <p>LUPAA objectives</p> <p>Zones</p> <p>Codes</p> <p>Process</p> <p>Public Participation</p> <p>Exemptions</p>
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		<p>substantially towards the benefit of other species and our biodiversity obligations by reserving their own land is grossly unreasonable and offensive.</p> <p>Opposes the inclusion of the Environmental Management Zone in its current form. Its restricted application to public land wrongly assumes conservation values cannot exist on private land (e.g private conservation covenants under the NCA and provides other Meander Valley examples). Opposes Permitted developments relying on internal Parks assessment.</p> <p>Smaller subdivision lot sizes in the Low Density Residential and Rural Living Zones are not supported.</p> <p>Codes</p> <p>Natural Assets Code –Forestry exemptions opposed. Use of existing map data problematic due to inaccuracy. Need a streamlined process to allow for updates.</p> <p>Support for Scenic Protection Code, however, would prefer wider application.</p> <p>Bushfire - The concurrent changes and consultation process of an obsolete part of the Act is not supported and were unfair procedurally.</p>	
65	Colin and Joan von Bibra	See grouped representations. Same issues as Sophie Underwood representation 49.	See grouped representations (rep 49)
66	Robert Graham	<p>SPP does not implement the objectives of the RMPS.</p> <p>Have been drafted without State Policies that can be integrated into the land use planning framework.</p> <p>The RLUS are not properly researched and have not been developed through a consistent and properly formulated strategic planning process.</p> <p>The SPP does not provide a framework for</p>	<p>LUPAA objectives</p> <p>State Policies</p> <p>Drafting</p> <p>Exemptions</p> <p>Zones</p> <p>Codes</p> <p>Outside the scope of SPPs consideration</p>

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		<p>sustainable development. For example, the SPP encourages residential development on the fringe of towns and cities which is regarded as unsustainable with respect to the myriad consequences of this form of development, including traffic congestion, an excessive rate of consumption of fossil fuels, loss of productive and environmentally significant land, high costs to public authorities to meet demands for even the most basic services, lack of community and social facilities within new growth areas and increased pressure on threatened habitats.</p> <p>It is not a planning scheme but a set of development controls for minor development across some of the State, formulated in a policy vacuum which the Government now indicates it is in the process of preparing (after the SPP have been drafted).</p> <p>Fundamental opposition to the Zoning based scheme approach. Believes this approach simplistically and naively assumes that desired outcomes are directly associated with the definition of land as being un/suitable for specific uses and associated developments. Provides examples on Bruny Island that could not be established under the SPP now. Concern this approach prevents focus on sustainable development or climate change and the overall impact of the proposal.</p> <p>Fundamental disagreement that subdivision by itself is development under LUPAA. Subdivisions should only occur as part of a broader development demonstrating new lot necessity.</p> <p>It is not a single 'State wide' Scheme because it effectively removes a considerable amount of land from the system which will ensure that development on that land will be subject</p>	
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		<p>to a different set of rules. E.g.: Environmental Management Zone applies only to Public land and consent can be given by the Department or the Minister without reference to an independent and transparent process.</p> <p>Not State wide because exemptions are too broad and will be difficult to police (e.g.: vegetation removal and 42 night stay).</p> <p>Not state wide because separate approvals are created by omission e.g.: Tourism signage requires written approval from a Council or the relevant agency, where necessary.</p> <p>It disintegrates rather than consolidates approvals (contrary to one of LUPAA's objectives).</p> <p>Scheme construction is incomprehensible, repetitive and superfluous verbiage. It is simply not possible to get a clear idea of what the Scheme does and how it operates.</p>	
67	Keith Sainsbury and Glenys Jones	<p>Representation has three sections. First section is personal, following two are community based. All have similar issues. (Photos from Blackmans Bay Residents Action Group provided).</p> <p>Does not support implementation of SPP as drafted. Time for considering the SPP is too short, urges Minister to reject current provisions and start a new process with appropriate community involvement.</p> <p>No SPP link to a vision or strategies for Tasmania.</p> <p>Concern about impact of General Residential and Low Density Residential Zone provisions regarding development and lot density on highly valued lifestyle and utility opportunities afforded by large backyards.</p> <p>SPP weaken/remove protections related</p>	<p>Process</p> <p>Residential amenity</p> <p>Local character</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p> <p>LUPAA objectives</p> <p>Outside the scope of SPPs consideration</p> <p>Exemptions</p> <p>Environmental Living Zone</p> <p>State Policies</p> <p>Stormwater</p>

		<p>to environmental quality, natural vegetation and habitat, biodiversity, aesthetic and scenic quality.</p> <p>SPP do not fulfil RMPS objectives.</p> <p>Wording in the proposed SPPs vague and weak. For example, phrases such as 'must have regard to', or be 'appropriate', or 'does not cause unreasonable loss of amenity' will give rise to uncertainty and conflicts. Many terms are not clearly or adequately defined.</p> <p>No provision for monitoring effectiveness of the SPP means adaptive management is not possible and transparency does not exist. Urge adoption of similar regime to the Parks State wide monitoring and reporting system.</p> <p>Inadequate community consultation, no attempt to inform the public. People want to know 'What is the Planning Scheme aiming to achieve?' 'What would success look like?' 'What would failure look like?' 'How will we all know whether the intended results are being achieved?'</p> <p>Concern about transferring decision making power to the Minister.</p> <p>Community concerns in addition to those listed above:</p> <p>Concerns about infill development creating issues such as traffic, on street parking and ability of infrastructure to cater for this.</p> <p>Strong support for Desired Future Character Statements and Local Area Objectives as important for decision making.</p> <p>Concern that the Natural Assets Code waters down biodiversity considerations.</p> <p>Concern that the application of the Scenic Protection Code means new multi dwelling residential developments will not require landscape plans.</p>	
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		<p>Notes that Stormwater and on site waste water management codes have been removed.</p> <p>Does not support Landscape Conservation Zone replacing Environmental Living Zone.</p> <p>SPP standards do not consider and provide for increased open space at a community level in areas where residential living densities will be increased.</p> <p>Concern about the number of exemptions, especially 3000m<sup>2</sup> for vegetation clearance without a permit.</p> <p>Transferring bushfire assessment to building stage is not supported.</p> <p>Support for Kingborough representation (rep 187) on a second low density residential zone with larger blocks and no units. Support for a medium density residential zone with minimum lot size of 750m<sup>2</sup>.</p> <p>The request by Blackmans Bay Residents Action Group and others for 2 Specific Areas Plans (or overlays).</p>	
68	Owen Whitton	<p>See grouped representations. Concerned with denying voting public or right to participate in decision making on the use of national parks and reserves.</p>	<p>See grouped representations</p> <p>Public participation</p> <p>Zones</p> <p>Drafting</p>
69	Christine Needham, Anne Harrison, Ted Pitman, Wayne Burgess.	<p>Also see grouped representations. Ms Needham (rep 78), Ms Harrison (rep 37) and Mr Burgess (rep 123) also submitted personal representations with similar issues:</p> <p>No support for minimum lot size in General Residential zone. Concern that the application of this zone to Blackmans Bay will destroy the desired future character and liveability of the area through intensified residential use and infill development.</p>	<p>See grouped representations</p> <p>Residential amenity</p> <p>Local character</p> <p>Zones</p> <p>Drafting</p>

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		<p>Proposes new Medium Density Zone intermediate between General Residential and Low Density Residential with a minimum lot size of 800m<sup>2</sup>.</p> <p>Support for localised Desired Future Character Statements.</p>	
70	John Sampson	See grouped representations. Same issues as Sophie Underwood representation 49.	See grouped representations (rep 49)
71	The Federal Group (Page Seager, Lawyer, Sarah Wilson obo)	<p>(See also rep 197 from Federal Group).</p> <p>Unfortunate LPS zoning and SPP were not advertised together.</p> <p>Support for Environmental Management Zone, believes it achieves the right balance between complementary use and development and protection, conservation, management and reduced duplication.</p> <p>6.0 Local Historic Heritage Code: The form of the Heritage Code under the SPPs is supported in respect of its interrelationship with the <i>Historic Cultural Heritage Act 1995</i>.</p>	<p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p>
72	Friends of the East Coast Inc. (Secretary, Graeme Wathen obo)	<p>Process has not encouraged public involvement or sharing responsibility and contrary to RMPS objectives. Public hearings requested.</p> <p>Concern that Permitted uses in the Environmental Management Zone remove public involvement. National Parks and State Reserves are to be opened up to a wide range of private developments, authorised by the State Government alone.</p> <p>Support for Landscape Conservation Zone. Particularly as it limits residential use to a single dwelling per lot and limits subdivision to 50ha; (currently 20ha in Environmental Living Zone).</p> <p>Does not support restricting application of Natural Assets Code to priority vegetation</p>	<p>Process</p> <p>LUPAA objectives</p> <p>Zones</p> <p>Codes</p> <p>Public participation</p> <p>Drafting</p> <p>Exemptions</p> <p>Visitor accommodation</p>

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		<p>and exempting application to National Parks, State Reserves, FPP certified clearing or using a 'suitably qualified person' assessment.</p> <p>Does not support clearing up to 3000m<sup>2</sup> of vegetation in the Rural living Zone as an Acceptable Solution. It is priority human habitation rather than protection of priority vegetation.</p> <p>Scenic Protection Code exemptions regarding public gardens, public parks, National Parks and State reserved lands are too broad and should be removed. Road construction, maintenance and communication facility exemptions should be re-examined. Code's application is too narrow.</p> <p>The Break O'Day Planning Scheme has a prohibition of further sub-divisions within 1 km of the coast in specific zones. This concept should be included in the SPPs by incorporation in at least the Rural Living, Rural, Agricultural, Landscape Conservation, Environmental Management, Major Tourism and Open Space Zones. Local examples of pressure for ribbon development provided.</p> <p>Concern that General Residential and Low Density Residential lot and residential development densities together with increased permitted height that will reduce residential living conditions and radically transform existing urban character.</p> <p>Visitor Accommodation 42 day limit, unless this exemption is managed well, it has the potential to adversely impact on residential amenity.</p>	
73	Noel Leary	<p>Minor boundary adjustment as in the Agriculture Zone should be allowed in all zones and a definition is required.</p>	Drafting Zones

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74	Inverawe Native Gardens (Margaret and Bill Chestnut)	Our property does not seem to fit within any of the zones listed in the SPPs. In the Interim Kingborough Planning Scheme the property is zoned 'Environmental Living'. Draft SSP's has no such zone. We are anxious about the zoning of our property under the SPPs.	Outside the scope of SPPs consideration  Environmental Living Zone
75	Roger Davies	Concern about the rezoning of their property from Environmental Living to Landscape Conservation.	Outside the scope of SPPs consideration
76	Roger Scales	See grouped representations.	See grouped representations
77	Chris Hulks	Concern that Kingborough IPS has prevented a number of inappropriate developments in Woodbridge (provides examples), however, the SPPs would allow these proposals and destroy the village of Woodbridge.  Requests public meetings to explain the benefits of the SPP.	Local character  Process
78	Christine Needham	See grouped representations.	See grouped representations
79	Meander Valley Council (General Manager, Greg Preece)	Policy  Settlement Policy: effect is a significant change to on-ground outcomes on land with no expression of strategy for the changes.  No express demonstration that the SPPs demonstrate compliance with the objectives of the Act.  Can't translate zones from interim planning schemes to the LPS as the framework varies greatly, for example, the Rural and Agriculture Zones.  Appears to have an unarticulated settlement strategy and that this is viewed through an urban lens with little understanding of rural communities and the nature of land use and development	State Policies  LUPAA objectives  Outside the scope of SPPs consideration  Local character  Codes  Zones  LGBMPA  Drafting  Exemptions

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		<p>supporting them.</p> <p>It ignores scale of rural residential land use between lot sizes of 2 and 50 hectares.</p> <p>No evidence that RLUS have been had regard to.</p> <p>Needs to be a clear expression of urban and rural settlement policy.</p> <p>Mapping: SPPs rely extensively on mapping that might not be available yet and no indication of resourcing for the mapping. Could be a significant cost for planning authorities.</p> <p>Biodiversity/Natural Assets: relies on mapping that is not accurate. No explanation of entitlement for clearing of 3000 m<sup>2</sup> of threatened native vegetation communities in the Rural Living Zone against target criteria of the Nature Conservation Act 2002.</p> <p>Standardisation: objective of standardisation may not be consistent with the objectives of the Act. Extent of local variation allowed is unclear.</p> <p>Zone application framework: approach at time conflicts with RLUSs which is a statutory requirement.</p> <p>Heritage: will Councils be expected to populate code?</p> <p>Urgent matters requiring fixing</p> <p>Rural Residential Strategy: fundamental conflict between northern RLUS, Council strategy and the SPPs. Approach is directly contrary to government's stated objective of reducing red tape and providing for economic opportunity. Imperative that current distribution of Rural Living zones is maintained and larger lots sizes allowed. Far better than a plethora of SAPs.</p> <p>Low Density Residential : minimum lot size is not appropriate for many areas throughout the State and particularly rural communities. Not possible to simply</p>	
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		<p>rezone to rural living as does not meet strategies.</p> <p>Agriculture Zone: submits that the way that residential development is categorised and the use of Part 5 agreements for prohibiting future dwellings is illegal.</p> <p>Site Specific Qualifications: limits should be lifted as currently can only apply to existing use.</p> <p>LGBMP: need to include provision which provide a Permitted pathway to create pedestrian connectivity and open space and ensure that remove ambiguous exclusions contained in LGBMP.</p> <p>Many detailed suggestions including to amend 'natural ground level' to 'existing ground level' as will result in poor outcomes on sloping sites, exclude Karst from vegetation removal exemption subject to a Forest Practices Plan.</p> <p>Numerous detailed redrafting and improvement suggestions regarding the Administration, Exemptions, zone and code clauses in the SPPs. Including General Residential, Low Density Residential, Rural Living, Village, Urban Mixed Use, Local Business, Light Industrial, Rural and Agricultural zones. Also including the Parking and Sustainable Transport, Road and Railway Assets, Electricity Infrastructure, Telecommunication, Natural Assets, Scenic Protection, Attenuation, Riverine Inundation, Bushfire Prone Areas, Potentially Contaminated Land and Landslip codes.</p>	
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80	George Smith	<p>Concern that the application of the SPP will damage streetscapes, heritage areas and tourist precincts for the benefit of a few already wealthy people.</p> <p>The existing laws have built in safe guards that benefit many from the greed of the few, and evolved over many years. It is upsetting to seen uneducated short sighted politicians destroying such a beautiful place.</p>	<p>Local character</p> <p>Outside the scope of SPPs consideration</p>
81	Chris Bell	<p>See grouped representations</p> <p>The SPPs are intended to remove any impediments that may stand in the way of proposed developments in our protected areas –an undemocratic process!</p> <p>Lack of State Policies means little guide for strategic planning and consistent decision making across Government Departments.</p> <p>Request for public hearings to support democracy and public inclusion.</p>	<p>See grouped representations</p> <p>Process</p> <p>Drafting</p> <p>State Policies</p>
82	Launceston Airport (General Manager, Paul Hodgen)	<p>Requests the SPPs include an Airport Zone/Code, similar to the Port and Marine Zone. Major airports should be given the same status as ports rather than retrofitting them via SAPs.</p>	<p>Codes</p> <p>Zones</p> <p>Drafting</p>
83	Dry Ideas (Gordon and Jane Brown obo)	<p>Tea growing business in Kingborough. Have made previous representation on the Kingborough IPS regarding the Rural Living Zone. Particular concern over the zoning of their property and the application of restrictive hours of operation, commercial vehicle movements and noise levels. Local issues.</p> <p>Concern that whilst the zone purpose statements anticipate both residential and limited agricultural activity in this zone, only residential activity is provides No Permit Required status and no agricultural activities are provided the same status.</p> <p>Concern that agricultural activity would fall into Resource Development use class</p>	<p>Outside the scope of SPPs consideration</p>

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		and result in application of these stricter requirements.	
84	Max and Marion King	See grouped representations. Expressed support for Sophie Underwood's representation and provided a copy.	See grouped representations (rep 49)
85	Xan Nunn	See grouped representations.  No support for significant tourism developments within Tasmanian National Parks and Reserves being approved by an internal government process that does not guarantee opportunities for public comment.  Concerned that local councils will have no opportunity to refuse development in National Parks and Reserves that has been approved by the Parks and Wildlife Service, and public will not be given a chance to comment and/or appeal against many significant tourism developments.	See grouped representations  Zones  Drafting  Public participation
86	Peter Elkin	Concern that time for considering SPP limited and requests public hearing for further consideration.  Concern for city centric focus of SPP with little flexibility to deal with regional, district and local characteristics.  Support for avoiding duplicated assessment, however, believes the other authorities this assessment has been handed to have lower or narrower standards and don't share the Planning Systems objectives. Examples: Fire Service has no real ecological expertise regarding vegetation disturbance (nor do they claim it); Agricultural or Financial Consultants are conflicted in their advice, often with limited breadth of expertise, and have no equivalent requirement for public accountability; the Forest Practices system has failed to protect biodiversity and ecological processes, fairness and sustainability. Does not support allowing native veg clearing certified under a FPP	Process  Local character  Exemptions  Zones  Codes  Drafting  Outside the scope of SPPs consideration  New code (other)

		<p>without further assessment in the Planning System.</p> <p>Does not support Environmental Management Zone development standards removing Council discretion for activities in State Reserves. Sharing responsibility should be to the Planning System's standards and objectives.</p> <p>Would support, with public input, targets and performance auditing regime to monitor the effectiveness of Provisions, Schemes and Codes operations.</p> <p>Zones</p> <p>Supports Local Area Objectives and Future Character Statements and local development and subdivision provisions should be able to consider local character and amenity.</p> <p>Biodiversity should be considered in zone application and prioritised as a consideration in all zones.</p> <p>No support for smaller lot sizes across Residential and Rural zones, support for a 20ha lot size in Rural zone.</p> <p>Proposes changes to the Rural Living zone that introduces additional sub zone with tailored application based on biodiversity, character and amenity. Suggests prohibited status for forestry in this zone with Discretionary status in other rural zones.</p> <p>Codes</p> <p>Natural Assets – insert amended Natural Assets Code (attached to representation) to better deal with biodiversity, rehabilitation and restoration and to promote the objectives of the Planning System.</p> <p>Natural Assets - Mapping data currently available is inadequate and inaccurate. It's also unclear how maps will be modified and this process needs to be merit based,</p>	
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		<p>responsive and with public input.</p> <p>Concern that the code exempts Forest Practices Plan clearance and conversion when this alternative regime is of a lower standard than the Planning System.</p> <p>Natural Assets – Does not support making biodiversity subservient to the 'primary purpose' of residential development in residential zones or agricultural/resource development in rural zones. This approach undermines the effectiveness of the Code.</p> <p>Concern that agricultural activity is exempt from the 'Coastal Codes'.</p> <p>Scenic Protection Code should apply to use intensification. Acceptable Solution C7.6.2 A1 (b) is effectively an exemption. Suggests amendments to the Code to vary where issues are dealt with.</p> <p>An Aboriginal Lands, Sites and Heritage Code should be drafted in conjunction with the Tasmanian Aboriginal Centre.</p> <p>Geological (Heritage and Sensitive Geology and Soils) Code should be drafted to include Karst, Salinity, Acid Sulphate Soils, Aeolian Sands among others, and may include the Landslip Code within it.</p>	
87	Cynthia Greaves	See grouped representations. Shares concerns expressed by Sophie Underwood in her representation, particularly with regard to Freycinet National Park.	See grouped representations (rep 49)
88	Claude Neon Media (Kate Loveday obo)	<p>Signs Code, SPPs will have a significant effect on the business of Claude Neon Media, as well as other advertising companies, by effectively prohibiting Billboards in many locations and by limiting their size and dimensions to 3 metres high by 6 metres wide.</p> <p>The upgrade of existing Billboards to be lit by LED's is made very difficult and uncertain by the SPPs.</p>	Codes Drafting

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		<p>There is a lack of clarity in the wording of the Signs Code which may cause interpretational differences between Councils and planners.</p> <p>There is an unjustified negative attitude throughout the document to third party signs.</p> <p>The Code is unnecessarily complex and repetitive. There is no single clause listing the discretions to be dealt with.</p> <p>Concerned that poster panels are prohibited in the Utilities Zone. This zone often includes major road corridors.</p> <p>Concerned that poster panel signs made with LED Panels with a changing message are virtually prohibited.</p> <p>C1.6.2 (P1 (i)): No quantification of an acceptable 'dwell' time. This is important in order to ensure that an LED panel sign with a changing message is not considered a 'flashing or moving sign.' An LED panel sign must be able to change 10 times per minute to be financial proposition, due to the cost of the LED panels.</p> <p>Table C1.6 re Poster Panels: Sub-clauses (a) to (d) are unworkable and unfairly restrictive.</p>	
89	Roslyn Hogan	See grouped representations. Identical format and content to Sophie Underwood's representation.	See grouped representations (rep 49)
90	Barrett Greaves	See grouped representations. Concerns are the same as those in Sophie Underwood's representation, copy of Ms Underwood's representation provided.	See grouped representations (rep 49)
91	Kate Foster	See grouped representations. Examined Sophie Underwood's representation and expresses similar concerns regarding tourism in national parks and the lack of public and Council involvement in decision making regarding such.	See grouped representations (rep 49)

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92	Nigel Davies (Director, Northern Development Authority (NDA) Tasmania)	<p>Concern about the short time for representations and no requirement for hearings.</p> <p>Concerns about the removal of Council assessment and third party rights for many uses and developments.</p> <p>Request for mechanism for community input into Scenic Protection and Heritage mapping.</p> <p>Scenic Protection Code should apply to residential areas, rural and environmental zones.</p> <p>Support for Local Area Objectives consideration in assessing applications in residential areas, business, commercial and tourism zones.</p> <p>Local councils should have the power to refuse inappropriate developments, even if they meet allowed density, height and setback requirements.</p> <p>In Heritage areas, support for consideration of materials, forms, colour schemes, sightlines, skylines, adjacent heritage features (bridges, graveyards, ancient monuments etc.). This will help prevent the construction of out-of-character developments in heritage towns such as Ross (or the castle / windmill in Perth).</p>	<p>Process</p> <p>Zones</p> <p>Public participation</p> <p>Process</p> <p>Drafting</p> <p>Codes</p> <p>Local character</p>
93	Tin Dragon Cottages (Dr Christine Booth and Graham Cashion obo)	<p>In favour of nature based tourism but believe the SPPs will have a negative and far reaching effect on what makes Tasmania special.</p> <p>The public need to be better informed about the implications of the SPPs. The government should delay any assessment of the SPPs until a comprehensive, State wide consultation and information campaign has been undertaken.</p> <p>The SPPs contravene LUPAA objectives, particularly those relating to providing fair, orderly development and pleasant</p>	<p>Zones</p> <p>Drafting</p> <p>Process</p> <p>LUPAA objectives</p> <p>Public participation</p> <p>Local character</p> <p>Residential amenity</p>

		<p>places to live. They allow a lot more development without a permit and without opportunities for public comment.</p> <p>The SPPs provide very limited protections for the environment, both on private land and in national parks and reserves. The health and wellbeing of communities and the resilience of Tasmania to a changing climate, depends on better protection of these environments.</p> <p>Councils are best placed to protect the built and natural heritage and character in their municipality and thus their powers to develop localised controls, through the LPP's, should not be limited.</p> <p>Residential Zones</p> <p>Introduce a Medium Density zone to allow for traditional ¼ acre blocks – the current draft has no intermediate zone between the relatively high-density 'General Residential' and the 'Low Density Residential' zone designed for urban fringe and small communities.</p> <p>Reduce the permitted building heights and site coverage allowances within residential zones, and increase minimum setbacks to maintain neighbourhood amenity and privacy.</p> <p>Require any multi-unit residential development (other than in the Urban Mixed Use or Inner Residential Zones) to be 'Discretionary'.</p>	
94	Airbnb Hosts Tasmania (Di Elliffe and Jill Saunders obo)	<p>The tourism business in Tasmania is highly seasonal and home hosted accommodation provides essential capacity during peak periods. Home hosts such as those under the Airbnb provide a visitor experience which is significantly different to larger commercial operators, therefore diversifying the sector rather than competing.</p> <p>Propose that Visitor Accommodation</p>	Visitor Accommodation Drafting

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		<p>should be classified as a No Permit Required Use Class in those zones in which it is currently identified in the SPPs as a Permitted Use Class. The Use Standards for Visitor Accommodation should remain as currently specified in these zones.</p> <p>There is minimal advantage in requiring a permit approval process for a Permitted Use that meets all the Use Standards and the codes in an existing building, as opposed to making this an Exempt use. It is an unnecessary burden of red tape and costs on the tourism sector, as well as creating additional and unnecessary work for Councils.</p> <p>How can councils easily monitor whether visitor accommodation sites are complying with the 42 night a year limit. The publicly available booking calendars of online accommodation providers such as Airbnb and Stayz are frequently manually blocked off for short and long periods by hosts who are taking a break themselves. Some hosts use several booking site calendars to record stays. Any compliance process would be inefficient, prone to error and appeal, and of little overall benefit in the end.</p>	
95	<p>Tasmanian Ports Corporation (Property Leasing Manager, Alex Barber)</p>	<p>Tasports supports much of the SPPs including the expanded set of exemptions for navigational aids and fences for security purposes, and clauses 7.6 and 7.8.</p> <p>Tasports advocates the extension of the Port and Marine Zone to include the waterside operational areas that Tasports licences from the Crown and use of the Port and Marine Zone as the basis for any exemption from codes, rather than the use of the term, 'Proclaimed Wharf Areas'. The Tasmanian Ports Corporation Act 2005 does not allow for the declaration or extension of new 'proclaimed wharf' areas.</p>	<p>Zones Codes Drafting Process</p>



		<p>General Industrial Zone</p> <p>Support the Purpose Statements, Use and Development Standards in the relevant zones except clause 19.4.3 which requires outdoor storage to be behind the façade of the building or be screened from public view. This is an unrealistic expectation in a heavy industrial area as there is also uncertainty regarding the term 'public view'. For example in relation to Tasports' operations would this include from the water?</p> <p>Port and Marine Zone</p> <p>Clause 25.2 Use Table only allows Resource Processing as a Discretionary use with the qualification of 'if for aquaculture'. This does not reflect the full range of potential Resource Processing uses that could be dependent on a port location. We advocate that this use remain Discretionary, however the qualification is replaced with, 'if for marine, port, shipping and transport purposes' to ensure consistency with similar Use Class Qualifications.</p> <p>Natural Assets Code</p> <p>Tasports' greatest concern is with this code which is overcomplicated and difficult to comply with. The Port and Marine Zone should be exempt from this code. Our interpretation of this Code is that it would apply to Ports. Clause C7.2.1, states that the code applies to the following areas: (a) a waterway and coastal protection area and (b) a future coastal refugia area.</p> <p>A Waterway and Coastal Protection Area is then defined as, 'shown on a map' or 'within the distances specified in Table 1'. Table 1 is difficult to apply, particularly in the absence of any easy to find mapping of waterway classes. No mapping is currently available, making it difficult to undertake an analysis of any impact and</p>	
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		<p>to the appropriateness of the development standards.</p> <p>It is also noted that Class 4 Waterways picks up all drainage lines and (b) (xi) specifically includes the Port and Marine Zone. This has the effect of causing all applications in the Port and Marine Zone to demonstrate compliance with the Performance Criteria, unnecessarily adding to the regulatory burden.</p>	
96	Yabbo Thompson	See grouped representations. Almost identical format with the same issues raised by Sophie Underwood's representation.	See grouped representations summary (rep 49)
97	Woolcott Surveys and East Coast Surveying (Colin Smith obo)	<p>Include 'lot boundary' definition and provides wording.</p> <p>All zones - Include Residential temporary buildings and works as Permitted use class for all zones (with qualifications) to allow owners to live on the land for up to 12 months whilst they build a house. Temporary buildings will be removed. New use or development standards would be required.</p> <p>Inner Residential, Rural Living, Low Density Residential – Visitor Accommodation is Permitted, however, standards applying to it appear in the respective 'Discretionary use' standards.</p> <p>Clause 7.0 Adjustment of a Boundary – wording change requested for clarity - ensure Acceptable Solution setback in a zone is the minimum requirement, not Performance Criteria.</p> <p>Development and Subdivision Standards</p> <p>General Residential Zone (and equivalent in other zones) insert 'or' after A1(a)(ii) and (b) between standards if intent is for subsequent clauses to be alternatives.</p> <p>Concerns that the 8.6.1 A1 (a) (ii) (and equivalent in other zones) requires existing buildings to comply with zone</p>	<p>Drafting Zones</p> <p>Residential amenity</p> <p>Environmental Living Zone</p>

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		<p>setback requirements relative to existing boundaries. Redraft proposed to ensure setback requirements are applied relative to new boundaries only.</p> <p>Very supportive of Multiple Dwellings in Low Density Residential zone and minimum lot sizes in Rural Living Zone, encourages infill of semi-rural areas and prevents urban sprawl.</p> <p>Support for lot reorganisation to be permitted in the Rural Zone (as it is in the Agriculture Zone).</p> <p>Various renaming and drafting preferences.</p> <p>Landscape Conservation Zone</p> <p>Does not support minimum lot size in Landscape Conservation Zone unless 5ha.</p> <p>Break O'Day specific issue: Due to large areas zoned Environmental Living in this municipality, applying Landscape Conservation Zone to currently Environmental Living zoned land will severely restrict subdivision development. Lots less than 20ha should be allowed in this zone if Performance Criteria met.</p> <p>Support for removing current interim scheme clause restricting subdivision in this zone within 1.0km of the High Water mark.</p> <p>Potentially Contaminated Land: Experience with Launceston IPS is the data base relied upon is inaccurate. Needs to be accurate if used in LPS.</p>	
98	Susan Clennett	See grouped representations. Identical format and content to Sophie Underwood's representation.	See grouped representations (rep 49)

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99	Tassie Taste Buds (Proprietor, Ann Dechaineux,)	<p>Primary focus is the impact of the SPPs on Woodbridge. Concern that the generic nature of the SPPs will mean Woodbridge loses its local character.</p> <p>It's not transparent how the SPPs meet the objectives of LUPAA.</p> <p>Requests public hearings.</p>	<p>Local Character</p> <p>LUPAA objectives</p> <p>Process</p>
100	Rosemary Sandford	<p>SPPs are a recipe for industry and associated bodies to dominate development in Tasmania at the expense of local communities, the less powerful and the disenfranchised.</p> <p>The State government does not have a coherent policy direction, set of State Policies, strategic plan, or suite of agreed regional plans underpinning the approach to planning eg coastal zone management, climate change, population and biodiversity. Therefore there are no clear outcomes against which to measure State wide Planning provisions; nor is there a system/mechanism to ensure consistent decision making across government. Agencies continue to operate as silos.</p> <p>Knowledgeable and experienced planning professionals and community representatives at explanatory seminars found the processes and procedures of the State scheme difficult to understand.</p> <p>Will be 'fairer, faster, simpler, cheaper' for State Government and vested interests at the expense of local communities.</p> <p>Particular concerns for the natural, heritage and community values and development risks within South Hobart examples.</p> <p>Concern that the Minister has the power to override local planning schemes and eliminate third party rights of appeal which is a denial of natural justice and lacks transparency and accountability.</p> <p>Concern for the ongoing role of Local</p>	<p>Drafting</p> <p>State Policies</p> <p>Process</p> <p>Public participation</p> <p>Outside the scope of SPPs consideration</p> <p>Local character</p> <p>Zones</p> <p>Codes</p>

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		<p>Government and amalgamation by stealth. Unknown impact of State planning scheme on Local Government resources.</p> <p>Not clear that SPPs will remove duplication with other assessment and approval processes e.g. building permits, forest practices plans, reserve assessments.</p> <p>A much wider range of use and development will be 'Permitted'. Local councils will have no power to refuse applications for Permitted uses- even when they know there is local concern about inconsistencies with character e.g. unique heritage considerations of an area. Affected parties will not be able to comment on, nor appeal against, a proposal.</p> <p>There is no process in the SPPs to ensure such mapping for codes is accurate and comprehensive eg Local heritage places and precincts, Bushfire Prone Areas. Specific concern for bushfire vulnerability of properties in Waterworks Valley, South Hobart.</p> <p>Requests Commission to guarantee the right of a public hearing to all citizens of Tasmania.</p>	
101	Mikal Greaves	See grouped representations. Expresses support for Sophie Underwood's representation and particularly concerned with Freycinet National Park.	See grouped representations (rep 49)
102	Gary and Dorothy Glover	See grouped representations. Expresses support for Sophie Underwood's representation and particularly concerned with Freycinet National Park.	See grouped representations (rep 49)
103	Tasmanian National Parks Association (President, Catharine	A major development proposal on reserved land deserves assessment at the same standard as an equivalent development on private land; i.e. a statutory, open and transparent assessment which includes public	<p>Zones</p> <p>Public participation</p> <p>Drafting</p>

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	Errey)	<p>comment and appeal rights. This does not happen in the current planning schemes and will not be improved by the SPPs. The growing pressure for tourism development in Tasmania's reserves means that this needs to be addressed as a matter of urgency.</p> <p>Does not support how SPPs Permitted use (i.e. it does not need to be advertised) in the Environmental Management Zone if an authority is granted under the <i>National Parks and Reserved Land Regulations 2009</i>. The process normally used to grant such an authority is the non-statutory Parks and Wildlife Service's (PWS) Reserve Activity Assessment (RAA).</p>	
104	Randl Pty Ltd. (Director and Principal Consultant, Rod Sullivan)	<p>Although airports are listed as major utilities and/or transport infrastructure there is no reference in the SPPs to safeguarding of airport assets in the same way as ports, railways, highways and roads, or other communications facilities.</p> <p>A standalone 'Airport Assets and Infrastructure Code' similar to those applicable to roads and railways, electricity transmissions and telecommunications should be developed. Such code should be modelled on the provisions of the Waratah Wynyard Interim Order which have been developed in extensive consultation with the airport operator.</p>	Codes Drafting
105	Tasmanian Whisky Producers Association (TWPA) (President, Robbie Gilligan)	<p>Attenuation Code. Table C.9.1 In Tasmania most of the States whisky distilleries are level 1 activities (ie use less than 100 kilolitres of water a day). The proposed Attenuation Code will unnecessarily hinder the growth of the whisky industry in the future because:</p> <p>The 200m Attenuation Distance will send a signal to the community that (Level 1) distilleries are inherently noisy and odorous. This is not the case.</p>	Codes Drafting

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		<p>Future development applications for many new (Level 1) distilleries will be discretionary because they will be proposed to be located within 200m of houses with proponents forced to unnecessarily expend significant sums of money on expert consultants to prove that there will be no detrimental impact on neighbours.</p> <p>The 'Explanatory Document' that accompanies SPPs does not explain how the 200m Attenuation Distance for Level 1 Distilleries has been derived.</p>	
106	Ian Howard	<p>Opposes removal of the Environmental Living Zone as this leaves a large gap in the suite of zones available to Local Government to accurately reflect and pursue their land use strategies.</p> <p>The Meander Valley Council has put significant work into developing a strategy for rural development based on and around the Environmental Living Zone. The zone is widely accepted as a good option for our municipality accurately reflects historical, residential land use patterns and has had most of the planning work done on the back end by including residential development as Permitted, removing this expensive and time consuming process from the shoulders developer. The only option councils have to replace it is the Landscape Conservation Zone which offers little or no Permitted uses and so lumps the burden of planning permits on the developer for any use. This increases costs and decreases certainty inherent in the Environmental Living Zone.</p>	<p>Environmental Living Zone</p> <p>Local character</p> <p>Drafting</p>

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107	Adrian Sullivan	<p>Supports unifying all council planning schemes.</p> <p>Pleased that SPPs simplify process for building houses and would like a document written in simple language to accompany the legalistic document.</p> <p>Would like clauses in the SPPs that outline how and when public comment is to be taken into consideration and any mechanism for appealing planning decisions.</p>	<p>Public Participation</p> <p>Outside the scope of SPPs consideration</p>
108	Jan Young	<p>See grouped representations. Refers to Sophie Underwood's representation and provides a copy. Believes the community should have the right to object to or appeal any decisions made by State government that could allow inappropriate development in national parks</p>	<p>See grouped representations (rep 49)</p>
109	Janet Hawkins	<p>See grouped representations. Refers to Sophie Underwood's representation and provides a copy. Concerned that the SPPs remove democratic right to object to or appeal against proposals which will diminish the natural beauty and the protection of natural values within national parks, especially Freycinet.</p>	<p>See grouped representations (rep 49)</p> <p>Public participation</p>
110	Pat Penrose	<p>See grouped representations. Endorsed Sophie Underwood's representation and provides a copy.</p> <p>I must retain my democratic right to object to development proposals and the right to appeal government decisions, especially in national parks and Freycinet in particular, when those places have not been properly considered by the Tasmania government.</p>	<p>See grouped representations (rep 49)</p> <p>Public participation</p>



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111	Viv and Chris Holloway	See grouped representations. Shocked when reading Sophie Underwood's representation regarding implications of planned changes for Tasmania's national parks particularly Freycinet and Coles Bay. A copy of Mr Underwood's representation was attached to this representation.	See grouped representations (rep 49)
112	Craig Hawkins	See grouped representations. Concerned that the removal of the right to object to or appeal against significant development proposals in national parks, goes against everything that the word democratic embodies. Refers to Sophie Underwood's representation and provides a copy.	See grouped representations (rep 49) Public participation
113	Carol Hillier	See grouped representations. Refers to Sophie Underwood's representation and provides a copy. Concerned that the Government is selling our democracy to the highest bidder.	See grouped representations (rep 49)
114	Linden Beswick	See grouped representations. Agrees with Sophie Underwood's representation and provides a copy. Particularly concerned about expansion of Freycinet Lodge when the Freycinet National Park management plan hasn't been approve yet.	See grouped representations (rep 49)
115	The Figg Family (Michael Figg, obo)	Has made many previous representations in relation to planning at Lauderdale, outlines previous dealings with Council about works on their property and changes to zoning and overlays affecting their property and others at Lauderdale.  Concerns with fundamental legislative principles, principles of natural justice when planning provisions and mapping keep changing without notification.  Concern about the impact of applying coastal refugia and coastal inundation overlays on private property.  Unhappy about the current zoning and number of overlays applying to their property at Lauderdale.	Outside the scope of SPPs consideration Drafting

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116	Tom Giblin	<p>The developmental focus of the SPPs is short-sighted in its approach. Our urban needs will be quite different looking ahead 20, 30 or 50 and moving to a shared economy eg Airbnb, Uber. Operation of Airbnb and MONA in Hobart shows how targeted low-density residential housing development can solve a problem (lack of hotel beds) rather than create one.</p> <p>Suggests removing off-street parking restrictions that currently require residences with a tourist accommodation to have a minimum of three off-street parking spaces eg Battery Point.</p> <p>If the shared economy is to be an effective part of the solution to urban sprawl, we will also need to reconsider the basis on which subdivisions can occur eg accommodate subdivision of quarter acre blocks so that family members can have access to affordable small-scale home ownership.</p> <p>Concerned that the SPPs will change the way that development in my area is assessed, and I'll have fewer chances in future to have a say in what happens in my neighbourhood.</p> <p>Request that the Commission hold public and that hearings occur before the Plan is sealed.</p>	<p>Outside the scope of SPPs consideration</p> <p>Codes</p> <p>Residential amenity</p> <p>Public participation</p> <p>Drafting</p> <p>Process</p>
117	Zachary Morris	<p>There is a lot of information in the proposal; most people find it difficult to understand.</p> <p>More time and information needs to be given to land owners so they can come to understand all the limitations they will have placed on their land.</p> <p>Concerned that the planned changes are tying up the land too much and limiting too much land in too many ways.</p>	<p>Process</p> <p>Drafting</p>

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118	Larnie Linton	See grouped representations. Expresses support for Sophie Underwood's representation and provides a copy. Particularly concerned to retain the natural beauty of Freycinet National Park for generations to come.	See grouped representations (rep 49)
119	Richard von Witt	See grouped representations Wishes to express his protest against proposed development within Freycinet National Park.  Concerned that existing traffic issues will be exacerbated by more tourist accommodation in the Park.	See grouped representations
120	Northern Region Infrastructure Group (Dino De Paoli obo)	Road and Railway Assets Code: Detailed comments on provisions of the code including table C3.1, developments exempt from the code, and some modifications suggested to clarify terminology and operation.	Codes Drafting
121	Diana Nunn	See grouped representations. Expresses support for Sophie Underwood's representation and provides a copy. Particularly opposed to any further commercial development in Freycinet National Park.	See grouped representations (rep 49)
122	James Russell	Many of the SPPs proposed are neither compatible with nor further the objectives of LUPAA particularly PART 1, 1.(c) and 1.(e) (encourage public involvement in resource management and planning, promote the sharing and responsibility for resource management and planning between the different spheres of Government, the community and industry in the State).  The SPPs are not a sound strategic policy document for Tasmania's community and the future of the State.  There has been little engagement, education and comprehension at a broader community level of what is at	LUPAA objectives State Policies Process

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		stake for Tasmania's future eg General Residential zone application.	
123	Wayne Burgess	<p>Concern with increasing residential density at Blackmans Bay particularly General Residential zone: minimum lot size, minimum site area for multiple dwellings, and maximum height.</p> <p>Concern with issue of permit requirements and effects on neighbouring properties, public comment on development proposals and appeal rights on Council decisions. Social equity and community participation have been lacking in the planning process.</p> <p>Urges the TPC to conduct formal hearings into representations.</p>	<p>Residential amenity</p> <p>Public participation</p> <p>Process</p> <p>Zones</p> <p>Drafting</p>
124	John Gledhill	<p>See grouped representations.</p> <p>Environmental Management Zone</p> <p>Concerned the intent for developments occurring on Crown Land is to allow all control/approval to be vested in the Managing Authority and/or the Director General of Lands without the need to require public consultation and comment.</p> <p>Understands the intent to streamline the process, but concerned it gives a clear opportunity for Government to approve private development on Crown Land, particularly National Parks, without the need for public consultation or appeal.</p> <p>Requests amendment to the Environmental Management Zone to ensure that all future development proposals in National Parks and reserves are able to be publically scrutinised and challenged where necessary.</p>	<p>See grouped representations</p> <p>Public participation</p> <p>Drafting</p> <p>Zones</p>
125	PJ and ES Turner	See grouped representations	See grouped representations

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126	Annemaree Woodward	<p>Property at Reedy Marsh – has conservation covenant and seeking Private Nature Reserve, surrounded by Private Nature Reserve and Reedy Marsh Conservation Area, currently in Environmental Living Zone. A small area was identified as suitable for development due to its lower natural values; it is set aside for development by exclusion from the covenant.</p> <p>The Landscape Conservation Zone is not a replacement for the Environmental Living Zone and accordingly the Environmental Living Zone should be retained.</p> <p>The Meander Valley Council Environmental Living Zone has more than 'vegetation characteristics' and has not been employed to replace 'previous landscape and conservation type zones'. The MVC Environmental Living Zone recognises the balance held between conservation of the natural environment and a rural residential lifestyle.</p> <p>Not consistent with the Northern Regional Land Use Strategy and not transparent nor in keeping with democratic principles.</p> <p>State Policies should be developed first, before the SPPs.</p> <p>There is a vast difference between the blocks of private land in the Reedy Marsh Environmental Living Zone and either a National Park or another Public Conservation Reserve and allowed uses for National Parks, far exceed those that would be approved for my property under the covenant agreement.</p>	<p>Outside the scope of SPPs consideration</p> <p>Environmental Living Zone</p> <p>State Policies</p> <p>Zones</p> <p>Drafting</p> <p>Local character</p>
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127	Georgetown Council (Development Services Manager, Justine Brooks)	<p>Provides detailed redrafting suggestions.</p> <p>Questions how land owners can determine what impacts the new scheme will have on them when they do not know the zone of their land in order to cross reference with the proposed scheme. Particularly those in the Agricultural zone?</p> <p>What methodologies are being used for choosing zones, i.e. Rural and Agricultural Zone?</p> <p>Public consultation needs to re-occur when all information is available.</p> <p>Questions the need for two Rural Living Zones?</p> <p>Electricity Transmission Infrastructure Protection Code:</p> <p>Clarification needed on where the electricity transmission corridor maps will come from, assume from TasNetworks?</p> <p>Will these will be in place prior to the implementation of the scheme?</p> <p>The same goes for communications station buffer area, inner protection area and substation facility buffer area.</p> <p>If the maps are not in place then it can be assumed the code does not apply?</p> <p>Question if the code is essential. Can't see that including this code will make planning simpler, faster or cheaper.</p> <p>Natural Assets Code</p> <p>Does not support exempt clearing of priority vegetation within the Low Density Residential Zone and includes a number of other questions about the extent of clearing under the code.</p>	<p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Process</p> <p>Zones</p> <p>Codes</p>
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128	Jeffrey Tonge	<p>Two representations made. See grouped representations.</p> <p>Concerned that degradation of planning controls in Freycinet National Park will lead to impacts on wildlife, the environment, infrastructure and tranquillity, destroying the aspects of the area people travel there to experience.</p> <p>Government has an opportunity to protect the park for future generations.</p>	<p>See grouped representations</p> <p>Drafting</p> <p>Zones</p>
129	Angela Marsh	<p>There is much less opportunity for communities to have a say (most decisions will be 'Permitted' not 'Discretionary').</p> <p>Generally provisions do not include detailed criteria for assessment or protection of environmental values.</p> <p>Concerned that Environmental Living Zone has been removed.</p> <p>In the Rural Living Zone, local council will have no power to refuse applications for clearing and conversion of up to 3,000m<sup>2</sup> of priority vegetation.</p> <p>In the Environmental Management Zone, most development within National Parks, reserves and other public land which has been approved under a Reserve Activity Assessment will be 'Permitted'. Local Councils will have no power to seek public comment or to refuse the development.</p> <p>The Reserve Activity Assessment process, is not set down in law, provides no guarantee of public involvement, and no opportunities for appeals against development decisions.</p> <p>It will be important to review the accuracy of State wide maps for Codes before they are adopted, and to allow for amendments in light of new information.</p> <p>Concern about the application and exemptions of the Natural Assets Code</p> <p>Local Councils will be able to adapt the</p>	<p>Public participation</p> <p>Drafting</p> <p>Environmental Living Zones</p> <p>Process</p> <p>Local character</p> <p>Stormwater</p>

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		<p>maps for their local area, however the methodology or criteria for varying the default maps is not set out in the SPPs.</p> <p>Subdivision – argues that subdivision should not be regarded as development and the assessment criteria for subdivision are too loose.</p> <p>The State wide Planning Scheme process is rushed and unfair there has not been enough opportunity for community consultation.</p> <p>A standardised approach that suits developers assumes the character of areas across Tasmania are the same and is not supported.</p> <p>Local Historic Heritage Code will lead to 'Facadism' where heritage buildings can become shells.</p> <p>Does not support allowable 12m building heights in the Rural Zones and Coastal Zones, 9.5m in suburban areas.</p> <p>Does not support the limited application of the Scenic Protection Code to areas deemed 'worthy' of scenic protection.</p> <p>The SPPs do not provide an ability to assess noise impacts.</p> <p>No Stormwater Code (impacts from large developments on surrounding areas won't be able to be assessed).</p>	
130	Victoria von Witt	Objection to proposed commercial development within Freycinet National Park.	<p>Zones</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p>



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131	Geoffrey Lea	The draft plan fails to give local people control over their local community through the mechanism of Local Government. The effect of this plan is to diminish democracy at the local level. The quality life in Tasmania will not be enhanced by this draft plan in its present form.	Local character Public participation
132	Anthony Smith, Christine Smith, Lindsey Little, Ian Little, Matthew Smith, Cathryn Collins, Lauren Smith, Farhat Zarei, Kym Sgarbossa and Kim Sgarbossa	<p>The SPPs are very difficult for laymen to understand and the explanatory document is lengthy.</p> <p>Believes that the Task force and its terms of reference were dominated by commercial interests.</p> <p>Proposes that the Commission establish a working group, including experienced planners from Municipalities around the State, as well as experts in social and environmental impact assessment, to evaluate the longer term social, environmental and economic consequences of the proposed changes, and to propose alternative changes to planning procedures to mitigate undesirable outcomes.</p>	<p>Drafting Process</p> <p>Outside the scope of SPPs consideration</p>
133	Central Coast Council (Director Community Services, Cor Vander Vlist)	<p>Concern for adverse impact on amenity as a result of reduction in setback in the residential zones and setbacks do not reflect lower density expected in General Residential when compared to Inner Residential.</p> <p>The 200m buffer for sensitive uses in the Rural Living, Agricultural and Rural zones should be reduced to 100m. The 200m is not necessary as changed farming practices and technology allow greater control over farming practice impacts.</p> <p>Concerned about the inappropriate application of Rural and Agricultural zones. Support for direct Council involvement in mapping.</p> <p>Codes – concerned about additional Codes</p>	<p>Residential amenity Zones</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting Codes</p>

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		leading to increased cost and time for assessment.	
134	Tasmanian Land Conservancy (TLC) (CEO, Jane Hutchinson)	<p>Support the general proposition of improving efficiencies and providing consistency across the State.</p> <p>Concerned to ensure appropriate zone mapping for the management and protection of natural values.</p> <p>Want to extend application of the Environmental Management Zone to private land (eg TLC's Permanent Reserves) as the Landscape Conservation Zone may not be adequate as a protection mechanism for ecological and scientific values.</p> <p>Concerned that Research and Development is a listed use in the Environmental Management Zone, but it is excluded from the Landscape Conservation Zone Use Table.</p> <p>Concern that Environmental Management Zone Purpose provides for cultural values but Landscape Conservation Zone does not eg private land with significant Aboriginal and/or European heritage values.</p> <p>Most private reserves, including all Private Conservation Covenants and the TLC Permanent Reserves have a reserve management plans prepared by experts and there should be a Discretionary pathway for proposals on privately owned land in the Environmental Management Zone that are consistent with protection and management of the natural assets and values of the land.</p> <p>Wants to ensure that private land owners with Conservation Covenants can still undertake small-scale residential developments within pre-defined building envelopes, on these properties, as a human presence in these natural settings helps to manage natural values. Previously</p>	<p>Local character</p> <p>Zones</p> <p>Drafting</p> <p>Codes</p> <p>State Policies</p> <p>Exemptions</p>

		<p>many properties have been zoned Environmental Living where Residential Use was Permitted so want to retain residential use as a Discretionary pathway.</p> <p>Natural Assets Code</p> <p>Suggests the State Government make mandatory provisions regarding what is included in Priority Vegetation Areas.</p> <p>Advocates expanding the mapping for the code across all landscapes, including farmland, to protect biodiversity and include non- threatened species and important cross tenure landscape linkages and corridors as well as those species and communities protected under legislation. Eg Lowland Native Grasslands in Tasmania's Midlands.</p> <p>Requests application of the Natural Assets Code be mandatory across all councils.</p> <p>While a bushfire-prone code is essential, it could be applied with consideration to the impacts on natural assets and balance of human need with ecological requirements.</p> <p>Suggest additional definitions at 3.1.3, redrafting of 'minimises' impacts to 'avoids or minimises', QA of drafting for and/or.</p> <p>Strengthen the scheme provisions alignment with the principles of sustainability within the framework of zones, zone purposes, uses and use standards.</p> <p>Requests clarification about integration of the draft Scheme with State wide policies.</p> <p>Encourages specific councils to develop Existing Character and Desired Future Character Statements to ensure that Local Planning Schedules are future focused, visionary and sustainable.</p>	
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135	Stuart and Lesley Berry	Concern with neighbour's car detailing business in a residential zone. Suggests use table qualification for Home occupation/Home based business to ensure there is no detailing or restoration, refuelling, servicing or repair of vehicles not owned by a resident.	Outside the scope of SPPs consideration Drafting
136	Mark McRae	See grouped representations. Expresses support for Sophie Underwood's representation, with particular regard to commercial development in Freycinet National Park.	See grouped representations (rep 49)
137	Kip Nunn	See grouped representations. Indicates that concerns are as per Sophie Underwood's representation and provides a copy. Particularly concerned about commercial development in Freycinet National Park.	See grouped representations (rep 49)
138	TasWater (CEO, Michael Brewster)	<p>Clause 3.1 Planning Terms and Definitions: 'Minor Utilities' – Term 'local' in this definition may be narrowly interpreted as referring only to a local reticulated distribution system within a municipality, whereas the water system could be interconnecting between municipalities.</p> <p>Water servicing standards for Residential and Urban Zones – points out Acceptable Solutions regarding water services are inconsistent between residential zonings eg. General Res Zone requires a connection to a reticulated potable water supply where available, while the Inner Res Zone simply requires a connection to a reticulated potable water supply.</p> <p>In urban zones, TasWater accepts that the water service should be a full water service. The Acceptable Solution for water service should be amended to refer to the requirement for the provision of a water service that is potable and that meets the minimum flow rate. Provides definition.</p>	Services Zones Codes Drafting

		<p>Development Standards for subdivision – Sewerage Reticulation</p> <p>Currently Acceptable Solutions for sewerage services are inconsistent throughout the SPPs. TasWater view is that the Acceptable Solutions for connection should be that connection to sewerage services is required where available in all zones. Also, Performance Criteria should be considered for each zone to allow for onsite disposal where such is considered necessary and acceptable.</p> <p>Rural and Agricultural Zones</p> <p>Sewerage connection: No standards are currently referenced for these zones. They should be referenced with the same standards as suggested for subdivision. Treat Utilities the same in these zones.</p> <p>Environmental Management Zone</p> <p>'Minor Utilities' should be exempt as they are generally exempt under the infrastructure exemption. Also the qualification relating to an approval from another body is irrelevant because that approval must be obtained in any case.</p> <p>Car Parking and Sustainable Transport Code</p> <p>Queries why this code applies to Utilities?</p> <p>Why does clause 2.6.1 require a 20% gradient when clause 2.6.2 requires compliance with the relevant Australia standard?</p> <p>Telecommunications Code</p> <p>Make 'minor utilities' exempt' when it applies to a utility directly associated with and subservient to the 'utilities' use eg supervisory control and data acquisition (SCADA) equipment installed at a reservoir for communication of reservoir levels and monitoring.</p>	
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		<p>Natural Assets Code</p> <p>The code does not specifically protect drinking water quality. It should be broadened to include specific protections for drinking water catchments by including specific such wording in the Purpose Statement at C7.1.6, by basing drinking water catchments on the TasWater drinking water catchment maps, by applying the code to many additional uses classes and by ensuring that the standards for these uses comply with the precautionary principle as per the Victorian planning system. This will require further incorporation of policy relating to the protection of drinking water quality throughout the State.</p>	
139	Peter Anderson	<p>See grouped representations. Indicates support for Sophie Underwood's representation. Concerned that the SPPs do not fairly protect National Parks from inappropriate development and believes the SPPs should include the opportunity for concerned citizens to have input before final decisions are made regarding development within National Parks. Particularly concerned regarding commercial development in Freycinet National Park.</p>	<p>See grouped representations (rep 49)</p> <p>Public participation</p>
140	Edwards Property Consultants (Andrew Edwards obo)	<p>Support State wide planning protocols being developed to unify all definitions regulations, zones etc in an effort to provide certainty and consistency to the State's planning directions.</p> <p>Local authorities' planning provisions will override the proposed State provisions and will need close monitoring to avoid 'runaway provisions' at the local level.</p> <p>The State guidelines must exert control over, as well as give weight to, the 'subjective elements', a good scheme will balance these 'subjective', or discretionary, elements with planning</p>	<p>Local character</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting</p> <p>Codes</p> <p>Zones</p>

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		<p>certainty.</p> <p>In all zones there needs to be some definitive parameters that protects the value, amenity, aesthetics etc of adjoining properties.</p> <p>Proposed development of heritage property 51 Sandy Bay Rd, Sandy Bay is a particular concern.</p> <p>Concern with subdivision of heritage properties - That whilst zone standards may permit a subdivision, there must be an overriding requirement that subdivision/further site development, not destroy the heritage values of the balance of buildings and original space/gardens. Such a provision would also enhance the open space balance in the more dense zones eg: Mixed Use and Inner Residential.</p>	
141	<p>Local Government Association of Tasmania (LGAT)</p> <p>(CEO, Katrena Stephenson)</p>	<p>Aware of and fully supports individual Council's representations.</p> <p>Common structure and drafting of general provisions is a positive outcome.</p> <p>The character of all land that is similarly zoned will not be the same across the State and provisions need to accommodate protection of local character.</p> <p>The drafting and terminology is inconsistent across different Zones and Codes and there is liberal use of vague, undefined, unmeasurable and alternating terms.eg particularly concerned with use of 'property' and 'neighbouring'.</p> <p>Concern with the approach to Visitor accommodation/ Airbnb, suggest deleting the exemption and revising the definition for Visitor accommodation to allow short term rental of less than 90 days in a year in a person's primary residence.</p> <p>Very limited provisions for noise generated by a use -there is a process for</p>	<p>Local character</p> <p>Drafting</p> <p>Visitor accommodation</p> <p>LGBMP</p> <p>Zones</p> <p>Residential amenity</p> <p>Environmental Living Zone</p> <p>Codes</p> <p>LUPAA objectives</p> <p>Exemptions</p>

		<p>dealing with noise under EMPCA, but this is retrospective and is a compliance issue that could have been resolved as part of a more considered design of the proposed development. Want more noise standards included similar to IPS.</p> <p>The subdivision standards do not adequately incorporate the requirements in LGBMPA, in particular they do not provide enough standards relating to urban design criteria, such as connectivity and Public Open Space. Not consistent with the recent amendment to Schedule 1 Part 2 of the Act or the 3 Regional Land Use Strategies.</p> <p>Concern that use tables in residential zones undermine the zone purpose and will result in commercial uses displacing residential uses without consideration of the cumulative effects. Gives specific examples. Suggests Use table qualifications to prevent displacement of residential uses in residential zones.</p> <p>The commercial zones are virtually indistinguishable from each other in terms of use and development permissible in the zone. This will erode the established hierarchy of commercial development in many areas of the State. This does not aid in defining and ensuring the role and function of Tasmania's activity centres. eg Bulky Goods Sales, Storage, and Service Industry are likely to reduce the amenity of key business/retail centres and diminish their ability to become more walkable and active areas. Also identifies other specific concerns.</p> <p>Central Business Zone. Requests recognition that each planning authority applying the zone has different characters by allowing for different heights to be specified in the Acceptable Solution rather than relying on the augmentation of the zone via SAPs. Eg Launceston and Hobart councils have indicated standards are not</p>	
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		<p>appropriate.</p> <p>The omission of the current Environmental Living Zone (ELZ) and its replacement with the Landscape Conservation Zone (LCZ) will make it difficult to translate the existing areas in the ELZ into the TPS so that similar provisions apply. The Landscape Conservation Zone discourages residential uses and the RLZ and LDR zones discourage environmental protection. The likely result will be an increase in the use of the Rural Living Zone (RLZ) and Low Density Residential Zone (LDR). Suggest expanding the lot size options in the Rural Living, Landscape Conservation and Low Density Residential zones, and including assessment of natural and landscape values in the Rural Living zone and reduction of clearance via the Natural Assets Code.</p> <p>The Rural Living and Low Density Residential zone lot size options are too small and will not be an appropriate standard for protecting the existing character and values of some of the lower density urban areas and other peri-urban in many parts of the State. This will attract residential development outside of the established settlement patterns and undermine the land use aim of densification.</p> <p>Landscape Conservation Zone - Use Standards and terminology require review.</p> <p>Rural and Agricultural Zones - The Rural Zone as drafted serves no obvious strategic purpose, and is not capable of sensible application or enforcement. It is necessary to review the strategic intentions for both the Agriculture and Rural Zones; and to redraft the provisions. Gives examples including: excision of existing dwellings, need for a minimum lot size for subdivision in the Agriculture</p>	
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		<p>zone.</p> <p>Remove Standards that require Part 5 Agreements. This is not an efficient or effective land use planning process. The intent of limiting the proliferation of housing in the Rural and Agricultural Zones is supported, however the mechanism suggested is not. Include a general provision for considering existing Part 5 agreements.</p> <p>Include application requirements section for codes.</p> <p>Local Heritage Code</p> <p>Code Purpose and definitions should reference the Burra Charter as this is the nationally recognised standard.</p> <p>Unrealistic expectation that significant features of a place must be detailed within the table to the Code. Councils will not have the resources and budget to augment the lists with the additional information when their role has only ever been to define a location.</p> <p>Natural Assets Code</p> <p>Concern does not meet RMPS objectives for biodiversity, native vegetation, flora and fauna. Jurisdictional and technical issues with how the Code is triggered and applied. Replace the Natural Assets Code with the alternate drafting by a multi-stakeholder group including Local Government Planners, NRM Officers and other peak bodies, such as the NRM Groups proposed in Attachment A.</p> <p>Integration with the Forest Practices System - blanket exemption for forest practices or forest operations in accordance with a certified forest practices plan has the potential to enable developers to cherry pick which regulator they go to and potentially play regulators off against each other eg clearing for a subdivision.</p>	
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		<p>The Code does not include the Lowland Grasslands (GTL and GPL) threatened vegetation communities or acknowledge vulnerability of isolated patches of priority vegetation that are surrounded by native vegetation that remains protected No Permit Required.</p> <p>The exclusion of specific zones or development types, particularly Low Density Residential, Rural Living, and Agriculture and Recreation zones. Biodiversity values can occur anywhere and zoning should not make any difference to the application of the Code.</p> <p>Code application based on statutory mapping provided by the State – question what information will be included and how new information will be incorporated, raises difficulties with producing a static map that is to interpret dynamic natural processes and many unknowns.</p> <p>Performance Criteria are limited and do not follow the mitigation hierarchy or use offsets consistent with other regulators.</p> <p>Detailed comments on definitions for waterways and watercourses and operation of clauses.</p> <p>Scenic Protection Code - application limited to certain zones will force some existing areas with scenic protection to be rezoned to allow scenic protection or will require development of a SAP. The Code should, as a minimum, apply to the Low Density Residential Zone. Concern with operation of code exemptions.</p> <p>Coastal Erosion and Inundation Hazard Codes - Revise definitions and include Acceptable Solutions for appropriate small scale developments.</p> <p>Riverine Inundation Hazard Code – Revise definitions. Some guidance is needed about what sized floods or areas should be</p>	
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		<p>captured by the code application mapping.</p> <p>Potentially Contaminated Land Code – excavation Acceptable Solution should take into account the area exposed and contaminant levels and likely mobility.</p>	
142	The Greens (Planning Spokesperson, Rosalie Woodruff)	<p>Outlines Resource Management and Planning System (RMPS) framework legislation and Schedule 1 Objectives of the Act.</p> <p>Two month consultation period was inadequate time for councils and community to prepare comprehensive representation. Recommend:</p> <p>Establish a Working Group of experienced planners from as many municipalities as wish to be involved.</p> <p>Assess the impacts of individual SPPs against the Schedule 1 Objectives.</p> <p>Establish SPPs that satisfy the requirements of all Councils.</p> <p>Release a final SPP document for a further, and longer, round of public consultation (at least four months) and allow councils sufficient time to consult with their communities about changes</p> <p>Task the Commission with holding public hearings so that representors can raise their concerns about the SPPs.</p> <p>Believe enormous work has been done by council planning staff and communities during the past five years on the Interim Planning Schemes and most residents would have assumed the work would be translated across to form the substance of the SPPs and therefore did not need to comment. SPPs need to be revised to substantially reflect the conclusions of the Interim Planning Schemes' work undertaken during the last five years by all councils and communities.</p> <p>Support addressing all issues raised by</p>	<p>Process</p> <p>Public participation</p> <p>LUPAA objectives</p> <p>Zones</p> <p>Drafting</p> <p>Codes</p> <p>Environmental Living Zone</p> <p>Residential amenity</p> <p>Visitor Accommodation</p> <p>Stormwater</p> <p>State Policies</p>

		<p>Councils about SPPs.</p> <p>A wider range of development decisions will be 'Permitted' instead of 'Discretionary' than under the IPS removing council's ability to refuse or amend applications and third parties cannot comment on – or appeal against – these proposals.</p> <p>The community has not been asked to weigh up development vs community amenity and environmental conservation.</p> <p>Comments on threats to environmental conservation and the SPPs fundamentally weaken our ability to look after natural values, recommends that the SPPs need to outline how the objectives of the Resource Management and Planning System will be achieved and requests specific sustainable development objectives be created for the SPPs.</p> <p>In the Environmental Management Zone of the SPPs, most developments in National Parks, reserves and other public land will be 'Permitted', without council or public comment, or the right to refuse them.</p> <p>Under the Reserve Activity Assessment process the criteria used for decision-making and the process itself, are not covered under law, do not proscribe public involvement, and do not allow for appeal.</p> <p>There should be no 'Permitted' use classes within the Environmental Management Zone, instead use and development on reserved land should be Discretionary, should be consistent with the management objectives of any relevant management plan, LUPAA and the municipality, and should be able to be refused or appealed.</p> <p>Compares transition from the Biodiversity Code (in southern IPS) to the proposed</p>	
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		<p>Natural Assets Code. Concern that operation of the Natural Assets Code contradicts our contemporary understanding of ecological processes, increases potential for unregulated land clearing and enshrines development based on a 'block by block' assessment of the existence of narrowly defined priority vegetation (limited to threatened flora and fauna, and threatened ecological communities) which is totally inadequate.</p> <p>Concern that the number and type of exemptions do not satisfy Schedule 1 of the objectives of LUPAA: i.e. the maintenance of ecological processes and genetic diversity, and the overall protection of the environment.</p> <p>Suggest a number of detailed revisions to exemptions, definitions and standards in the Natural Assets Code.</p> <p>The default map for priority vegetation should be based on rigorous assessments, habitat connectivity and ecosystem processes, such as the Wild Island overlay map.</p> <p>All land clearing should be Discretionary under the Scenic Protection Code, and be subject to assessment with respect to conservation impacts -suggest a number of detailed revisions to exemptions, definitions and standards.</p> <p>The ecological values and scenic beauty of the Tasmanian coastline needs to be more strongly protected – reflect intentions of State Coastal Policy; reference 'ribbon development'; prohibit sub-divisions within 1km of the coast in Rural Living, Rural, Agriculture, Landscape Conservation, Environmental Management, Major Tourism, Recreation, Open Space and PPZs.</p> <p>Inclusion of the Major Tourism Zone is unjustified given that councils can already create a special purpose zone for these</p>	
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		<p>types of developments and it does not require assessment of impacts on the surrounding environment. Delete Major Tourism Zone.</p> <p>Heritage values will be eroded by 'one size fits all' approach to development and increased 'Permitted' uses that give councils no prospect of retaining existing streetscape.</p> <p>Removal of the Environmental Living Zone has left an inappropriate gap in zoning options in country areas. Councils have a choice of rezoning these down to 1-2 hectares in the Rural Living Zone, or up to 50 hectares in either the Landscape Conservation Zone (house Discretionary) or the Rural Zone (house Permitted). Concern that this will lead to substantial subdivision of areas with conservation values (Rural Living) or inappropriate development (Rural).</p> <p>Suggest changes to lot sizes and subdivision provisions in Rural Living, Rural, Agriculture and Landscape Conservation zones.</p> <p>Support increasing residential density in cities and towns, for the efficiency of infrastructure and service delivery, and the reduction in travel between activities but want more community input about impacts on character, lifestyle and amenity.</p> <p>Suggest additional option for larger minimum lot sizes in the General Residential Zone and a Low Density Residential Zone where unit developments are prohibited.</p> <p>The exemption for use of a dwelling for Visitor Accommodation to no more than 42 nights in any calendar year is unnecessarily restrictive and stakeholders should be consulted to determine reasonable requirements for licensing.</p>	
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		<p>Want to include a stormwater code in the SPPs to deal with particular risk management issues.</p> <p>Bushfire Code - would facilitate developments that have not been sufficiently assessed for climate change conditions and putting the community safety interests first eg subdivision such as Tolmans Hill and Waterworks Road, South Hobart.</p>	
143	Martin Exel	<p>Concerned that there hasn't been enough consultation, or explanation within the community, about what is proposed, and what the possible impacts may be on properties in the Battery Point area, future living zones, other options.</p> <p>Wants to be provided with summarised information and links, as well as community consultation in a meaningful way (eg hold public meetings to explain items, and answer questions) before substantive changes are made to the scheme.</p> <p>Objects to the concept of automatic approvals for higher dwelling densities in residential zones, units without any substantive outdoor space and any building that is proposed to be 8 metres high. These should have at least consideration by others in the local community before being approved</p>	<p>Process</p> <p>Residential amenity</p> <p>Public participation</p>
144	AK Consultants (Astrid Ketelaar)	<p>Rural Zone</p> <p>This zone appears to be a 'free-for-all'; quarrying, plantation, vineyards, pasture for dairy, resource processing etc, are all activities which are targeted for this zone. With setbacks of 5m for dwellings and minimum lot sizes of 40ha any existing agricultural use is at high risk of being constrained in future and certainly farms will have little scope for expansion or diversification, due to the nature of future developments surrounding them.</p>	<p>Zones</p> <p>Drafting</p>



		<p>Residential use will be allowed within 5m of the farm boundary. Residential amenity will take precedence over agricultural use and the agricultural use will be compromised as a result.</p> <p>The PAL Policy was developed to deal with the protection of agricultural land; introducing a Rural Zone, in which the PAL Policy does not apply, is a step backwards for agriculture in that zone.</p> <p>My advice to farmers in the future Rural Zone in areas that are attractive due to their lifestyle appeal, will be to sell up at the newly inflated prices because the land can be subdivided down to 40ha and the purchaser will be able to build on the land. The risk of future conflict is too great to continue to invest in agriculture in the Rural Zone.</p> <p>I have not been able to identify any policies or land use strategies which articulate the benefits to agriculture of segregating the current Rural Resource Zone in the Interim Planning Scheme into the Agriculture and Rural Zones.</p> <p>Many farming operations are already operating in a constrained environment, further loosening of development controls for those titles in the Rural Zone may be beneficial for some aspects, as it provides for further diversification of their activities, but this is outweighed by the risk of future conflict which may be detrimental to their operating environment.</p> <p>The make –up of agriculture in Tasmania is such that the less productive portions are often integral to the viability of the farm.</p> <p>Two out of the three Tasmanian regions have determined that the type of spatial segregation on which the allocation of land in to the rural or Agricultural Zones is based on, is detrimental to the future of agriculture in their region; the final</p>	
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		<p>product will have major consequences for those farms that have at least a portion of their holdings in the Rural Zone.</p> <p>AK Consultants has undertaken some work recently for the Hillwood area for George Town Council and St Leonards area for Launceston City Council spatially defining land with agricultural characteristics. We applied our previously developed 'Constraints Analysis' and our newly developed 'Enterprise Scale Analysis'. Our experience leads us to the conclusion that this is the only feasible manner in which to conduct the segregation and all land with agricultural characteristics (including vineyards, orchards, plantations, grazing land and land with potential for on-farm dams) must be protected and remain in the Agricultural Zone if the long term viability of those activities is to remain. The defined characteristics of the Rural Zone and land targeted for that zone in the State wide tender are contradictory to our findings and of grave concern for the future of agriculture in the State.</p>	
145	<p>Agribusiness Tasmania</p> <p>(Jan Davis)</p>	<p>Agricultural uses cannot be treated on the same basis as urban activities. It cannot be assumed that they can be continually relocated or abandoned when it becomes more attractive to subdivide for housing. People need food as well as houses.</p> <p>Agricultural uses must be recognised as a legitimate constraint upon further urban expansion. Agricultural uses also need to be secured by appropriate zoning and buffer requirements to reduce potential conflict between urban populations and rural land users.</p> <p>The high-level principles underpinning the draft TPS, as it relates to agriculture and agricultural land uses, are so fundamentally flawed that the resultant outcomes will also be of questionable relevance; and there is little point in</p>	<p>Zones Drafting</p>

		<p>dissecting and analysing down to the level of detail of commenting on specific clauses.</p> <p>Productive agricultural land requires planning protection in its own right. This is recognised in the SPPs but the definitions relating to agriculture do not deliver clarity.</p> <p>Clause 3.1 Planning Terms and Definitions</p> <p>Agricultural related definitions are problematic. Numerous examples given including: There is no definition of agricultural only agricultural land and agricultural use and both are open to different interpretations. Likewise the terms 'intensive animal husbandry', 'crop production' and 'controlled environment agriculture' don't fully accommodate the range of modern farming methods and technologies.</p> <p>Plantation Forestry definition does not allow for the planting or harvesting of trees specifically for biomass or renewable energy use.</p> <p>Prime Agricultural Land definition is based on outdated assessment of land capability. Land Suitability Assessment (largely based on modelling by the Food and Agriculture Organisation) which takes account of a much wider range of relevant factors (eg biophysical, management practices, social and economic factors) than just soil classification.</p> <p>Agriculture Zone</p> <p>Purpose of the zone under Subclause 21.1 and the then related envisaged activities as listed in Table 21.2 are problematic. Many of the listed potential activities are in no way dependent on the land. Defining them by their relationship to the land is incorrect and can result in perverse outcomes.</p> <p>The simplistic measures outlined in the</p>	
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		<p>draft TPS to determine what areas of agricultural land need to be protected by agricultural zones, and what activities would be appropriate within such zones, are deeply flawed.</p> <p>Appendix C of this representation includes a table of suggested ways that the draft TPS might address the issues raised in this representation. These are written as broad statements rather than clause specific modifications.</p>	
146	<p>Airbnb (Richardson Coutts, Director, Mr Richardson obo)</p>	<p>There should be no restrictions on home sharing for the principal places of residence</p> <p>In relation to non-principal places of residence, any restrictions should be minimised, and any caps should be 180 nights per year.</p> <p>There should not be any restriction in relation to the maximum size of a residence which can be used for visitor accommodation.</p>	<p>State Policies</p> <p>Visitor Accommodation</p> <p>Drafting</p>
147	<p>AKS Environmental Solutions (Vic and Tas Manager, Environmental Team, Kurt Jensen)</p>	<p>SPPs Stormwater Guidelines have not included any requirements or specific targets that have been suggested and enforced by local Tasmanian Councils.</p> <p>Concerned with the inclusion of Performance Criteria to provide for financial contributions without an appropriate Strategy to guide Councils in the effective and accountable implementation. The science verifying such offset contributions remains unclear, and the potential environmental harm presently outweighs the potential benefits. Suggest preparing a guideline conforming to the Stormwater Queensland Position Statement to provide Councils with boundaries within which to operate.</p> <p>Refers to Performance Criteria P2(c) as an option for Acceptable Solution A2.</p>	<p>Stormwater</p> <p>State Policies</p> <p>Drafting</p>

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148	Christopher Woods	<p>Concern that SPPs will adversely impact on the character and amenity of Tasmania.</p> <p>The scheme appears to have no legal limits on inappropriate developments, if a development is not illegal then it cannot be objected to. A scheme that denies advice/notification to a neighbour of a development next door or nearby is ethically wrong.</p> <p>Concern that a house can be doubled in height compared to neighbouring properties, and comparative heights can keep rising until a residential suburb looks like the inner city.</p> <p>Raises need for provisions for maintaining sunlight by not overshadowing and to cope with increasing traffic in suburban streets due to higher density housing.</p> <p>Concern that any heritage values of a property or precinct will count for nothing, thus a loss of the general character of a neighbourhood or suburb.</p>	<p>Local character</p> <p>Public participation</p> <p>Residential amenity</p> <p>Codes</p> <p>Drafting</p> <p>Zones</p>
149	Freycinet Eco Retreat (Virginia Cowie)	<p>The SPPs propose significant changes to the way that use and development is assessed in Tasmania. In particular, the proposed use standards within the Environmental Management Zone (which will cover national parks and public reserves), will enable significant new tourism projects to be approved without public input or opportunities for appeals against development decisions.</p> <p>The current moves by the government to develop conservation land are impacting the ability of freehold tourism businesses to attract investment, and in our case are genuinely delaying investment commitments. The government, as Crown landholder, is in effect setting itself up in competition to freehold tourism businesses. This is bad for the economy, is not the government's role, and lays it</p>	<p>Public participation</p> <p>Zones</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting</p>

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		<p>open to pork barrelling.</p> <p>Strongly believe that significant developments on public land should be subject to public scrutiny, and characterised as a 'Discretionary' development under the SPPs.</p>	
150	Margaret and Alan Taylor	See grouped representations.	See grouped representations
151	Jenny Morgan	<p>See grouped representations.</p> <p>Concern that the planning system is inequitable and not transparent, that local councils will be excluded from any decision making, and that individuals will not have an opportunity to have any input into decisions made or have the right of appeal if they do not agree with development proposals. Questions the legality and fairness of this.</p> <p>Particularly concerned about development in National Parks, reserves and on public land and proposed development in Freycinet National Park.</p> <p>Urges the Commission hold public hearings.</p>	<p>See grouped representations</p> <p>Public participation</p> <p>Process</p> <p>Drafting</p>
152	Harvey Norman, Cambridge (APP Corporation, Associate, Henry Wood obo)	<p>General support for the principle of a single State wide planning scheme.</p> <p>Concern about translation of Clarence IPS into SPPs format – do not want the current level of support for major retail and commercial development at Cambridge watered down or potentially lost altogether.</p> <p>The term Direct Factory Outlet (DFO) does not appear within the SPPs. Recommends that DFO should either be a defined term (suggested words included), or listed as an example under General Retail and Hire.</p> <p>Note that General Retail and Hire is a Discretionary use without any qualification. Support for this approach as it increases the scope and flexibility for</p>	<p>Local character</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting</p> <p>Process</p>

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		<p>retail development at Cambridge and is conducive to achieving Council's aspirations for a major retail and commercial precinct serving southern Tasmania.</p> <p>Supports DFO and Bulky Goods remaining Permitted in the Commercial Zone and, in all other zones, General Retail and Hire as Discretionary uses without qualification.</p> <p>Acknowledges that some of the above issues could potentially be resolved through the drafting of Local Planning Provisions (LPPs), however at this stage it is unclear how much scope the Council will have to incorporate local issues.</p>	
153	Beris Hansberry	<p>Environmental Management Zone will allow development in National Parks and conservation areas local councils and the general public will be unable to object or have input regarding local issues.</p> <p>Consultation has been selective and undertaken by those with vested interest in the outcome, and therefore cannot be seen as independent or representative this is undemocratic and unfair to the local community who have more detailed knowledge of the area than a central governing body.</p> <p>Natural Assets Code</p> <p>Forest Practice Plans approval for land clearing and forestry activities cannot be refused by councils, or objected to by community members.</p> <p>In my experience, FPP's have a long history of compliance failures, and have been the cause of extensive damage to our natural environment.</p> <p>Limited consideration of threatened species (flora and fauna) without recognising that all species and landforms are interactive and interconnected, and that a holistic approach is vital for</p>	<p>Zones</p> <p>Public participation</p> <p>Process</p> <p>Codes</p> <p>Drafting</p>

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		<p>biodiversity health and function.</p> <p>Exemptions in the code mean that without full assessments of all species the sustainable planning outcomes will be impossible to achieve.</p>	
154	Phil Degenhardt	<p>Not clear how Rural and Agricultural Zones will be mapped.</p> <p>Economic and political factors are pressuring the conversion of agricultural land for residential use.</p> <p>Concerned about the protection of agricultural land as required by the PAL Policy.</p> <p>The proposed scheme seems to suggest it will only be applied to protect 'commercial' agriculture. The application of any 'commercial' benchmark to the selection of land that should enjoy protection poses a significant risk that the future potential will be disregarded and Tasmania may see substantial tracts of land converted to the other uses.</p> <p>Any 'commercial' benchmark that is to be applied for protection of agricultural land must be very carefully considered and ultimately should ensure that protection is favoured.</p>	<p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Drafting</p> <p>State Policies</p>
155	Helen Mulligan	<p>Concerned about the wide range of 'Permitted' use and development and SPPs allow for higher density of development in many residential areas, undermining the autonomy of local government.</p> <p>Believes the Scenic Protection Code should apply to residential zones or to clearing pasture or crop production land.</p> <p>In the Environmental Management Zone, Councils will have no power to seek comment or refuse development due to Reserve Activity Assessment process.</p> <p>Natural Assets Code which is designed to</p>	<p>Drafting</p> <p>Public participation</p> <p>Residential amenity</p> <p>Local character</p> <p>Zones</p> <p>Codes</p>



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		protect biodiversity has extensive exemptions which undermine its effectiveness.	
156	Claire Richardson	<p>See grouped representations.</p> <p>Believes in having best practice tourism products in National Parks and strongly feels these projects must go through the strictest planning procedures.</p> <p>These projects and the Parks benefit from the public being included in a transparent process with appropriate opportunities for public input and appeals.</p>	<p>See grouped representations (rep 49)</p> <p>Zones</p> <p>Drafting</p> <p>Public participation</p>
157	Bridget Wicken	<p>See grouped representations.</p> <p>Submitted in support of Elinor Wilcken's representation (rep 169). Concerned that the Government's plans seem to encourage entities to try and develop tourist destinations inside Freycinet National Park, or close by, adversely affecting it.</p>	See grouped representations
158	Kaylene Allen	<p>Inadequate opportunity for community involvement in future planning decisions. For example, development in national parks and other reserves can be 'Permitted' without council or public comment; most decisions will be 'Permitted' not 'Discretionary'; and Councils will only be able to require limited information from developers. (Environmental Management Zone).</p> <p>Threats to biodiversity protection/management. Focus on the Natural Assets Code: limited application (both regarding zones and not including fauna), extent of exemptions and dilution of landscape scale conservation planning to enable connectivity.</p> <p>Concerned that the loss of the Environmental Living Zone removes opportunity to protect biodiversity values on lots in this zone.</p>	<p>Drafting</p> <p>Public participation</p> <p>Zones</p> <p>Codes</p> <p>Environmental Living Zone</p> <p>Residential amenity</p> <p>Local character</p> <p>Stormwater</p> <p>Process</p>

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		<p>Threats to community living due to standardised requirements and limited opportunity to require development to suit local situations.</p> <p>Does not support the limited application of the scenic protection code.</p> <p>SPPs provide no opportunity for noise impact assessment.</p> <p>Concerned no stormwater code means impact of large development on surrounding areas won't be assessed.</p> <p>Consultation process for SPPs is unfair. Concerned the short period for consultation didn't allow Councils enough time to consult with their communities.</p> <p>Concerned the IPS work has not been moved across to the SPPs.</p>	
159	Alvaro Ascui	<p>See grouped representations. Indicates that concerns are as per Sophie Underwood's representation and provides a copy of Ms Underwood's representation. Particularly concerned with commercial development within Freycinet National Park and all other Tasmanian National Parks.</p>	See grouped representations (rep 49)
160	PDA Surveyors (Tom Rielly and John Dent)	<p>Requests Council has the discretion to approve a boundary adjustment involving a greater than 10% change to a sub-minimum lot under certain circumstances (suggests operation similar to 7.1).</p> <p>General Residential Zone: Subdivision lots (drafting clarification).</p> <p>Rural Living Zone: support for reconfiguration of lots less than 8000m<sup>2</sup> to be allowed under certain circumstances.</p> <p>Agriculture Zone: setbacks and reorganisation of existing and proposed boundaries and lots for excision of existing use or development requires clarification.</p> <p>Rural Zone: standards for subdivision, Residential use does not need to be</p>	<p>Drafting</p> <p>Zones</p> <p>Codes</p> <p>Exemptions</p>

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		<p>excluded under Performance Criteria in certain circumstances.</p> <p>Road and Railway Assets Code: access onto all roads under 60kph (if not all Council roads) should be considered within the planning application.</p> <p>Natural Assets Code</p> <p>Application and use of the word 'land' requires clarification.</p> <p>Definition of a waterway and coastal protection area means a watercourse may exist under the table even if it is not shown on the mapping whereas these ought to be mutually exclusive.</p> <p>In urban situations class 3 and 4 waterways ought to be excluded under definitions and Performance Criteria or exempt from the code so that they can be effectively utilised for the management of stormwater.</p> <p>Bushfire Code: support for implementation of mapping within each scheme and adds a revision of 'building area' definition.</p> <p>Landslide Hazard Code</p> <p>Exemptions require clarification due to inconsistency with the Act and lack of clarity.</p> <p>Ought to include development standards for subdivision.</p> <p>Certain situations ought to be accommodated as Acceptable Solutions without need for a landslip hazard report.</p>	
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161	Gwenda Sheridan	<p>Urban Residential Zones (GR, IR, LDR)</p> <p>Provides detailed commentary on standards including: requests clarification of numerous term in Interpretation including 'activity centre hierarchy', 'agricultural use', 'amenity' and definitions and explanation for why a number of terms that were included in PD1/IPS are not used in SPPs; planning scheme operation; assessment of an application for use or development; general provisions; standards objectives are lax and lacking in rigour, measurements in the Acceptable Solutions, do not allow any flexibility; and Performance Criteria are weak if not vague and useless.</p> <p>Concerns about density: 'Suburban densities' must not be a principal focus in Tasmanian's towns and villages. Many existing streets and infrastructure were never meant to be 'densified' to the degree possible in the SPPs. There are no guidelines at all for design either of subdivision, or of infill.</p> <p>Would like a staggered subset of Residential zones and guidelines with different lot sizes, heights, multi unit development standards etc as in other States. Eg:</p> <p>Inner suburbs that have historical value</p> <p>Older peri urban suburbs</p> <p>Older suburbs with defined character of place'</p> <p>Towns and villages'</p> <p>Historic towns and villages.</p> <p>Detailed design guidelines/principles are missing, these are critical for climate change, for greening of suburbs, cities and beyond.</p> <p>State policy on population /settlement /densification and infrastructure should</p>	<p>Drafting</p> <p>Residential amenity</p> <p>LUPAA objectives</p> <p>State Policies</p> <p>Local character</p> <p>Zones</p> <p>Public Participation</p> <p>Codes</p> <p>Outside the scope of SPPs consideration</p> <p>Exemptions</p>
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		<p>have informed the SPPs.</p> <p>Concern that Desired Future Character Statements are not included in SPPs and wants broader consideration of 'character' of a place.</p> <p>Does not want strata title development allowed in Low Density Residential Zone.</p> <p>Affordable housing will not be catered for in the SPPs.</p> <p>Concern that there will be no appeal rights for Permitted uses that pass through the Acceptable Solutions.</p> <p>Agricultural and Rural Zones</p> <p>The SPPs have been developed with a lack of coordination, policy, guidelines or integration regarding agriculture.</p> <p>Zone provisions commented upon in detail including: lack of differentiation between Rural and Agriculture zones, emphasis on urban type planning regulations.</p> <p>The principal objective in a rural zone ought to be protection into the future as rural land and conservation of the land, NOT subdivision for 'use' and development. Agriculture must be the primary focus.</p> <p>Includes Appendix 1 regarding land capability and 2 overview of Tasmanian farming situation.</p> <p>Local Historic Heritage Code</p> <p>Concerned that the SPPs will enable loss of significant heritage in rural lands.</p> <p>Overview of heritage management responsibility between Commonwealth, Tasmanian and Local Governments. The Heritage Act is out-dated. Lack of State heritage policy and State guidelines, places missing from the State inventory of listed places. Data sheets must be upgraded. Present de-listing by the Heritage Council is not supported.</p>	
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		<p>Concerns with code application, drafting of Exemptions, definitions including 'amenity' (drafting suggested) and 'Demolition', standards explained in detail.</p> <p>The statements of significance (Data Sheets) at the State level for listed property may not be rigorous enough to fully protect the property if requisite research hasn't been done.</p> <p>Support for the Burra Charter being inserted into the SPPs.</p> <p>Concern that more heritage places will simply pass through the system and be lost. Property will be developed, have its use changed, have its real integrity diminished for all time.</p> <p>The Local Heritage Code should be completely redrafted to better reflect the State's heritage patina.</p> <p>The precautionary principle (prudent and feasible alternative) should be applied.</p> <p>Single lot identification of change, use and development approach does not fully protect heritage, area and landscape assessment should also be included.</p> <p>Local Government is not equipped to protect the State's heritage and rigorous work on Statements of Significance/Data Sheets has largely not been done, many places will not be listed adequately, assessments must be done by suitably qualified people not council planning staff.</p> <p>Concern that heritage setting/landscape, streetscape, trees, parks and gardens are not considered and will be lost because SPPs will allow inappropriate infill. Wants a replacement policy for mature trees.</p> <p>Sections 7.4.1 and 8.4 should be deleted.</p> <p>Outlines Character of place assessment.</p> <p>Wants change of use and development to be Discretionary for a broader set of</p>	
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		<p>heritage listings, should not rely on ownership of a property.</p> <p>Want a much greater set of circumstances to become a discretionary application including: any heritage building, its surrounds, and what is contained within those surrounds whether listed or not listed; any building formerly listed in the RNE; roof form and materials for country, historic town, village or rural properties; changes to internal or external boundary fence lines for historic owns, villages, estate and rural properties.</p> <p>Support for inclusion of Desired Character Statements.</p> <p>Concerns about significant tree provisions.</p> <p>Major Tourism Zone: Zone purpose drafting, application is too broad, concern about including heritage properties eg Quamby , concern that there is no minimum lot size, there is potential for developments to be too large without proper assessment by council. Request the zone deleted.</p> <p>Landscape Conservation Zone</p> <p>The Landscape Conservation Zone must become a balanced document between conservation/ protection and land use functions. It must include the recognition of the climate change challenge with us, have Performance Criteria, purposes, objectives that fully understand the gravity of climate change, illustrate in Performance Criteria, purposes, objectives the necessity to understand the connectivity, interrelationships, fundamental facts concerning resilience in ecosystems and provide in its intent everywhere that this is the overriding objective and purpose of the zone.</p> <p>Questions the intent of the Landscape Conservation Zone as expressed in zone purpose, objectives and standards, wants</p>	
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		<p>more balance between conservation/protection of natural assets and land use functions and more consideration of climate change challenges and responses included.</p> <p>Concerned with drafting of the standards and their interpretation, particularly with the scale/intensity of development.</p> <p>Suggests definitions for 'amenity' (drafting suggested, adapted from Brisbane city Council definition), 'place', 'character of place' and 'natural and landscape values' are required as well as recognition of their interconnectedness.</p> <p>Compares standards for Visitor Accommodation and dwellings for Landscape Conservation Zone and Environmental Management Zone.</p> <p>Standards for vegetation management are too similar considering Environmental Management Zone lands have a much higher significance than Landscape Conservation Zone lands. Performance Criteria should be revised to better reflect the values of both zones.</p> <p>Concern that subdivision provisions will allow for greater subdivision of large properties and inappropriate intrusion of development such as housing, roads, tourism.</p> <p>Concern about the amount of land clearing required for bushfire hazard reduction for development allowed in some farm titles stretch up into the hills and these have been kept as forested lands by private owners. The option for some forested privately owned farmland to be zoned Environmental Management has been removed. This option should be reinstated ie Environmental Management Zone should be applied to private land.</p> <p>Concerned that alteration to Environmental Management Zone (public</p>	
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		<p>land only) and loss of Environmental Living Zone means some land will be unacceptably rezoned to Rural Living where there is less protection for natural systems and vegetation. Landscape Conservation Zone may not be the appropriate translation for some very large areas formerly zoned Environmental Management Zones on private land eg Hobart and Kingborough IPS.</p> <p>Landscape Conservation Zone Use table is clearly focused on tourism development (Discretionary) whereas in Environmental Management Zone these uses 'simply pass through the system'.</p> <p>Natural Assets Code</p> <p>Provides detailed comments and recommendations on Code purpose, application, definitions, and standards - need to be rewritten in a rigorous way, not a dumbed down development-oriented way.</p> <p>The drafting is not based on scientific research and specialist knowledge of natural/ecological systems and evolved cultural patina.</p> <p>The code should include consideration of the concept of 'resilience' in interconnected systems, climate change and ecosystem balance.</p> <p>The Code should be applied more broadly (outlines vegetation, soils, water, geology, topography, natural ecosystems, their connectivity and interrelationships).</p> <p>The code should apply to use.</p> <p>Policy development is required and an inventory of research and ground truthing to form a data base of Tasmania's capacity to undergo change in a short time.</p> <p>Development must not be the major driver where extremely fragile lands and fragile ecosystems occur.</p>	
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		<p>Threatened species can't be protected if you don't save and protect the whole habitat in which they are found. If the significant habitat isn't indicated, only just the threatened species, then 'impacts' (presumably forestry, agriculture, other types of development clearing) cannot be minimised – definition for 'threatened native vegetation community' is too narrow.</p> <p>Schedule 1, Parts 1 and 2 of the Act must be included in the Code and its Purpose.</p> <p>Exemptions</p> <p>Critical of urban-city use standard type regulations across the scheme is inappropriate, and makes the scheme repetitive and lengthy. The addition of LPS will make the schemes even longer and more difficult to understand, not simpler. Standards should be zone specific.</p> <p>Lack of transparency and community consultation for major changes such as PD1, recalibration of zones.</p> <p>Too focussed on development-use side seeing land simply as an 'asset' or a 'resource' for monetary gain.</p> <p>General/ wide ranging concerns</p> <p>Not consistent with Schedule 1 Parts 1 and 2 of LUPAA.</p> <p>The State has not fulfilled its responsibility to commence the planning reform process by providing the necessary State Policies, the necessary State structures, and guidelines for a vast array of different areas.</p> <p>When the definition of uses is put together with the significant amount of those that have been afforded Permitted status; applications will be allowed to pass through the system. In many cases they will not be seen by local councils, in a number of cases an unknown 'authority' designate will decide, and certainly far too</p>	
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		<p>many will not be made available for input by the public or the community. This is unconscionable.</p> <p>Standards are actually only to be put in the frame if the application for development becomes a Discretionary use. Across the Scheme everywhere, where uses are Permitted, even these poor Performance Criteria won't have to be considered. This is outrageous.</p> <p>Where any Discretionary use is advertised, can be scrutinised, then still there is no balance. This is because most of the 'purpose' statements, most of the performance statements are so weak, so ineffectual, so vague that they defending them potentially will be impossible.</p> <p>Not a reform to planning; it is in my mind a 'takeover' of land; government so politicising planning that any hint of what might be expected in the planning process has long vanished. It doesn't represent a balance between conservation and protection of the land and development and use of it. It sits right over there on the development side. That is disgraceful.</p> <p>In an urban situation multi unit development can happen alongside of anyone, it can be strata title development. If the application fulfils the regulations part of the SPPs then that's how it will proceed. There will be no right of appeal. This is density madness; it can happen in three residential zones irrespective of the fact that Tasmania has no population State Policy, no State residential guidelines to Local Government, no density provisioning that goes beyond a mere table as exemplified in the Southern Regional Land Use Strategy.</p> <p>Concern that the SPPs drafting shows a very limited knowledge of how land systems actually work, and ignores that they are dynamic systems of connectivity</p>	
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		<p>and interrelationships and will begin to operate quite differently given massive climate change.</p> <p>Concern that terminology used is not robust and open to legal challenge eg 'have regard to', 'an unreasonable impact on amenity', the actual definition of 'amenity'.</p> <p>Warns that the community does not yet understand the gravity of what is to happen in the SPP reform process to their land, their place, their love of places visited, their connection to the land, the question of procedural fairness, their loss of equity in respect of their land, and so much more.</p>	
162	<p>Cultural Heritage Practitioners Tasmania (Spokesperson , Anne McConnell)</p>	<p>Considers that in relation to cultural heritage the SPPs do not meet the requirements of the LUPAA objectives and do not meet the standards of, or generally conform to, the Burra Charter; and that it will need substantial review and amending.</p> <p>Generally supports the more comprehensive approach taken within the Hobart Interim Planning Scheme in relation to heritage.</p> <p>Concerned about the general lack of use of standard heritage definitions, practice and approach. For example, the Burra Charter is not an 'applied, adopted or incorporated document'.</p> <p>The scope of heritage protection is restricted to 'local' heritage only.</p> <p>Concerned about the inclusion of new categories of heritage which are not a good fit (ie, the inclusion of 'significant trees').</p> <p>Lack of clarity due to the proposed terminology for places and other types of heritage, which lacks conformity with standard practice; and a lack of pertinent</p>	<p>Codes Drafting</p>

		<p>definitions.</p> <p>Concerned about the extremely broad scope of exemptions, many of which are inappropriate for heritage or particular classes of heritage (eg, exemption of consideration of 'uses' and 'internal building and works').</p> <p>The standards are complex, especially the performance based criteria, yet lack clarity and are inadequate in meeting the objective of the Code.</p> <p>Concern regarding the provision that places listed on the Tasmanian Heritage Register (THR) will only be dealt with by the Tasmanian Heritage Council (THC), because the local heritage values of these places will not be protected.</p> <p>Provides detailed recommendations and suggested modifications to the Local Historic Heritage Code in relation to, its purpose, definitions, exemptions, standards and construction of the code in order to:</p> <p>Improve consideration of, and provision for, the conservation of significant archaeological evidence.</p> <p>Improve consideration of, and provision for, the maintenance of broad landscape values.</p> <p>Include consideration of Aboriginal heritage to clarify for Local Government, owners and developers when Aboriginal heritage protection needs to be considered and how this is to be achieved at the Local Government level in relation to development and planning; and</p> <p>Include provisions that relate to 'recognising' heritage.</p>	
163	Adam Griggs	<p>Notes it is difficult to determine the impact of the proposed State wide scheme until the maps are provided.</p> <p>Considers the application of the Low</p>	<p>Outside the scope of SPPs consideration</p> <p>Zones</p>

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		<p>Density Residential Zone to his property would be inconsistent with the existing density and it should be general residential.</p> <p>Considers that there is gap in residential densities, between General Residential and Low Density Residential Zones and that a medium density residential zone, much like the Village Zone's 600m<sup>2</sup> should be considered and would be appropriate for his property.</p> <p>Further considers that provisions for internal lots in the Low Density Residential Zone should be amendment with setbacks reduced to 4.5m from the frontage and 3m from rear and side boundaries.</p>	<p>Residential amenity</p> <p>Drafting</p>
164	Edwin Morris	<p>Considers that both the interim planning scheme and State draft should be repealed for the following reasons:</p> <p>That the scheme has been hastily and unprofessionally put together without citizen input, with little community knowledge.</p> <p>The overlays violate basic property rights and the scheme dictates to land owners what they can do entirely on their private property.</p> <p>The planning scheme will cost Tasmanian land owners and the government approximately five hundred million dollars a year in lost income and State revenue through devaluation, reduced stamp duty and the killing of incentive in enterprise.</p> <p>Farmers will lose the ability to subdivided small acreage that can still be farmed successfully (Rural and Agriculture zones).</p> <p>All affiliated rural industries will suffer great loss as the rural economy collapses.</p> <p>Suggest an alternative scheme be drawn up that encourages good change rather than one that dictates change and removes property rights.</p>	<p>Process</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Zones</p>

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165	Warwick Risby	See grouped representations.	See grouped representations
166	Ross Stewart	See grouped representations.	See grouped representations
167	Robert Richardson	<p>Considers that the scheme represents building regulation rather than planning, is not concerned with natural justice or based on triple bottom line accounting, rather it is biased towards financial aspects.</p> <p>Concerned that the scheme provides less opportunity for the community to have a say, less information being provided to Councils and a freeway for developers.</p> <p>Development in National Parks and other reserves can be permitted without Council or public comment.</p> <p>The Natural Assets Code provides for increased permitted clearing (from 500m<sup>2</sup> to 3000m<sup>2</sup>), doesn't protect tree skylines or habitat loss and fragmentation.</p> <p>The loss of the Environmental Living Zone, threatens environmental preservation.</p> <p>The standardised approach suits developers and cannot be adjusted and the character for all areas is assumed to be the same.</p> <p>Heritage buildings can become shells.</p> <p>Concerned about the allowable height in Rural and Coastal zones.</p> <p>Does not support limited application of the Scenic Protection Code.</p> <p>Concerned there is no ability to assess noise impacts.</p> <p>Concerned that there is no stormwater code.</p> <p>Additionally considers that the process has been rushed and key matters in the interim planning schemes will not be</p>	<p>Outside the scope of SPPs consideration</p> <p>Public participation</p> <p>Zones</p> <p>Code</p> <p>Environmental Living Zone</p> <p>Local character</p> <p>Drafting</p> <p>Stormwater</p> <p>Process</p>

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		moved across.	
168	CBM Sustainable Design (Design and Projects Manager, Peter Dingemanse)	<p>Considers that the scheme should focus on promoting and facilitating business development rather than only controlling development.</p> <p>Considers that the various Use Class definitions and examples are overly restrictive and not coordinated, for example in the Commercial Zone you can make beer but not honey.</p> <p>Supports the expansion of Permitted and Discretionary uses in most zones, compared to the Interim Planning Schemes.</p> <p>Concerned that some use classes may be inadvertently not provided for in appropriate zones.</p>	<p>Outside the scope of SPPs consideration</p> <p>Drafting</p>
169	Elinor Wilcken	See grouped representations. Concerned that development by private enterprise in the Freycinet National Park will be able to occur without the public being allowed to object and this puts us in danger of losing our beautiful area, and destruction of the parts of the Park's values and flora and fauna.	See grouped representations
170	Geoff and Rosie Murray	<p>Concerned that the effectiveness of the scheme is based on the allocation of zones, and the maps are unavailable.</p> <p>Considers that zoning of existing lots should only be applied to properties that are capable of meeting the requirements of that zone, properties should not be split zoned unless they are very large and properties that are rezoned should retain the rights they previously had.</p> <p>Recommend that at Tranmere point the Low Density Residential Zone should be applied at the 70m contour based on the profile of the skyline.</p> <p>Local Historic Heritage Code</p> <p>Support for the Local Historic heritage</p>	<p>Outside the scope of SPPs consideration</p> <p>Process</p> <p>Codes</p> <p>Local character</p> <p>Drafting</p>



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		<p>Code applying to properties adjacent to heritage places, to consider the broader site.</p> <p>Heritage provisions related to boundary fences should apply to all fences, not just frontage fences.</p> <p>The definition of archaeological evidence is clarified to stipulate how the assessment and status is made.</p> <p>Local Areas: special local area plans should be applied to protect and optimise special features in each region.</p> <p>Legal access across easements should be permitted and frontage sizes should have Performance Criteria to provide for internal lots.</p>	
171	<p>Australia ICOMOS (International Council on Monuments and Sites)  (President, Kerime Danis)</p>	<p>Local Historic Heritage Code</p> <p>Advises that Section 41 of the 1995 Heritage Act which allowed for a 'prudent and feasible alternative' be reinstated. See Appendix 1.</p> <p>Identifies concerns in the operation and protection of heritage assets within Heritage Code and provides a number of recommendations.</p> <p>Recommends the Code and standards, apply to all places listed under the Code; there be no exemptions for THR listed places; and the term 'local' be removed where it is used to imply a restriction of scope to heritage of local level significance.</p> <p>Recommends the terminology, Objective Clauses, Performance Criteria clauses become more rigorous and contain clarity such that the ambiguity currently present is removed.</p> <p>Proposes the definitions for place, and the different heritage type categories used in the Interim Planning Schemes (Southern Region) be used (and that all be included</p>	<p>Codes</p> <p>Drafting</p> <p>Local character</p>

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		<p>in the list of definitions).</p> <p>Recommends a new category of 'Archaeological Heritage Place' be created to respond to conservation needs for significant non-built heritage.</p> <p>Recommends all listed heritage property (either at the State or local level) become a Discretionary use.</p> <p>Requests the Burra Charter be inserted.</p> <p>Recommends that Indigenous heritage be considered fully.</p> <p>Reinstatement of Desired Future Character is supported.</p> <p>Recommends in relation to the various rural zones anomalies in lot sizes be rectified and changed such that character of place is retained.</p> <p>States that for any forthcoming policies to be effective, must be afforded statutory status.</p> <p>Request all the standards are comprehensively reviewed to ensure that the Acceptable Solutions and the Performance Criteria will provide for heritage conservation - as per the stated objective of the Code.</p>	
172	Patrick McGrath	<p>Environmental Living Zone and Landscape Conservation Zone</p> <p>Concerned that the change of the Environmental Living Zone to the Landscape Conservation Zone, diminished population density.</p> <p>Considers that a low density of 1 residence per 50 ha (as per lot size), raises significant bushfire management risks, and natural values will be adversely impacted due to increase bushfire risk and fire intensity.</p> <p>Suggests lot sizes should be smaller to 4ha as in the previous scheme.</p>	<p>Zones</p> <p>Drafting</p> <p>Environmental Living Zone</p>

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173	Ireneinc Planning (Irene Duckett)	<p>Concerned that the prescriptive planning approach (including within Performance Criteria) include often unrealistic and unachievable standards that don't provide for innovative and site responsive solutions. Notes that the prescriptive approach is inconsistent with best practise planning as adopted by the national peak planning body (the Planning institute of Australia).</p> <p>Considers the structural difficulty in commenting on components of the reform process rather than a strategy with instruments of delivery has diluted the opportunity for meaningful engagement. The absence of State Policies, and hence strategic direction, means the debate about tool delivery (the scheme) is premature and short sighted.</p>	<p>Outside the scope of SPPs consideration</p> <p>Process</p> <p>State Policies</p>
174	Soil Science Australia (Deputy Chair, Louise Cartwright)	<p>Commends the development of the SPPs. Advises that certification schemes for suitability qualified people in relation to contaminated land should not be limited to the Site Contamination Practitioners Australia (SCP Australia) scheme and should include the Certified Professional Soil Scientist (CPSS) certification and the CRC Care Scheme.</p>	<p>Codes</p> <p>Drafting</p>
175	Hugh Mackinnon	<p>Would like to address the Commission at the Public hearings.</p> <p>Considers that the user friendliness of the document is reduced by definitions constantly referring to other Acts.</p> <p>Agricultural use in the definitions must include, inter alia, 'cultivating, irrigating or harvesting'...see C8.4.1.c.</p> <p>'Home based business' negates the use of B and B on farms this is an as of right use and needs to be included.</p> <p>'Hours of operation' appears to be an industrial/urban definition and must accept/reflect that Agricultural zones</p>	<p>Zones</p> <p>Drafting</p>

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		<p>hours of work are 24/7.</p> <p>'Secondary residence' need to take into account the requirement for staff accommodation on farm for the horticultural industry/backpackers etc.</p> <p>'shipping containers' are used on farm for a variety of uses on a continuing and intermittent basis, this is a different scene than in the urban area, thus on farm use needs to be excluded from the definition.</p> <p>'Outbuildings' in rural zone should read 'existing dwelling or use.</p> <p>'agricultural buildings and works (c) should include 'substrate and other mediums'.</p> <p>Resource development needs to include 'irrigating' and 'viticulture'.</p> <p>Resource Processing needs to include 'cellar door sales'.</p> <p>7.5.1d.vii...agriculture works 24/7.21.1.2 needs to include 'fettering' because it means confine or restrain.21.5.1 P.1 (b) iii...this should read clause 21.4.2 P1 and P2 not A1, and A2.</p> <p>25.5.1.P1 c. must read 'existing use or house'.</p> <p>Queries the meaning and application of skyline in relation to the agriculture zone and clauses 6.11.2(e), 6.11.2(f).</p>	
176	Simon Roberts	<p>Requests that the Commission hold hearings.</p> <p>Considers that unroofed decks should require a permit if the construction requires vegetation clearance, rather than be exempt.</p> <p>Identifies that clearance and conversion of vegetation to build an outbuilding or agricultural building if greater than 1ha or on 'vulnerable land' will not require an Forest Practices Plan as it is exempt under the scheme.</p> <p>Exemptions for vegetation clearance</p>	<p>Process</p> <p>Drafting</p> <p>Exemptions</p> <p>Codes</p>

		<p>should be retained in a code to avoid confusion with interrelation to other Acts, it should clarify the legislative basis for the exemptions, noting the previous PD1 was clearer that vegetation clearance may fall under other legislation.</p> <p>The exemption for vegetation removal for safety or in accordance with other statutes part (a) should be deleted or be 'unless subject to the 'Natural Assets Code' to account for local importance. Parts (b) (c) (d) and (e) are uncertain, and require modification for clarity in relation to Forest Practices Act requirements.</p> <p>The Natural Assets Code's code purpose should be expanded to include provision for values at a local level.</p> <p>The Natural Assets Code should be used to identify and restrict vegetation clearance to areas that provide the greatest economic or social benefit and should apply to non-priority vegetation to prevent edge effects or clearing of significant habitat.</p> <p>Exemptions of certain zones from the Natural Assets Code allow the ad hoc clearing with no clear environmental or strategic intent.</p> <p>The Natural Assets Code as drafted will fail to meet objective 1(a) of the Resource Management and Planning System.</p> <p>While C7.6.1 A5 applies to waterways, it does not consider potential impacts on other physical processes within lakes or rivers and is limited to coastal considerations.</p> <p>The Natural Assets Code fails to consider impact on aquatic ecological function, such as salinity, turbidity, release of algal spores etc.</p> <p>Exemption C7.4.1 (c) severely limits protection of locally important vegetation and will limit councils bringing across</p>	
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		<p>relevant matters from their IPS's.</p> <p>Exemption C7.4.1 (d) is unclear as pasture and crop production land is not defined anywhere and the ordinary meaning is too broad as it would include marginal or unsuitable or undeveloped land.</p>	
177	<p>Australian Electric Vehicle Association (Tasmanian State Treasurer, Clive Attwater obo TasNetworks, RACT, Think South and the Australian Electric Vehicle Association)</p>	<p>Seeks minor changes to the SPPs to explicitly cover electric vehicle charging, consistent with the State government's desired policy outcomes set out in the draft climate change action plan 2016-2021, embracing the climate challenge.</p> <p>Considers that electric vehicle charging infrastructure is similar to minor infrastructure both in terms of character and function.</p> <p>Suggests the addition exemption (under infrastructure exemptions) to provide for the provision, maintenance and modifications of electric vehicle chargers associated with parking.</p>	Drafting
178	Alex and Rosalie Kain	<p>See grouped representations. Representation is the same as Sophie Underwood (rep 49).</p>	See grouped representations (rep 49)
179	Peter and Jenny Turner	<p>Considers that the scheme is difficult to understand but biased towards the building industry.</p> <p>Concerned that the scheme appears to swing the balance against existing residential property owners and that high density development is not necessary in Tasmania and can lead to poor social outcomes.</p> <p>Do not want to see the development of large numbers of multi-storey flats in residential areas or on the waterfront, creating a barrier between the water and the surrounding suburbs.</p> <p>There does not seem to be any guarantee of light for people with solar panels on their roof.</p>	<p>Outside the scope of SPPs consideration</p> <p>Residential amenity</p> <p>Drafting</p>

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		<p>Considers that a lot of discretion is not a good idea, as a number of discretions are requested on many proposals and each discretion pushed way beyond the limit.</p> <p>It is unclear on recourse available if a developer does not abide by a permit or damage public infrastructure.</p> <p>Wants to ensure suburbs and cities remain liveable and that built heritage and streetscapes are preserved.</p>	
180	<p>South Hobart Progress Association</p> <p>(President, Rosemary Sandford)</p>	<p>Concerned that the SPPs don't meet objective 1 (c),(e) and (g) of Schedule 1 of LUPAA as it provides for too much Permitted or exempt development does not promote meaningful public involvement and significantly reduces the role of Local Government in protecting the character of their communities. Provides General Residential Zone examples.</p> <p>Considers that the whole process is being unduly rushed and requests the TPC hold public hearings</p>	<p>LUPAA objectives</p> <p>Residential amenity</p> <p>Public participation</p> <p>Local character</p> <p>Process</p>
181	<p>Latrobe Council</p> <p>(Manager Planning and Building Services, Sharon Holland)</p>	<p>See grouped representations. (Identical to Kentish Council representation)</p>	<p>See grouped representations</p>
182	<p>Circular Head Council</p> <p>(Acting General Manager, Daniel Summers)</p>	<p>Numerous detailed suggested modifications to SPP clauses (focused on what is broken and needs to be fixed and drafting consistency). Sections of the SPPs examined include Exemptions, General Residential, Rural Living, Village, Local Business, General Business, Commercial, Light Industrial, Rural, Agriculture, Port and Marine, Community Purpose and Recreation zones together with Signs, Parking and Sustainable Transport, Local Historic Heritage, Potentially</p>	<p>Exemptions</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Local character</p> <p>Process</p> <p>Zones</p> <p>Codes</p>

		<p>Contaminated Land and the Landslip Hazard codes.</p> <p>State mapping relating to many of the overlay codes is yet to be provided, and accordingly it has been difficult to assess the impact of codes without such mapping.</p> <p>There are some major flaws within the document itself, primarily the inconsistency of the SPPs which would benefit from consistent editing.</p> <p>The provisions have not taken into account the unique attributes each municipality hold. There may be some leeway to alleviate any issues through the Local Schedules however this will not fix all the problems. What works in larger cities such as Hobart will not necessarily work in small communities and towns.</p> <p>Due to the apparent short timelines for implementation, there will be a lot of issues that will be not resolved by the time the scheme goes live and it may take the scheme going live to fully understand the implications involved.</p> <p>There is an overreliance on specialised reports, specifically reports required by qualified professionals in order to comply with the majority of the codes which creates added cost and assessment timeframes.</p> <p>Concerned regarding the reduction in Permitted pathways and increased Discretionary applications resulting from use tables in residential and business zones.</p> <p>Concerns over the Rural Living zone being broken into A and B including: policy, need, mapping, lot sizes, 2ha too large. The zone should provide for one set of standards. If another set of standards is required, utilise another, or create another zone.</p>	
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		<p>Introduction of highly controlled building design in business zones is noted.</p> <p>Rural zone: operation of use table and 20.3.1 could be problematic as it would allow residential development to occur without proper guidance, potentially hindering rural development.</p> <p>Subdivision standards for Rural Zoned areas have changed in a dramatic way. IPS Permitted an easy, even if Discretionary pathway to allow for subdivision, especially when looking at dividing land for primary industry use. This does not appear to be the case in the SPPs (1ha to 40ha minimum lot).</p> <p>Agriculture zone: 21.3.1 P3(b) almost any site would be capable of supporting an agricultural use, even if the land is not good quality for agriculture. This test is almost impossible to meet.</p> <p>All Heritage maintenance and repair now requires discretionary assessment. This is unnecessary as many Performance Criteria could be Acceptable Solutions.</p> <p>Unsure how Heritage Code will take effect without an amendment to the Stanley Overlay.</p> <p>Unsure about the rationale of splitting contaminated activities and landslip into two codes.</p>	
183	<p>Kentish Council</p> <p>(Town Planner, Sharon Holland)</p>	<p>See grouped representations. (Identical to Latrobe Council representation.)</p>	<p>See grouped representations</p>
184	<p>Enviropacific Services Pty Ltd</p> <p>(Technical Remediation Manager,</p>	<p>Commend the development of the Tasmanian Planning Scheme.</p> <p>Potentially Contaminated Land Code. Notes that suitably qualified person is defined with accreditation of professionals is clear. However, query why the</p>	<p>Codes Drafting</p>

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	Louise Cartwright)	Tasmanian Government has endorsed a single accreditation scheme.	
185	Lucy JongBloed	See grouped representations. Indicates concerns regarding commercial development in Freycinet National Park are as per Sophie Underwood's representation. The format and content of this representation is identical to Ms Underwood's representation.	See grouped representations (rep 49)
186	John Owen	<p>Believes that the development of the SPPs by the Planning Reform Taskforce is perceived to lead by and further interest of a pro-development lobby group.</p> <p>Considers that the public consultation process has been inadequate and the timeframes too short to read, digest and respond to some 700 plus pages.</p> <p>The one-size-fits-all system that takes little account for differences between zones and to further limit Council's discretionary powers will be detrimental to the community and the State.</p> <p>The scheme should be suspended and the consultation process extended to enable real community consultation to take place.</p> <p>Concerned that as restrictions on subdivisions are loosened, and community-driven Desired Future Characteristics Statements are swept aside, there will be even less reason to consider the community, environmental and aesthetic impacts of schemes.</p> <p>That the changes are in real danger of destroying the things that attracted them to Woodbridge and interstate and overseas visitors to the area and will lead to high-density Toytown homogeneity.</p>	<p>Outside the scope of SPPs consideration</p> <p>Process</p> <p>Local character</p> <p>Residential amenity</p>

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187	Kingborough Council (KC)  (Deputy General Manager, Tony Ferrier)	<p>The SPPs are not underpinned by any clearly expressed policy positions. Policy and strategy should have preceded the development of the regulatory implementation framework.</p> <p>It has been extremely difficult commenting on how the SPPs will work for Kingborough given that there have been no indications of the parameters or terms for the preparation of the Local Planning Provisions (particularly the SAPs).</p> <p>Subdivision requirements provide very little flexibility to match settlement pattern and existing minimum lot sizes in zones. Proposes a broader range of lot sizes to reflect existing and desired character otherwise in preparing the Local Provisions Schedule it will be necessary to choose between a zone that enables further subdivision or one that potentially introduces inappropriate land uses into local areas.</p> <p>Discrepancies in how each Council allocates their General Residential and Low Density Residential zones within the urban growth boundary needs to be addressed prior to the preparation of Local Provision Schedules.</p> <p>No capacity to accommodate lower residential densities within urban areas. There is a need for option within the Low Density Residential and General Residential Zones that allow for larger minimum lot sizes and the capacity to prohibit unit developments.</p> <p>Want a suite of Low Density Residential Zone minimum lot size options - preference is 1,000sqm, 2,500sqm and 5,000sqm.</p> <p>Protecting local character - many local communities having strong views in Kingborough, Local Area Objectives and Desired Future Character Statements</p>	<p>State Policies</p> <p>Outside the scope of SPPs consideration</p> <p>Process</p> <p>Local character</p> <p>Residential amenity</p> <p>Zones</p> <p>Environmental Living Zone</p> <p>Drafting</p> <p>Stormwater</p> <p>New code (other)</p> <p>Codes</p>
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		<p>currently a major part of schemes, want Discretionary development in residential zones to be assessed against local area objectives, not clear how Local Area objectives are to operate.</p> <p>Minimum lot sizes for the Rural Living Zone are too closely aligned with the Low Density Residential Zone causing potential confusion – prefer 2.5 ha and 5 ha minimum lot sizes as currently in the Kingborough IPS to retain existing character and ensure consistency with the Southern Tasmanian RLUS.</p> <p>Properties that are currently zoned Environmental Living are not easily accommodated within the proposed zoning framework. Need to allow for larger rural residential lots, supports Environmental Living Zone reinstated or issue of zoning guidelines about how properties will need to be rezoned.</p> <p>The proposed zoning framework will result in the need for extensive rural residential areas in Kingborough that are not being used for a productive purpose a to be included within the Rural Zone and this will cause land use conflict and fettering with the inevitable proximity of rural industries to residential areas. The gap in minimum lot sizes is too wide and can be avoided if there is a Rural Living Zone that has a larger minimum lot size. e.g. Woodbridge, Middleton.</p> <p>Introduction of Landscape Conservation Zone and deletion of Environmental Living Zone will result in significant zoning changes across the Municipality and some community unrest together with significant technical issues with the standards for development in the Landscape Conservation Zone which effectively undermine the zone purpose. Requests an additional minimum lot size to enable better translation of areas with</p>	
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		<p>smaller existing lot sizes.</p> <p>Due to the structure and operation of Use Tables and Standards larger development proposals (residential units, retail, commercial, industrial, parking etc) will not be able to be assessed and permits appropriately conditioned.</p> <p>Supports a stormwater code being included (support drafting prepared by Southern Councils' Technical Reference Group).</p> <p>Requests inclusion of an on-site wastewater code or wastewater provisions in zones, otherwise site limitations in unsewered areas will not be able to be assessed and the development proposal designed to best accommodate future on-site wastewater disposal requirements.</p> <p>There have been several Planning Tribunal appeal outcomes that have confirmed that the statement 'must have regard to' carries little to no actual weight in determining outcomes. It is suggested that 'must have regard to' should be replaced by 'must clearly demonstrate' or similar stronger more definitive wording.</p> <p>Local Historic Heritage Code</p> <p>Concerns and suggested changes regarding drafting, exemptions, significant tree removal, demolition and maintenance, minor works No Permit Required.</p> <p>Concerned that internal works are exempt under the Code. Internal features should be properly considered as 'works' and/or 'demolition' therefore exempting development relating to the removal of internal fabric is in contravention of LUPAA.</p> <p>Natural Assets Code</p> <p>Does not adequately reflect and implement the objectives of LUPAA in</p>	
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		<p>promoting sustainable development. The Code also creates inconsistencies with other legislation regulating impacts on natural values for activities or developments not assessed under the planning scheme, including Level 2 activities and forest operations.</p> <p>Provides a revised Code (developed in collaboration with other Councils and the NRM regions). Differences include: broader application (all zones), fewer exemptions, greater emphasis on biodiversity, need for works to be in accordance with DPIPWE manuals, biodiversity offsets in accordance with an adopted Council policy, removing the need to demonstrate overriding benefits in Performance Criteria.</p> <p>Requests that the Scenic Protection Code apply to all zones particularly Low Density Residential Zone, otherwise will need to investigate rezoning some locations eg Boronia Hill.</p> <p>Concern about mapping for the Attenuation Code and clarification needed on attenuation distances/activities, and referral process to Environment Protection Authority.</p> <p>The Attenuation Code should apply to the Light Industrial, General Industrial, Port and Marine or Utilities zones.</p> <p>The Bushfire Prone Areas Code should ensure that bushfire hazard assessments are part of the planning approval process.</p> <p>Coastal and Riverine hazard codes do not provide sufficient and technically sound development controls, or address changing circumstances.</p> <p>Uncertainty about incorporating local finer grained coastal erosion hazard, coastal, riverine and estuarine inundation hazard mapping into scheme via Local Provision Schedules eg Kingston Beach, Snug,</p>	
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		Adventure Bay	
188	Catharine Errey	<p>Considers that the SPPs do not fulfil the principal objectives of LUPPA.</p> <p>Considers there are too many Permitted or exempt uses.</p> <p>The SPPs do not represent coordinated action at a local level or integrate State, regional or local policies.</p> <p>Concerned that the SPPs do not consider land capability, especially in terms of character of the land, the existing neighbourhood bushfire or aspect.</p> <p>Concerned that most development in the Environmental Management Zone will be Permitted through the Reserve Activity Assessment process that is does not provide for public comment or transparency.</p> <p>The list of exclusions in the Natural Assets Code is too long and focusing only on listed threatened species and habitat ignores the importance of all native vegetation as habitat.</p> <p>The representor is specifically concerned that the SPPs may negatively impact them personally. Examples include by allowing more houses in the area through having smaller blocks or 2<sup>nd</sup> dwellings; vegetation could be cleared; it will mean less privacy; allowing other buildings to shade theirs; views would be lost; the potential to overload onsite wastewater treatment and increased vehicle impacts especially in relation to being hazardous to pedestrians.</p> <p>Recommended that the TPC hold public hearings.</p>	<p>LUPAA objectives</p> <p>Public participation</p> <p>State Policies</p> <p>Local character</p> <p>Residential amenity</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p> <p>Exemptions</p> <p>Process</p>

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189	Molly Greaves	<p>See grouped representations.</p> <p>Supports the representations made by Sophie Underwood (rep 49) and Elinor Wilcken (rep 169) and others via her email address.</p> <p>Particularly concerned with Freycinet National Park and the loss of appeal rights regarding decision in our National Parks. Provides photos and two poems to express why she is diametrically opposed to any commercial development within Freycinet National Park.</p>	See grouped representations (rep 49 and rep 169)
190	<p>Tasmanian Public and Environmental Health Network (TPEHN)</p> <p>(Spokesperson , Alison Bleaney)</p>	<p>The Environmental Management Zone proposes to allow development without any opportunity for Council to refute that development applications or for public input or objections is unacceptable from democratic and ecological points of view.</p> <p>The Natural Assets Code providing for land clearing or forestry activities on private land cannot be refused by Council or objected by the community as long as there is a certified Forest Practises Plan, has already demonstrated compliance failures and environmental damage.</p> <p>The Natural Assets Code needs to consider habitat loss and fragmentation as a key threat to biodiversity health, integrity and function and should not be limited to threatened species and communities.</p> <p>The exemptions to the Natural Assets Code together with limiting the code to threatened species and communities means that ecological sustainable outcomes cannot be achieved.</p> <p>The Landscape Conservation zone needs to strengthen the protection of nature conservation values.</p>	<p>Zones</p> <p>Public participation</p> <p>Codes</p> <p>Exemptions</p> <p>Drafting</p>



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191	Sorell Council (Senior Planner, John Molnar)	<p>Support for uniformity and consistency in SPPs, however, concern that this is at the expense of fostering the local context and characteristics (eg minimum lot sizes in Low Density Residential)</p> <p>SPPs exist in the continuing vacuum without appropriate State planning strategy or State planning policies. There should have been a State strategy that built on the RLUS.</p> <p>The imperative is that there be a comprehensive consideration of State, regional and local strategies which is then translated into the Tasmanian Planning Scheme. All three levels must be considered and then have a pathway into the State planning document that regulates through planning controls the use and development of land. Concern that the TPS framework relegates local strategies to land use zone considerations which limits the capability of each council to deliver strategic planning for its own local community. (eg: Strategic work done to establish local lot sizes suitable for Connelly's Marsh)</p> <p>Overarching</p> <p>Include either an onsite waste water management code or change development standards and subdivision provisions to take appropriate account this issue. This is a particular issue with regard to development of existing lots. Onsite waste water treatment is of particular concern in the Southern Beaches area. This key environmental and public health issues will remain. Current legislative regimes do not take this issue into account early enough in the process, resulting in amendments to applications/permits late in the approval process. Background evidence and options for assessment criteria/schedule provided.</p>	<p>Local character</p> <p>State Policies</p> <p>Outside the scope of SPPs consideration</p> <p>Stormwater</p> <p>Drafting</p> <p>Services</p> <p>Environmental Living Zone</p> <p>Zones</p> <p>Codes</p> <p>Exemptions</p> <p>New code (other)</p>
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		<p>Include stormwater code or change development standards and subdivision provisions. Other legislation does not adequately deal with this issue early enough. A code would also enable a State wide approach to stormwater management.</p> <p>Interpreting and applying 'having regard to' problematic for assessors and developers.</p> <p>Concern that the Scheme does not contemplate outbuildings not associated with a residence, or that are built before a residence. Redraft required.</p> <p>No support for Part 5 Agreements associated with new dwellings in the Rural Zone (20.4.3).</p> <p>Concern over the operation of Clause 7.3 adjustment of boundary will frustrate its intent for boundary adjustments improving useability of sites.</p> <p>Where development is seaward, should also be a requirement to consider adjacent codes. (7.11).</p> <p>Subdivision standards inconsistent with Southern RLUS regarding pedestrian links and open space considerations (eg: 8.6).</p> <p>Services: connection is not enough, it must be adequate to meet the needs of the subdivision (eg: 8.6.3, 10.4.1 P1.2).</p> <p>Use of 'adequate for the future use and development for on-site wastewater' in subdivision standards too uncertain without guidance as to meaning (eg: 10.6.3).</p> <p>The Landscape Conservation Zone does not 'replace' Environmental Living Zone as is intended. Dwelling status now Discretionary, minimum lot sizes increased from 6ha to between 20-50ha. Now no other appropriate zone for residential bushland properties due to the significant</p>	
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		<p>gap in lot size between this zone and Rural Living Zone.</p> <p>Exemptions</p> <p>Support for inclusion of unroofed decks up to 1m above ground level.</p> <p>Qualifications for location of outbuildings and garden structures behind or in line with existing buildings warranted.</p> <p>Support for Permitted status for most demolition but not all, especially in relation to whole buildings. Some should be Discretionary, to avoid vacant lots.</p> <p>Use classifications and qualifications</p> <p>Various use qualifications suggested across most zones to avoid land use conflict and fulfil purpose of the zone including:</p> <p>Due to nature of Rural Zone as 'left over' zoning land use conflict with small coastal residential settlements likely for extractive industry. Should be Discretionary.</p> <p>Concern about the classification of Food Services across a number of zones.</p> <p>Concern of No Permit Required status for home based business in General Residential Zone as no limit on floor area or number of employees if they live on site.</p> <p>Concern over amenity impact of hotel industry and appropriateness of No Permit Required classification for Business and Professional services in Local Business Zone.</p> <p>Development and Subdivision Standards</p> <p>Light industrial zone needs landscaping standards.</p> <p>Concern over land use conflict due to setbacks and generous permitted height standards in Rural zone.</p> <p>Deletion of the Environmental Living Zone and 'replacement' with Landscape</p>	
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		<p>Conservation Zone is not supported.</p> <p>Concern around reduced number of zones to appropriately apply to Environmental Living Zoned land and great variation in lot size of those that may be appropriate.</p> <p>Low Density Residential Zone development standards for dwellings (10.4) not contemplate on site waste water disposal impacts as a result of intensified residential use (eg: more bedrooms). Assumes lots will be large enough for disposal. Not always the case and local variation will be required. Village zone contemplates this issue.</p> <p>Low Density Residential subdivision standards prevent implementation of local strategies regarding minimum lot sizes (10.6.1). eg: Connelly's Marsh – Dunalley and Environs Structure Plan October 2013. Tailored lot sizes are contemplated in the Rural Living Zone so this is not unprecedented (11.5.1).</p> <p>Concern that in the Recreation and Open Space zones hours of operation and flood lighting standards near residential zones are inappropriate.</p> <p>Rural and Agriculture Zones</p> <p>Mirror Agriculture Zone 21.5.1 P1 (b) boundary reorganisation provision.</p> <p>No support for no minimum lot size in Agriculture Zone – goes back to fragmentation.</p> <p>Codes</p> <p>Concern that the Scenic Protection Code exempts activities that are not exempt in other parts of the Scheme and which have the potential to impact on landscape values. For example, road construction (C8.4.1 (g)) and subdivision not involving works (C8.4.1(e)).</p> <p>Bushfire-Prone Areas Code – no support for excluding dwellings. Could create inefficiencies as a hazard management</p>	
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		<p>area may be required with vegetation clearance requiring approval under the Scheme with Part 5 Agreement if on a separate title.</p> <p>Drafting preferences</p> <p>'Secondary Residence' term not supported, prefers ancillary dwelling.</p>	
192	<p>Brighton Council</p> <p>(Senior Planner, Shane Wells)</p>	<p>See grouped representations. Only Brighton specific comments added here.</p> <p>Dispersive Soils: Disputes approach in explanatory document that dispersive soils can be dealt with through the building approval system. Dispersion occurs via many activities that change surface and subsurface flows. 12</p> <p>Honeywood properties require EPNs to manage the issue. Supports Southern IPS dispersive soils code as a starting point with specific new Acceptable Solution and Performance Criteria provided.</p> <p>9.3 Boundary Adjustments: Ought to be a discretionary mechanism for boundary adjustments in all zones to consider more efficient and practical outcomes that may not comply with minimum lot size requirements where no additional lots are created.</p> <p>Stormwater</p> <p>Concern about code being developed by the Derwent Estuary Program, especially preclusion of onsite disposal.</p> <p>Urban Drainage Act requires a management plan in urban areas. Other areas are not covered. Stormwater service providers draw upon a range of information and studies for catchments to determine if a development can be services appropriately and this is not suited to PD1 format.</p> <p>Proposes a new referral process (similar to TasWater) with a Code containing two approaches that minimises application of</p>	<p>See grouped representations</p> <p>New Code (other)</p> <p>Drafting</p> <p>Stormwater</p>

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		regulation. Code provided with representation.	
193	University of Tasmania (UTAS)  (Ireneinc Planning, Jen Welch obo)	<p>Central Business Zone</p> <p>Permitted height limit of 20m (clause 16.4.1 A1) is significantly below the 42m limit in the Hobart IPS and an unreasonable limitation on future development in this zone.</p> <p>Agriculture Zone: University Farm</p> <p>Cambridge: Clause 21.3.1. Discretionary Uses. The Performance Criteria does not provide sufficient breadth for some of the activities that have been previously earmarked for the site and were allowable under the Clarence Planning Scheme 2007.</p> <p>Signs Code</p> <p>UTas has many signs that fit within the definition 'wall sign.' The size requirement of 4.5m<sup>2</sup> is diminutive on a large building and does not allow for a sign that is proportional or legible comparative to façade sizes.</p> <p>Clause 1.6.2 Illumination of Signs, limits animated signage but has no Performance Criteria for this clause. A blanket prohibition of this type of technology across all zones will potentially stifle opportunities for new types of visual engagement, including potential artworks.</p> <p>Parking and Sustainable Transport Code</p> <p>Critical that a parking precinct plan is applied to the Central Business Zone in Hobart as the parking generated by the likely floor area of developments would be inappropriately high. But subclause C2.7 should allow for some limited parking to service the development as the current parking provisions in the Hobart Interim Planning Scheme and should be retained.</p> <p>For sites outside of precinct plan areas the university has restricted capacity to</p>	<p>Zones</p> <p>Drafting</p> <p>Codes</p>

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		<p>provide parking and would struggle to meet the parking requirements a number of university uses would generate under the requirements of the code. UTas has an adopted Sustainable Transport Strategy which works to reduce single vehicular transport. Parking standards should reflect this and the availability of public transport.</p> <p>Local Historic Heritage Code</p> <p>The provisions of the SPPs should be considerate of the need for early works to occur before there is a development application for building works on a site.</p> <p>This code applies to development on land within a 'local heritage place'. A place may be listed even though only a small part of the site may have heritage significance. For example the HIPS 2015 lists no 609, The Arts Lecture Theatre, University of Tasmania (CT 35476/1 error); subsequently this code would apply to development anywhere on the Sandy Bay campus.</p> <p>Potentially Contaminated Lands Code</p> <p>It is not always known whether a site has previously been used for any contaminating activities. If the code were to apply and an application was made for a use and/or development it would be required to be assessed in terms of P1(c) of C14.5.1. This requires a statement that the land is suitable for the intended use. Land with existing buildings have cannot always be fully investigated thus a conditions requiring further investigation if necessary would be better.</p>	
194	Mark Eather (Ireneinc Planning, Jen Welch obo)	<p>The Rural Resource Zone should translate to the Rural Zone in regard to their specific property to avoid conflict with future development.</p> <p>The Environmental Management Zone's purpose and clause 23.3.1 don't</p>	<p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p>

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		<p>adequately reflect the State Coastal Policy in terms of development dependent on the coast; and recommends these are revised to provide more certainty.</p> <p>The parking and sustainable transport code in clause C2.5.1 should enable consideration of alternatives to private vehicles, such as shuttle services, when considering necessary parking spaces.</p>	
195	<p>Central Highlands Council</p> <p>(Senior Administrative Officer, Kathy Bradburn)</p>	<p>Exemptions</p> <p>Concern that the home occupation exemption does not take account of garaging trucks which is a common need for self-employed persons in the Rural/Agriculture/Rural Living zones.</p> <p>Vegetation removal for safety or in accordance with other statutes: Concern that the subclause (f) 2m clearance does not allow for adequate protection. Vegetation removal around powerlines should not have a limit to make them safe. An increase in subclause (i) fence line clearance is required to enable vehicle and machinery access (5m in Rural and Agriculture and 3m other zones).</p> <p>Rainwater and fuel tanks: Concern that most working farms would need rainwater tanks exceeding the 45kl threshold. Support for exempting all rainwater tanks. Rainwater tanks and fuel tanks should be in separate exemptions due to the hazardous nature of fuel tanks.</p> <p>Village zone</p> <p>Unclear as to whether local authorities can qualify use tables to allow Permitted status for commercial uses in targeted villages.</p> <p>Rural and Agriculture Zones</p> <p>Difficulty in considering mapping for these zones without zone mapping guidelines and these are required, especially in relation to non rural/agricultural and split</p>	<p>Exemptions</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p> <p>Process</p>



		<p>rural and agricultural land. Support for mapping the Tasmanian Agricultural Estate.</p> <p>Support for boundary reorganisation Clause 21.5 in the Agriculture Zone and for it being mirrored in the Rural Zone to allow for whole of farm planning.</p> <p>The requirement for a Part 5 agreement preventing dwelling construction on balance lots in the Rural and Agriculture Zones is not supported. Balance lots can be large and accommodate a substantial rural use that may be appropriate for farm operation and security.</p> <p>Concern that development standards are insufficient for seasonal or farm worker accommodation. Support for use table specific qualifications.</p> <p>Natural Assets Code</p> <p>There is currently no legislation, regulation, policy, ministerial statement of expectation or other form of policy direction from the State that sets out a requirement for planning schemes to mirror, reflect or impose the provisions of the Threatened Species Act or the Nature Conservation Act. Council does not agree that the 2009 changes to the Forestry Regulations constitute such a policy direction. The Forestry Regulations direct what the forestry system does and does not do. They do not direct what planning system does and does not do. There is only a 'regulatory gap' if planning schemes themselves says that there is.</p> <p>A clear policy statement from the State is required before this Code is included in the Scheme.</p> <p>Concern that, as Code is applied via Local Provision Schedules, locally elected members will take political responsibility for State Government or State public servant policy decisions.</p>	
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		<p>Mapping a challenge in Central Highlands due to poor data and size of municipality. Council does not have the resources to create the Local Provision Schedule map required. Currently available (State) TasVeg data is inaccurate and would result in additional unnecessary expense for developers undertaking investigations on this basis. Consistency of the Scheme is undermined unless the State resources improvements to TasVeg in areas like Central Highlands.</p> <p>Code should not be applied to General Residential. Spatially, this is a limited area but a valuable economic resource and should not be encumbered by this Code. The planning system should accept that land already zoned General Residential has lost its natural values and rezoning new areas should consider natural value impact. General Residential zone purpose does not include protection of natural values.</p> <p>Application of the Code to General Residential inconsistent with clearance thresholds exempt under Rural Living Zone.</p> <p>Support for not applying the Code to the Agricultural zone as this takes account of the working nature of the landscape and does not fetter economic activity in this zone.</p>	
196	<p>The Wilderness Society (Tasmania) Inc. (Tasmanian Campaign Manager, Vica Bayley) and North East Bioregional Network Inc.</p>	<p>Considers that the State-wide planning reform process has not been conducted in a way to encourage public involvement, the process has not been independent, rather it is planning reform on behalf of developers interests. Additionally concerned on the reliance on RLUS that have not been developed with input from the community.</p> <p>Considers the SPPs are not consistent with the objective of LUPAA as it significantly reduces the ability of the public to</p>	<p>Process</p> <p>LUPAA objectives</p> <p>Public participation</p> <p>Stormwater</p> <p>New code (other)</p> <p>Landscaping</p> <p>Drafting</p> <p>Exemptions</p> <p>Zones</p>

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	(President, Todd Dudley)	<p>participate in resource management and planning by increasing exemptions and allowing a system of self regulatory in house approvals to occur; it is moving away from rather towards a planning system which maintains ecological processes and genetic diversity and it does not take a precautionary approach towards safeguarding, protecting and avoiding impacts on the natural environment.</p> <p>Recommends the addition of a stormwater code, sodic/dispersive and acid sulphate soils code(s) and an Aboriginal heritage code.</p> <p>All Acceptable Solutions relevant to landscaping and revegetation should require all new plantings to be undertaken with seeds and rootstocks derived from local provenance flora (within the site).</p> <p>All Performance Criteria relevant to landscaping and revegetation should prohibit the use of weeds.</p> <p>In the operation of the Scheme, Codes should prevail over SAPs followed by the zone.</p> <p>Natural Assets Code</p> <p>The code has been weakened through exemptions, limited applicability and that the standards in the biodiversity code are stronger.</p> <p>Mapping relies on the mapping, that is inaccurate, out of date and not based on up to date evidence and changes.</p> <p>Mapping should not be confined to threatened flora, fauna and ecological communities.</p> <p>Mapping should consider connectivity through habitat corridors.</p> <p>Different State wide biodiversity mapping should be adopted.</p> <p>Suggested changes and raised concerns on</p>	Codes
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		<p>the Natural Assets Code's: code purpose; application of the code; definition of terms; exemptions, application requirements; development standards for building and works; and development standards for subdivision.</p> <p>Suggested additional changes and raised concerns in relation to:</p> <p>Use and development exempt from the Scenic Protection Code,</p> <p>The Bushfire-Prone Areas Code,</p> <p>The Potentially Contaminated Land Code,</p> <p>The application of the zone, use tables, use standards, development standards for building and works and/or development standards for subdivision in the: Low Density zone, Rural Living Zone, Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone and Major Tourism Zone.</p> <p>Concerned in the Acceptable Solutions for approval by a managing authority in the Environmental Management Zone and that the application of that zone should not be limited to Public land.</p> <p>Concerned that the SPPs do not seek to regulate strata plans and consider clearing for bushfire risk independently/outside of natural values.</p> <p>Supports clause 7.3.1 that ensures boundary adjustment is not used to circumvent subdivision.</p> <p>Opposes exemptions for vegetation removal for safety or in accordance with other statutes, vegetation rehabilitation works, renewable energy exemptions related to wind turbines and suggests that Acceptable Solutions and Performance Criteria are better used to ensure works occur with proper expert advice.</p>	
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197	Salt Water Lagoon Pty Ltd (Page Seager Lawyers, Sarah Wilson, obo)	<p>Unfortunate that SPPs and Local Planning Schedules not advertised together as this would allow for people to determine how a zone will affect the use and development on their individual property.</p> <p>Support the Environmental Management Zoning and believe it will assist in reducing duplication and inconsistency in the application of planning controls across Crown Lands.</p> <p>Support the interrelationship of the Heritage Code with the <i>Historic Cultural Heritage Act 1995</i>. It is appropriate for heritage works on a registered place entered on the Tasmanian Heritage Register to be exempt from the Heritage Code where they are assessed under the <i>Historic Cultural Heritage Act 1995</i>. This approach will ensure that there is clarity in relation to the heritage standards that apply and remove unnecessary duplication.</p>	<p>Process</p> <p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p>
198	Albert and Diana Jongbloed	<p>See grouped representations.</p> <p>Most alarmed by any proposal to allow further development in the Freycinet National Park, along the foreshore of the bay at Coles Bay. This area is the centre of the view for the hundreds of thousands of people both tourists and locals who come to see the spectacular scenery, not to see more development.</p> <p>It seems unbelievable that we should have no say in any potential development in OUR National Park. National Parks belong to the people, not the government to do with as they like.</p>	See grouped representations
199	Ambition Legacy Pty Ltd as trustee for the Ambition No1 Trust and Clancy No 1	<p>Site specific representation (2 sites). It is unfortunate that the SPPs and Local Planning Schedules have not been advertised together. This would allow for people to determine how a zone will affect the use and development on their</p>	<p>Process</p> <p>Zones</p> <p>Drafting</p>

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	<p>Pty Ltd (Page Seager, Sarah Wilson obo)</p>	<p>individual property.</p> <p>Rural Zone</p> <p>There needs to be additional scope for single residential dwellings to be developed within the Rural zone. This is not inconsistent with the purpose of the current zone.</p> <p>Rural Living Zone</p> <p>Residential use within the Rural Living Zone is classified as 'No Permit Required'. The purpose of the Rural Living Zone is to provide for:</p> <p>residential use or development on large lots in a rural setting where services are limited;</p> <p>limited agricultural use and development that does not adversely impact on rural residential amenity; and (c) for other compatible use or development that does not cause an unreasonable loss of amenity, through noise, traffic generation and movement, or other office site impacts.</p> <p>It is considered that the Rural Living Zone is the most appropriate zone in order to achieve the desired balance between rural and agricultural uses, and residential use.</p>	
200	Michael Ball	<p>Road and Railway Assets Code. Objects to Table C3.1 for reasons below:</p> <p>The controls would sterilise the full and reasonable use of land adjoining the Lyell Highway from New Norfolk to Waratah.</p> <p>These controls would prohibit the development and use of such land for purposes such as tourist ventures and permissible uses such as wineries, dairies, orchards, feedlots and other uses Permitted or Discretionary likely under the local area provisions/controls set out for various zones.</p> <p>One example of such a constraint would</p>	<p>Codes Drafting</p>

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		<p>be an expansion of activities categorised as 'resource development' which, although ostensibly Permitted in zones like rural, agriculture and the like, would be prohibited by the strict application of Table C3.1.</p> <p>Another example would be activities defined as 'resource processing' which, although Discretionary in many zones, would be constrained to the point where desirable and acceptable activities would be unable to be approved.</p> <p>It is also arguable that the constraints and prohibitions outlined above could also unreasonably apply to other zones such as Village, Major Tourism, Community Purpose, Recreation and Open Space.</p>	
201	MONA (Ireneinc Planning, Jen Welch, obo)	<p>MONA's activities, especially art festivals and installations and various temporary exhibitions do not easily conform to planning scheme requirements. A recent application for an art installation at MONA triggered a range of discretions and was time consuming and costly to comply with. To encourage innovative artistic endeavour in Tasmania and capitalise on MONA's influence it is recommended that there is greater scope for temporary works associated with cultural events to be exempt from requiring a planning permit, and/or for greater discretion to the provisions of the zones and code.</p> <p>Clause 6.2 Categorising Use and Development</p> <p>Clause 6.2.2 requires that '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.'</p> <p>Clause 6.2.5 then states, '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</p>	Drafting Codes Zones

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		<p>site must be individually categorised into a use class.'</p> <p>Greater clarification is needed of how use and development is categorised across a 'site' that is inclusive of multiple zones, particularly for an ancillary use that would be otherwise Permitted.</p> <p><b>Major Tourism Zone</b></p> <p>It is recommended that greater discretion is allowed for uses within the Major Tourism Zone as a number of uses at MONA, existing and being considered for future development would be prohibited under it.</p> <p><b>Parking and Sustainable Transport</b></p> <p>Specifically C2.5.1 P1.1 does not provide substantive enough scope for variations to the number of parking spaces that are listed in Table C2.1.</p> <p><b>Coastal Inundation Hazard</b></p> <p>The provisions for inundation in the SPPs would prohibit visitor accommodation and potentially further development that spans over the mapped high hazard area, even though the habitable floor level is at a level that would not be inundated. The floor level of the potential extension has a habitable floor level of 4.5AHD, which is around 3.45m above potential inundation risk.</p> <p><b>Riverine Inundation Hazard Code</b></p> <p>It is unclear whether this code will apply to the River Derwent, which would also be subject to the Coastal Inundation Hazard Code.</p>	
202	<p>Burnie City Council</p> <p>(Director Land and Environmental Services,</p>	<p>Concerned regarding absence of adequate explanation for the strategic purpose and policy objectives which inform content of the provisions which are to apply for all Municipal areas.</p> <p>Concerned regarding the adequacy of SPP</p>	<p>State Policies</p> <p>Drafting</p> <p>LUPAA objectives</p> <p>LPS</p> <p>Outside the scope of</p>



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	Patrick Earle)	<p>construction to provide a robust and credible regulatory instrument.</p> <p>Concerned about the relevance, necessity, and appropriateness for many of the objectives and compliance tests in relation to the statutory objectives for the land use planning processes in Tasmania.</p> <p>Details concerns/identifies issues and makes comprehensive suggestions or recommends review over strategic and policy areas, jurisdictional and technical matters and the construction and operation of the entirety of the SPPs including the following matters:</p> <p>Strategic and policy context of the SPPs and its supporting documentation, including the lack of guiding policy, conflicting instructions and uncertainty in guidance related to the Local Provisions Schedules.</p> <p>That the SPPs provide too much weight to the construction and content to Launceston Interim Planning Schemes, do not take into account strategic requirements, relevant policies, and outcomes of the assessment of both the Cradle Coast and Southern IPS.</p> <p>Drafting issues covering matters including: not conforming to the principles 4 and 10 in the drafting conventions; do not have consistency in words and expression; including a range of vague/ non precise and undefined terms that are critical to assessment of standards.</p> <p>The construction of the scheme: takes a conservative (traditional) planning approach rather than provide for innovative and flexible approach, fails to deliver on the terms of reference and drafting principles.</p> <p>Jurisdictional and technical matters including</p> <p>Exceeding the planning jurisdiction in</p>	<p>SPPs consideration</p> <p>Process</p> <p>Drafting</p> <p>Zones</p> <p>Codes</p> <p>Exemptions</p>
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		<p>relation to the permit process, scope and nature of exemptions, protection, safety and security of transport and utility infrastructure, protection of natural systems and vegetation, protection of Commonwealth airports, management of environmental harm, environmental nuisance and pollution.</p> <p>Not exhibiting the maps that are required by some Codes as mandatory components of the Local Planning Schedules.</p>	
203	<p>Glamorgan Spring Bay Council</p> <p>(Manager Regulatory Services, Winny Enniss)</p>	<p>See grouped representations. Only GSBC specific matters are summarised here.</p> <p>Natural Assets Code</p> <p>Concerned about the quality of TasVeg mapping resulting in unnecessary costs at development application stage and missing priority vegetation not mapped.</p> <p>Supports the policy of not applying the Code in specific zones.</p> <p>Rural and Agriculture Zones</p> <p>Difficult to consider without mapping and will need guidance to apply, and may require split zoned titles.</p> <p>Boundary reorganisation in Agriculture Zone (20.5.P1) should also be provided in Rural Zone.</p> <p>Does not support Part 5 Agreement balance lots in the Agriculture Zone to prevent dwellings as these may be legitimate on large lots.</p> <p>New small lots possible in the zone could be open to abuse and should be tightened.</p> <p>Does not support removal of the Environmental Living Zone. Landscape Conservation Zone is not a translation, requires significant strategic work and impacts property owners.</p>	<p>See grouped representations</p> <p>Codes</p> <p>Zones</p> <p>Drafting</p> <p>Environmental Living Zone</p>

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204	TasNetworks Pty Ltd (Mark Bresnehan)	<p>Remove planning exemptions that are inconsistent with electricity transmission safety and operation.</p> <p>Utilities Zone should be applied to all electricity transmission substations and communication sites.</p> <p>Suggests numerous amendments required to protect major electricity infrastructure in Table 4.1 Exemptions.</p> <p>Recommends a number of modifications to the Electricity Transmission Infrastructure Protection Code and gives reasons for those modifications.</p> <p>Suggests that the word 'demolition' be added to the qualifications relating to Utilities in Table 4.1 Exemptions</p> <p>Suggests 'vegetation clearance for the protection of electricity infrastructure or public safety in accordance with the <i>Electricity Supply Industry Act 1995</i> be added to the qualification relating to vegetation removal.</p> <p>Acceptable Solutions for height and setbacks do not contemplate electricity transmission infrastructure. Height restrictions especially in the Utilities, Rural and General Industrial zones are a concern, especially as Utilities are a Permitted use in these zones. Suggest a modification to increase the permitted height for electricity towers from 20m or 30m to 60m.</p> <p>Suggests that setback requirements should not apply to structures such as towers and suggests alternate setback and height standards in various zones.</p> <p>As scenic protection is mainly dealt with in the Scenic Protection Code, the Environmental Management Zone and the Landscape Conservation Zone. Until the LPSs map the areas impacted by these zones and the Scenic Protection Code, it will be difficult to determine the practical</p>	<p>Exemptions</p> <p>Codes</p> <p>Zones</p> <p>Drafting</p> <p>LUPAA objectives</p> <p>Outside the scope of SPPs consideration</p> <p>Services</p>
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		<p>impact on TasNetworks' ability to develop new linear electricity transmission assets.</p> <p>Electricity services should be contemplated in subdivision. Currently no obligation for developers to address this need and no authority to apply conditions to subdivision planning permits ensuring such services are installed and in the manner appropriate for the context.</p> <p>Extensions of the network to individual lots on an as need arises basis increases the potential for service provision to be duplicated, less orderly, and less discreet. Opportunities for undergrounding of electricity services are diminished as the works can be substantially more expensive than overhead (aerial suspension) options, particularly after roads, footpaths and other services have been installed.</p> <p>TasNetworks' recommends that an additional Acceptable Solution and Performance Criteria be included in the 'Services' section of Development Standards for Subdivision for all Zones.</p> <p>In some zones there is expected to be a preference towards new electricity services being underground.</p>	
205	David Brewer	<p>The SPPs has restrictions on views into or from properties but not past a proposed development. New developments can degrade the amenity of residents by virtue of blocking view.</p> <p>Parking and Sustainable Transport Code</p> <p>Inner city properties should not have to provide car parking. Residents and workers alike should be encouraged to use public transport or walk.</p> <p>Road and Railway Code</p> <p>Table C3.2 Acceptable noise levels within a road or railway attenuation area: upper limit of 63dB(A) for road noise, using the arithmetic average of L10. Believe this is</p>	<p>Drafting</p> <p>Residential amenity</p> <p>Zones</p> <p>Codes</p>

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		<p>wrong as it is insensitive to short bursts of intense noise such as that from poorly maintained or illegally modified vehicles. Leq is now easier to measure due to improved technology and should be used instead of L10. Relying on decibel measures makes it harder for affected residents to take action. Using approximate equivalent noise levels (eg rustling leaves, chattering office etc) and perceptibility in the case of night time noise are probably fairer.</p>	
206	Richard Donaghey	<p>See grouped representations.</p> <p>Natural Assets Code (Subclause 7.4.1(e) Development Exempt from this Code): Concerned that once a certified Forest Practices Plan is approved then land clearing or forestry activities on private land cannot be refused by the local Council or objected to by the public. Believes the public should be permitted to provide evidence and object to the planning process in the interest of biodiversity conservation.</p> <p>Believes the Natural Assets Code is totally inadequate in limiting consideration of biodiversity protection/management to threatened flora and fauna species and threatened ecological communities. Does not deal with habitat fragmentation and loss and needs to provide a framework which is holistic, across tenures and seeks to protect, maintain and restore ecological processes across Tasmania.</p> <p>The intent of the Landscape Conservation Zone to strengthen protection of nature conservation values is supported.</p>	<p>See grouped representations</p> <p>Codes</p> <p>Zones</p> <p>Drafting</p>

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207	Karen Watson	See grouped representations. Endorses Sophie Underwood's representation with regard to commercial development in Freycinet National Park and provides a copy.	See grouped representations (rep 49)
208	Waratah - Wynyard Council (WWC) (Senior Town Planner, Ashley Thornton)	<p>Numerous detailed suggested modifications to the SPPs, concern that only big ticket items will be considered because of limited time for review.</p> <p>SPPs are poorly drafted and need a thorough editing process. It is clear that the SPPs have been drafted by multiple authors creating many inconsistencies in: standards (eg servicing), setbacks, and terminology. Multiple phrases are used for the same term, introducing grey areas for the definitions of those phrases.</p> <p>Residential development in Rural and Agriculture zones</p> <p>Agriculture Zone is stringent (like IPS Rural Resource Zone) but SPP Rural Zone is likely to result in proliferation of dwellings. A middle ground solution is required.</p> <p>Refers to the Agriculture Zone and a recent RMPAT decision on interpretation of 'agricultural use' and submits Clause 21.3.1 P3(b) is almost impossible to meet. A Discretionary use standard is required for Residential use in the Rural Zone.</p> <p>Low Density Residential Zone</p> <p>Concerned that although residential use is No Permit Required in the use table most applications will become discretionary and cause unnecessary planning applications. Setbacks, minimum lot sizes and site coverage standards will result in increased discretionary applications because most lots in Waratah- Wynyard can't comply.</p> <p>This zone is to be applied to unserviced areas but sites that cannot be connected to reticulated services would be discretionary.</p>	<p>Process</p> <p>Drafting</p> <p>Zones</p> <p>Services</p> <p>Codes</p>

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		<p>Low Density Residential Zone lots should be able to be smaller if connected to reticulated sewer, then lots can be of a residential density 500-1000m<sup>2</sup> (For example: Boat Harbour, Sisters Beach).</p> <p>Other</p> <p>There are no site suitability and service requirements for development, other than subdivision, resulting in development on pre-existing lots needing to revisit design during the building and plumbing stage which in turn may require a new planning permit eg Rural Living.</p> <p>Concern for increasing reliance upon external reports to address the expanding number of codes, raised as a significant issue by the development industry in last few years as it flows on to costs of preparing development applications.</p> <p>Concern for number and availability of suitably qualified persons/consultants that can provide the reports, particularly in remote areas.</p> <p>Not delivering a better, faster, cheaper or simpler outcome.</p> <p>Natural Assets, Coastal Erosion and Coastal Inundation Codes: Difficult to comment on the code without seeing mapping, as a result, can't determine the impact of the code. The maps provided by the State that support the SPPs should be provided to the public at the same time, so the impact of the codes can be assessed. This opportunity will be lost with the maps being released with the Local Provisions Schedules.</p> <p>Rural Living A and B should be identified with a separate colour on the maps rather than an annotation. Provide some explanation in the zone purpose or the objectives for Rural Living A and B.</p>	
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209	Janice May	Extremely concerned re the SPPs. Seems to be developed to benefit developers at the expense of the community and undermines the community rights to protect the environment. Needs to be a greater effort by the Commission to ensure Tasmanian citizens understand the consequences of this scheme.	Public participation Process
210	Battery Point Community Association Inc.  (Committee Member, Monika Maedler)	Supports the representation lodged by Peter Pearce (rep 34).  Adds that while the Battery Point community enjoy the cafes and restaurants along Hampden Rd they do not want to see much more development and commercial activities should be limited to what is already in existence. Any commercial uses should be in keeping with the heritage precinct objectives.	Outside the scope of SPPs consideration
211	Bob and Rhonnie Pammenter	Site specific representation relating to ongoing water quality and amenity issues resulting from a 7,200 hen free range poultry shed. Focus is on Rural Living, Rural and Agricultural Zones.  Issue caused by incorrect zoning. Area should be zoned Rural Living not Rural Resource.  Developments such as poultry sheds should not be considered as 'No Permit Required' and be exempt from any water pollution controls. This is in contravention of EMPCA and the Tasmanian Code for Water Quality Management. All planning schemes should obey State laws and regulations. Large poultry sheds can lead to major issues with water pollution, odour, noise, vermin and flies. Needs to be a cumulative size above which an egg poultry farms becomes a Level 2 activity.  Resource Development should not be a blanket No Permit Required use for any agricultural development, regardless of the potential impact of that activity.	Outside the scope of SPPs consideration  Drafting  Stormwater  Zones  Codes



		<p>Rural and Agricultural zones</p> <p>Clause 21.4.2 (Agriculture Zone) requires setbacks of 200m from a property that is zoned 'agricultural.' This would require a minimum lot size of almost 20 ha to guarantee separation. Many existing blocks of land in the likely Rural Resource areas are smaller than this and if this zoning gets applied to them, will become next to useless, as they cannot be sold as building blocks. In many cases this will result in no benefit to the farmer except the potential, on rare occasions, to reduce the hassle from his neighbours. This problem is being addressed to some extent by the Primary Industries Activities Protection Amendment Bill, and this Act could be further amended to cover the problems.</p> <p>I do not accept that Tasmania can afford this level of destruction of property values with no cost/benefit analysis.</p> <p>Natural Assets Code</p> <p>There is a requirement that buildings have to be 30m from Class 2 waterways (the case of the stream below the poultry shed). However, 30m is not sufficient to prevent pollution from the free range area of a poultry farm. On the mainland, in most cases, a poultry shed and the free range area has to be 100m from a waterway, except in W.A. where it has to be 200m with EPA permission.</p> <p>Attenuation Code: The size of an operation should, in certain circumstances, be the guide to the required attenuation distance. This is particularly the case with poultry sheds.</p>	
212	Wilson Consulting (Director, Mike Wilson)	The enormous size of both the explanatory notes and the proposed planning provisions seem to be deliberately large so that only professional planners can justify the time to read them	<p>Process Drafting</p> <p>Outside the scope of SPPs consideration</p>

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		<p>and comment section by section.</p> <p>The SPPs seem to be playing roulette with our future. We cannot afford to have a one-off development frenzy that downsizes and subdivides many blocks just to satisfy the greed of developers and land owners, when it could permanently alter the character of our towns and rural areas for the worst.</p> <p>A minimum lot size of 1500m<sup>2</sup> is fine for outer edges of urbanised areas but too small for rural areas, especially where landscape values and the natural environment are important historical benefits.</p> <p>Increase density in already built up areas and brown field industrial sites but not rural areas.</p> <p>Don't want tourists to come and find Tasmania has become like outer Melbourne or outer Sydney. Need to retain our uniqueness. This scheme needs to value what we have now and not allow it to be carved up for short term greed.</p>	Local character
213	Margaret Newton	See grouped representations. Agrees with Sophie Underwood's representation regarding Freycinet National Park and requests Government, RACT and Federal to reconsider their approach regarding Freycinet.	See grouped representations (rep 49)
214	Jamie Kirkpatrick, Nicki den Exter, Indra Boss and a number of academic staff, students and graduates from the Geography and Spatial Science	<p>In their present form, the SPPs do not further the RMPS objectives.</p> <p>Section 18 of LUPAA and sections 23 and 24: By limiting the scope of consideration of representations appears to be legislating against its own objectives.</p> <p>Implementing such explicit and detailed pro-development provisions in the absence of a comprehensive set of State Policies or up to date Regional Land Use Strategies (RLUS) is highly likely to achieve sub-optimal planning outcomes.</p>	<p>LUPAA objectives</p> <p>Outside the scope of SPPs consideration</p> <p>State Policies</p> <p>Drafting</p> <p>Public participation</p> <p>Residential amenity</p> <p>Local character</p> <p>Exemptions</p>

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	<p>Discipline at the University of Tasmania (contact Indra Boss)</p>	<p>Strong support for review of RLUS to address resource constraints, ecological changes/hazards, consideration of major development areas through limitation of topography, urban sprawl, public utilities and infrastructure and encroachments into production areas; social, environmental and economic impacts of decentralised urban forms and activity centre duplication; and social living needs (access to parks, waterways, recreations areas, wilderness etc. SPPs should then be made consistent with RLUS, allowing Councils to focus on LPS.</p> <p>Sections 1-7. Supports the following structural aspects of SPPs:</p> <p>Consistent template for all planning scheme instruments in Tasmania.</p> <p>Consistent terminology and definitions.</p> <p>Applying consistent drafting conventions.</p> <p>Consistent zones and codes for spatial application by Planning Authorities.</p> <p>Barriers to participation created by some applied, adopted or incorporate documents being only accessible via license payments contrary to RMPS Objectives.</p> <p>Support for 2.0 Purpose, however, believes ability of Planning Authorities to deliver on the objectives of the RLUS will be severely constrained by:</p> <p>Removing the RLUS objectives from zone objective in the desire to avoid 'duplication'.</p> <p>Preventing Local Area Objectives in the Local Planning Provisions (LPPs) from applying tighter use and development controls than those for the corresponding Zone in the SPPs.</p> <p>Restricting planning authorities' consideration of LUPAA objectives and the zone objectives when determining permit</p>	<p>Zones</p> <p>Codes</p> <p>Process</p>
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		<p>applications (as opposed to RLUS also).</p> <p>Definitions (pages 6-11 of rep) A number of the defined terms in the SPPs are not scientifically accurate or lack specificity and provides a table with specific concerns and alternatives.</p> <p>Exemptions (11-14 of rep)</p> <p>Concern about Beekeeping without qualification as to scale, biodiversity impact and interaction with use and development standards.</p> <p>Concern about wording and extent of occasional use, minor telecommunications, temporary building or works, demolition of exempt buildings, vegetation removal for safety or in accordance with other statutes.</p> <p>Concern regarding road works exemption on biodiversity and implied ability to undertake activities on private land.</p> <p>Landscaping and vegetation management exemption requires redrafting and restricted to reserves with a management plan that provides policies and procedures for vegetation management or where management actions are subject to a broader vegetation management plan or procedure for reserved land. Specific redrafting provided (page 12 of rep).</p> <p>No support for strata exemption.</p> <p>Planning Scheme Operation (Clause 5.0)</p> <p>Limiting the application of codes to only certain zones suggest that land capability is not a core consideration in the SPPs and this aspect in particular is counter to the Act, specifically Schedule 1 Objectives, Part 2, 2 (i).</p> <p>The proposed operation of codes within the SPPs appear to ignore the precautionary principle. Instead private property rights are privileged over the public interest in maintaining natural</p>	
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		<p>assets and ecosystem services.</p> <p>Rewording 6.0 required to prevent delay in the permit process. Specific wording provided (Page 15 of rep).</p> <p>6.2 Categorising Use or Development: Clarity required regarding interaction between 6.2.2 and exempt uses under 4.0 and more transparency is required for 'Extractive Industry' use class. Specific examples provided (Pages 15-16 of rep).</p> <p>6.10.3: Strong opposition to this clause as it required RLUS to be ignored even though their implementation is an explicit element of the TPS purpose. All matters referred to in subclause 2.1.1 must be taken into consideration in determining an application for any permit.</p> <p>7.0 General Provisions: terms such as 'minor', 'substantially' and 'unreasonable' are used in a number of the General Provisions. To provide clear guidance and removing potential appeals based on interpretation, it is suggested that such terms be replaced with quantifiable or objectively measurable terms. Specific examples provided (Pages 16 – 18 of rep).</p> <p>Strongly recommend that the Environmental Management Zone is exempt from clauses 7.6.1 and 7.7.1. regarding access across land in another zone and buildings projecting onto land in another zone. Can allow development to encroach into areas that have been judged to be not appropriate for that development. Specific examples provided (pages 17-18 of rep).</p> <p>Residential Zones</p> <p>Reduced minimum lot sizes in Inner Residential and General Residential Zones indicate a clear strategic intent to encourage more infill development without clarity about who or when infrastructure capacity assessment will be</p>	
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		<p>undertaken. It is strongly suggested that</p> <p>The SPPs for all residential zones be reviewed against such current research to ensure that liveability of residential areas is maintained.</p> <p>Development standards and provisions for infill development in each residential zone be modified to reflect the need to blend into the character of existing areas so as to maintain the amenity of existing residents (additional information in rep pages 18-20).</p> <p>Rural Zone: Concerned about Permitted status of 'Extractive Industry' and Planning Authority's ability to consider whether the use compromises the function of surrounding settlements, especially regarding coal seam gas. Specific wording provided (page 20 of rep)</p> <p>Landscape Conservation Zone. Strongly suggest</p> <ul style="list-style-type: none"> <li>the SPPs develop and include a standard term for natural and landscape values so as to include landscapes of value other than bushland.</li> <li>a full review of the provisions in the Landscape Conservation zone. (discussion and specific examples for redrafting at pages 21-22 of rep)</li> </ul> <p>Environmental Management Zone:</p> <p>Assessment under LUPAA continues to be required for developments in the reserve estate.</p> <p>Suggest that the purpose of this zone be expanded to clearly identify that it should also be used to identify areas required for future habitat so as to enable species range shift in response to climate change.</p> <p>Local Heritage Code: Concern about impact on internal fixtures as result of use exemption. Support for Hobart IPS</p>	
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		<p>Heritage Code and reference to Burra Charter.</p> <p>Natural Assets Code - Strong opposition to its limited application, should apply to all zones. Extensive discussion on purpose, definitions and exemptions. Specific changes provided (Pages 25-26 of rep)</p> <p>Scenic Protection Code – concerns relate to exemptions and application. (See pages 26-27 of rep).</p> <p>Interactions with Forest Practices System is unclear on present wording and allows FPP use for non-forestry clearing to be used to circumvent application of the TPS (also discussed in Natural Assets Code) (See pages 27-29 of rep).</p> <p>Concern about that biodiversity offset provisions do not reflect current best practice.</p> <p>Further community consultation is required.</p>	
215	Christopher Cowles and Diane McPherson	<p>See grouped representations.</p> <p>Concerned about the watering down of Local Government involvement in decisions made regarding natural heritage and allowing the Minister to make decisions concerning development anywhere in any park estate.</p> <p>Concerned that reserves managed by the Parks and Wildlife Service will automatically be put in an Environmental Management Zone exempt from the Natural Assets Code.</p> <p>Concerned regarding the provision that roads can be constructed through parks to allow access to developments in other zones (7.6.1, 7.7.1).</p> <p>Concerned about the outsourcing of threatened species and ecosystems protection.</p> <p>Believes that Tasmania is in great danger</p>	<p>See grouped representations</p> <p>Zones</p> <p>Codes</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p>

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		of 'killing the goose that laid the golden egg'. The proposed scheme needs to have at its base, the main objective of protecting our natural environment.	
216	Ann Burnett	<p>Deeply concerned that the SPPs will damage confidence in buying property in Tasmania and residential amenity. In the General Residential Zone could lose solar access, sunlight, garden space and without even being notified.</p> <p>Why should power devolve to just those with money and influence? It is undemocratic that no effort has been devoted to educating the community as to how these changes will affect them. Need widespread consultation, conducted in plain English, giving examples of how things could change for residents.</p>	<p>Zones</p> <p>Public participation</p> <p>Residential amenity</p> <p>Process</p>
217	Jen Brown	See grouped representations.	See grouped representations
218	Members Precinct 33 Amendments Group (Indra Boss and Sue Carter obo)	<p>Concern that such limited community engagement and education in relation to the content of such a lengthy and technical document. Seek and extension of time to the statutory information and consultation process to remedy this and comply with the objectives of LUPAA.</p> <p>SPPs biased in favour of development with an almost exclusive focus on procedural matters rather than being concerned with achieving good outcomes for the community as a whole.</p> <p>Council cannot develop additional objectives to protect natural and aesthetic value if they conflict with the zone purpose in the SPPs. SPPs will not create greater certainty except that greater densification will occur and hence a continued loss of natural, aesthetic values.</p> <p>Many subjective terms used which will generate debate and challenge. It is unclear how this will achieve more</p>	<p>Process</p> <p>Drafting</p> <p>Local character</p> <p>Zones</p> <p>Codes</p>



		<p>certainty.</p> <p>Low Density Residential Zone: Subjective terms which should be deleted such as Clause 10.1.2(b) 'unreasonably', Clause 10.3.1 'an unreasonable', Clause 10.4.2.1(an unreasonable).</p> <p>Inappropriate to include Multiple Dwellings as Permitted. This use is often out of character with the historic development pattern and will significantly limit public involvement in considering such future uses.</p> <p>Support HCC representation in that 'Business and Professional Services' should not displace residential uses. (HCC representation on SPPs, May 2016) Prefer if it prohibited but at least add qualification as per the General Res Zone.</p> <p>Subclause 10.3.1 Discretionary uses: To align with the desired objective, request that no Performance Criteria should be applicable to non-residential Discretionary uses in this zone. The Acceptable Solutions listed in the use standards are objective and measurable and provide a level of certainty for all parties.</p> <p>Subclause 10.3.2: To align with the desired objective, request that no Performance Criteria should be applicable to 'visitor accommodation' uses in this zone. Support HCC representation regarding this clause.</p> <p>Development standards for dwellings, subclause 10.4.1 residential density for multiple dwellings: It is not clear how the Acceptable Solution supports the objective of 'efficient use of low density residential land' when the same density provision applies as for single dwellings. Alter 10.4 Acceptable Solution by changing the current 1500m<sup>2</sup> to '750m<sup>2</sup> for the first dwelling and 500m<sup>2</sup> for the second dwelling...'. The group perceives that such a dwelling density would meet a market</p>	
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		<p>demand that is currently unmet in the SPPs. There should be no Performance Criteria.</p> <p>Subclause 10.4.1 Objective: Typo – should read 'So' not 'To' and subclause 10.4.1 A1 Typo – should read 'that', not 'than'.</p> <p>The group believes the SPPs standards work for green field sites and supports there use in such situations but will be difficult to comply with in existing urban areas. In these areas, the group strongly believes that there are no Acceptable Solutions and that the Performance Criteria need to reflect the reality of lot shapes and be much more specific in relation to the criteria objectives. The group feels strongly that the General Residential Performance Criteria are more appropriate for existing urban areas zoned Low Density Residential.</p> <p>Clause 10.5 Development Standards for Non-Dwellings</p> <p>Properties in our locale have rear property boundaries that go the high water mark of the Derwent River and in that sense possess 'frontage' onto the Derwent River and often have boatsheds.</p> <p>The development standards as written in the SPPs do not appear to cater for either of these realities of the Low Density Residential Zone in some existing urban areas.</p> <p>Clause 10.6 Development Standards for Subdivision: As per comments re dwellings the standards are more appropriate in greenfield sites than in existing urban areas. Should be no Performance Criteria. The standards should differentiate between greenfield sites and existing urban areas.</p> <p>Subclause 10.6.1 Services A3 and P3: Should be updates to stipulate Water Sensitive Urban Design as mandatory</p>	
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		<p>criteria for the stormwater systems, whether gravity based or not.</p> <p>Codes Generally</p> <p>The SPPs must specifically consider situations where there is co-occurrence of multiple risks in an area or on a site as identified within the overlay maps of Local Planning Provisions as surely a higher overall risk results in such situations. Considering each risk in isolation is suboptimal as surely the overall risk as a whole is greater than the sum of the individual parts and should therefore be reflected in the specific provisions that may well move use and development from exempt or Permitted status into Discretionary or even Prohibited status.</p> <p>Natural Assets Code</p> <p>Concerned that this code does not apply to the Low Density Residential Zone. Currently in the Hobart IPS the area is covered by the Waterways and Coastal Protection Code in recognition of the natural values present in the area. We request that the NAC be applied to the Low Density Residential Zones and in particular that exemptions for clearing of vegetation in private gardens be removed. This is so that the natural values of the Precinct 33 coast line east of the escarpment can be preserved, in particular to protect habitat for Little Penguins (Fairy Penguins) whose presence has been identified and confirmed.</p> <p>State Coastal Policy, outcome page 8 clause 1.1.10 requires the design and siting of buildings, engineering works and other infrastructure, including access routes in the coastal zone, will be subject to planning controls to ensure compatibility with natural landscapes.</p> <p>Scenic Protection Code</p> <p>Concerned that this code does not apply</p>	
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		<p>to the Low Density Residential Zone. The code refers to applicability to scenic road corridors, the group submits that restricting the code applicability to only road corridors, is an oversight as scenic landscapes may equally be viewed from other transport modes, including foot, bicycle, train, or indeed boat. The latter is particularly relevant to the locale of former Precinct 33.</p> <p>Coastal Erosion Hazard Code and Coastal Inundation Hazard Code: Concerned with the exemptions as described in C10.4.1 and C11.4.1 (a), (b) and (c). Any use or development along the land /sea interface contributes to the destabilisation of the natural substrate the impact of which is often evidenced on adjoining properties.</p> <p>Bushfire Prone Areas Code</p> <p>The code applies to a number of properties located within the former Precinct 33 area, especially those on the western side of Sandy Bay Road, as they are 'within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare' (C13.3.1).</p> <p>The group is fully supportive of the provisions for this code in the SPPs.</p> <p>The group encourages the Minister to consider a special initiative to 'reassess' and 'retrofit' suitable measures to ensure code provisions can be met by existing dwellings and offer residents an opportunity to become fully compliant.</p> <p>Landslip Hazard Code</p> <p>The group finds that the use of terminology such as 'tolerable level of risk' which is defined as 'the lowest level of likely risk from landslip that is reasonably practical for society to live with.....' as not providing any great clarity at all.</p> <p>Surely the level of risk is already identified by the nature of the 'landslip hazard</p>	
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		<p>bands' and therefore the provisions in the SPPs should be clear and precise as to what use and development is appropriate in each of the hazard bands.</p> <p>The landslip hazard report (as defined) should then be used to verify whether the proposed use and development is compliant with the hazard band applicable to the site.</p>	
219	<p>David Carr as representative of the estate of the late Albert Carr (Page Seager Lawyers, Sarah Wilson obo)</p>	<p>Landscape Conversation Zone replacing Environmental Living Zone. Site specific issue for a group of properties at Droughty Point. History of zoning now resulted in Landscape Conservation Zone. Application of this zone unfairly restricts continued agricultural (cropping and grazing) operations on the land.</p> <p>No support for Low Density Residential Zone being used as a 'buffer' between residential and non-residential development.</p>	<p>Zones Drafting</p>
220	Terrie Sanders	<p>See grouped representations.</p> <p>No monitoring process set up to assess the benefits of the SPPs.</p> <p>Concern that overseas experience will be repeated where alterations are being made to add back in the character and nature that was taken out by over development and lack of forward town planning for the human community requirements.</p>	<p>See grouped representations</p> <p>Outside the scope of SPPs consideration</p> <p>Local character</p>
221	Leslie Frost	<p>See grouped representations.</p> <p>Concern about the removal of appeal rights for developments on reserved land in the Environmental Management Zone.</p> <p>Believes development and other activities should occur outside reserved land to ensure its values are protected.</p> <p>Concerned that allowing some private operator access to reserved land creates an unfair advantage for some over other</p>	<p>See grouped representations</p> <p>Zones Drafting Public participation Outside the scope of SPPs consideration</p>

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		<p>tourism, accommodation and local businesses.</p> <p>Supports local councils and the community having an appeal right against reserve activity assessment decisions.</p> <p>Specific example provided where lease restrictions regarding Freycinet Lodge in Freycinet National Park and remain valid.</p>	
222	<p>Hydro Tasmania</p> <p>(Chief Operating Officer, Evangelista Albertini)</p>	<p>Support for planning reforms. Specific clause changes requested to ensure consistency with other legislative instruments and mechanisms that allow for the clearing or damage to other threatened flora species and references to the management of reserved land as identified elsewhere in the Environmental Management Zone.</p>	<p>Zones</p> <p>Drafting</p>
223	<p>Bob and Mary Dowling</p>	<p>See grouped representations. Concern for the survival of the uniqueness of Freycinet by proposing money making ventures to its detriment.</p>	<p>See grouped representations</p>
224	<p>Planning Institute of Australia</p> <p>(President Tasmania, Alex Brownlie)</p>	<p>29 recommendations aimed to further the RMPS objectives regarding policy, redrafting, process and implementation of the SPPs. Particular emphasis on the need for a full suite of State Policies for all matters to which planning controls apply. Critical State Policies are required in the areas of climate change adaptation and mitigation, agricultural land use policy, economic growth, social equity and affordable housing, sustainable transport and achieving high quality urban design in our urban areas.</p> <p>Part 1 Objectives:</p> <p>Action on Climate Change.</p> <p>Should consider the SPPs holistically having regard to the need for it to assist in mitigating the effects of and adapting to climate change.</p> <p>Climate change adaptation</p>	<p>LUPAA objectives</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Codes</p> <p>Zones</p> <p>Residential amenity</p> <p>Local character</p> <p>Public participation</p> <p>State Policies</p>

		<p>Nominate a planning standard for assessment of risk in the planning scheme by nominating quantitative standards based on the best available evidence. Set standards for consideration of climate change impacts by 2100.</p> <p>Provide flexibility in all zoning standards to enable an assessment of risk in determining any new application, regardless of whether a Coastal Erosion Hazard Code or Coastal Inundation Hazard Code has been applied.</p> <p>Fund and implement climate risk assessments for each municipality and direct that planning authorities apply appropriate planning controls.</p> <p>Revisit controls that may be required to retreat from at risk areas.</p> <p>Energy efficiency and solar access</p> <p>Review energy efficiency measures for buildings in urban zoning to require minimum standard measures and incentivise 'high achieving' energy efficient buildings.</p> <p>Overshadowing standards should be re-introduced as Acceptable Solutions in the residential zones, such that habitable rooms and private open space receive 3 hours of sunlight between 9.00am and 3.00pm on the winter equinox.</p> <p>There should be some consideration to overshadowing of public and private communal open space and solar energy systems in all other Urban Zones.</p> <p>Facilitating renewable energy</p> <p>The SPPs be amended to permit renewable energy in the Agriculture Zone and include specific development standards to facilitate renewable energy on a commercial scale, with clauses 52.32 and 52.42 of the Victorian Planning Provisions as a guide.</p>	
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		<p>The SPPs be amended to provide a specific development standard in Urban and Commercial Zones to facilitate low-scale renewable energy in Commercial and Business zones.</p> <p>The SPPs be amended to include new development standards in Residential, Commercial, and Business zones to protect access to sunlight for existing renewable energy systems.</p> <p>Maintenance of Ecological Processes and Natural Assets Code</p> <p>That the Natural Assets Code be expanded to apply to native vegetation more broadly in all zones.</p> <p>That the same exemptions be maintained subject to removing clause C7.4.1(c), replacing clause C7.4.1(d)(i) with one of the three iterations provided, clause C7.6.2 A1 be amended (provided); or.</p> <p>That the Commission recommend to the Minister that further hearings be held on the policy basis underpinning the Natural Assets Code and the drafting of this provision.</p> <p>That the existing Biodiversity Codes and Natural Assets Codes remain in the interim (i.e. to preserve the status quo).</p> <p>Local Character and Local Area Objectives</p> <p>Revise the use tables in the business and commercial zones to provide for a commercial hierarchy.</p> <p>Restore development standards in the residential zones that require development to be consistent with neighbourhood character and local area objectives.</p> <p>Heritage</p> <p>Restore the adjacency provisions in the Local Historic Heritage Code.</p> <p>Restore the ability for State heritage to be</p>	
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		<p>listed at both the State and local level and the name of the code to 'Historic Cultural Heritage Code'.</p> <p>Public participation review the SPPs to ensure that meaningful public participation is provided.</p> <p>Review development standards in residential zones to ensure that neighbouring landowners are afforded a right to meaningfully be heard on development affecting them.</p> <p>Urban Consolidation Objectives and Activity Centre Policy</p> <p>Draft new development standards specifically for apartment buildings of 2 storeys or more in the General and Inner Residential zones, the Central Business Zone and the Urban Mixed Use Zone that:</p> <ul style="list-style-type: none"> <li>(a) Specify an appropriate minimum site density for dwellings in apartment buildings;</li> <li>(b) Specify height and setback controls appropriate to apartment buildings in these zones;</li> <li>(c) Address other planning policy considerations, including achieving good urban design, activating frontages, passive surveillance, landscaping, water sensitive urban design, housing diversity, and transit-oriented design;</li> <li>(d) Require consideration of local area objectives and neighbourhood character.</li> </ul> <p>Consider the appropriateness and consistency of the nominated minimum site area and lot size controls in the General and Inner Residential Zones, the Urban Mixed Use Zone and the Central Business Zone.</p> <p>Innovation and urban design</p> <p>Provide greater discretion in the height,</p>	
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		<p>setback and design Performance Criteria in the Urban Mixed Use Zone, the Inner Residential Zone, the Central Business Zone and other 'activity centre' Zones to allow controls to be varied for high quality urban design.</p> <p>Active street frontages</p> <p>Review the design development standards in activity centre zones to ensure active street frontages are created and including by reference to:</p> <ul style="list-style-type: none"> <li>(a) activating street frontages in Performance Criteria for front setbacks (e.g. clause 13.4.2 P1 in Urban Mixed Use Zone);</li> <li>(b) ensuring that for buildings of 2 or more storeys, apparent bulk and scale from the street is reduced through good urban design, which may include a combination of upper level setbacks, materials and articulation, and landscaping.</li> </ul> <p>Major Tourism Zone</p> <p>Remove the Major Tourism Zone and consider whether other planning zones and particular provisions are sufficient to address the intended implementation of this zone.</p> <p>Agricultural Zoning</p> <p>Review the policy differences sought to be achieved between the Rural and Agricultural Zone.</p> <p>Undertake a detailed independent process to inform future agricultural planning policy and statutory planning controls through the SPPs.</p> <p>Part 2 Objectives</p> <p>Health and Wellbeing</p> <p>Review the urban zones within the SPPs to integrate health, affordable housing, urban design, transit-oriented design and</p>	
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		environmental considerations, including tree retention and water-sensitive urban design principles, in order to promote the health and wellbeing of all Tasmanians and its visitors, and ensure a pleasant, efficient, and safe environment.	
225	Mark and Judith Purton	Concern that SPPs take particular care to implement PAL and Cradle Coast RLUS in the wording and the implications of that wording in the clauses that protect agricultural use from fettering and conflict.	State Policies Zones Drafting
226	Anna Povey and Michael Fox	<p>Concern that public consultation has been inadequate, too brief, SPPs heavily weighted to facilitate development and do not sufficiently protect environmental values or healthy communities.</p> <p>Planning Schemes are supposed to protect those overarching values that cannot necessarily be understood by individuals making individual decisions.</p> <p>No provision in the Natural Assets Code should be weaker than that already existing in a planning scheme.</p> <p>Support for North East Bioregional Network (rep 36), Kingborough Council (rep 187), Glamorgan Spring Bay Council (rep 203), Tamar NRM (rep 240) and the NRM Regions representations on the Natural Assets Code.</p>	Process  Outside the scope of SPPs consideration  Codes  Drafting
227	Launceston City Council (Town Planner, Claire Fawdry)	<p>Performance Criteria require redrafting for consistency. Support the Launceston IPS approach.</p> <p>Provides redrafted definitions (for example home based business and ancillary dwelling).</p> <p>Recommends changes to exemptions such as occasional use (limit frequency); utilities (too broad and needs qualification), home occupation, unroofed decks, outbuildings, vegetation, retaining</p>	Drafting  Exemptions  Zones  Landscaping  Codes  Stormwater

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		<p>walls, landfill.</p> <p>Use classes: service industry (needs expansion); hotel industry (bottle shops are general retail and hire).</p> <p>Clause 6.9 Prohibited use needs a head power to take account of Section 71 Agreements.</p> <p>Recommended changes to zone standards including allowable uses, setbacks, fences, lot sizes for the General Residential, Inner Residential, Rural Living zones.</p> <p>Noise standards are needed for business, commercial and industrial zones.</p> <p>Industrial zones need landscaping and emissions standards.</p> <p>Comments on allowable uses in business and commercial zones.</p> <p>Central Business Zone height and pedestrian link standards are required.</p> <p>Various suggestions to specific standards in the Agriculture, Environmental Management, Utilities, Community Purpose and Open Space zones.</p> <p>Signs code suggestions regarding heritage impact and poster/billboards in Urban Mixed Use Zone and third party signs in road reserves and suggests an Acceptable Solution of signs in a heritage location (as in Launceston IPS).</p> <p>Parking and Sustainable Transport Code: editorial and comments about the scope and application of standards.</p> <p>Road and Railway Assets Code: comments regarding the application clause.</p> <p>Do not require Electricity Transmission Infrastructure Protection Code.</p> <p>Local Historic Heritage Code: drafting suggestions including Acceptable Solution for precincts.</p> <p>Natural Assets Code: Should also apply in Village zone, Acceptable Solution for</p>	
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		<p>clearing/conversion up to 3000m<sup>2</sup> should be removed.</p> <p>Scenic Protection Code should also apply to the Low Density Residential Zone, need subdivision standards, reference to fire abatement and weed management legislation. Tenor of the code may convey expectation of 'protection' and needs review.</p> <p>Attenuation Code needs Performance Criteria to enable a site specific study to be requested and standards should address environmental nuisance as well as environmental harm.</p> <p>Riverine Inundation Hazard Code: Suitably qualified persons qualifications not stated.</p> <p>Bushfire-Prone Areas Code: Application of code issues</p> <p>Potentially Contaminated Land Code: Application of code thresholds and, whether an Acceptable Solution is possible.</p> <p>Would like to see a Stormwater Code.</p>	
228	Carolyn Hall-Jones	Concern that new standards in the General Residential zone will remove neighbour notification and appeal rights for new developments that have the potential to adversely affect them.	Public participation
229	Robert and Vicki Daly	See grouped representations.	See grouped representations.
230	ARTAS Architects (Principal/Architect, Heath Clayton)	<p>Particular issue with the Potentially Contaminated Land Code being too broad and triggers too low.</p> <p>The code should not apply to adjacent land.</p> <p>Any properties with known contamination should be mapped and publicly available.</p> <p>The code should provide exemptions for continuing uses and not require assessment.</p>	<p>Drafting</p> <p>Codes</p> <p>State Policies</p>

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		<p>Only two people in the State are deemed to be suitably qualified – this is not acceptable.</p> <p>The code should only apply when a change of use results in the site being used for a more sensitive use.</p> <p>Call for clarity on the State Policy position on dealing with contaminated land.</p>	
231	Wellington Park Management Trust (WPMT) (Manager, Axel Krusenstierna)	<p>WPMT understanding that LUPAA changes have not changed the relationship between the Wellington Park Act 1993 (WPA) and associated Management Plan and LUPAA.</p> <p>Request for SAP in Hobart, Glenorchy, Kingborough, Huon Valley and Derwent Council areas for Wellington Park.</p> <p>WPMT will review Wellington Park Management Plan for compatibility once SPPs in force.</p> <p>Would like to be able to adopt the Local Heritage Management Code as part of that review, however, concerned that current form would not meet Park needs.</p> <p>Local Historic Heritage Code</p> <p>Archaeological heritage not recognised as a distinct heritage type as 'a place or precinct of archaeological potential overlooking recorded sites with known values.</p> <p>The Burra Charter is the nationally recognised standard for the care of places of cultural heritage significance. The WPMP requires adherence to the Burra Charter. The code does not reference and there is no indication that the principles of the Burra Charter have been incorporated into it, making it difficult to align heritage protection requirements in the Park with this Code.</p> <p>Prefers terminology in the Hobart IPS Heritage Code which does not use terms such as 'compatible with', 'having regard</p>	<p>Outside the scope of SPPs consideration</p> <p>Drafting Codes</p>

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		<p>to', 'unreasonable'.</p> <p>Exemptions relating to use and excavation cannot be incorporated into the WPMP as use has the potential to impact on heritage places such as tracks (e.g.: mountain biking) and most sites in the Park would be adversely affected by the works covered by the excavation exemption.</p> <p>Noted that the code does not apply to THR listed places. Wellington Park has sites that are of both State and local heritage significance and it is unclear if an assessment of THR listed sites would also consider their Local significance. If not, will there be dual listing?</p>	
232	Tasmanian Council of Social Service Inc. (TasCOSS) (CEO, Kym Goodes)	<p>Concerned that the Taskforce's hard work is incomplete without the backdrop of a strong suite of high-level, strategic statements of principle designed to reorient the RMPS towards planning for positive social outcomes.</p> <p>Supports Shelter Tasmania (rep 250) and the Heart Foundation's (rep 246) observations and recommendations in their representations regarding amendments to the SPPs.</p>	State Policies
233	Zainab Clark	<p>Concern about 'one size fits all' approach threatening local character.</p> <p>Concern that zoning changes will allow higher density residential development in the foothills around Franklin, destroying local character and urbanising this landscape (not mentioned, however, present zoning is Environmental Living, Rural Living and Rural Resource in this area).</p> <p>Strongly supports Scenic Protection Code being strengthened to include areas adjoining historic villages.</p> <p>Concern that SPPs will threaten tourism in the 'green belt' of the Huon Valley.</p>	<p>Local character</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting</p> <p>Codes</p>

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		<p>Supports Local Historic Heritage Code requiring all new buildings (including sheds) to fit with the heritage theme.</p> <p>Focus on quality infrastructure in urban areas and leave the country countrified.</p>	
234	Rodger Bartlett	<p>Concern about lack of State Policies upon which SPPs is based and flexibility in SPPs to incorporate new State Policies.</p> <p>Qualifications of Local Council Planners need to be prescribed to ensure they have the necessary expertise to administer the SPPs and LPS.</p> <p>Concern about the Permitted pathway for development in reserves without proper consideration and public scrutiny.</p> <p>Concern about the standardisation of development standards do not promote quality urban design, excellent living environments, energy conservation and design innovation.</p> <p>Call for public hearings.</p>	<p>State Policies</p> <p>Outside the scope of SPPs consideration</p> <p>Public participation</p> <p>Local character</p> <p>Residential amenity</p> <p>Process</p>
235	NBN Co. Limited (General Manager, Government Relations, George Tzakis)	<p>The pace of the NBN rollout will be improved by ensuring certainty and uniformity across all planning schemes in Tasmania. NBN Co. Ltd. supports the SPPs but recommends:</p> <p>Telecommunications Code: Subclause C5.6.1 AS A2(a): The maximum tower height of 30m is arbitrary and may lead to a proliferation of towers. Around 80% of NBN's new fixed wireless towers sites are taller than 30m and of these only six were subject to a third party appeal and only one went to a hearing.</p> <p>Clause 4.0 Exemptions. Table 4.1: NBN should have the ability to install service poles as exempt development under the exemptions table. This would remove an obstacle to the fast and efficient connection of end users to the NBN network. There are two types of poles NBN needs to use (a 6.6m high steel pole</p>	<p>Local character</p> <p>Drafting</p> <p>Exemptions</p> <p>Codes</p> <p>Services</p>



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		<p>and a 10.2 m high timber pole). The exemption should specifically allow for these two types of poles to be erected.</p> <p>Subdivision (services): The Victorian Planning Provisions (clause 66.01-1) have a mandatory requirement with regard to subdivision, that the developer enter in to an agreement with a telecommunications provider for the provisions of telecommunications services and facilities to each lot, in a new development. This should be included in the Tasmanian SPPs. This would allow new developments to be connected to telecommunications services in a timely and efficient manner.</p> <p>New Cross-overs: An issue of common conflict and confusion relates to the installation of new crossovers and who has what responsibility when an existing telecommunications facility needs to be relocated as a result of the cross-over. There should be a requirement for any applicant for a new cross-over to reach an agreement with the telecommunications provider with respect to the relocation of the telecommunications facility.</p>	
236	Burnie Airport (Airport Manager, Michael Wells)	<p>Airports are vital infrastructure and an integral part of the national, economic and social infrastructure.</p> <p>Land use planning decisions can directly impact the safety and viability of the airport if encroachments into the Operational Airspace occurs.</p> <p>New airports are hard to establish and existing airport infrastructure is not readily replaceable or relocatable, so it is imperative to avoid unintended constraints on current or future airport use.</p> <p>A key concern in relation to the SPPs is that the National Airports Safeguarding Framework (NASF) is not referenced. Airports are hidden in the Attenuation</p>	<p>Outside the scope of SPPs consideration</p> <p>Drafting</p> <p>Codes</p>

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		<p>Code which only deals with noise and matters covered by the Airport Act (which relates to Hobart and Launceston only). Need to have a specific Airport Code that has an intent/application similar to the Road and Railway assets Code/Electricity Transmission Infrastructure Protection Code/ Telecommunications Code.</p> <p>The NASF needs to be integrated in to all local, regional and State planning.</p> <p>Airports need to have input into planning applications at the subdivision stage, when issues that may impact on the airport are better able to be picked up.</p> <p>The SPPs should adopt provisions with the same effect as those contained in the Airport Act or as a fall back the airport provisions in the Waratah-Wynyard Interim Order.</p>	
237	Penny Parish	<p>Community involvement in the planning process is economically sensible and an effective definition of sustainability (personal examples provided).</p> <p>SPPs confusing and alienating and questions where do residents 'belong' in this process?</p> <p>Concern and confusion about which parts of the planning instruments take precedence over the other (ie: Codes prevail over zones, LPS prevail over SPPs, SAPs prevail over zones and Codes).</p> <p>Concern about 9m residential building height and its modification (Inner Residential).</p> <p>Call for a community consultation programme.</p>	<p>Process</p> <p>Public participation</p> <p>Drafting</p> <p>Residential amenity</p> <p>Zones</p> <p>Process</p>
238	Holmes Dyer Pty Ltd (Director, Helen Dyer)	<p>Holmes Dyer has been engaged by Centacare Evolve Housing which is a not-for-profit housing provider that manages all Housing Tasmania's properties in the Bridgewater, Gagebrook and Herdsman's Cove communities under the Better</p>	<p>Outside the scope of SPPs consideration</p> <p>Local character</p> <p>State Policies</p>

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		<p>Housing Futures Programme.</p> <p>Centacare Evolve Housing has produced a Master Plan for the delivery of a better future for the residents of these areas. It identifies how the land and housing will be developed to deliver an improved physical and social environment for residents.</p> <p>Support for State wide approach and Acceptable Solution / Performance Criteria pathways.</p> <p>Call for wider application of the Inner Residential Zone.</p> <p>Support for LAP and PPZ and a request to apply this to Bridgewater-Gagebrook area.</p> <p>SPP, PD4.1 encourage a formula based solution as distinct from a fit for purpose solution - this does not provide innovation. Notes that standards to ensure residents of dwellings have access to private open space, sunlight and ventilation, privacy, and access and to seek to ensure a pleasant streetscape they can also lead to unintended consequences and do not promote design innovation.</p> <p>Low densities do support the levels of services and facilities the community requires. An increase in strata titled properties for which the market has a lower appetite, tracts of open space (setbacks) that contribute to the inability to manage the land and expenditure on land not used directly for housing and thus reduced affordability.</p> <p>Other examples provided regarding car parking requirements leading to additional land costs and increased car centric design expectations.</p> <p>Two examples provided demonstrating the Acceptable Solution formula approach and what this produces (using a traditional strata title design) and the second example has regard to good design principles.</p>	<p>Residential amenity</p> <p>Zones</p> <p>Codes</p>
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		Encourage further consideration of more flexibility via the Performance Criteria in respect of dwellings. Recommend smaller minimum lot sizes for all titles, greater flexibility for setbacks and private open space, height, and car parking and that the provisions should have regard to existing patterns of development - minimal drafting changes can achieve this.	
239	Southern Midlands Council (Manager Development and Environmental Services, Damian Mackey)	<p>See grouped representations. Only SMC specific issues summarised here.</p> <p>Exemptions particularly vegetation removal are insufficient, rainwater and fuel tank capacity is insufficient.</p> <p>Village Zone: Unclear if the TPS will allow for local level qualifications in the use table.</p> <p>Rural and Agriculture zones: difficult to consider without mapping. Guidance will be needed for application; need to allow for seasonal worker accommodation, Part 5 Agreement for access not supported.</p> <p>Natural Assets Code: no government policy; application of mapping leaves councils to with accountability; council supports the exclusion of urban zones and the Agriculture Zone but disagrees with applying it to subdivision in the General Residential zone as values will already have been lost.</p>	<p>See grouped representations</p> <p>Exemptions</p> <p>Drafting</p> <p>Zones</p> <p>Codes</p> <p>State Policies</p>
240	Tamar Natural Resource Management (Program Coordinator, Gill Basnett)	<p>Considers that the State-wide planning reform process has not been conducted in a way to encourage public involvement, the process has not been independent, rather it is planning reform on behalf of developer's interests.</p> <p>Additionally concerned on the Reliance on RLUS that have not been developed with input from the community.</p> <p>Supports the addition of a stormwater code, sodic/dispersive and acid sulphate soils code(s) and an Aboriginal heritage</p>	<p>Process</p> <p>Drafting</p> <p>New Code (other)</p> <p>Codes</p> <p>Zones</p>

		<p>code.</p> <p>Natural Assets Code</p> <p>Considers that the code has been weakened through exemptions, limited applicability and that the standards in the biodiversity code are stronger.</p> <p>Mapping relies on the mapping that is inaccurate, out of date and not based on up to date evidence and changes.</p> <p>Mapping should not be confined to threatened flora, fauna and ecological communities and should consider connectivity through habitat corridors.</p> <p>Different State wide biodiversity mapping should be adopted.</p> <p>Suggested changes and raised concerns on the Natural Assets Code's purpose; application of the code, definition of terms, exemptions, application requirements, development standards for building and works and development standards for subdivision.</p> <p>Suggested additional changes and raised concerns in relation to use and development exempt from the Scenic Protection, Bushfire-Prone Areas and Potentially Contaminated Land codes.</p> <p>Suggested changes an raised concerns regarding the application of the zone, use tables, use standards, development standards for building and works and/or development standards for subdivision in the: Low Density Residential, Rural Living, Rural, Agriculture, Landscape Conservation, Environmental Management and Major Tourism zones.</p> <p>In particular were concerned in the Acceptable Solutions for approval by a managing authority in the Environmental Management Zone and that the application of that zone should not be limited to public land.</p>	
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241	Rohan Willis	<p>General Residential Zone provisions (8.5.1 A3 (b); 8.5.1 A6; 8.6.1 A2; 8.6.3 A1 and 8.6.3 A2) are unnecessarily onerous or require clarification.</p> <p>Low Density Residential Zone standards are unnecessarily limiting. For example, 10.3.2 gross floor area is excessive and 10.5.1A7 will trigger discretion too readily.</p> <p>Rural Living Zone. Use Table editorial provided and does not support excessive gross floor area standard.</p> <p>Village Zone. Queries local ability for qualification, considers frontage standard excessive and editorial suggestions provided.</p> <p>Urban Mixed Use Zone. Concerned about qualifications for residential use and visitor accommodation, some standards are excessive, editorial suggestions provided.</p> <p>Local Business Zone. Question floor area and height standards, considers some standards excessive.</p> <p>Considers some General Business Zone standards excessive.</p> <p>General Industrial Zone. Identifies the need to allow for onsite water and waste water disposal and provides examples of unserviced industrial land in Dorset.</p> <p>Considers it difficult to comment regarding the Rural and Agriculture zones without mapping.</p> <p>Landscape Conservation Zone. Considers gross floor area excessive and extent of development standard unrealistic.</p> <p>Environmental Management Zone should contain an Acceptable Solution for frontage to a road and questions if on site waste water necessary if subdivision is for natural/cultural purposes?</p> <p>Community Purpose Zone editorial</p>	<p>Zones</p> <p>Drafting</p>
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		suggestions provided.	
242	Jan and Evalds Kuplis	<p>Considers the SPPs will have a negative impact on Tasmania and contravene the LUPAA objectives relating to fair and orderly development.</p> <p>The SPPs reduce public participation and encourage development without rigorous assessment.</p> <p>Concerned that the SPPs don't provide residents with certainty of privacy, neighbourhood character and property value.</p> <p>Introduce a medium density zone for the traditional ¼ acre block, reduce the permitted height in residential zones and increase setbacks to maintain amenity and privacy and require multiple dwellings to be Discretionary in every zone except Urban Mixed Use and Inner Residential zones.</p> <p>Advises that the SPPs assessment should be delayed, until a comprehensive State-wide consultation and information campaign has been undertaken.</p> <p>Councils are best placed to protect built and natural heritage and their powers to develop localised controls (through Local Provisions Schedules) should not be limited.</p> <p>Requests that the TPC hold public hearings.</p>	<p>LUPAA objectives</p> <p>Public participation</p> <p>Residential amenity</p> <p>State Policies</p> <p>Outside the scope of SPPs consideration</p> <p>Drafting</p> <p>Process</p> <p>Local character</p>
243	The JAC Group (Executive Director, Peter Kriz)	<p>Main concern is with the application and operation of the codes. Considers it difficult to give any useful comments as no mapping has been provided and many of the terms used in the codes are subject to many different interpretations.</p> <p>Codes seem to go beyond the State's 'policy position' as expressed in the explanation document, especially the codes on Electricity Transmission Infrastructure Protection, Local Heritage,</p>	<p>Process</p> <p>Drafting</p> <p>State Policies</p> <p>Codes</p>

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		<p>Natural Hazards, Attenuation, Coastal Erosion Hazard and Coastal Inundation. All need to be simplified and a threshold for the application of them, investigated.</p> <p>Natural Assets Code is particularly difficult to interpret and seems set up so that the Performance Criteria are hard to meet, resulting in a discretionary pathway for most of our subdivision applications and again for subsequent purchasers if we do not include a building envelope.</p>	
244	<p>Lionel Morrell Associates, Architects and Heritage Advisors (Lionel Morrell)</p>	<p>Considers that the SPPs are not written in plain English and will be difficult to understand and use.</p> <p>Also considers that additional public consultation and assessment period is required to fairly and equitably deal with the task.</p> <p>In relation to implementation of the Local Planning Schedule, considers that full, complete and consistent surveys need to be undertaken across each Council to ensure the required schedules and codes are populated fully, existing land uses should be investigated as part of mapping zones and zoning should consider the initial purpose of the building and interfaces between residential and business zoning should be transitional or buffered.</p> <p>Local Historic Heritage Code</p> <p>Considers that the interior of heritage buildings should not be excluded from planning, unless an assessment has evaluated the interior as not being significant.</p> <p>All features of cultural heritage significance, natural heritage significance and aboriginal heritage significance should be listed in a comprehensive State register.</p> <p>International recognised terms, such as those used in the Burra Charter, should be</p>	<p>Drafting Process</p> <p>Outside the scope of SPPs consideration</p> <p>Codes</p> <p>Zones</p> <p>Public participation</p> <p>Exemptions</p>



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		<p>adopted in relation to heritage.</p> <p>Development especially for tourism in in National Parks and Public Reserves should provide for community participation.</p> <p>Impacts of roads, road verges, kerbs, walls, trees, laps, signage, bus shelters, electricity infrastructure and the like, on heritage values should be considered within the SPPs. (Exemptions).</p> <p>Wind farms, solar collectors, telecommunication towers, air-conditioning units and industrial scale power stations should be carefully considered. Utilities should not be exempt from planning through being identified as State significance. (Exemptions).</p> <p>There should be planning controls on the protection of both built assets and landscapes from bushfires.</p>	
245	NRM Pty Ltd (Director, Rebecca Kelly)	<p>Concerned blanket exemptions (including infrastructure, outbuilding and garden structures and fences) have the potential to cause significant damage to natural and built assets if applied to priority vegetation or waterway and coastal protection areas, salinity, acid sulfate soils or dispersive soils, and should be subject to the relevant codes.</p> <p>Natural Assets Code</p> <p>Does not adequately incorporate approaches recommended by the RLUS and is in conflict or inconsistent with other relevant legislation, including the <i>Environment Protection and Biodiversity Conservation Act 1999</i> and <i>Forest Practices Act 1995</i> and <i>Forest Practices Regulations 2007</i>.</p> <p>Should provide for vegetation communities, flora and fauna and habitat that is locally, bioregionally or regionally important. Further notes protection of wildlife corridors, provisions of buffers and setbacks, priority habitat, migratory</p>	<p>Exemptions</p> <p>Codes</p> <p>New Code (other)</p> <p>Drafting</p>

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		<p>birds and vulnerable land are not adequately dealt with.</p> <p>Does not provide clarity between the relationships of various legislation and may lead to risk to both Council and developers.</p> <p>Should provide clarity on offsetting options.</p> <p>Should consider use.</p> <p>Provides for the piping of class 4 streams that will degrade water quality and stream function.</p> <p>Does not correctly apply an 'avoid, minimise, mitigate' strategy that applies offsets as a last resort.</p> <p>Relies on indicative mapping, ignoring the need for on-ground verification.</p> <p>Does not suitably deal with stormwater.</p> <p>Stormwater</p> <p>A lack of clear stormwater provisions is inconsistent with the State Policy on Water Quality Management 1997, and specifically clauses 33.1, 33.2, 31.5 and 32.1;</p> <p>Reliance on the <i>Urban Drainage Act 2013</i>, will exclude consideration of stormwater in non-urban areas.</p> <p>Treatment of stormwater under the SPPs is inconsistent with the treatment of other water and sewerage matters.</p> <p>Other codes: Concerned that the SPPs do not deal with matters of acid sulphate soils, salinity and dispersive soils, outlines the risks and needs for dealing with these matters and recommends a code is developed for each.</p>	
246	Heart Foundation (CEO, Graeme Lynch)	<p>Seeks to have health and wellbeing a priority outcome from land use planning as regulated through the SPPs.</p> <p>Recommends and suggests detailed revisions to ensure the following matters</p>	<p>LUPAA objectives</p> <p>Drafting</p>

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		<p>are adequately integrated into the SPPs.</p> <p>Explicit articulating of how the objectives of LUPAA related to health and wellbeing are furthered.</p> <p>Active living: integrating activity into daily routines.</p> <p>Active travel: travel modes that involve physical activity such as walking and cycling and includes the use of public transport that is accessed via walking or cycling.</p> <p>Provision of public open space and reserves for aesthetic, environmental, health and economic benefits.</p> <p>Mixed density housing to satisfy life cycle requirements and for walkable neighbourhoods.</p> <p>Compatible mix of land uses to promote active travel.</p> <p>Food security and access to healthy food.</p> <p>Buildings and site design actively promotes physical activity.</p>	
247	Austra Maddox	See grouped representations. Supports the position expressed by the Tasmanian Planning Information Network (TasPIN).	See grouped representations
248	Paula and Ray Bevan	<p>See grouped representations. Provided a copy Of Sophie Underwood's Representation and appears to indicate support.</p> <p>Opposes the ability for Parks to build all the way from Coles Bay to the old granite quarry, within the Environmental Management Zone at Freycinet.</p>	See grouped representations (rep 49)
249	Jeff Michel	Concerned that the SPPs provide for demolition of existing buildings and construction of blocks of units without opportunities for addressing community concerns.	Public participation
250	Shelter	Key weaknesses in the SPPs and LUPAA	Outside the scope of

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	<p>Tasmania (Executive Officer, Pattie Chugg)</p>	<p>include the absence of:</p> <p>Powers in LUPAA to support social inclusion and housing diversity.</p> <p>A State Policy on housing diversity and affordability needed to underpin the Scheme. Clause 2.1.1 is expanded to include implementation of the affordable housing strategy.</p> <p>State government support for Local Government attempting to promote supply of affordable housing, through planning schemes.</p> <p>Considers that key policies in the RLUS for housing affordability have not been implemented into the SPPs and is inconsistent with the objectives of the Act.</p> <p>Include affordable housing and social housing as examples in the residential use class.</p> <p>Amend the purposes Statements of 8.1 (General Residential) and 9.1 (Inner Residential), 13.1 (Urban Mixed Use) and the objectives of 8.4.1 and 9.4.1 to specify matters of affordable housing, social mix and dwelling diversity and affordability.</p> <p>Require any future PPZs or SAPs that will apply to urban infill or mixed use development, are close to employment opportunities of transport and service nodes to promote housing choice including affordability.</p>	<p>SPPs consideration</p> <p>State Policies</p> <p>Drafting</p> <p>LUPAA objectives</p> <p>Zones</p>
251	<p>Port Arthur Historic Site Management Authority (Acting) Chief Executive Officer and Director (Conservation and Infrastructure)</p>	<p>Supports the intent to achieve consistency and certainty in planning systems.</p> <p>Concerned about and provides suggestions in respect to the intent, provisions, applicability and general workability of the Local Historic Heritage Code. The concerns include:</p> <p>Terminology means the code is potentially ambiguous or render application problematic, for terms such as archaeological potential, archaeological</p>	<p>Codes</p> <p>Drafting</p>

	<p>, Jane Harrington)</p>	<p>evidence, archaeological impact, development involving a place or precinct of archaeological potential and especially in use of the term 'local'.</p> <p>That C6.6.1 P1(g) suggests demolition is a reasonable option to secure the long term future of a building or structure.</p> <p>That C6.6.4 includes a places 'setting', which is inconsistent with the relevant objective.</p> <p>That the listing processes (past and future), within a scheme, have not been /or are not consultative with rights of appeal.</p> <p>There is scope for confusion or overlap between Federal, State and local listings, including listed places also being in precincts.</p> <p>The explanatory document does not require a statement of local historic heritage significance.</p> <p>Conservation plans are required to be undertaken in accordance with 'Kerr's' when more modern, acceptable, alternative and more readily available models could be used.</p> <p>There will be an additional financial impost on landowners.</p> <p>Recommends that:</p> <p>The Australia ICOMOS Charter for Places of Cultural Significance 2013 (Burra Charter) be an 'applied, adopted or incorporated' document that attaches to the SPPs as it is the accepted standard-setting instrument for heritage management.</p> <p>Definitions of places of local historic heritage significance are revised and a rigorous and defensible listing process is defined.</p>	
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252	<p>Hobart Airport Tasmania</p> <p>(GM Corporate Affairs and Airlines, Melinda Percival)</p>	<p>Key issue is airport safeguarding. To date Hobart airport is a curfew free airport. Strong planning provisions need to be maintained to ensure conflicts between residential development and airports can be avoided. Hobart Airport is an essential infrastructure asset for Tasmania and planning needs to take account of its current and future operations in relation to traffic and noise increases as it grows.</p> <p>The National Airports Safeguarding Framework (NASF) is an agreed framework between the Commonwealth, State and Territories designed to improve community amenity by minimising aircraft noise sensitive developments near airports and improving safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions through guidelines being adopted by jurisdictions.</p> <p>Key concern re the SPPs is that there is no specific reference to the NASF. Planning overlays based on ANEF contours alone do not give sufficient protection from noise sensitive developments.</p> <p>Question why airports are dealt with under an Attenuation Code yet Ports and Marine are considered a zone? Airports should be a zone in their own right.</p> <p>Greater clarity needed between the SPPs and the current protection under the Clarence IPS (which takes precedence) would be valuable.</p> <p>Note that there are 11 other registered/certified Tasmanian Airports but the SPPs only mention Hobart and Launceston. These airports are regulated by CASA who can restrict/terminate airport and aircraft operations where safety standards are not met. These not been met due to poor planning outcomes leading to inappropriate development would be devastating for both the local</p>	<p>Drafting Codes</p>
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		community and the airport operator.	
253	Svens Kuplis	<p>Advises that the SPPs borrow too heavily on the flawed Interim Plan rather than the more successful former Schemes.</p> <p>Considers that the SPPs:</p> <p>Don't provide for consideration of an areas character in terms of built form.</p> <p>Do not adequately address matters of protecting the existing streetscape, protecting residential amenity, preventing overshadowing and blocking of sunlight, ensuring there is sufficient parking and pedestrian access, and protection of existing views.</p> <p>Provide for inappropriate increases in density in terms of lot size and setbacks and decreases in open space requirements.</p> <p>Fails to promote community health and safety risks through increased density and lack of provisions to protect amenity.</p> <p>Will devalue existing property.</p> <p>SPPs do not provide enough weight on landscaping and protection of existing trees and other vegetation.</p> <p>Considers that the local council is better placed to develop and consider planning schemes and apply discretion appropriate to the area.</p> <p>Recommends the establishment of independent panels to assess applications and an arbitration system that must be utilised by applicant and objectors to reach acceptable compromise before a panel or Council make any approvals.</p>	<p>Process</p> <p>Outside the scope of SPPs consideration</p> <p>Local character</p> <p>Residential amenity</p> <p>Landscaping</p> <p>Exemptions</p> <p>Drafting</p>
254	Melva Truchanas	<p>Supports a simplified scheme but does not believe the SPPs provide this. Concern about lack of public understanding and that the SPP will change Tasmania's character to that of other Australian cities.</p> <p>Concern that the SPPs stop previous</p>	<p>Local character</p> <p>Zones</p> <p>Exemptions</p> <p>Residential amenity</p>

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		<p>protection in place for National Parks and Reserves.</p> <p>Alterations to create higher population densities, the reduction on protecting amenities from the visionary planners of the past, and loss of controls for the privacy and sunshine which we treasure are the negative adjustments the SPPs.</p>	
255	John Heck	<p>Concerned that the legislation has caused cost shifting onto Local Government, the costs of appeals have tripled and the lack of a period restricting representation of an unsuccessful development application is nonsense.</p> <p>Concerned that the SPPs favour developers, are not suitable for the differences that exist between communities, provide development in National Parks (Environmental Management Zone) that is too easy and inconsistent with the purpose of these sites and too few of Tasmania's coastal assets are publically accessible.</p>	<p>Public participation</p> <p>Drafting</p> <p>Local character</p> <p>Zones</p>
256	Tasman Council (Senior Contract Planner, Shane Wells)	See grouped representations.	See grouped representations
257	Lisa Kuplis	<p>There needs to be a comprehensive State wide consultation and information campaign before SPP assessment by the Government.</p> <p>SPPs contravene LUPAA objectives in relation to fair, orderly development and pleasant places to live.</p> <p>SPPs should be withdrawn or significantly modified to introduce a medium density residential zone (between the General Residential and Low Density Residential zones), increased setbacks and lower heights, use status for multiple dwellings.</p>	<p>Process</p> <p>LUPAA objectives</p> <p>Residential amenity</p> <p>Zones</p> <p>Drafting</p> <p>Public participation</p>



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		<p>SPPs do not provide certainty.</p> <p>Make multiple unit residential development Discretionary in all zones, except Urban Mixed Use or Inner Residential zones.</p> <p>Very limited environmental protections for National Parks or on private land, concern about the limit on LPS and Council's ability to protect local character, concerned that more development will be allowed without public input.</p> <p>Call for public hearings.</p>	
258	Kim Peart	<p>Concern that the heritage protection for the township of Ross have been falling away, especially with the Urban Growth Boundary to the south of the town extending into the Rural zone.</p> <p>Call for minimum lot of 5 acres to the south of Ross to retain rural character in a heritage area.</p>	Outside the scope of SPPs consideration
259	Barbara Murphy	<p>See grouped representations.</p> <p>Concerned that there is no opportunity in the Environmental Management Zone for members of the public to question or challenge new projects or extensions.</p> <p>Parks have intrinsic value and do not necessarily need buildings.</p> <p>Requests the TPC to hold hearings</p>	<p>See grouped representations</p> <p>Zones</p> <p>Drafting</p> <p>Public Participation Process</p>
260	West Tamar Council (Mayor, Christina Holmdahl)	<p>Supports extension to the 90 day assessment time frame.</p> <p>Would like discretions for development to take into account purpose of the zone, any local area objectives and purpose of any SAP, Code or requirements of any Site Specific Qualification ie the relevant provision applies to development and not just use. Would like to be able to extend Performance Criteria.</p> <p>Concern with the cost of preparing another new planning scheme.</p>	<p>Process</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Codes</p>

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		<p>Concerned regarding uncertainty of how Rural and Agricultural zones would be used.</p> <p>Potential impact on Rural Living Zone and possible back zoning of properties flagged.</p> <p>Believes the SPPs require redrafting to meaningful Performance Criteria so that actual merits of discretions can be considered for a subject site, surrounding properties and wider area.</p>	
261	<p>Master Builders' Association of Tasmania Inc.</p> <p>(Executive Director, Michael Kerschbaum)</p>	<p>Supports majority of reforms proposed in the Tasmanian Planning Scheme (TPS). Key benefits are:</p> <p>Reduction of duplication which currently exists across the 29 municipal boundaries, alignment of zoning and codes, common interpretations of terms, effective mechanisms to deal with discrepancies in interpretation, easier and more cost effective to do business, consistency across all sectors ie industry, commercial, rural standards applied consistently across the State. Clearer and more consistent language, clearer purpose statements which make use and development standards more understandable and workable but drafting conventions could be more modern.</p> <p>Infrastructure issues can be better integrated with land use issues across the whole State. Infrastructure zones and codes could be combined so that they are considered in a more holistic sense.</p> <p>Increased number of exemptions will reduce compliance costs.</p> <p>Savings for councils in not having to develop new schemes every 5-10 years.</p> <p>Praises the reform process for being collaborative, including a diverse range of stakeholders and allowing for extensive consultation, resulting in superior outcomes. The Terms of Reference for developing the TPS imposes some</p>	<p>Drafting</p> <p>Exemptions</p> <p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Codes</p> <p>Process</p>

		<p>restrictions that result in some of the provisions not going far enough. Believe the review process for the SPPs and LPSs gives ample opportunity for natural justice and time for representations.</p> <p>Table 4.1 Retaining Walls: Likely changes to Building Act need to be considered in the final version of the TPS to ensure consistency with this Act as much as possible.</p> <p>Clause 8.4.1 A1 and 8.6.1 A1: General Residential Zone minimum lot size for single lots and multiple dwelling sites should be smaller due to need to reduce footprint of urban expansion and reflect the Australia wide trend towards smaller lot sizes.</p> <p>Reduce Clause 8.4.2 A3(a)(i) Front setback for internal lots to 3m (no streetscape impacts).</p> <p>Clause 8.4.4 Sunlight and overshadowing of all dwellings. Provisions are unnecessary as diagram and standards adequately deal with the issue. Also energy efficiency requirements of the National Construction Code require appropriate solar orientation. Provision also doesn't allow for situations where a client may have views that they wish to take advantage of but these may not face north. They should be able to make a choice between maximum solar orientation or views.</p> <p>Diagram 9.4.2D (Inner Residential Zone) building envelope for internal lots as required by clause 9.4.2A3(a) appears incorrect. Shows a 4.5m rather than a 3m setback.</p> <p>Table C.9.1 Attenuation Code: Queries the rationale behind the distances set for some of the less intrusive activities. Believes the TPC should query the validity of them to ascertain their accuracy and</p>	
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		basis.	
262	John Leslie Jones	Objects to the SPPs as property title rights as per the Federal Constitution are being flagrantly dismissed with no mention of compensation to the affected party or just terms to work around and natural assets, scenic protection and the protection of biodiversity and threatened species should be accommodated within the resources sector of Government and should not interfere with private property issues.	Outside the scope of SPPs consideration
263	Sally Mollison	Within the Environmental Management Zone significant new tourism projects will be able to be approved without public input or opportunities for appeals against development decisions.  Vegetation clearance within national parks will not be adequately scrutinised.	Zone  Public participation  Exemptions
264	Susan Blackburn	See grouped representations.	See grouped representations (rep 49)
265	The Property Council of Australia (TAS Executive Director, Brian Whightman)	Believes planning should be removed from the remit of Local Government and placed in an independent statutory body but are fully supportive of the TPS.  Key benefit of the TPS is consistency.  The use of the various business zones are deemed highly appropriate for commercial, investment and development purposes whilst still recognising the uniqueness of both the various cities in the State and the State itself.  Applauds the introduction of more defined terms which reduces the potential for legal disputes. e.g. more clearly defining terms such as 'adjacent' and 'adjoining' especially in relation to developments potentially impacting heritage.  Generally supportive of the provisions	Outside the scope of SPPs consideration  Local character  Drafting  Codes  Zones  Visitor accommodation

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		<p>relating to height restrictions, windows and setbacks.</p> <p>Need for guidance to be provided in relation to Performance Criteria as there is always a danger that these qualitative standards being subjective in nature become inconsistently applied over time. Important point because the interpretation of these is often the basis of legal dispute.</p> <p>Concern that the LPS's will take time to prepare and there is a need to adequately resource Local Government to produce them in a timely manner.</p> <p>Concern that due to Local Government sector input into these provisions there will be room for interpretation and potential for unpicking consistency. The Property Council, recognises that areas of Tasmania are unique and should be recognised in the planning regime but cautions that is important to ensure that the parameters around local provisions remain tight and are not' unpicked by unruly councils wishing to impart their unique views regarding particular local planning matters.' Clause 5.4.3 which states that 'where there is a conflict between a Local Planning Provision and the State Planning Provisions, the Local Planning Provision prevails.' This clause gives concern to the Property Council and has potential ramifications of reducing consistency and needs to be closely watched.</p> <p>C6.0 and LP(3.4sic) 6.4 Local Historic Heritage Code. Acknowledge that heritage permits are often complex and that the Local Historic Heritage Code is an impressive improvement from previous such codes, especially C6.4 Developments Exempt from this Code.</p> <p>Query the use of Heritage Precincts that often include properties not listed and</p>	
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		<p>what we are trying to protect? Concern that local heritage schedule lists have properties added to them that should not have been listed in the first place and that the best way to preserve a property is use it through renovation. Balanced decision making is needed to ensure that through appropriate use heritage buildings and their historic significance is preserved.</p> <p>Very supportive of the audit of the Tasmanian Heritage Register.</p> <p>Expresses concern regarding situations where Council heritage officers have made decisions overriding the Tasmanian Heritage Council. An example of their concern with Local Government involvement in decision making regarding planning.</p> <p>Clause 3.1 (lot definition), Clause 5.4.1 local planning provisions suggest that the use table should only distinguish 'No Permit Required', 'Permitted' and 'Prohibited' with the zone purpose statements remaining to resolve instances where Performance Criteria were unclear.</p> <p>Clause 6.8.1(a) Discretionary use or development: Hours of operation, external lighting and commercial vehicle movements (traditionally simply conditions on a permit) are now use standards. If complied with then the Discretionary use becomes Permitted and avoids advertising. Clause 6.8.1(a) does not allow this though and requires an application to be advertised regardless of compliance with standards. Why, if a development meets all the Acceptable Solutions, does it need to be a Discretionary use in the use table?</p> <p>Visitor Accommodation standards apply to use and whether it's Discretionary. The visitor accommodation provisions are mixing use and development. Replace with The Visitor Accommodation</p>	
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		<p>provisions mix use and development. If new development is proposed for Visitor Accommodation it will need to comply with the development provisions under the zone. The Permitted component should be addressed in the use table.</p> <p>Clause 6.10 Determining Applications: Use table qualifications should only relate to use not development. Operates when Discretionary and when all standards have been met. Why have Discretionary uses in the table? This raises a further question if a development is a Discretionary use but it satisfies all the Acceptable Solutions. It could just be Permitted, Prohibited and Discretionary.</p> <p>Clause 6.11 Conditions and Restrictions on a Permit. Subject to the restrictions of 6.11.2 need to highlight that Council has the ability to apply conditions that do not directly relate to a provision of the scheme provided those conditions are for a reasonable planning purpose associated with the application.</p> <p>Attenuation Code: Concern that local provisions via overlay maps can prevail over the State wide provisions in Table C9.1 Attenuation Distances, in relation to distances for a quarry or extractive pit.</p> <p>Coastal Erosion Hazard Code: Hope that the mitigating natural hazards through land use planning and building control coastal hazards in Tasmania summary report consultation draft is being considered in relation to this code, to ensure consistency.</p>	
266	Geoff Law	<p>See grouped representations.</p> <p>Opposes the SPPs due to the treatment of the States reserved land, as vehicles for development, in opposition to the purposes of reservation.</p> <p>Concerned that the proposed changes are so widespread that more time is required</p>	<p>See grouped representations</p> <p>Zones</p> <p>Drafting</p> <p>Process</p>

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		for the public to consider the SPPs.	
267	National Trust of Australia (Tasmania) (Managing Director, Matthew Smithies)	<p>Concerned that the SPPs don't allow for specific and particular emphasis on the character of town/villages, their approaches, farmlands and natural settings.</p> <p>Concerned that by removing desired future character, standardising requirements and providing Permitted pathways, it will result in a series of identical State wide suburbs, and all evolving flavour, urban character, community involvement and local council expertise will be removed from the process.</p> <p>Notes that the sites zoned Major Tourism under the IPS, does not include significant tourist places but instead reflects a few select businesses.</p> <p>Considers that the Local Historic Heritage Code needs to be reworded to take into account Scenic Protection Code and changes in future heritage knowledge / listings and Aboriginal heritage.</p>	<p>Local character</p> <p>Zones</p> <p>Drafting</p> <p>Codes</p>
268	Robert Vincent	<p>See grouped representations, supports position of TasPIN.</p> <p>Concerned that the SPPs, particularly PD4.1 is too focused on favouring the interests of developers and the real estate industry.</p> <p>Considers that the process and SPPs are not inclusive, and as a consequence, do not meet the objectives of the Act related to participation.</p> <p>Concerned that the one-size-fits-all approach of the SPPs will be detrimental to local character and amenity, where planning should provide for subtle consideration of each areas unique values.</p>	<p>See grouped representations</p> <p>Residential amenity</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Process</p> <p>Public participation</p> <p>LUPAA objectives</p> <p>Local character</p>
269	Australian Airports	Believes there are two fundamental flaws in the SPPs in relation to airports	<p>Drafting</p> <p>Codes</p>



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	Association (Acting CEO, Nick Lane)	<p>There is no specific reference to the National Airports Safeguarding Framework (NASF).</p> <p>There is no formal recognition of airports outside the scope of the <i>Commonwealth Airports Act 1996</i>.</p> <p>Believe the SPPs need to include a specific Airports Code that has an intent and application similar to the Road and Railway Assets Code, Electricity Transmission Infrastructure Protection Code and the Telecommunications Code. Should include issues dealing with navigable air space and allow for review and approval of development proposals.</p>	
270	Geoffrey Bradshaw	<p>Concerned that development proposals may be approved without adequate consultation and review, resulting in inappropriate development, especially high-rise development.</p> <p>Concerned there is a lack of consideration in terms of preservation of notable buildings, heritage buildings and the impact of new development on local buildings and the surrounding area (Local Historic Heritage Code).</p>	Public participation Codes
271	Bruce Paterson	<p>Concerned about appeal costs.</p> <p>Concerned that impact of overshadowing and amenity within multiple dwelling developments are not adequately considered (especially in appeals) compared to impacts on adjacent lots, but supportive of provisions that provide for these considerations (General and Inner Residential zones).</p> <p>Specifically in regard to overshadow, considers that provision of shadow diagrams under 6.1.3 should not be discretionary to avoid ad-hoc practices.</p> <p>Supports removal of 400sqm maximum density (in clause 9.4.1, Inner Residential Zone).</p>	Outside the scope of SPPs consideration Residential amenity Drafting

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		<p>Concerned site coverage requirements have increased and private open space requirements have decrease (in clause 9.4.3).</p> <p>Suggest 9.4.3 A1 and A2 should be clarified so that it applies where dwellings are wholly 1.8m or above and should consistently refer to the same 'ground level'.</p> <p>Concerned that reliance on AS2890 alone for vehicle access, will not ensure that the access is safe.</p>	
272	David Halse-Rogers	<p>Concerned that the SPPs don't meet objective 1 (c) of schedule 1 of the Act as it provides for too much Permitted or exempt development.</p> <p>Concerned that too much Permitted or exempt development and the standards as drafted provide for no consideration of sense of place, public amenity or would be inconsistent with an areas character.</p>	<p>Public participation</p> <p>LUPAA objectives</p> <p>Local character</p> <p>Drafting</p>
273	Liz Smith	<p>Questions whether the SPP consultation process is adequate considering the length and complexity of the document.</p> <p>Concerned that the work being done during the IPS process, including representations by the community, will largely be ignored.</p> <p>Concerned the SPPs making more development Permitted, disadvantages neighbours and the community and removes avenues for appeal.</p> <p>Deferral to the Reserve Activity Assessment process is a threat to the natural environment (Environmental Management Zone).</p> <p>The Major Tourism Zone is an invitation for developers to benefit from Tasmanian's natural assets, when these sites are valued and protected through community effort. The application of the Major Tourism Zone requires a separate</p>	<p>Process</p> <p>Outside the scope of SPPs consideration</p> <p>Public participation</p> <p>Drafting</p> <p>Zones</p> <p>Codes</p> <p>Residential amenity</p> <p>Stormwater</p>

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		<p>assessment and consultation process.</p> <p>There is not adequate consideration of biodiversity corridors (Natural Assets Code).</p> <p>Supports higher density housing in urban areas, where undertaken in accordance with water sensitive urban design and where it is compatible with existing housing.</p>	
274	Sharon Connolly	<p>Concerned that development proposals may go ahead without adequate opportunities for consultation, resulting in inappropriate development.</p> <p>Particular concern regarding inappropriate high-rise development where it impacts on amenity and neighbourhood character or without consideration of preserving notable/heritage building and may result in the loss recreational and other spaces that are important for quality of life and control of climate in cities.</p>	<p>Public participation</p> <p>Residential amenity</p> <p>Local character</p>
275	Environmental Defenders Office (Tas) Inc. (Principal Lawyer, Jess Feehely)	<p>Advises that the SPPs do not further the objectives of the LUPAA, reflect the Regional Land Use Strategies or reflect a faster, fairer, simpler or cheaper planning system.</p> <p>Considers that further consultation is required and hearing need to be held.</p> <p>There is an absence of well-articulated, State wide strategic policies, compromises delivering the goals of the RMPS.</p> <p>The SPPs don't provide enough flexibility in Local Planning Schedules to adequately deal with local geographical, geological, demographic and historical variations.</p> <p>There should be more options to balance protection of natural values in the Landscape Conservation Zone.</p> <p>Revision is needed to remove ambiguous phrases such as acceptable, unnecessary and tolerable.</p>	<p>LUPAA objectives</p> <p>Outside the scope of SPPs consideration</p> <p>Process</p> <p>State Policies</p> <p>Local character</p> <p>Zones</p> <p>Drafting</p> <p>Codes</p> <p>Exemptions</p> <p>New Code (other)</p> <p>Stormwater</p>

		<p>Identified the following key concerns</p> <p>The reliance on assessments of impacts on natural and cultural values by external approval authorities risks ad hoc and inconsistent decision-making, lack of infrastructure integration and removal of public participation. In particular, reliance on Forest Practices Plans and Reserve Activity Assessments removes options for public involvement and jeopardises the achievement of sustainable development and maintenance of biodiversity (for example: Environmental Management Zone, Exemptions, Natural Assets Code).</p> <p>The Natural Assets Code fails comprehensively to provide contemporary protections for a broad suite of biodiversity values, not just threatened flora and fauna.</p> <p>The extensive exemptions from the Natural Assets Code severely compromise the capacity to achieve even its limited aims of protecting threatened species.</p> <p>The SPPs miss a clear opportunity to embed sustainable transport and emissions reductions considerations into the planning process.</p> <p>Additional codes are required to regulate specific impacts, including impacts on Aboriginal heritage and geoconservation areas, and impacts from stormwater run-off.</p> <p>Provided detailed comments (including some support) and recommendations in relation to the key points and additional matters including: purposes and objectives; definitions; operation of codes; operation of SAPs; application requirements; determining applications, operation and content of the general provisions; exemptions; zone provisions related to landscaping, site coverage and use; green spaces, pedestrian and bicycle networks; zone purposes; specific use or</p>	
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		<p>development standards Code purposes, application, information requirements definitions, exemptions; and the application and review of mapping.</p> <p>Support and endorse the recommendations made by: Hobart City Council in relation to the Local Historic Heritage Code; and Kingborough Council regarding separation of bushfire hazard reduction from planning assessment.</p>	
276	<p>South Hobart Progress Association</p> <p>(Snr Vice President, Kevin Wilson)</p>	<p>Supports the Hobart City Council's representation and specifically the matters raised by Council in relation to:</p> <p>Standardisation of zone provisions</p> <p>Landscape Conservation Zone</p> <p>Local Historic Heritage Code</p> <p>On-site wastewater management code</p> <p>Stormwater management code.</p> <p>Considers that the process is being unduly rushed and requests that public hearings are held.</p>	<p>Local character</p> <p>Zones</p> <p>Codes</p> <p>Stormwater</p> <p>Process</p>
277	Annette Dean	<p>Supports the intent of the Landscape Conservation Zone.</p> <p>Concerned that the scheme facilitates building of roads through Parks to access development on private land.</p> <p>Concerned that outside of parks it largely ignores protection of threatened ecosystems, species and human heritage.</p> <p>Council's may not implement scenic protection or heritage mapping, and the scheme allows too much development on skylines.</p> <p>The SPPs fail to adequately consider bushfire risk in terms of subdivision.</p> <p>The SPPs ignore regional plans and overriding policies and zoning is not able to capture new information, shifting distribution and block scale detail of</p>	<p>Zones</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>State Policies</p> <p>Local character</p> <p>Public participation</p> <p>Codes</p>

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		<p>values.</p> <p>The SPPs are ecologically unacceptable and fail public process by allowing development in Parks to be approved without Councils being able to refuse development applications. (Environmental Management Zone).</p> <p>Permitting development subject to the Natural Assets Code where a certified Forest Practices Plan exists, fails due public process.</p> <p>The Natural Assets Code is deficient in terms of considering habitat loss, fragmentation and ecological processes and includes too many exemptions.</p> <p>The SPPs inappropriately provide for subdivision near parks or the World Heritage Area.</p>	
278	<p>Accommodation Association of Australia (CEO, Richard Munro)</p>	<p>Support less regulation for tourism accommodation business but tighter controls need to be introduced in relation to tourist accommodation promoted through sharing economy (Airbnb) to ensure guests stay in a safe environment and to reduce the risk to investment in 'bricks-and-mortar' tourism accommodation.</p> <p>Companies which generate business by operating an online platform for residential properties to be used for short-stay tourism accommodation are displaying a flagrant disregard for planning laws, building fire safety requirements, disability access requirements and insurance requirements.</p> <p>Supports a requirement that any property or development which is used for tourism accommodation is exempt from requiring a planning permit if it is used for no more than 30 nights in any calendar year. The 30 night threshold should be focused on the major cities of Hobart, Launceston and Devonport.</p>	<p>Visitor accommodation</p>

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		<p>In relation to remote area and wilderness based tourism operations, support such operators being able to apply for a variation to the 30 night threshold up to 90 nights.</p> <p>The Tasmanian Government should consider mandating in legislation that all tourism accommodation properties which require a permit and are currently Class 1a buildings must apply for a development application to a Class 1b building.</p> <p>Every tourism accommodation business which requires a permit (i.e. it is above the proposed 30-night threshold) should carry a minimum \$10,000,000 public liability insurance.</p>	
279	Elizabeth Green	<p>Objects the SPPs as they:</p> <p>Are too difficult to understand</p> <p>Appear to favour developers</p> <p>Take away rights of appeal</p> <p>Don't adequately deal with overshadowing, don't adequately control building height especially in heritage areas and needs to more carefully and sensitively deal with historic heritage. (Local Historic Heritage Code).</p>	<p>Process</p> <p>Drafting</p> <p>Public participation</p> <p>Residential amenity</p> <p>Codes</p>
280	Sarah Zehmeister	<p>Considers that the scheme is generally clear, on occasion unclear, should act as the primary instrument for managing development in Tasmania and not require multiple permits under different legislation and deficient in achieving schedule 1 objectives of the RMPS, in relation to a range of specified matters and the State Policy on Water Quality.</p> <p>Considers that most zones and code purpose statements or standards don't require matters listed in 6.1.3 application requirements, specifically schedules of easements, location of services and natural hazards.</p>	<p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>LUPAA objectives</p> <p>State Policies</p> <p>Codes</p> <p>Zones</p> <p>LGBMPA</p> <p>Stormwater</p> <p>Services</p>

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		<p>Riverine Inundation Hazard Code is vague and unworkable, contains ill-defined terms; should not be limited to mapped areas (unless mapping improves); doesn't adequately consider third party land, environmental or public health risks;</p> <p>Recommends outbuildings, buildings in Rural Living Zone, retaining walls should only be exempt where a code doesn't apply.</p> <p>Provides additions/revisions to application requirements and 6.11.2 in relation to infrastructure.</p> <p>Requests better and complete linkages to the LGBMP in relation to subdivision.</p> <p>Recommends revision to information requirements relating to stormwater but prefers the insertion of a stormwater code.</p> <p>Recommends clarification in terms of connections to reticulated sewer and water services and drainage of building areas.</p> <p>Provides additional standards and/or alterations in the Natural Assets Code, Riverine Inundation Hazard Code.</p> <p>Natural Assets Code. Doesn't support exemptions c and d; the separate requirements in 7.6.1 A1 and P1(d).</p> <p>Excavation Acceptable Solution C14.6.2 A1 of the Contaminated Land Code volume is too great.</p> <p>Supports the purpose of the Riverine Inundation Hazard Code, especially standards for critical, vulnerable or hazardous uses and subdivision.</p>	
281	<p>Tasmanian Conservation Trust Inc.</p> <p>(Director, Peter</p>	<p>Advises that they don't support the SPPs, as the approach taken will lead to negative outcomes for the natural environment and communities and will probably not achieve the Governments</p>	<p>LUPAA objectives</p> <p>Process</p> <p>Drafting</p> <p>State Policies</p>



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	McGlone)	<p>objectives.</p> <p>Urges public hearing to be held.</p> <p>Concerned that the Tasmanian Planning Scheme will be complex to use.</p> <p>The SPPs lack guiding policies, in areas such as population, settlement, conservation of biodiversity and natural values and climate change.</p> <p>Section 2 and 2.1 of the SPPs provide little policy guidance and don't include how the SPPs will meet the RMPS objectives, particularly in terms of sustainable development.</p> <p>State wide mapping has not been provided, TasVeg mapping is inaccurate and will require review, there is no methodology set for allowing Councils to vary State wide mapping.</p> <p>Exemptions for vegetation clearance (excepting statutory exemptions) are too broad, especially in terms of landscape and vegetation management and should not apply where the Natural Assets Code applies.</p> <p>Uses Permitted in zones are too broad and don't have regard to potential environmental impacts.</p> <p>That Permitted pathways in the Environmental Management Zone, provided by a PWS approval, excludes public participation, is not transparent and potentially a politically influenced process and that PWS cannot be expected to account for all planning matters that council would.</p> <p>Councils cannot refuse clearing of priority vegetation in the Rural Living Zone up to 3000m<sup>2</sup>.</p> <p>Recommended that the Natural Assets Code is redrafted, with the redraft having an additional round of public consultation, for the following reasons:</p>	<p>Exemptions</p> <p>Codes</p> <p>Zones</p> <p>Public participation</p>
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		<p>The unstated policy approach appears flawed; with the code not addressing locally or regionally significant values, impacts such as feral or domestic animals, noise, lighting, collision or protection of breeding habitat, the provision of vegetation buffers, use of offsets and forestry operations and forest practices (noting it should be limited to not considering forestry operations)</p> <p>It does not recognise <i>Environmental Protection and Biodiversity Conservation Act</i> listed species and communities, conservation of freshwater ecosystem values, geoheritage.</p> <p>Fauna mapping is inadequate.</p> <p>Use standards need to be developed.</p> <p>Exemptions use poorly defined terms, such as unacceptable.</p> <p>Performance Criteria do not consistently apply a mitigation hierarchy.</p>	
282	<p>Friends of the Leven (Peter Stronach, obo)</p>	<p>Concerned that the SPPs are inconsistent with The Schedule 1 objectives of LUPAA.</p> <p>The Natural Assets Code</p> <p>Limiting priority habitat to threatened species and communities and not considering all habitat for native species in relation to landscape conservation.</p> <p>Not considering key ecological functions and threats.</p> <p>Reliance on forest practices plans that have assessment deficiencies.</p> <p>Inadequate and incomplete mapping and ground truthing of threatened communities and habitat.</p> <p>Bushfire-prone areas code not factoring in clearing for hazard management in the context of relaxation of site coverage.</p> <p>Concerned about SAPs operationally overriding codes.</p>	<p>LUPAA objectives</p> <p>Codes</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>New Code (other)</p> <p>Zones</p> <p>Public participation</p>

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		<p>The lack of an Aboriginal heritage code.</p> <p>Concerned about the application of the Low Density Residential, Rural Living and Rural zones in terms of issues related to lot size and/or ecological values, fragmentation and landscape conservation.</p> <p>Concerned about the exclusion of covenanted land and private sanctuaries and nature reserves from the application of the Environmental Management Zone.</p> <p>Reliance on Reserve Activity Assessments that are not a public process is concerning. (Environmental Management Zone).</p> <p>Supports residential use being Discretionary in the Landscape Conservation Zone, the intent of the zone, and Clause 22.4.4 A1 and P1. Further suggesting they should apply in other zones where clearing of native vegetation is proposed.</p> <p>Identifies a number of concerns and/or suggested modifications related to the defined terms of habitat corridor and threatened native vegetation community, exemptions for vegetation clearing, management and rehabilitation, the Natural Assets Code's standards objectives and standards C7.6.2 P1 and C7.7 A1.</p> <p>Concerned regarding exemptions and subdivision relating to the Agriculture Zone.</p> <p>Development in the Environmental Management Zone should be limited to 500m<sup>2</sup> or 6m in height.</p> <p>Concerned about the limited application of the Scenic Protection Code and Natural Assets Code.</p> <p>The Major Tourism Zone should have a minimum lot size.</p>	
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283	Geo-Environmental Solutions Pty Ltd (Director, John Paul Cumming)	Concerned that the definition of suitably qualified person within Potentially Contaminated Land Code, is inappropriately restrictive given the newness of the SCP Australia certification scheme.  Supports the omission of a wastewater code.	Drafting Codes
284	Stevie Davenport	Concerned that there has been insufficient opportunity for public comment.  Allowing for denser housing or commercial development in areas that previously didn't allow it, needs scrutiny.  Concerned about the scheme provisions potential to degrade residential amenity, damage ecosystems and to impact on access to sunlight (shading) of existing and new lots.	Process Residential amenity Drafting Exemptions
285	Housing Industry Association (Executive Director, Rick Sassin) (HIA)	Supports the introduction of the TPS.  Clause 8.3.1 General Residential Zoned use standards for Discretionary uses. Use standards only address three criteria and it may be useful to include additional criteria given the broad scope for these uses.  Clause 8.6.1 A1 development standards for subdivision, lot design. Needs to be more clearly stated that there are four Permitted ways to create a lot.  Clause 8.6.2 A2 Development Standards for Subdivision Roads: Requirement that all lots run east west along all new roads in a subdivision is impractical if applied to 100% of the subdivision. Means that as an Acceptable Solution it is likely to leave all subdivision applications requiring merit assessment against the PC. Other States apply a percentage rule to accommodate the reality of natural contours.	Zones Drafting

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286	Jane Lazaroff	<p>See grouped representations.</p> <p>Change to laws should be subject to the views of the people. Government should not be so derelict as to change laws without public input.</p> <p>Imperative need to protect Freycinet National Park from further commercial development.</p>	<p>See grouped representations</p> <p>Process</p> <p>Drafting</p>
287	Kevin Green	<p>SPPs set out very different plot ratios and building envelopes to the existing ones and as these standards become the new norm, the existing building stock will be overwhelmed, with a resulting loss of value except as building sites for the new buildings. This is what has resulted in Melbourne where similar standards have been in place for a number of years.</p> <p>This also results in a loss of neighbourhood as people disappear behind garage doors built to the front boundary. Especially detrimental impact in areas of heritage significance due to the likely overwhelming scale of the new buildings (Local Historic Heritage Code).</p>	<p>Drafting</p> <p>Zones</p> <p>Residential amenity</p> <p>Outside the scope of SPPs consideration</p> <p>Codes</p>
288	Detour Architecture and Interiors (Principal, Kim Barker)	<p>One of the key objectives of LUPAA is to encourage public participation. Sections of the SPPs are removing the opportunity for public involvement and removing the power for local councils to seek comment or to refuse development. This will result in an increasing sense of frustration and futility from the public and at Local Government level. Public acceptance is crucial to the success of a regulatory system.</p>	<p>LUPAA objectives</p> <p>Public participation</p>
289	'Bentley' (John Hawkins)	<p>Rural Living Zone</p> <p>Totally opposed to the potential for allowing 1ha lot subdivision in this zone and especially trenchantly opposed to the Chudleigh North Rural Living Zone. Have made many representations already to the Meander Valley Council in relation to the</p>	<p>Drafting</p> <p>Outside the scope of SPPs consideration</p> <p>Zones</p> <p>Exemptions</p>

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		<p>still unfinalised interim scheme and ongoing representations in relation to Amendment 4 to that scheme.</p> <p>A community representation against this zoning has also been lodged. The majority of residents in this community do not want the Chudleigh Rural Living Zone to proceed. This is a long time ongoing issue that should have been resolved before the draft TPPs process but is not.</p> <p>Rural Living Zone, Rural Zone and Agricultural Zone regarding use class 'Resource Development' is a 'permitted without permit' land use in the Rural and Agricultural zones. This includes 'forest operations'. We oppose the broad definition of this use and believe the varying uses captured should be segregated.</p> <p>Forestry be it either plantations or extensive forest logging should be Discretionary in the Rural, Rural Living and Agricultural zones.</p> <p>Levels of exemptions for forestry is unfair and contrary to LUPAA, Schedule 1, especially as it already has a Permitted pathway under the Private Timber Reserve process. Favoured position of forestry is a long term ongoing issue for Tasmania and is not delivering benefits to Tasmania.</p> <p>Environmental Management Zone: Should apply to private land not just public land.</p> <p>Even where the zone does apply (ie mainly reserved land) there are numerous Permitted uses and discretions for resource development in reserves.</p> <p>Exemptions: Oppose the exemption for agricultural buildings up to 200sq m in size but only 5m from the boundary. Could be up to 12m high and takes no regard of the Scenic Protection Code.</p> <p>Opposes exemption regarding road authority being able to take extra 3.5m</p>	<p>Local character</p> <p>Codes</p> <p>State Policies</p>
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		<p>beyond their reserved road.</p> <p>Opposes universal and without permit rights to demolish.</p> <p>In the Rural Living, Rural and Agricultural zones a general exemption applies to an outbuilding of 108m<sup>2</sup> without regard to the Scenic Protection Code. If this code applies the development should become discretionary.</p> <p>Desired Future Character Statements: Oppose their removal from the SPPs. They give guidance and aid decision making and should be available for all towns and villages.</p> <p>Local Historic Heritage Code: Welcomes the Historic Landscape Precinct. If the draft SPPs is a State wide scheme then perhaps a State wide heritage list should be provided whether the subject place or structure is of State, national or local importance.</p> <p>Scenic Protection Code. Only applies in some zones. Believe scenic protection is potentially relevant in all zones. Suburbs are still being carved out of the important scenery of remnant vegetation.</p> <p>State Policies: Tasmania is bereft of State Policies which means issues such as Cultural Heritage Landscape recognition are avoided. The specialness of place is critical to Tasmania and closely linked to our special landscapes.</p> <p>Deeply concerned with the inadequate SPPs, dominated by development at the cost of our appeal rights, our rights to protect our heritage, our amenity and the environment. The SPPs do not meet the Regional Land Use Strategies or the Schedule 1 objective of LUPAA.</p>	
290	Malcolm Waterston	<p>See grouped representations.</p> <p>Extremely concerned regarding the proposed changes that allow uncontested</p>	<p>See grouped representations</p> <p>Public participation</p>

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		<p>developments in National Parks. Excluding councils from a say in development proposals is ridiculous.</p> <p>The National Parks that previous generations fought to protect are what is driving Tasmania's tourism now. The two most popular areas of Cradle Mountain and Freycinet are already struggling with access issues due to demand. Priority for government must be to manage the people and keep parks as parks not tourist developments. Build the tourist developments outside the parks. Charge more fees for the tourists and less for Tasmanians.</p>	<p>Drafting</p> <p>Outside the scope of SPPs considerations</p>
291	Gillian Unicom	<p>Lack of publicity regarding the proposed planning changes means many are unaware of what is happening. Those who do know are very concerned.</p> <p>Tasmania very attractive because of regional variation and beautiful historic buildings. This will all be threatened by the one size fits all approach. Is good only for the developers whose interest is short term profit.</p>	<p>Process</p> <p>Local character</p>
292	Noelle Ratray	<p>Acknowledge that more simplified planning processes at council level are needed but changes as suggested by the SPPs threaten quality of life, heritage, the natural environment, the future amenity of land areas, and in some cases, the real estate values, renders them unacceptable to me and many other Tasmanians.</p> <p>The SPPs as proposed will bring higher densities, closer living, more concrete, tighter setbacks, smaller private open space, and building envelopes of a completely different form and scale to what Tasmanian has had previously. In our cities and towns, homes with gardens, space, privacy, sun and pleasant streetscape will be grossly impacted by these SPPs. All of this will happen without</p>	<p>Residential amenity</p> <p>Local character</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p>



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		<p>any quality design.</p> <p>Tasmania deserves better than this development led 'Planning' scheme that will inevitably degrade our built environment and make Tasmania a less desirable place to visit and live.</p>	
293	<p>Northern Midlands Council</p> <p>(Planning and Development Manager, Duncan Payton)</p>	<p>Numerous detailed suggested modifications to the SPP clauses in Administration, Zones and Codes.</p> <p>Requests that multiple dwellings should not be Permitted in the Low Density Residential Zone.</p> <p>Would like to restrict subdivision in Devon Hills and North Perth as per the current NMIPS to no new lots.</p> <p>Rural Living Zones minimum lot size currently in the NMIPS are characterised by an average lot size of 10ha which is significantly higher than the 2 ha allowable under the SPPs.</p> <p>Concern that all residential use types are allowable in the Agricultural Zone. Noted that the explanation for this is that this allows for provision of multiple dwellings for agricultural workers. Would prefer if this were done by providing as part of resource development use class.</p> <p>Provisions in Agriculture Zone complicate assessment and create the potential for abuse. The need for farmers to rid themselves of additional dwellings is outweighed by the negative impacts of creating residential uses scattered amongst rural enterprises and the conflict of use and change of character that follows. Prefer IPS approach which has been successful.</p> <p>Lack of qualifications in use tables to clarify which are Permitted uses, many suggested qualifications.</p> <p>Would prefer that 3<sup>rd</sup> party does not dictate approval/refusal for building or</p>	<p>Drafting</p> <p>Zones</p> <p>Outside the scope of SPPs consideration</p> <p>Codes</p>

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		<p>works within an airport prescribed workspace and several other issues with the Attenuation Code.</p> <p>Application of Riverine Inundation Code only applies to mapped areas. Provided a suggestion that would broaden this to areas potentially subject to the 1% AEP. Exemptions in this Code undermine the purpose of the Code.</p>	
294	<p>Engineers Australia (EA)</p> <p>(General Manager - Tasmania Division, Vicki Gardiner)</p>	<p>Consideration of future development opportunities needs to occur.</p> <p>Collaboration between agencies and planning authorities should occur to understand longer term visions and take them into account during the planning process. Eg lack of consideration of electrical capacity for new developments is delaying projects. The SPPs has potential for improvement re provisions on landslip, traffic and transport, sewer and stormwater.</p> <p>In the interests of an efficient, planning system which provides for the expected services to new building lots without unexpected delays and costs, recommend an Acceptable Solution related to the provision of connection to electrical supply for each lot. The Performance Criteria could allow the provision of an alternative supply (for example microgrid with renewable energy and storage).</p> <p>Implementation of the provisions. Need for robust education program to ensure both users and approvers understand the nuances of the definitions and provisions to ensure consistency. EA happy to assist where appropriate to deliver briefings and info to engineering practitioners. The planning provisions need to take into account changes in innovation, best practice and land-use change.</p> <p>National Engineering Register. The absence of quality assurance mechanisms for engineering service providers</p>	<p>Services</p> <p>Drafting</p> <p>Outside the scope of SPPs consideration</p>

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		highlights the potential for different outcomes for implementation of the coastal hazard package, ie ensuring that engineering designs will function correctly and that appropriate materials, where appropriate, are specified. Engineers Australia has launched the National Engineering Register (NER). All members of the profession who meet the national standard of professionalism for the NER are eligible to apply to be registered.	
295	Frances Greenwood	Objects to opening of an adult shop in Ulverstone.	Outside the scope of SPPs consideration
296	Norman and Loris Garwood	Objects to opening of an adult shop in Ulverstone and requests that adult sex shops are prohibited State wide.	Outside the scope of SPPs consideration Drafting
297	Koos and Lyn Buitenhuis	<p>Objects to opening of an adult shop in the main shopping centre of Ulverstone.</p> <p>Concern about the approval process by the Central Coast Council.</p> <p>The SPPs will allow any business to operate in the General Business Zone and the Hobart City Council is exempt from the State wide Tasmanian Planning Scheme and does not allow adult shops in the CBD.</p> <p>Regulations which allow adult shops contribute to social problems such as child abuse, sexual abuse, abuse of women, paedophilia, and rape. Requests that adult shops are prohibited by the SPPs but if not, they should not be allowed to locate near schools, fast food outlets, sports, facilities, town and shopping centres or churches, nor should they be allowed to display their wares or use offensive slogans.</p>	<p>Outside the scope of SPPs consideration</p> <p>Drafting</p>

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298	Roger and Anne Brewer	<p>It is necessary to protect the young and vulnerable in society therefore 'General Retail' should not include adult/sex shops and brothels, these should have separate more restrictive regulations.</p> <p>Prefers that adult/sex shops and brothels are prohibited but if not, they should not be allowed to locate in or near town/shopping centres, main roads or routes, schools, fast food outlets, sports facilities or churches, nor should they be allowed to display their wares or have any offensive slogan posted or on clothing or products that can be seen.</p>	Drafting
299	Kathy Cotton	<p>The Use Class 'General Retail and Hire' should not include adult sex product shops.</p> <p>The proximity to schools, childcare centres, medical facilities, and other retail stores, for example, should be regulated. Businesses such as adult sex product shops should be at least 200 metres from areas frequented by children and youth. At the very least, regulations pertaining to these businesses should be consistent with other legislation that exists to protect vulnerable people.</p> <p>Comments that the North West Coast of Tasmania is identified as a domestic violence 'hot spot'. Comments on the link between pornography and domestic violence and sexual violence. Comments on the negative effects of pornography on children.</p> <p>Objects to opening of an adult shop in the main shopping centre of Ulverstone.</p>	<p>Drafting</p> <p>Outside the scope of SPPs consideration</p>

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300	Australian Christian Lobby (Tasmanian Director, Mark Brown)	Raises concern regarding the recent applications for a sex product shop in Ulverstone and an adult entertainment venue in Launceston and requests the SPPs reflect the Hobart IPS use qualification regarding these shops and venues making them Discretionary.	Outside the scope of SPPs consideration  Drafting
301	Rossi Marshall	Raises concern regarding the recent application for a sex product shop in Ulverstone. Research indicates the causal link between pornography and sexual abuse, increased rape rates, violence against and degradation of women, and desensitisation and normalisation of pathological and illegal behaviours, sometimes proffered to be under the guise of freedom in sexual expression. Sex shops should be prohibited under the SPPs.	Outside the scope of SPPs consideration  Drafting
302	Hans-Joachim Mueller	See grouped representations. Supports Sophie Underwood's representation (rep 49) but also has broader issues.  SPPs lose sight of the interconnectedness of unique environmental features; these assets should be identified through a consultative process and their environmental values and view sheds protected through an integrated system between Government and semi-government agencies. (Environmental Management Zone, Natural Assets Code, Scenic Protection Code).  Marine buffer zone around Freycinet and Maria Island together with the view shed in these areas needs to be protected. Identification of such unique assets and a citizen's right of appeal to an independent tribunal are recommended as the necessary safeguards.	See grouped representations (rep 49)  Drafting  Outside the scope of SPPs consideration
303	Large Format Retail Association (CEO, Philippa)	LFRA advocates across Australia for simpler and more uniform use class definitions, consistent use status for zone types (in particular, Permitted status in	Drafting  Zones

Appendix C: Summary of the representations and the Commission's opinion as to merit

	Kelly)	<p>industrial zones) and that the imposition of floor space restrictions are artificial and arbitrary constraints that should not be applied in the planning system.</p> <p>The development provisions that determine bulk and scale of buildings is sufficient to guide the location and built form of a 'Bulky Goods Sales' retail outlet and there is no need for a floor space limit.</p> <p>Use Classes (Table 6.2). Proposes amalgamating bulky goods sales, equipment and machinery sales and hire, general retail and hire and storage into one use class definition (provided) of 'bulky goods showroom'.</p> <p>Particularly concerned that the 300m<sup>2</sup> floor area in Urban Mixed Use Zone introduces an economic viability test. The financial viability of a development is for the developer to determine.</p> <p>Concerned that the floor area limitations in the General Business zone reduces flexibility and choice for local residents.</p> <p>Support for absence of floor area limit in the Central Business Zone.</p> <p>The SPPs Permitted or Discretionary use status allocated for bulky good sales is supported in the following zones: Village, Urban Mixed Use, Local Business, General Business, Central Business, Commercial, General Industrial, Rural , Agricultural, Port and Marine, (but does not support the Discretionary use qualifications on the basis that it creates a subcategory of the defined land use term 'Bulky Goods Sales' in the Rural, Agricultural, Port and Marine zones).</p> <p>Request change from Discretionary to Permitted in the Light Industrial zone to support a trend where industrial areas are being renewed and regenerated by redevelopment for mixed uses with the</p>	
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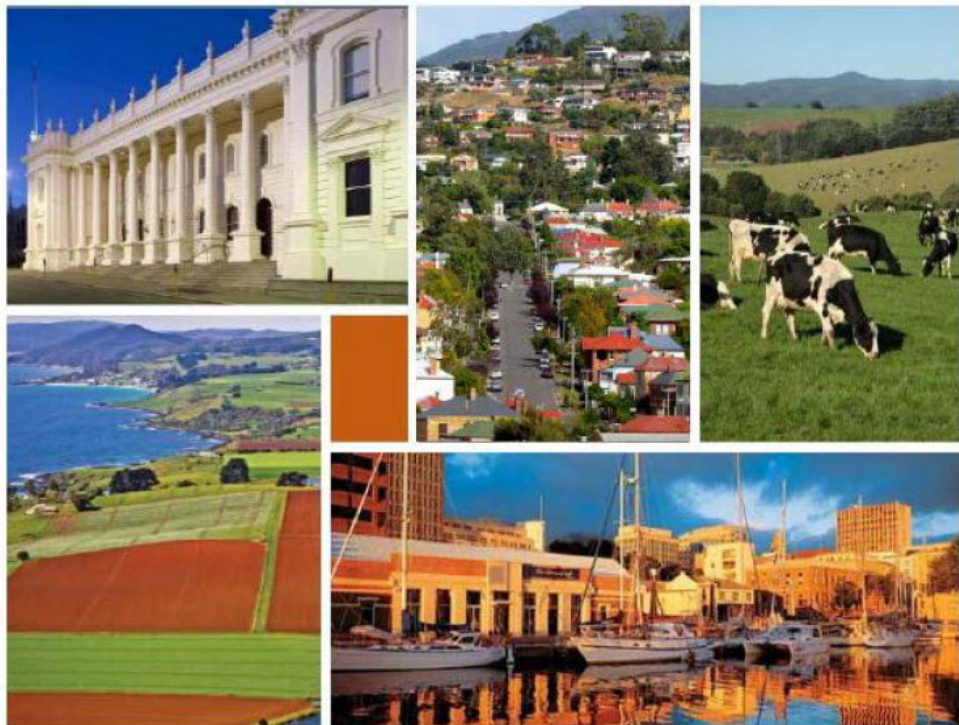
Appendix C: Summary of the representations and the Commission's opinion as to merit

		<p>large floor area buildings in these area being well suited for large format retail activities.</p> <p>Restricted Discretionary use status qualification for 'bulky goods sales' in the General and Light Industrial Zones is not supported as it creates confusion and uncertainty as to whether the qualification has been met.</p>	
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## **Appendix D – Copy of the SPPs as modified [section 25(4)(a)]**



# Tasmanian Planning Scheme



State Planning Provisions – TPC Modifications  
9 December 2016

## Foreword

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The Tasmanian Planning Scheme (TPS) sets out the requirements for use or development of land in accordance with the *Land Use Planning and Approvals Act 1993* (the Act).

The TPS comprises two parts:

the State Planning Provisions (SPPs) which includes the identification and purpose, the administrative requirements and processes, including exemptions from the planning scheme and general provisions that apply to all use and development irrespective of the zone, the zones with standard use and development provisions, and the codes with standard provisions; and

the Local Provisions Schedules (LPSs) that apply to each municipal area and include zone and overlay maps, local area objectives, code lists, particular purpose zones, specific area plans, and any site-specific qualifications.

The SPPs and the relevant LPS together form all of the planning provisions that apply to a municipal area (the local application of the TPS). These will be administered by planning authorities.

The SPPs also set out the requirements for the Local Provisions Schedules.

The provisions in the TPS should be read together with the Act.

The foreword, table of contents, headings and footnotes are not legally part of this planning scheme. They have been included to assist users' understanding of the planning scheme and its relationship with the Act. They are a guide only and do not cover all relevant law relating to the operation of planning schemes or the planning application and assessment process.

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## Tasmanian Planning Scheme –State Planning Provisions

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**State Planning Provisions - Applied, Adopted and Incorporated Documents****LP1.0 Local Provisions Schedules Requirements**

Appendix A – Local Provisions Schedules Structure

## Identification and Purpose of this Planning Scheme

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### 1.0 Identification of this Planning Scheme

#### 1.1 Planning Scheme Title

- 1.1.1 This planning scheme is called the Tasmanian Planning Scheme (TPS).

#### 1.2 Composition of this Planning Scheme

- 1.2.1 This planning scheme consists of two parts: the State Planning Provisions (SPPs) and a Local Provisions Schedule (LPS) for each municipal area in Tasmania.
- 1.2.2 The SPPs include administration clauses, general provisions, use and development standards for zones and codes and LPS requirements.
- 1.2.3 The LPSs include the zone maps, overlay maps, local area objectives, particular purpose zones, specific area plans, site-specific qualifications and code lists for each municipal area in Tasmania.
- 1.2.4 The foreword, table of contents, headings and footnotes are not legally part of this planning scheme.

### 2.0 Planning Scheme Purpose

#### 2.1 Purpose

- 2.1.1 The purpose of this planning scheme is to further the objectives of the Resource Management and Planning System and the planning process set out in Parts 1 and 2 of Schedule 1 of the Act and be consistent with State Policies in force under the *State Policies and Projects Act 1993* by:
- (a) regulating or prohibiting the use or development of land; and
  - (b) making provisions for the use, development, protection and conservation of land.

## Administration

### 3.0 Interpretation

#### 3.1 Planning Terms and Definitions

- 3.1.1 Terms<sup>1</sup> in this planning scheme have their ordinary meaning unless they are defined in:
- (a) the Act; or
  - (b) unless the contrary intention appears, are specifically defined in Table 3.1 or in a zone, code or specific area plan.
- 3.1.2 In this planning scheme, a reference to a Use Table is a reference to the Use Table in a zone or specific area plan.
- 3.1.3 The titles of use classes are listed and use classes are described in Table 6.2. Wherever used in this planning scheme, the use class titles are capitalised. Where a capitalised use class title is used, it is to be taken to refer to the use class listed and as described in Table 6.2, unless otherwise qualified or indicated.

Table 3.1 Planning Terms and Definitions

Term	Definition
Act	means the <i>Land Use Planning and Approvals Act 1993</i> .
access strip	means the narrow part of an internal lot to provide access to a road.
activity centre	means a place that provides a focus for retail, commercial, services, employment, and social interaction in cities and towns.
activity centre hierarchy	means the activity centre network or hierarchy referred to in a relevant regional land use strategy.
adjacent	means near to, and includes adjoining.
adjoining	means next to, or having a common boundary with.
adult entertainment venue	means the use of land for the purpose of providing forms of sexually explicit entertainment for adults only, and may include provision of food and drink.

<sup>1</sup> The Tasmanian Planning Scheme separately lists Use Classes in Table 6.2.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
adult sex product shop	means use of land to sell or hire sexually explicit material, including but not limited to: <ul style="list-style-type: none"> <li>(a) publications classified as restricted under the <i>Classification (Publications, Films and Computer Games) Enforcement Act 1995</i>; and</li> <li>(b) materials and devices, other than contraceptives and medical treatments, used in conjunction with sexual behaviour.</li> </ul>
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 domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.
AHD	means the Australian Height Datum (Tasmania) being the vertical geodetic datum as described in Chapter 8 of the <i>Geocentric Datum of Australia Technical Manual version 2.3(1)</i> .
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	means use of land for a building that contains one or more of the following: <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> It does not include gambling machines or premises included in the Hotel Industry Use Class.
animal pound	means use of land for an enclosure for confining stray or homeless animals or animals impounded by a council.
animal saleyard	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.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
applicable standard	means as defined in subclause 5.6.2 of this planning scheme.
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.
arterial road	means a road that predominantly carries through traffic from one region to another, forming principal avenues of travel for traffic movements.
assisted housing	means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.
basement	means a storey either below finished ground level or that projects not more than 1m above finished ground level.
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, vehicle-towed boat trailers or the like.
building	means as defined in the Act.
building area	means any area shown on a plan to indicate where all buildings will be located on a lot.
building envelope	means the three-dimensional space within which buildings are to occur.
building height	means the vertical distance from existing ground level at any point to the uppermost part of a building directly above that point, excluding protrusions such as aerials, antennae, solar panels, chimneys and vents.
building line	means a line drawn parallel to a frontage along the front facade of a building or through the point of a building closest to the front boundary, excluding protrusions.
camping and caravan park	means use of land to allow accommodation in caravans, cabins, motor homes, tents or the like and includes amenities provided for residents and persons away from their normal place of residence.



## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
clearance and conversion	means as defined in the <i>Forest Practices Act 1985</i> .
cider	means use of land for the manufacture of cider products and if land is so used, includes the display and sale of cider products, and the preparation and sale of food and drink for consumption on the premises.
cinema	means use of land to display films, videos or other moving images to persons for reward.
coastal protection works	means structures or works aimed at protecting land, property and human life from adverse impacts caused by erosion or inundation in the coastal zone.
coastal zone	means as described in section 5 of the <i>State Coastal Policy Validation Act 2003</i> .
collector road	means a non-arterial road that collects and distributes traffic in an area as well as serving abutting property.
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 such as a boarding house, residential college and residential care facility.
consulting room	means use of land for services provided by a health or other therapies practitioner, other than services provided by a medical centre.
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 such as greenhouses, polythene covered structures, and hydroponic facilities.
council	means as defined in the Act.
crop production	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 sick, aged or persons with disabilities.
declared weed	means as defined in the <i>Weed Management Act 1999</i> .
demolition	means the destruction or removal of any building or works in whole or in part other than by accident.
development	means as defined in the Act.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
development area	means the area of land occupied by development including its yard, outbuildings, vehicle 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 Local Provisions Schedule came into effect in the municipal area.
employment training centre	means use of land to provide education and training to jobseekers and unemployed persons.
environmental harm	means the same as is described 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 existing at the effective date.
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 operations	means as defined in the <i>Forest Management Act 2013</i> .
forest practices	means as defined in the <i>Forest Practices Act 1985</i> .
forest practices plan	means a forest practices plan certified under the <i>Forest Practices Act 1985</i> .
frontage	means a boundary of a lot which abuts a road.
full water supply service	means a potable water supply, from a reticulated network, that meets the minimum flow requirement.
function centre	means use of land, by arrangement, to cater for 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.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
habitable building	means a building of Class 1 – 9 of the <i>Building Code of Australia</i> with the exception of Class 7a buildings.
habitable room	means any room of a habitable building other than a room used, or intended to be used, for a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room, service or utility room, or other space of a specialised nature occupied neither frequently nor for extended periods.
hazardous chemical of a manifest quantity	means a hazardous chemical, as defined in the <i>Work and Health Safety Regulations 2012</i> , if the amount of hazardous chemical stored exceeds the manifest quantity as specified under the <i>Work and Health Safety Regulations 2012</i> . <sup>2</sup>
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) the person conducting the business normally uses the dwelling as their principal place of residence;</li> <li>(b) it does not involve more than 2 persons who do not reside at the dwelling;</li> <li>(c) any load on a utility is no more than for a domestic use;</li> <li>(d) there is no activity that causes electrical interference to use on other land;</li> <li>(e) there is no storage of hazardous material on site;</li> <li>(f) the display of goods for sale are not visible from any road or public open space adjoining the site;</li> <li>(g) 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;</li> <li>(h) there is, on the site, no refuelling, servicing, detailing or repair of vehicles not owned by a resident;</li> <li>(i) no more than 2 commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and</li> <li>(j) all vehicles used by the business are parked on the site.</li> </ul>
home-based child care	means use of a dwelling to mind or care for children for a day or part of a day, by one or more persons residing in the dwelling.
hostel	means a supervised place of accommodation, usually supplying board and lodging for students or the like.
hours of operation	means the hours that a use is open to the public or conducting activities related to the use, not including routine activities normally associated with opening and closing or office and administrative tasks.

<sup>2</sup> It will be necessary to refer to the relevant Safety Datasheet.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
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 feedlot, poultry farm or piggery.
internal lot	means a lot: (a) lying predominantly behind another lot; and (b) having access to a road by an access strip, private road or right of way.
irrigation district	means an area of land appointed as an irrigation district under Part 9 of the <i>Water Management Act 1999</i> .
junction	means an intersection between two or more roads at a common level, including the intersections of on and off ramps, and grade-separated roads.
land	means as defined in the Act.
land filling	means any change to the existing ground level of land by placement of any fill material, excluding refuse disposal, whether sourced from the land or elsewhere.
landscaping treatment	means an area of a site containing plants, placed to enhance the streetscape and be complementary to the scale of development on the site, including car parking, storage and buildings.
level 2 activity	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
level crossing	means as defined in section 35 of the <i>Rail Infrastructure Act 2007</i> .
limited water supply service	means a water supply service other than a full water supply service.
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 is not more than 200m <sup>2</sup> .
lot	means a piece or parcel of land where there is only one title other than a lot within the meaning of the <i>Strata Titles Act 1998</i> .
major sporting facility	means a sporting facility providing for national standard sporting competition with associated spectator facilities.
managing authority	means a managing authority under section 12G of <i>Crown Lands Act 1976</i> or section 29 of the <i>National Parks and Reserves Management Act 2002</i> .

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
marina	means use of land to moor boats, or store boats above or adjacent to the water. It includes boat recovery facilities, facilities to repair, fuel, and maintain boats and boat accessories, and may include boat sales.
marine farming shore facility	means use of land to provide on shore support infrastructure and facilities for off-shore aquaculture but does not include the processing of fish or other marine organisms.
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.
minimum flow requirement	means the minimum flow rate as defined in a price and service plan that is in effect and made in accordance with the <i>Water and Sewerage Industry Act 2008</i> .
mining lease	means as defined in the <i>Mineral Resources Development Act 1995</i> .
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 and sewer pipes, retention basin, telecommunication lines, gas pipelines or electricity substations 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, if provision is made for parking of guests' vehicles near to their rooms.
motor repairs	means use of land for the business of repairing or servicing motor vehicles, motors and includes the fitting of motor 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 similar 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.
neighbourhood centre	means the use of land for a facility providing community and social services for the surrounding area.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
office	means use of land for administration, clerical, technical, professional, business or other similar activities.
outbuilding	means a non-habitable detached building of Class 10a of the <i>Building Code of Australia</i> 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, involving primarily the setting up and use of tents for overnight accommodation.
panel beating	means use of land for the business of repairing or replacing damaged motor vehicle bodies and panels, and carrying out any associated mechanical work or spray painting.
permit	means as defined in the Act.
planning authority	means the council responsible for administering this planning scheme in its municipal area.
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.
potable water supply	means a water supply that meets the requirements of the <i>Public Health Act 1997</i> , including any delegated legislation or guidelines.
primary frontage	means: <ul style="list-style-type: none"> <li>(a) if there is only a single frontage, the frontage; or</li> <li>(b) if there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.</li> </ul>
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 <i>Land Capability Handbook, Guidelines for Classification of Agricultural Land in Tasmania, 2<sup>nd</sup> edition, 1999</i> .

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
private garden	means land adjacent to a dwelling that has been modified with landscaping or vegetation, including ornamental or edible plants, or the like.
private open space	means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling, excluding areas proposed or approved for vehicle access or vehicle parking.
proclaimed wharf area	means as defined in the Act.
protrusion	means a protrusion from a building such as awnings, steps, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services.
public art gallery	means use of land to display works of art including ceramics, furniture, glass, paintings, sculptures and textiles, which land is maintained at the public expense, under public control and open to the public generally.
public holiday	means a statutory holiday as defined in the <i>Statutory Holidays Act 2000</i> .
public land	means land owned or managed by the Crown, a State authority or a council.
public open space	means land for public recreation or public gardens or for similar purposes.
public stormwater system	means as defined in the <i>Urban Drainage Act 2013</i> .
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.
regional land use strategy	means as defined in the Act.
regulated entity	means as defined in the <i>Water and Sewerage Industry Act 2008</i> .
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> , the <i>Wellington Park Act 1993</i> or the <i>Living Marine Resources Act 1995</i> , or any management plan approved under the <i>Crown Lands Act 1976</i> .

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
residential care facility	means use of land for accommodation and personal or nursing care. It includes recreational, health or laundry facilities and services for residents of the facility.
residential support service	means a centre, where services are provided by government or other community organisations, in the provision of residential accommodation.
respite centre	means use of land for respite care for the sick, aged or persons with disabilities.
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.
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> , and bridges declared under section 23 of the <i>Local Government (Highways) Act 1982</i> , the Minister administering those Acts and in relation to all other roads, the council having the control of such roads pursuant to the <i>Local Government (Highways) Act 1982</i> .
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.
sealed plan	means as defined in the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> .
secondary residence	means an additional residence which is self-contained and: <ul style="list-style-type: none"> <li>(a) has a gross floor area not more than 60m<sup>2</sup>;</li> <li>(b) is appurtenant to a single dwelling;</li> <li>(c) shares with the single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters; and</li> <li>(d) may include laundry facilities.</li> </ul>
self storage	means use of land to store goods in individual enclosed compartments.
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 a caravan park, childcare centre, dwelling, hospital or school.



## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
service station	means use of land to sell motor vehicle fuel from bowsters, and vehicle lubricants and if such use is made of the land, includes: <ul style="list-style-type: none"> <li>(a) selling or installing motor vehicle accessories or parts;</li> <li>(b) selling of food, drinks and other convenience items;</li> <li>(c) hiring of trailers; and</li> <li>(d) servicing or washing motor vehicles.</li> </ul>
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, structure, depiction, or the like, 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, other than a secondary residence, 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 a site, excluding any access strip, divided by the number of dwellings on that site.
site coverage	means the proportion of a site, excluding any access strip, covered by roofed buildings.
skyline	means a line along the top of a hill or mountain that forms an outline against the sky.
solar energy installation	means a solar panel, evacuated tube solar collectors, or the like.
solid fuel depot	means use of land to sell solid fuel, such as briquettes, coal, and firewood.
standard	means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.
State authority	means as defined in the Act.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
State-reserved land	means: (a) land owned by the Crown or a State authority and reserved for any purpose under the <i>Nature Conservation Act 2002</i> , or the <i>Crown Lands Act 1976</i> ; or (b) fee simple land reserved for any purpose under the <i>Nature Conservation Act 2002</i> where the Director of Parks and Wildlife is the managing authority.
State waters	means as defined in section 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 the property boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve. For the purposes of determining streetscape for a particular site, the above matters are relevant when viewed from either side of the same street within 100m of each side boundary 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: (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building; (b) a lease of airspace around or above a building; (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years; (d) the creation of a lot on a strata scheme or a staged development scheme under the <i>Strata Titles Act 1998</i> ; or (e) an order adhering existing parcels of land.
subdivision	means the act of subdividing or the lot subject to an act of subdividing.
suitably qualified person	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience in a recognised field of knowledge, expertise or practice with direct relevance to the matter under consideration.
take away food premises	means use of land to prepare and sell food and drink primarily for immediate consumption off the premises.
threatened native vegetation community	means as defined under the <i>Nature Conservation Act 2002</i> .

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
tolerable risk	means the lowest level of likely risk from the relevant hazard: (a) to secure the benefits of a use or development in a relevant hazard area; and (b) which can be managed through: (i) routine regulatory measures; or (ii) by specific hazard management measures for the intended life of each use or development.
turf growing	means use of land for growing grass which is cut into sods or rolls containing the roots and some soil for direct transplanting.
use	means as defined in the Act.
vehicle crossing	means a driveway for vehicular traffic to enter or leave a road carriageway from land adjoining a road.
vehicular access	means land over which a vehicle enters or leaves a road from land adjoining a road.
veterinary centre	means land used to: (a) diagnose animal diseases or disorders; (b) surgically or medically treat animals; or (c) prevent animal diseases or disorders, and includes keeping animals on the premises for those purposes.
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 existing 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 removed elsewhere.
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.
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.

## Tasmanian Planning Scheme – State Planning Provisions

## 4.0 Exemptions

- 4.0.1 Use or development listed in Tables 4.1 – 4.6 is exempt from requiring a permit provided it meets the corresponding requirements.
- 4.0.2 Use or development which, under the provisions of the Act, including sections 12(1) - (4), a planning scheme is not to prevent, does not require a permit.
- 4.0.3 Excluding the exemption for emergency works at 4.3.1, in the coastal zone, no development listed in Tables 4.2 - 4.6 is exempt from this planning scheme if it is to be undertaken on actively mobile landforms as referred to in clause 1.4 of the Tasmanian *State Coastal Policy 1996*. Any development on actively mobile landforms in the coastal zone must comply with the requirements of the Coastal Erosion Hazard Code.

Table 4.1 Exempt uses

	Use	Requirements
4.1.1	bee keeping	The use of land for bee keeping.
4.1.2	occasional use	If for infrequent or irregular sporting, social or cultural events.
4.1.3	home-based child care	If: <ul style="list-style-type: none"> <li>(a) the person conducting the home-based child care normally uses the dwelling as their principal place of residence;</li> <li>(b) it does not involve employment of persons other than a resident; and</li> <li>(c) there are no more than 6 non-resident children for child care per day.</li> </ul>
4.1.4	home occupation	If: <ul style="list-style-type: none"> <li>(a) not more than 40m<sup>2</sup> of gross floor area of the dwelling is used for non-residential purposes;</li> <li>(b) the person conducting the home occupation normally uses the dwelling as their principal place of residence;</li> <li>(c) it does not involve employment of persons other than a resident;</li> <li>(d) any load on a utility is no more than for a domestic use;</li> <li>(e) there is no activity that causes electrical interference to other land;</li> <li>(f) it does not involve display of goods for sale that are visible from any road or public open space adjoining the site;</li> <li>(g) it involves no more than 1 advertising sign (that must be non-illuminated) and not more than 0.2m<sup>2</sup> in area;</li> <li>(h) it does not involve refuelling, servicing, detailing or repair of vehicles not owned by the resident on the site;</li> <li>(i) no more than 1 commercial vehicle is on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

	Use	Requirements
		(j) any vehicle used solely for non-residential purposes must be parked on the site.
4.1.5	markets	If on public land.

Table 4.2 Exempt infrastructure use or development

	Use or development	Requirements
4.2.1	dam construction works	Works that are directly associated with construction of a dam approved under the <i>Water Management Act 1999</i> , including the construction of vehicular access, vegetation removal and bulk soil excavations, are exempt if contained on the same site as the dam.
4.2.2	stormwater infrastructure	Provision, removal, maintenance and repair of pipes, open drains and pump stations for the reticulation or removal of stormwater by, or on behalf of, the Crown, a council or a State authority unless the Landslip Hazard Code applies and requires a permit for the use or development.
4.2.3	irrigation pipes	If for the laying or installation of irrigation pipes in the Rural Zone or Agriculture Zone that are directly associated with an agricultural use, provided no pipes are located within a wetland, unless the Landslip Hazard Code applies and requires a permit for the use or development.
4.2.4	road works	Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including: <ul style="list-style-type: none"> <li>(a) widening or narrowing of existing carriageways;</li> <li>(b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless the Local Historic Heritage Code applies and requires a permit for the use or development; or</li> <li>(c) repair of bridges, or replacement of bridges of similar size in the same or adjacent location.</li> </ul>
4.2.5	vehicle crossings, junctions and level crossings	If: <ul style="list-style-type: none"> <li>(a) development of a vehicle crossing, junction or level crossing: <ul style="list-style-type: none"> <li>(i) by the road or rail authority; or</li> <li>(ii) in accordance with the written consent of the relevant road or rail authority; or</li> </ul> </li> <li>(b) use of a vehicle crossing, junction or level crossing by a road or railway authority.</li> </ul>

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	Use or development	Requirements
4.2.6	minor communications infrastructure	<p>If:</p> <ul style="list-style-type: none"> <li>(a) development of low impact facilities as defined in Parts 2 and 3 of the <i>Telecommunications (Low-Impact Facilities) Determination 1997</i>;</li> <li>(b) works involved in the inspection of land to identify suitability for telecommunications infrastructure;</li> <li>(c) development of a facility that has been granted a facility installation permit by the Australian Communications and Media Authority;</li> <li>(d) works involved in the maintenance of telecommunication infrastructure;</li> <li>(e) works meeting the transitional arrangements as defined in Part 2 of Schedule 3 of the <i>Telecommunications Act 1997</i>;</li> <li>(f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles;</li> <li>(g) the connection of a line forming part of a telecommunications network to a building, caravan or mobile home including drop cabling of optic fibre networks; or</li> <li>(h) works involved in the installation, for purposes in connection with the installation of the National Broadband Network, of a: <ul style="list-style-type: none"> <li>(i) galvanised steel service pole, no more than 6.6m in height above existing ground level, and 0.2m in diameter; or</li> <li>(ii) timber service pole, no more than 10.2m in height above existing ground level, and 0.42m in diameter.</li> </ul> </li> </ul>
4.2.7	minor infrastructure	Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, rubbish bins, public art, and the like by, or on behalf of, the Crown, a council or a State authority.
4.2.8	navigation aids	Provision, maintenance and modification of any sort of marker which aids in navigation of nautical or aviation craft such as lighthouses, buoys, fog signals, landing lights, beacons, and the like.
4.2.9	electric car rechargers	Provision and maintenance if in a car park.

## Tasmanian Planning Scheme – State Planning Provisions

Table 4.3 Exempt building and works

	Use or development	Requirements
4.3.1	emergency works	Urgent works to protect property, public safety or the environment in an emergency situation, that are required or authorised by or on behalf of the Crown, a council or a State authority.
4.3.2	internal building and works	All internal building and works. <sup>1</sup>
4.3.3	maintenance and repair	If for maintenance and repair of buildings. <sup>2</sup>
4.3.4	minor alterations	If for minor alterations of buildings, such as re-cladding, re-roofing and replacing windows and doors without enlargement or extension, unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.3.5	temporary buildings or works	If: <ul style="list-style-type: none"> <li>(a) to facilitate development for which a permit has been granted or for which no permit is required or for an occasional use that is exempt under this clause;</li> <li>(b) not occupied for residential use; and</li> <li>(c) removed within 14 days of completion of development or occasional use.</li> </ul>
4.3.6	unroofed decks	If: <ul style="list-style-type: none"> <li>(a) not attached to or abutting a habitable building; and</li> <li>(b) the floor level is less than 1m above existing ground level,</li> </ul> unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.3.7	outbuildings and garden structures	Outbuildings and garden structures, if not located in the Rural Living Zone, Rural Zone or Agriculture Zone, if: <ul style="list-style-type: none"> <li>(a) a Type 1 or Type 2 outbuilding that is authorised under the <i>Building Act 2016</i>; or</li> <li>(b) a garden structure such as a pergola, garden arch, trellis or frame that is authorised under the <i>Building Act 2016</i>,</li> </ul> unless the Local Historic Heritage Code applies and requires a permit for the use or development.

<sup>1</sup> Internal building and works to places entered on the Tasmanian Heritage Register may still require heritage approval under the *Historic Cultural Heritage Act 1995*.

<sup>2</sup> Section 12(1)(b) of the Act also applies.

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	Use or development	Requirements
4.3.8	outbuildings in Rural Living Zone, Rural Zone or Agriculture Zone	<p>Located in the Rural Living Zone, Rural Zone or Agriculture Zone if:</p> <ul style="list-style-type: none"> <li>(a) a Type 1 or Type 2 outbuilding that is authorised under the <i>Building Act 2016</i>; or</li> <li>(b) the outbuilding is associated with an existing dwelling and the: <ul style="list-style-type: none"> <li>(i) total gross floor area of all outbuildings on the lot is not more 108m<sup>2</sup>;</li> <li>(ii) setback is no less than the relevant Acceptable Solution requirement, or located no closer to a property boundary than an existing dwelling or any outbuilding on the site whichever is the lesser; and</li> <li>(iii) building height is not more than 6m and wall height is not more than 4m,</li> </ul> </li> </ul> <p>unless the Local Historic Heritage Code applies and requires a permit for the use or development.</p>
4.3.9	agricultural buildings and works in the Rural Zone or Agriculture Zone	<p>Located in the Rural Zone or Agriculture Zone, if:</p> <ul style="list-style-type: none"> <li>(a) buildings or works, excluding a dwelling, are directly associated with, and a subservient part of, an agricultural use;</li> <li>(b) on prime agricultural land only if it is directly associated with an agricultural use dependent on the soils as a growth medium;</li> <li>(c) individual buildings are not more than 200m<sup>2</sup> in gross floor area;</li> <li>(d) building height does not exceed 12m; and</li> <li>(e) buildings have a setback of not less than 5m from all property boundaries,</li> </ul> <p>unless the Local Historic Heritage Code, or the Scenic Protection Code, applies and requires a permit for the use or development.</p>
4.3.10	demolition of exempt buildings	Demolition of buildings for which the construction would be exempt under Tables 4.2 – 4.6, unless the Local Historic Heritage Code applies and requires a permit for the use or development.



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Table 4.4 Vegetation exemptions

	Use or development	Requirements
4.4.1	vegetation removal for safety or in accordance with other Acts	<p>If for:</p> <ul style="list-style-type: none"> <li>(a) clearance and conversion of a threatened native vegetation community, or the disturbance of a vegetation community, in accordance with a forest practices plan certified under the <i>Forest Practices Act 1985</i>, unless the Scenic Protection Code applies and requires a permit for the use or development;</li> <li>(b) harvesting of timber or the clearing of trees, or the clearance and conversion of a threatened native vegetation community, on any land to enable the construction and maintenance of electricity infrastructure in accordance with the <i>Forest Practices Regulations 2007</i>;</li> <li>(c) fire hazard management in accordance with a bushfire hazard management plan approved as part of a use or development;</li> <li>(d) fire hazard reduction required in accordance with the <i>Fire Service Act 1979</i> or an abatement notice issued under the <i>Local Government Act 1993</i>;</li> <li>(e) fire hazard management works necessary to protect existing assets and ensure public safety in accordance with a bushfire hazard management plan endorsed by the Tasmanian Fire Service, Forestry Tasmania, the Parks and Wildlife Service, or council;</li> <li>(f) clearance within 2m of lawfully constructed buildings or infrastructure including roads, tracks, footpaths, cycle paths, drains, sewers, power lines, pipelines and telecommunications facilities, for maintenance, repair and protection;</li> <li>(g) safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building; or</li> <li>(h) within 1.5m of a lot boundary for the purpose of erecting or maintaining a boundary fence, or within 3m of a lot boundary in the Rural Zone and Agriculture Zone.</li> </ul>
4.4.2	landscaping and vegetation management	<p>Landscaping and vegetation management within a private garden, public garden or park, or within State-reserved land or a council reserve, if:</p> <ul style="list-style-type: none"> <li>(a) the vegetation is not protected by legislation, a permit condition, an agreement made under section 71 of the Act, or a covenant; or</li> <li>(b) the vegetation is not specifically listed and described as part of a Local Heritage Place in the relevant Local Provisions Schedule,</li> </ul> <p>unless the management is incidental to the general maintenance.</p>

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	Use or development	Requirements
4.4.3	vegetation rehabilitation works	<p>The planting, clearing or modification of vegetation for:</p> <ul style="list-style-type: none"> <li>(a) soil conservation or rehabilitation works including Landcare activities and the like, provided that ground cover is maintained and erosion is managed;</li> <li>(b) the removal or destruction of declared weeds or environmental weeds listed under a strategy or management plan approved by a council;</li> <li>(c) water quality protection or stream bank stabilisation works approved by the relevant State authority or a council;</li> <li>(d) the implementation of a vegetation management agreement or a natural resource, catchment, coastal, reserve or property management plan or the like, provided the agreement or plan has been endorsed or approved by the relevant State authority or a council; or</li> <li>(e) the implementation of a mining and rehabilitation plan approved under the terms of a permit, an Environment Protection Notice, or rehabilitation works approved under the <i>Mineral Resources Development Act 1995</i>.</li> </ul>

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Table 4.5 Renewable energy exemptions

	Use or development	Requirements
4.5.1	ground mounted solar energy installations	If covering an area of not more than 18m <sup>2</sup> , unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.5.2	roof mounted solar energy installations	Unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.5.3	wind turbines	<p>If:</p> <ul style="list-style-type: none"> <li>(a) one wind turbine per lot;</li> <li>(b) no part of the structure is closer to a frontage than any other existing building, excluding a fence, on the lot;</li> <li>(c) no part of the structure is within 15m of a side or rear boundary;</li> <li>(d) the height of the structure excluding blades above existing ground level is no higher than: <ul style="list-style-type: none"> <li>(i) 20m in the Light Industrial Zone, General Industrial Zone, Rural Zone, Agriculture Zone, Port and Marine Zone or Utilities Zone; or</li> <li>(ii) 12m in any other zone; and</li> </ul> </li> <li>(e) if adjoining a sensitive use, no part of the structure is closer to a boundary of a sensitive use on another lot than: <ul style="list-style-type: none"> <li>(i) 60m if the wind turbine has an energy generation potential of 10kW or less; or</li> <li>(ii) 250m if the wind turbine has an energy generation potential of more than 10kW,</li> </ul> </li> </ul> <p>unless the Electricity Transmission Infrastructure Protection Code, Local Historic Heritage Code, Attenuation Code or the Landslip Hazard Code, applies and requires a permit for the use or development.</p>

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Table 4.6 Miscellaneous exemptions

	Use or development	Requirements
4.6.1	signs	Unless: (a) the Signs Code; or (b) the Local Historic Heritage Code, applies and requires a permit for the use or development.
4.6.2	use or development in a road reserve or on public land	If: (a) for outdoor dining facilities, signboards, roadside vendors and stalls on a road that is managed by a relevant council; or (b) a community garden on public land used for growing vegetables, fruit or ornamentals.
4.6.3	fences within 4.5m of a frontage	Fences (including free-standing walls) within 4.5m of a frontage, if located in: (a) the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone and if not more than a height of: (i) 1.2m above existing ground level if the fence is solid; or (ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights); (b) the Utilities Zone and adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and if not more than a height of: (i) 1.2m above existing ground level if the fence is solid; or (ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights); or (c) any other zone, or if located in the Utilities Zone and not adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and if not more than a height of: (i) 1.8m if adjoining public land; or (ii) 2.1m if not adjoining public land, unless the Local Historic Heritage Code applies and requires a permit for the use or development.

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	Use or development	Requirements
4.6.4	fences not within 4.5m of a frontage	Fences not within 4.5m of a frontage, if it is: <ul style="list-style-type: none"> <li>(a) adjoining public land and is not more than a height of 1.8m above existing ground level; or</li> <li>(b) not adjoining public land and is not more than a height of 2.1m above existing ground level,</li> </ul> unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.6.5	fences for security purposes	Fences for security purposes, if it is located: <ul style="list-style-type: none"> <li>(a) within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone or Utilities Zone or at an airport and is not more than a height of 2.8m above existing ground level; or</li> <li>(b) within the Light Industrial Zone or Utilities Zone and a common boundary fence with a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and:               <ul style="list-style-type: none"> <li>(i) is not more than a height of 2.1m; and</li> <li>(ii) does not contain barbed wire,</li> </ul> </li> </ul> unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.6.6	fences in the Rural Zone or Agriculture Zone	Fences within the Rural Zone or Agriculture Zone, unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.6.7	temporary fencing	If for public safety, construction works or occasional sporting, social or cultural events.
4.6.8	retaining walls	Retaining walls, excluding any land filling, if: <ul style="list-style-type: none"> <li>(a) it has a setback of not less than 1.5m from any boundary; and</li> <li>(b) it retains a difference in ground level of less than 1m, unless the Local Historic Heritage Code or the Landslip Hazard Code applies, and requires a permit for the use or development.</li> </ul>
4.6.9	land filling	Land filling to a depth of not more than 1m above existing ground level from that existing at the effective date, unless the: <ul style="list-style-type: none"> <li>(a) Coastal Erosion Hazard Code;</li> <li>(b) Coastal Inundation Hazard Code;</li> <li>(c) Flood-Prone Areas Hazard Code; or</li> <li>(d) Landslip Hazard Code,</li> </ul> applies and requires a permit for the use or development.

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	Use or development	Requirements
4.6.10	antennas, masts, flagpoles, and satellite dishes	All antennas, masts, flagpoles and satellite dishes, unless the: <ul style="list-style-type: none"> <li>(a) Electricity Transmission Infrastructure Protection Code;</li> <li>(b) Telecommunications Code; or</li> <li>(c) Local Historic Heritage Code,</li> </ul> applies and requires a permit for the use or development.
4.6.11	heat pumps and air-conditioners	If: <ul style="list-style-type: none"> <li>(a) attached, or located, to the side or rear of building;</li> <li>(b) not within 10m of a boundary of a property containing a sensitive use if for a non-residential use located in an General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone; or</li> <li>(c) not within 10m of the boundary of an General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone if located in a Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone, Light Industrial, Major Tourism Zone, Utilities Zone, Community Purpose Zone, Recreation Zone or Open Space Zone,</li> </ul> unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.6.12	hot water cylinders	If attached, or located, to the side or rear of a building, unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.6.13	rain-water tanks	If: <ul style="list-style-type: none"> <li>(a) attached, or located, to the side or rear of a building;</li> <li>(b) not more than 45kL in capacity;</li> <li>(c) not on a stand with a height of more than 1.2m above existing ground level; and</li> <li>(d) has a setback not less than the Acceptable Solution for the relevant zone,</li> </ul> unless the Local Historic Heritage Code applies and requires a permit for the use or development.
4.6.14	rain-water tanks in Rural Living Zone, Rural Zone, Agriculture Zone or Landscape Conservation Zone	If: <ul style="list-style-type: none"> <li>(a) attached, or located, to the side or rear of a building; and</li> <li>(b) has a setback not less than the Acceptable Solution for the relevant zone,</li> </ul> unless the Local Historic Heritage Code applies and requires a permit for the use or development.

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	Use or development	Requirements
4.6.15	fuel tanks in the Light Industrial Zone, General Industrial Zone, Rural Zone, Agriculture Zone or Port and Marine Zone	<p>If:</p> <ul style="list-style-type: none"> <li>(a) it is located in the Light Industrial Zone, General Industrial Zone, Rural Zone, Agriculture Zone or Port and Marine Zone; and</li> <li>(b) it has a setback not less than the Acceptable Solution for the relevant zone,</li> </ul> <p>unless:</p> <ul style="list-style-type: none"> <li>(i) the Local Historic Heritage Code applies and requires a permit for the use or development; or</li> <li>(ii) for the storage of a hazardous chemical of a manifest quantity and the Coastal Erosion Hazard Code, Coastal Inundation Hazard Code, Flood-Prone Areas Hazard Code, Bushfire-Prone Areas Code or Landslip Hazard Code, applies and requires a permit for the use or development.</li> </ul>
4.6.16	fuel tanks in other zones	<p>If:</p> <ul style="list-style-type: none"> <li>(a) in a zone excluding the Light Industrial Zone, General Industrial Zone, Rural Zone, Agriculture Zone or Port and Marine Zone;</li> <li>(b) attached, or located, to the side or rear of a building;</li> <li>(c) not more than 1kL in capacity;</li> <li>(d) not on a stand with a height of more than 1.2m above existing ground level; and</li> <li>(e) has a setback not less than the Acceptable Solution for the relevant zone,</li> </ul> <p>unless the Local Historic Heritage Code applies and requires a permit for the use or development.</p>
4.6.17	anemometers	All anemometers.
4.6.18	strata division	Division by strata titles of lawfully constructed or approved buildings for a use that has been granted a permit under this planning scheme or previously lawfully approved.

## 5.0 Planning Scheme Operation

### 5.1 General Provisions

- 5.1.1 Clause 7.0 of this planning scheme 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.
- 5.1.2 Where there is an inconsistency between a provision in a zone, specific area plan or code and a general provision in clause 7.0 of this planning scheme, the general provision in clause 7.0 prevails.

### 5.2 Operation of Zones

- 5.2.1 The primary controls for the use or development of land are set out in the zones.
- 5.2.2 The zones include use and development standards specific to each zone.
- 5.2.3 Maps included in the Local Provisions Schedules show how land is zoned.
- 5.2.4 The requirements for zones, including particular purpose zones, in the Local Provisions Schedules are set out in clause LP1.0 and Appendix A.
- 5.2.5 Each Local Provisions Schedule is permitted to include a particular purpose zone that is particular to an area of land.
- 5.2.6 After the effective date, a particular purpose zone is not permitted to override the administration provisions in clauses 3.0 - 6.0, the general provisions in clause 7.0 or the provisions in a code.

### 5.3 Operation of Specific Area Plans

- 5.3.1 Each Local Provisions Schedule is permitted to include a specific area plan that is in addition to, modifies, or is in substitution for, a provision in a zone Use Table or a use or development standard in a zone or code.
- 5.3.2 The requirements and structure for specific area plans in the Local Provisions Schedules are set out in clause LP1.0 and Appendix A.
- 5.3.3 After the effective date, a specific area plan is not permitted to override the administration provisions in clauses 3.0 – 6.0 or general provisions in clause 7.0.

### 5.4 Operation of Site-specific Qualifications

- 5.4.1 Each LPS is permitted to include a site-specific qualification that is in addition to, modifies, or is in substitution for, a zone Use Table or a use or development standard in a zone or a code.
- 5.4.2 The requirements and structure for a site-specific qualification in the LPS are set out in clause LP1.0 and Appendix A.
- 5.4.3 After the effective date, a site-specific qualification is permitted to override a general provision in clause 7.0, or any provision in a zone, code, or specific area plan.
- 5.4.4 A site-specific qualification is not permitted to override the administration provisions in clauses 3.0 – 6.0.



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**5.5 Operation of Codes**

- 5.5.1 The codes identify areas of land or planning issues which require compliance with additional provisions.
- 5.5.2 Codes set out provisions for:
- (a) particular types of use or development that may apply to land in one or more zones; and
  - (b) matters that affect land that are not appropriately described by zone boundaries.
- 5.5.3 Where there is an inconsistency between a provision in a code and a provision in a zone, the code provision prevails.
- 5.5.4 An inconsistency between a provision of a code and a provision of a zone does not exist if a code requires compliance with standards additional to those that apply within a zone.
- 5.5.5 The requirements and structure for code overlay maps and lists in the Local Provisions Schedules are set out in clause LP1.0 and Appendix A.

**5.6 Compliance with Applicable Standards**

- 5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.
- 5.6.2 A standard is an applicable standard if:
- (a) the proposed use or development will be on a site within:
    - (i) a zone;
    - (ii) an area to which a specific area plan relates; or
    - (iii) an area to which a site-specific qualification applies; or
  - (b) the proposed use or development is a use or development to which a relevant code applies; and
  - (c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.
- 5.6.3 Compliance for the purposes of sub-clause 5.6.1 of this planning scheme consists of complying with the Acceptable Solution or satisfying the Performance Criterion for that standard.
- 5.6.4 The planning authority may consider the relevant objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.

## 6.0 Assessment of an Application for Use or Development

### 6.1 Application Requirements

- 6.1.1 An application must be made for any use or development for which a permit is required under this planning scheme.
- 6.1.2 An application must include:
- (a) a signed application form;
  - (b) any written permission and declaration of notification required under s.52 of the Act and, if any document is signed by the delegate, a copy of the delegation;
  - (c) details of the location of the proposed use or development;
  - (d) a copy of the current certificate of title for all land to which the permit sought is to relate, including the title plan; and
  - (e) a full description of the proposed use or development.
- 6.1.3 In addition to the information that is required by clause 6.1.2, a planning authority may, in order to enable it to consider an application, require such further or additional information as the planning authority considers necessary to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or a specific area plan, applicable to the use or development including:
- (a) any schedule of easements if listed in the folio of the title and appear on the plan, where applicable;
  - (b) a site analysis and site plan at a scale acceptable to the planning authority showing, where applicable:
    - (i) the existing and proposed use(s) on the site;
    - (ii) the boundaries and dimensions of the site;
    - (iii) topography including contours showing AHD levels and major site features;
    - (iv) natural drainage lines, watercourses and wetlands on or adjacent to the site;
    - (v) soil type;
    - (vi) vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
    - (vii) the location and capacity and connection point of any existing services and proposed services;
    - (viii) the location of easements on the site or connected to the site;
    - (ix) existing pedestrian and vehicle access to the site;
    - (x) the location of existing and proposed buildings on the site;
    - (xi) the location of existing adjoining properties, adjacent buildings and their uses;

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- (xii) any natural hazards that may affect use or development on the site;
- (xiii) proposed roads, driveways, parking areas and footpaths within the site;
- (xiv) any proposed open space, common space, or facilities on the site; and
- (xv) proposed subdivision lot boundaries;
- (c) where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 as required by the planning authority showing, where applicable:
  - (i) the internal layout of each building on the site;
  - (ii) the private open space for each dwelling;
  - (iii) external storage spaces;
  - (iv) parking space location and layout;
  - (v) major elevations of every building to be erected;
  - (vi) the relationship of the elevations to existing ground level, showing any proposed cut or fill;
  - (vii) shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites; and
  - (viii) materials and colours to be used on roofs and external walls.

## 6.2 Categorising Use or Development

- 6.2.1 Each proposed use or development must be categorised into one of the Use Classes in Table 6.2.
- 6.2.2 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.
- 6.2.3 If a use or development fits a description of more than one Use Class, the Use Class most specifically describing the use applies.
- 6.2.4 If a use or development does not readily fit any Use Class, it must be categorised into the most similar Use Class.
- 6.2.5 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.
- 6.2.6 Notwithstanding sub-clause 6.2.1 of this planning scheme, development which is for subdivision, a sign, land filling, retaining walls or coastal protection works does not need to be categorised into one of the Use Classes.

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Table 6.2 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 landscaping materials 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, residential support services, 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, place of worship, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre, community centre and neighbourhood centre.
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.
Custodial Facility	use of land, other than psychiatric facilities, for detaining or reforming persons committed by the courts or for the purpose of court proceedings or police investigations. Examples include a prison, remand centre and any other type of detention facility.
Domestic Animal Breeding, Boarding or Training	use of land for breeding, boarding or training domestic animals. Examples include an animal pound, cattery and kennel.
Educational and Occasional Care	use of land for educational or short-term care purposes. Examples include a childcare centre, day respite centre, 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.

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Use Class	Description
Food Services	use of land for selling food or drink, which may be prepared on the premises, 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, bottle shop, cellar door sales, commercial art gallery, department store, hairdresser, market, primary produce sales, local shop, shop, shop front dry cleaner and supermarket.
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, nightclub, adult entertainment venue 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 and may include track work and maintenance, park management outbuildings and offices, park entry signs, visitor information signs, information and interpretation booths.
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. Examples include a marina, boat ramp and jetty.

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Use Class	Description
Port and Shipping	<p>use of land for:</p> <p>(a) berthing, navigation aid, 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</p> <p>(b) maintenance dredging.</p> <p>Examples include berthing and shipping facilities, 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	<p>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.</p>
Research and Development	<p>use of land for electronic technology, biotechnology, or any other research and development purposes, other than as part of an educational use.</p>
Residential	<p>use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.</p>
Resource Development	<p>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, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry, forest operations, turf growing and marine farming shore facility.</p>
Resource Processing	<p>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, brewery, cidery, distillery, and sawmilling.</p>
Service Industry	<p>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.</p>
Sports and Recreation	<p>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, children's play centre, swimming pool, race course, sports ground, and major sporting facility.</p>

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Use Class	Description
Storage	use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, self storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and woodyard.
Tourist Operation	use of land specifically to attract tourists, other than for accommodation. Examples include a theme park, visitors centre or interpretation 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: (a) telecommunications; (b) electricity generation; (c) transmitting or distributing gas, oil, or electricity; (d) transport networks; (e) collecting, treating, transmitting, storing or distributing water; or (f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage. Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.
Vehicle Fuel Sales and Service	use of land primarily for the sale of motor vehicle fuel and lubricants, and if the land is so used, the use may include the routine maintenance of vehicles. An example is a service station.
Vehicle Parking	use of land for the parking of motor vehicles. Examples include single and multi-storey car parks.
Visitor Accommodation	use of land for providing short or medium-term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, camping and caravan park, holiday cabin, motel, overnight camping area, residential hotel and serviced apartment complex.

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**6.3 Qualification of Use**

- 6.3.1 A Use Class may be subject to qualification in a Use Table which provides for conditions or limitations on the Use Class.

**6.4 Requirement for a Permit**

- 6.4.1 Except as provided in sub-clauses 6.5 and 6.6 of this planning scheme, 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.
- 6.4.2 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.

**6.5 Exempt Use or Development**

- 6.5.1 A permit is not required to commence or carry out a use or development if it is exempt from requiring a permit under clause 4.0 of this planning scheme.

**6.6 No Permit Required Use or Development**

- 6.6.1 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 complies with each applicable standard and does not rely on any Performance Criteria to comply with each applicable standard;
  - (c) the use or development is not Discretionary under any other provision of this planning scheme;
  - (d) the use or development is not Prohibited under any other provision of this planning scheme; and
  - (e) a permit for such use and development is not required by a code.
- 6.6.2 A permit is not required to commence or carry out a use or development if it is No Permit Required under any other provision of this planning scheme.



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**6.7 Permitted Use or Development**

6.7.1 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 any Performance Criteria to comply with each applicable standard;
- (c) the use or development is not Discretionary under any other provision of this planning scheme; and
- (d) the use or development is not Prohibited under any other provision of this planning scheme.

6.7.2 A development that is not required to be categorised under sub-clause 6.2.6 of this planning scheme and must be granted a permit if:

- (a) there are applicable standards that apply to the development;
- (b) the development complies with each applicable standard and does not rely on any Performance Criteria to comply with each applicable standard; and
- (c) the development is not Discretionary or Prohibited under any other provision of this planning scheme.

**6.8 Discretionary Use or Development**

6.8.1 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 relies on a Performance Criterion to demonstrate compliance with an applicable standard; or
- (c) it is Discretionary under any other provision of this planning scheme.

6.8.2 The planning authority has a discretion under clause 7.10 to refuse or permit a development that is not required to be categorised under sub-clause 6.2.6 of this planning scheme if:

- (a) there are no applicable standards that apply to the development; or
- (b) the use or development relies on any Performance Criteria to demonstrate compliance with an applicable standard; and
- (c) the development is not Prohibited under any other provision of this planning scheme.

**6.9 Prohibited Use or Development**

6.9.1 A use or development is Prohibited and must not be granted a permit if:

- (a) the use is not specified as being No Permit Required, Permitted or Discretionary within a Use Class in the applicable Use Table;
- (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 this planning scheme.

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**6.10 Determining Applications**

6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(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 section 57(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.

6.10.2 In determining an application for a permit for a Discretionary use the planning authority must, in addition to the matters referred to in sub-clause 6.10.1 of this planning scheme, have regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective for the applicable zone;
- (c) the purpose of any applicable code;
- (d) the purpose of any applicable specific area plan; and
- (e) the requirements of any site-specific qualification,

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

**6.11 Conditions and Restrictions on a Permit**

6.11.1 When deciding whether to include conditions in a permit, the planning authority may consider the matters contained in sub-clauses 6.10.1 and 6.10.2 of this planning scheme.

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

- (a) requirements that specific acts 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;
- (e) requirements to modify the development in accordance with predetermined triggers, criteria or events;
- (f) construction or traffic management; and
- (g) erosion, and stormwater volume and quality controls.

## General Provisions

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### 7.0 General Provisions

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

7.1.1 Notwithstanding clause 6.9.1 of this planning scheme, the planning authority may at its discretion, approve an application:

- (a) to bring an existing use of land that does not conform to the planning scheme into conformity, or greater conformity, with the planning scheme;
- (b) to extend or transfer an existing 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 an existing non-conforming use.

7.1.2 An application must only be approved under sub-clause 7.1.1 of this planning scheme where there is:

- (a) no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area; and
- (b) no substantial intensification of the use.

7.1.3 In exercising its discretion under sub-clauses 7.1.1 and 7.1.2 of this planning scheme, the planning authority must have regard to the purpose and provisions of the zone, any relevant local area objectives and any applicable codes.

#### 7.2 Development for Existing Discretionary Uses

7.2.1 Notwithstanding clause 6.8.1 of this planning scheme, 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 existing use.

#### 7.3 Adjustment of a Boundary

7.3.1 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 relevant Acceptable Solution setback requirement;
- (d) no frontage is reduced below the relevant Acceptable Solution minimum frontage requirement;
- (e) no lot is reduced below the relevant Acceptable Solution minimum lot size unless already below the minimum lot size; and
- (f) no lot boundary that aligns with a zone boundary will be changed.

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**7.4 Change of Use of a Site listed on the Tasmanian Heritage Register or a Local Heritage Place**

- 7.4.1 An application for a use of a site listed on the Tasmanian Heritage Register or as a Local Heritage Place subject to the Local Historic Heritage Code that would otherwise be Prohibited is Discretionary.
- 7.4.2 The planning authority may approve such an application if it would facilitate the restoration, conservation and future maintenance of the local historic heritage significance of the place.
- 7.4.3 In determining an application the planning authority must have regard to:
- (a) any statement of historic cultural heritage significance for the place, as described in the Tasmanian Heritage Register;
  - (b) any statement of local historic heritage significance and historic heritage values, as described in the Local Historic Heritage Code;
  - (c) any heritage impact statement prepared by a suitably qualified person setting out the effect of the proposed use and any associated development on:
    - (i) the local historic heritage significance of the local heritage place or local heritage precinct; and
    - (ii) the historic cultural heritage significance of the place as described in the Tasmanian Heritage Register;
  - (d) any conservation plan prepared by a suitably qualified person in accordance with *The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance 7<sup>th</sup> edition, 2013*;
  - (e) the degree to which the restoration, conservation and future maintenance of the heritage significance of the place is dependent upon the establishment of the proposed use;
  - (f) the likely impact of the proposed use on the amenity, or operation, of surrounding uses;
  - (g) any Heritage Agreement that may be in place, in accordance with the provisions contained in the *Historic Cultural Heritage Act 1995*;
  - (h) the purpose and provisions of the applicable zone; and
  - (i) the purpose and provisions of any applicable code.

**7.5 Change of Use**

- 7.5.1 A permit is not required for a change of use from an existing lawful use to another use in the same Use Class if:
- (a) the use is not otherwise Prohibited or Discretionary under any provision of the planning scheme;
  - (b) the use complies with all applicable standards and does not rely on any Performance Criteria to do so; and
  - (c) there is no:
    - (i) increase in the gross floor area of the use;
    - (ii) increase in the requirement for parking spaces under the Parking and Sustainable Transport Code;

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- (iii) change in the arrangements for site access, parking, or for the loading and servicing of vehicles on the site;
- (iv) change in arrangements for the use of external areas of the site for display, operational activity or storage;
- (v) increase in emissions or change in the nature of emissions;
- (vi) increase in the required capacity of utility services; and
- (vii) increase in the existing hours of operation if outside the hours of 8.00am to 6.00pm Monday to Sunday inclusive.

## **7.6 Access and Provision of Infrastructure Across Land in Another Zone**

7.6.1 If an application for use or development requires access or provision of infrastructure across land that is assigned to a zone other than the zone applicable to the proposed use or development, the relevant planning authority may at its discretion approve an application for the 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.

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

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

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

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

## **7.9 Demolition**

7.9.1 Unless approved as part of another development or Prohibited by another provision in this planning scheme, or the Local Historic Heritage Code applies, an application for demolition is Permitted and a permit must be granted subject to any conditions and restrictions specified in clause 6.11.2 of this planning scheme.

## **7.10 Development Not Required to be Categorised into a Use Class**

7.10.1 An application for development that is not required to be categorised into one of the Use Classes under sub-clause 6.2.6 of this planning scheme and to which 6.8.2 applies, excluding adjustment of a boundary under sub-clause 7.3.1, may be approved at the discretion of the planning authority.

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- 7.10.2 An application must only be approved under sub-clause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area.
- 7.10.3 In exercising its discretion under sub-clauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:
- (a) the purpose of the applicable zone;
  - (b) the purpose of any applicable code;
  - (c) any relevant local area objectives; and
  - (d) the purpose of any applicable specific area plan.

**7.11 Use or Development Seaward of the Municipal District**

- 7.11.1 Use or development of a type referred to in section 7(a) to (d) of the Act that is unzoned in the zoning maps in the relevant Local Provisions Schedules must be considered in accordance with:
- (a) the provisions of the zone that is closest to the site; or
  - (b) in the case of a use or development that extends from land that is zoned, the provisions of the zone from which the use or development extends.

**7.12 Sheds on Vacant Sites**

- 7.12.1 An application for a shed on a vacant site in the Low Density Residential Zone, Rural Living Zone and Landscape Conservation Zone is Permitted and a permit must be granted if:
- (a) there is not more than 1 shed on the lot;
  - (b) the frontage, side and rear setbacks are not less than the Acceptable Solution setbacks for the relevant zone;
  - (c) it is located on the site so that a future dwelling can be built between the shed and the frontage setback;
  - (d) the building height is no greater than 6m and the height of any wall is not greater than 4m;
  - (e) the gross floor area is not greater than 54 m<sup>2</sup>; and
  - (f) it complies with the Acceptable Solution of each applicable standard of any code that applies to the land.

## 8.0 General Residential Zone

### 8.1 Zone Purpose

The purpose of the General Residential Zone is:

- 8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.1.3 To provide for non-residential use that:
  - (a) primarily serves the local community; and
  - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

### 8.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre, veterinary surgery, child health clinic, or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	

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Use Class	Qualification
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

### 8.3 Use Standards

#### 8.3.1 Discretionary uses

Objective:	That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm.		<b>P1</b> Hours of operation of a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>
<b>A2</b> External lighting for a use listed as Discretionary: <ul style="list-style-type: none"> <li>(a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and</li> <li>(b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b> External lighting for a use listed as Discretionary, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to: <ul style="list-style-type: none"> <li>(a) the number of proposed light sources and their intensity;</li> <li>(b) the location of the proposed light sources;</li> <li>(c) the topography of the site; and</li> <li>(d) any existing light sources.</li> </ul>



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<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7:00am to 7:00pm Monday to Friday;</li> <li>(b) 9:00am to 12 noon Saturday; and</li> <li>(c) nil on Sunday and public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any existing or proposed noise mitigation measures between the vehicle movement areas and sensitive use;</li> <li>(f) potential conflicts with other traffic; and</li> <li>(g) existing levels of amenity.</li> </ul>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intensity and scale of the use;</li> <li>(b) the emissions generated by the use;</li> <li>(c) the type and intensity of traffic generated by the use;</li> <li>(d) the impact on the character of the area; and</li> <li>(e) the need for the use in that location.</li> </ul>

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## 8.3.2 Visitor Accommodation

Objective:	That Visitor Accommodation: (a) is of a scale that is compatible with the character and use of the area; (b) does not cause an unreasonable loss of privacy; and (c) does not impact the safety and efficiency of local roads or rights of way
Acceptable Solutions	Performance Criteria
<b>A1</b> Visitor Accommodation: (a) guests are accommodated in existing buildings; and (b) has a gross floor area of not more than 160m <sup>2</sup> .	<b>P1</b> Visitor Accommodation must: (a) not cause an unreasonable loss of privacy to adjoining properties; (b) be of a scale that respects the character and use of the area; (c) not adversely impact the safety and efficiency of the local road network; and (d) not unreasonably disadvantage owners and users of rights of way.

## 8.4 Development Standards for Dwellings

## 8.4.1 Residential density for multiple dwellings

Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.
Acceptable Solutions	Performance Criteria
<b>A1</b> Multiple dwellings must have a site area per dwelling of not less than 325m <sup>2</sup> .	<b>P1</b> Multiple dwellings must only have a site area per dwelling that is less than 325m <sup>2</sup> , if the development will not exceed the capacity of infrastructure services and: (a) is compatible with the density of existing development on established properties in the area; or (b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of an Inner Residential Zone,

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	Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.
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## 8.4.2 Setbacks and building envelope for all dwellings

Objective:	<p>The siting and scale of dwellings:</p> <ul style="list-style-type: none"> <li>(a) provides reasonably consistent separation between dwellings and their frontage within a street;</li> <li>(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</li> <li>(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and</li> <li>(d) provides reasonable access to sunlight for existing solar energy installations.</li> </ul>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</li> <li>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</li> <li>(c) if for a vacant site and there are existing dwellings on adjoining properties on the 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 located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</li> </ul>		<p><b>P1</b></p> <p>A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</p>
<p><b>A2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p>		<p><b>P2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible</p>

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<ul style="list-style-type: none"> <li>(a) 5.5m, or alternatively 1m behind the building line;</li> <li>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>	<p>with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:             <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> </li> <li>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:             <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</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 an unreasonable loss of amenity to adjoining properties, having regard to:             <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 property;</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li> <li>(iii) overshadowing of an adjoining vacant property; or</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property.</li> </ul> </li> <li>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</li> <li>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:             <ul style="list-style-type: none"> <li>(i) an adjoining property; or</li> <li>(ii) another dwelling on the same site.</li> </ul> </li> </ul>

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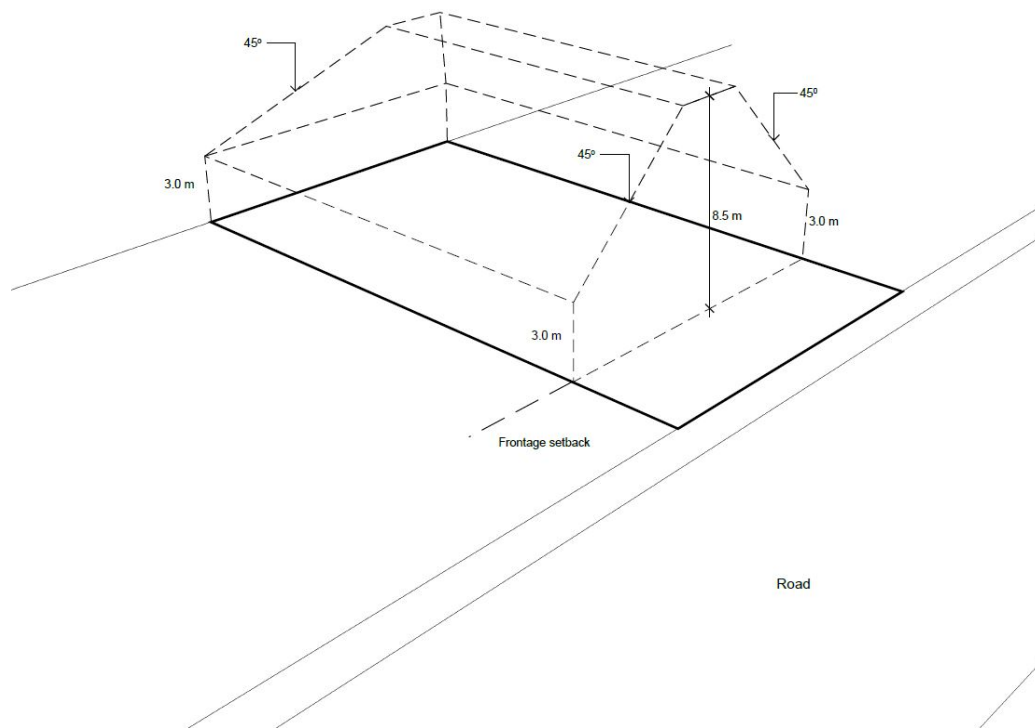


Figure 8.1 Building envelope as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

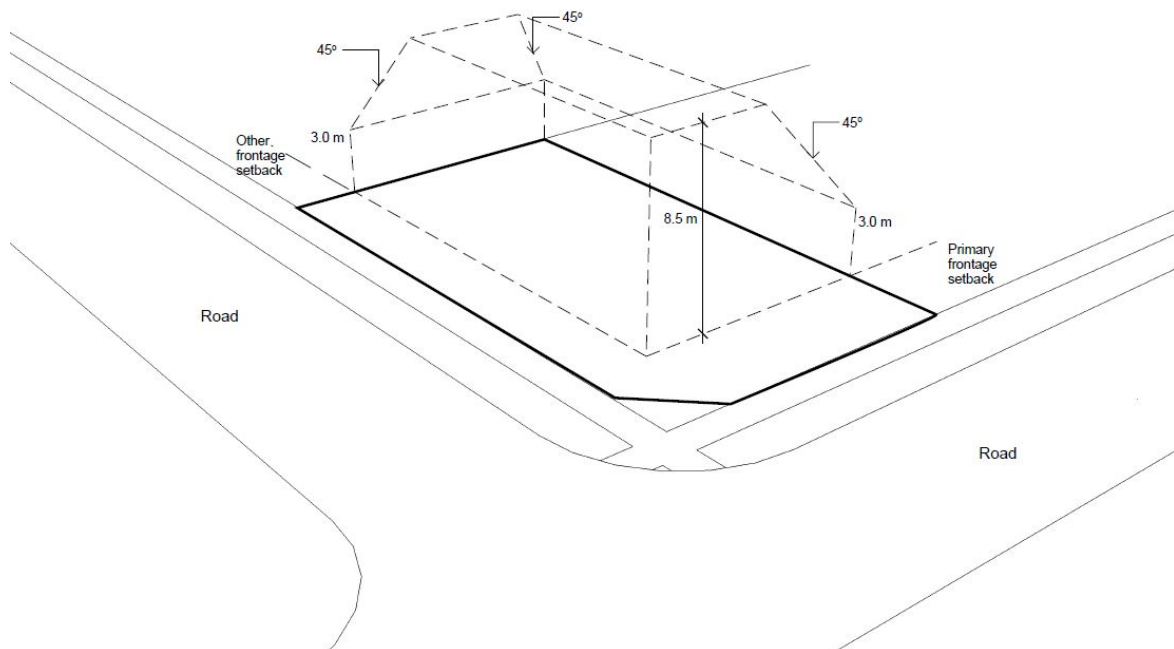


Figure 8.2 Building envelope for corner lots as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

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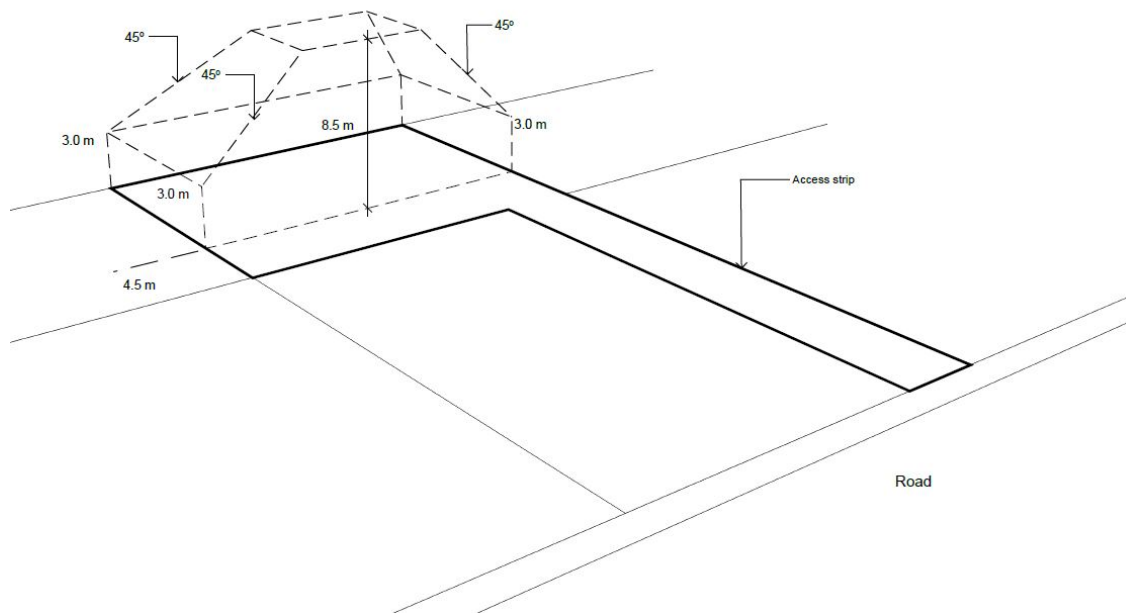


Figure 8.3 Building envelope for internal lots as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

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

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

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	<p>and storage; and</p> <p>(c) reasonable space for the planting of gardens and landscaping.</p>
<p><b>A2</b></p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m<sup>2</sup>; or</p> <p>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p><b>P2</b></p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <p>(a) conveniently located in relation to a living area of the dwelling; and</p> <p>(b) orientated to take advantage of sunlight.</p>

## 8.4.4 Sunlight to private open space of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p>		<p><b>P1</b></p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.</p>

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<p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21<sup>st</sup> June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>	
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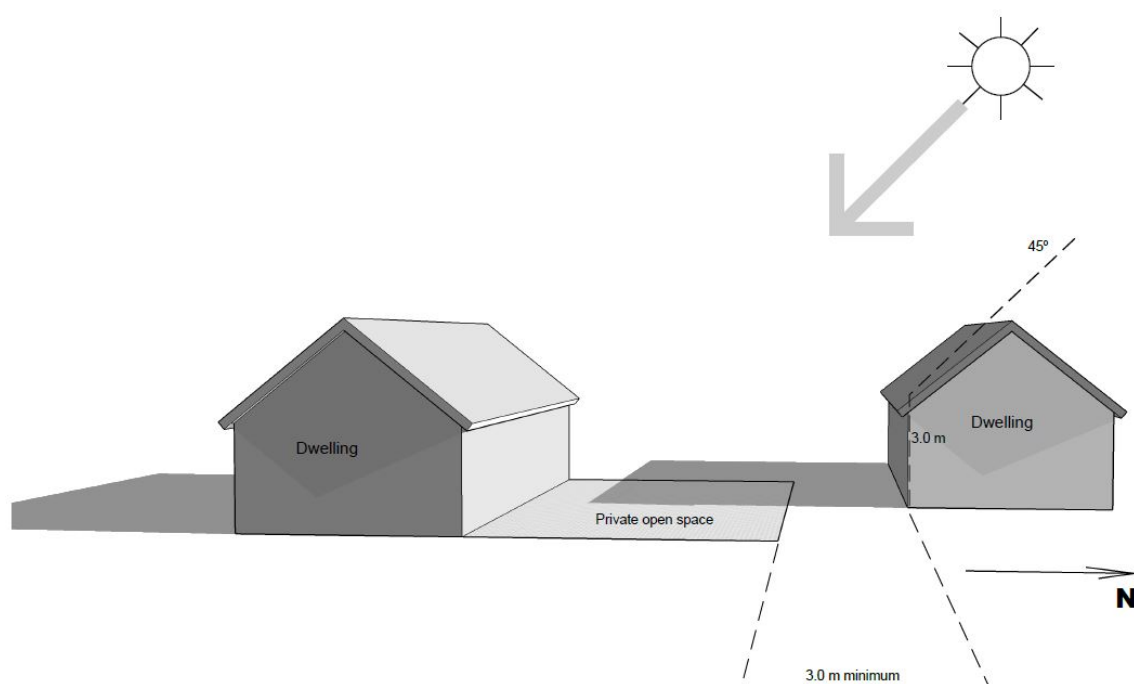


Figure 8.4 Separation from the private open space of another dwelling on the same site as required by clause 8.4.4 A1(a)



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

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

## 8.4.6 Privacy for all dwellings

Objective:	To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <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>		<b>P1</b>  A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of: <ul style="list-style-type: none"> <li>(a) a dwelling on an adjoining property or its private open space; or</li> <li>(b) another dwelling on the same site or its private open space.</li> </ul>

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<p><b>A2</b></p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<p><b>P2</b></p> <p>A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> <li>(a) a window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling.</li> </ul>
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<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p><b>P3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
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## 8.4.7 Frontage fences for all dwellings

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

<sup>1</sup> An exemption applies for fences in this zone – see Table 4.6

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## 8.4.8 Waste storage for multiple dwellings

Objective:	To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m <sup>2</sup> per dwelling and is within one of the following locations: <ul style="list-style-type: none"> <li>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) a common storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of not less than 4.5m from a frontage;</li> <li>(ii) is not less than 5.5m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</li> </ul> </li> </ul>		<b>P1</b> A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> <li>(a) capable of storing the number of bins required for the site;</li> <li>(b) screened from the frontage and dwellings; and</li> <li>(c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</li> </ul>

## 8.5 Development Standards for Non-dwellings

## 8.5.1 Non-dwelling development

Objective:	That all non-dwelling development: <ul style="list-style-type: none"> <li>(a) is compatible with the character, siting, apparent scale, bulk, massing and proportion of residential development; and</li> <li>(b) does not cause an unreasonable loss of amenity on adjoining residential properties.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> A building that is not a dwelling, excluding for Food Services, local shop, or garage or carport, and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any</li> </ul>		<b>P1</b> A building that is not a dwelling, excluding for Food Services and local shop, must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

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<p>existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3.0m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties 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 properties on the same street.</p>	
<p><b>A2</b></p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).</li> </ul>	<p><b>P2</b></p> <p>The siting and scale of a building that is not a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room, excluding a bedroom, of a dwelling on an adjoining property;</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li> <li>(iii) overshadowing of an adjoining vacant property; or</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and</li> </ul> <p>(b) provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.</p>
<p><b>A3</b></p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 50%</p>	<p><b>P3</b></p> <p>A building that is not a dwelling, must have:</p> <p>(a) site coverage consistent with that existing on</p>

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<p>(excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 35% is free from impervious surfaces.</p>	<p>established properties in the area; and</p> <p>(b) reasonable space for the planting of gardens and landscaping.</p>
<p><b>A4</b></p> <p>No Acceptable Solution.<sup>2</sup></p>	<p><b>P4</b></p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
<p><b>A5</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <p>(a) be visible from any road or public open space adjoining the site; or</p> <p>(b) encroach upon parking areas, driveways or landscaped areas.</p>	<p><b>P5</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise their impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the type of goods, materials or waste to be stored;</p> <p>(c) the topography of the site; and</p> <p>(d) any screening proposed.</p>
<p><b>A6</b></p> <p>Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use not less than 10m.<sup>3</sup></p>	<p><b>P6</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of the boundary of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <p>(a) the characteristics and frequency of any emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the</p>

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

<sup>3</sup> An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6.

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	<p>sensitive use; and</p> <p>(d) any mitigation measures proposed.</p>
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## 8.5.2 Non-residential garages and carports

Objective:	To maintain frontage setbacks compatible with the streetscape and reduce the potential for garage and carport openings to dominate the primary frontage.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A garage or carport not forming part of a dwelling, must have a setback from a primary frontage of not less than: <ul style="list-style-type: none"> <li>(a) 5.5m, or alternatively 1m behind the building line;</li> <li>(b) the same as the building line, if a portion of the building gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>		<b>P1</b> A garage or carport not forming part of a dwelling, must have a setback from a primary frontage that is compatible with the setbacks of garages or carports in the street, having regard to any topographical constraints.
<b>A2</b> A garage or carport not forming part of a dwelling, within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).		<b>P2</b> A garage or carport not forming part of a dwelling, must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

## 8.6 Development Standards for Subdivision

### 8.6.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and (d) is orientated to provide solar access for future dwellings.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 450m<sup>2</sup> and:</p> <p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of public utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area.</p>



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<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the functionality and useability of the frontage;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area,</li> </ul> <p>and is not less than 3.6m wide.</p>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic;</li> <li>(d) the anticipated nature of vehicles likely to access the site; and</li> <li>(e) the ability for emergency services to access the site.</li> </ul>

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<p><b>A4</b></p> <p>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<p><b>P4</b></p> <p>Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and orientation of the lots;</li> <li>(b) the topography of the site;</li> <li>(c) the extent of overshadowing from adjoining properties;</li> <li>(d) any development on the site;</li> <li>(e) the location of roads and access to lots; and</li> <li>(f) the existing pattern of subdivision in the area.</li> </ul>
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## 8.6.2 Roads

Objective:	<p>That the arrangement of new roads within a subdivision provides for:</p> <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> </ul>

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	<p>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</p> <p>(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Pedestrian and Cyclist Paths 2009</i>;</p> <p>(i) the topography of the site; and</p> <p>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</p>
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## 8.6.3 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.</p>		<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to:</p> <p>(a) flow rates;</p> <p>(b) the quality of potable water;</p> <p>(c) any existing or proposed infrastructure to provide the water service and its location;</p> <p>(d) the topography of the site; and</p> <p>(e) any advice from a regulated entity.</p>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>		<p><b>P2</b></p> <p>No Performance Criterion.</p>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>		<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <p>(a) the size of the lot;</p>

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	<ul style="list-style-type: none"><li>(b) topography of the site;</li><li>(c) soil conditions;</li><li>(d) any existing buildings on the site;</li><li>(e) any area of the site covered by impervious surfaces; and</li><li>(f) any watercourse on the land.</li></ul>
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TPC modifications

## 9.0 Inner Residential Zone

### 9.1 Zone Purpose

The purpose of the Inner Residential Zone is:

- 9.1.1 To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities.
- 9.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 9.1.3 To provide for non-residential use that:
  - (a) primarily serves the local community; and
  - (b) does not cause an unreasonable loss of amenity, through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 9.1.4 To provide for Visitor Accommodation that is compatible with residential character.

### 9.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre, veterinary surgery, child health clinic, or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.

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Use Class	Qualification
General Retail and Hire	
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

### 9.3 Use Standards

#### 9.3.1 Discretionary uses

Objective:	That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 7.00pm Monday to Friday; and</li> <li>(b) 8.00am to 6.00pm Saturday and Sunday.</li> </ul>		<b>P1</b> Hours of operation of a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>
<b>A2</b> External lighting for a use listed as Discretionary: <ul style="list-style-type: none"> <li>(a) must not operate within the hours of 8.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) security lighting must be baffled so that direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b> External lighting for a use listed as Discretionary, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to: <ul style="list-style-type: none"> <li>(a) the number of proposed light sources and their intensity;</li> <li>(b) the location of the proposed light sources;</li> <li>(c) the topography of the site; and</li> <li>(d) any existing light sources.</li> </ul>

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<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7:00am to 8:00pm Monday to Friday;</p> <p>(b) 9:00am to 12 noon Saturday; and</p> <p>(c) nil on Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the extent and timing of traffic generation;</p> <p>(b) the dispatch of goods and materials; and</p> <p>(c) existing levels of amenity.</p>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the intensity and scale of the use;</p> <p>(b) the emissions generated by the use;</p> <p>(c) the type and intensity of traffic generated by the use;</p> <p>(d) the impact on the character of the area; and</p> <p>(e) the need for the use in that location.</p>

## 9.3.2 Visitor Accommodation

Objective:	That Visitor Accommodation:
	<p>(a) is of a scale that is compatible with the character and use of the area;</p> <p>(b) does not cause an unreasonable loss of privacy; and</p> <p>(c) does not impact the safety and efficiency of local roads or rights of way.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Visitor Accommodation:</p> <p>(a) guests are accommodated in existing buildings; and</p> <p>(b) has a gross floor area of not more than 160m<sup>2</sup>.</p>	<p><b>P1</b></p> <p>Visitor Accommodation must:</p> <p>(a) not cause an unreasonable loss of privacy to adjoining properties;</p> <p>(b) be of a scale that respects the character and use of the area;</p> <p>(c) not adversely impact the safety and efficiency of the local road network; and</p> <p>(d) not unreasonably disadvantage owners and users of rights of way.</p>

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**9.4 Development Standards for Dwellings****9.4.1 Residential density for multiple dwellings**

Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Multiple dwellings must have a site area per dwelling of not less than 200m <sup>2</sup> .		<b>P1</b>  Multiple dwellings must only have a site area per dwelling less than 200m <sup>2</sup> if:  (a) the development contributes to a range of dwelling types and sizes appropriate to the surrounding area; or  (b) the development provides for a specific accommodation need with significant social or community benefit.

**9.4.2 Setbacks and building envelope for all dwellings**

Objective:	That the siting and scale of dwellings: (a) provides reasonably consistent separation between dwellings and their frontage within a street; (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; and (c) provides separation between dwellings on adjoining properties to allow a reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:  (a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less than the setback, from the primary frontage, of any existing dwelling on the site;  (b) if the frontage is not a primary frontage, not less than 2m, or, if the setback from the frontage is less than 2m, not less than the		<b>P1</b>  A dwelling must have a setback from a frontage that is compatible with the streetscape having regard to any topographical constraints.



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<p>setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties 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</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>	
<p><b>A2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 4m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p><b>P2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 9.1, 9.2 and 9.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and</p>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; and</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.</p>

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<p>(b) only have a setback within 1.5m of a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</li> </ul>	
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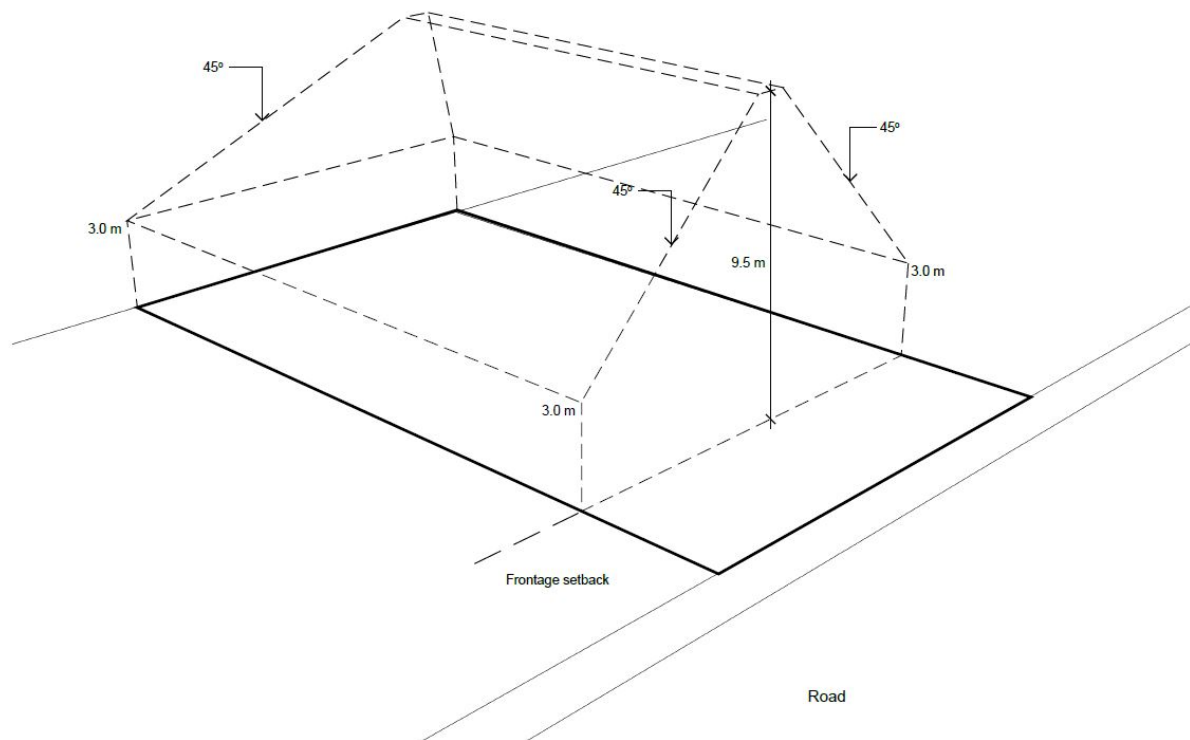


Figure 9.1 Building envelope as required by clause 9.4.2 A3(a) and clause 9.5.1 A2(a)

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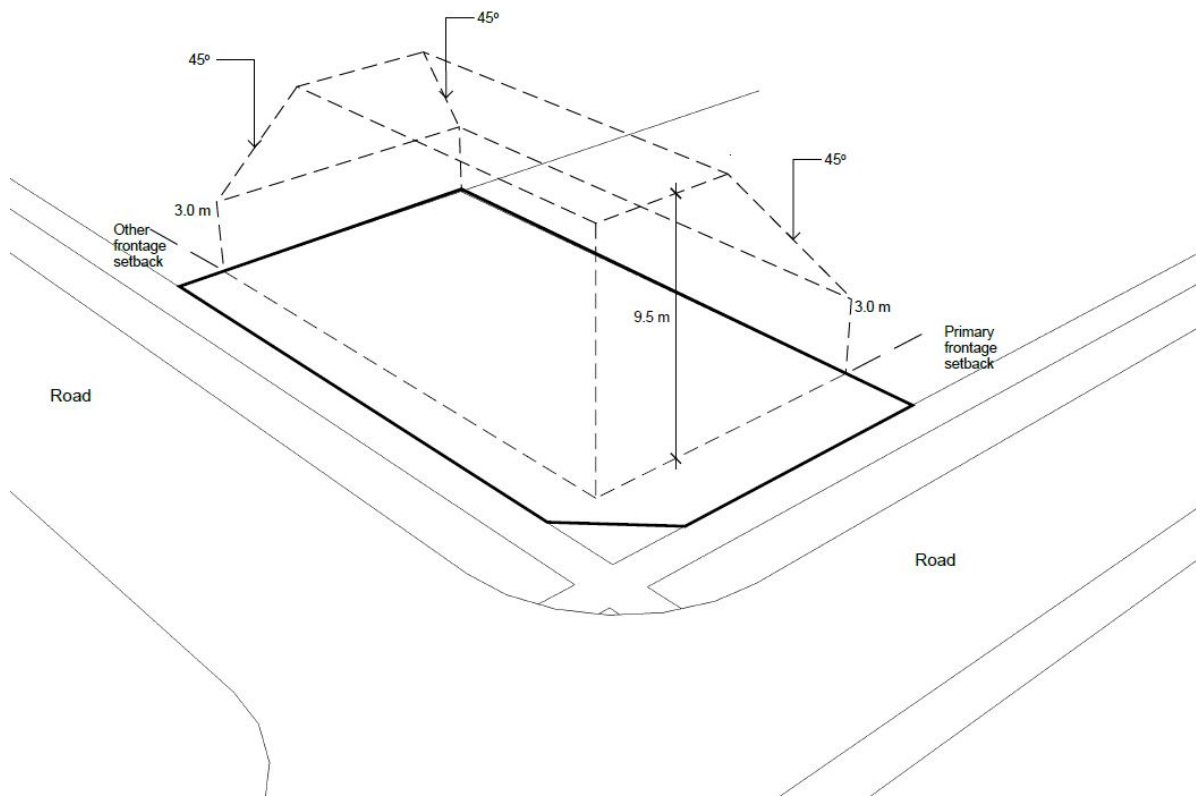


Figure 9.2 Building envelope for corner lots as required by clause 9.4.2 A3(a) and clause 9.5.1 A2(a)

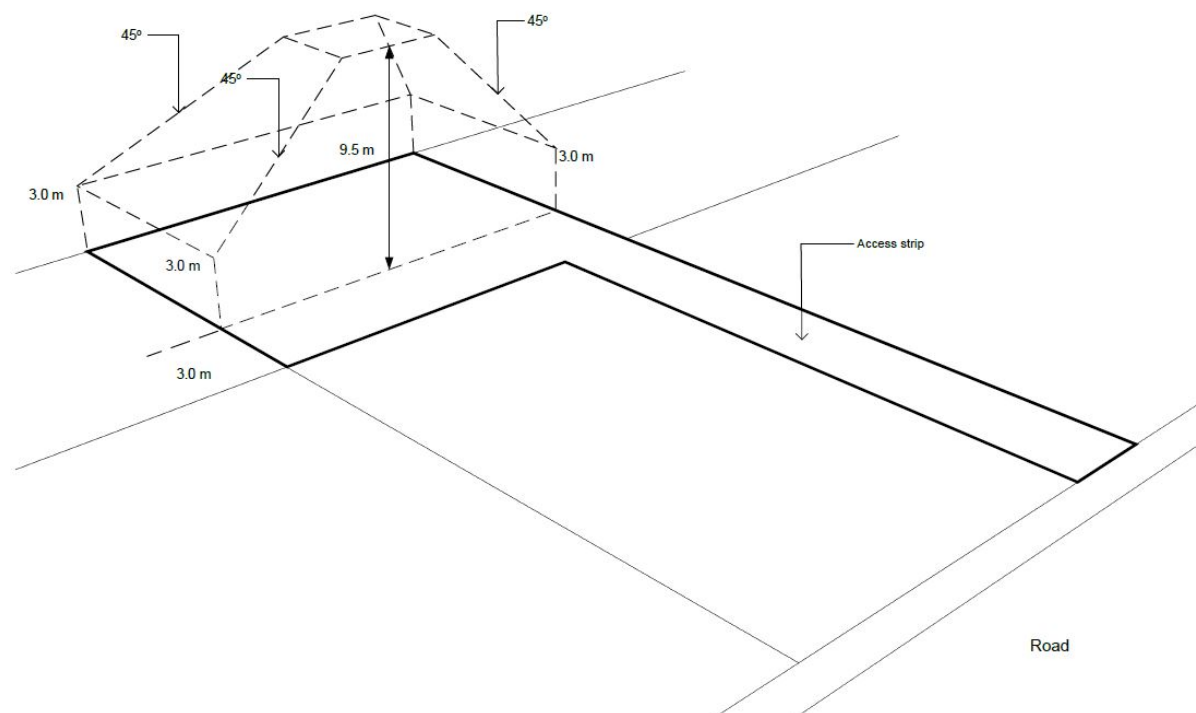


Figure 9.3 Building envelope for internal lots as required by clause 9.4.2 A3(a) and clause 9.5.1 A2(a)

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

Objective:	That dwellings are compatible with the amenity and character of the area and provide: <ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents;</li> <li>(b) opportunities for the planting of gardens and landscaping; and</li> <li>(c) private open space that is conveniently located and has access to sunlight.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  Dwellings must have: <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 40m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the ground level (excluding a garage, carport or entry foyer).</li> </ul>	<b>P1</b>  Dwellings must have: <ul style="list-style-type: none"> <li>(a) site coverage consistent with that existing on established properties in the area;</li> <li>(b) private open space that is of a size and with dimensions appropriate for the size of the dwelling and is able to accommodate:               <ul style="list-style-type: none"> <li>(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and</li> <li>(ii) operational needs, such as clothes drying and storage; and</li> </ul> </li> <li>(c) reasonable space for the planting of gardens and landscaping.</li> </ul>
<b>A2</b>  A dwelling must have private open space that: <ul style="list-style-type: none"> <li>(a) is in one location and is not less than:               <ul style="list-style-type: none"> <li>(i) 24m<sup>2</sup>; or</li> <li>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ul> </li> <li>(b) has a minimum horizontal dimension of:               <ul style="list-style-type: none"> <li>(i) 4m; or</li> <li>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ul> </li> </ul>	<b>P2</b>  A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: <ul style="list-style-type: none"> <li>(a) conveniently located in relation to a living area of the dwelling; and</li> <li>(b) orientated to take advantage of sunlight.</li> </ul>

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(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and	
(d) has a gradient not steeper than 1 in 10.	

## 9.4.4 Sunlight to private open space of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to enter private open space for dwellings on the same site.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A multiple dwelling that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 9.4.3, must satisfy (a) or (b), unless excluded by (c): <p>(a) the multiple dwelling is contained within a line projecting (see Figure 9.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight within the hours of 9.00am to 3.00pm on 21<sup>st</sup> June.</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>		<b>P1</b> A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 9.4.3 of this planning scheme.

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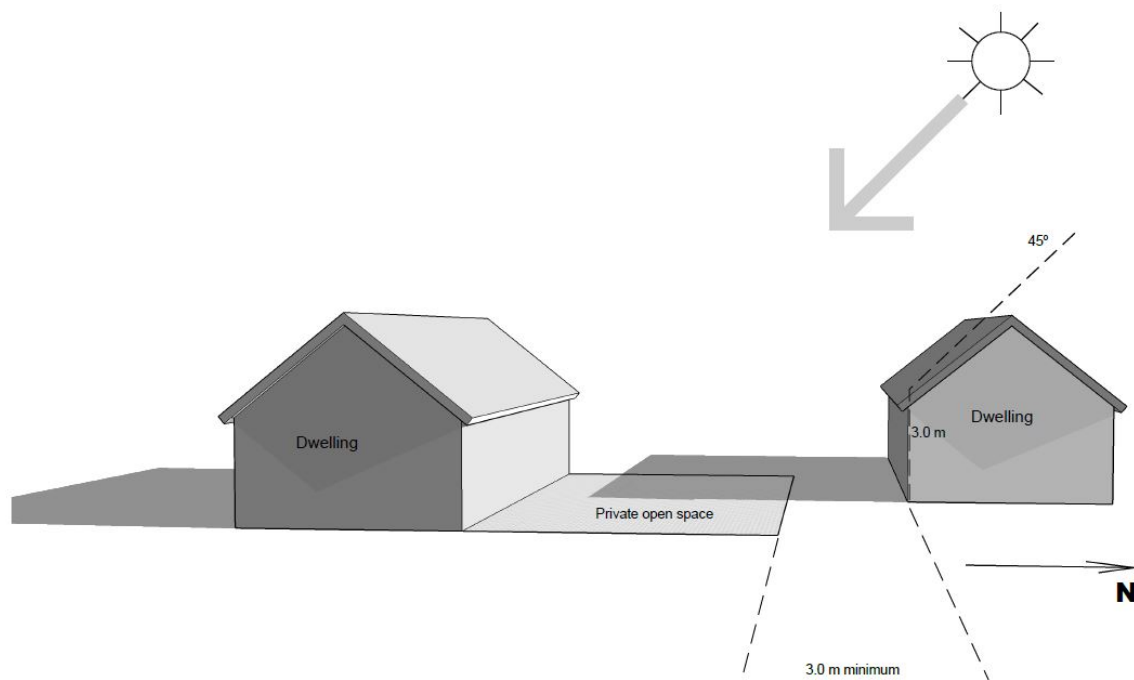


Figure 9.4 Separation from the private open space of another dwelling on the same site as required by clause 9.4.4 A1(a)

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

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

## 9.4.6 Privacy for all dwellings

Objective:	To provide a reasonable opportunity for privacy for dwellings.
Acceptable Solutions	Performance Criteria
<b>A1</b> A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <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>	<b>P1</b> A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of: <ul style="list-style-type: none"> <li>(a) a dwelling on an adjoining property or its private open space; or</li> <li>(b) another dwelling on the same site or its private open space.</li> </ul>

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<p><b>A2</b></p> <p>A window or glazed door, to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<p><b>P2</b></p> <p>A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> <li>(a) window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling.</li> </ul>
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<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p><b>P3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
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## 9.4.7 Frontage fences for all dwellings

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

<sup>1</sup> An exemption applies for fences in this zone – see Table 4.6.

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## 9.4.8 Waste storage for multiple dwellings

Objective:	To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m <sup>2</sup> per dwelling and is within one of the following locations: <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a common storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of not less than 4.5m from a frontage;</li> <li>(ii) is not less than 5.5m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area.</li> </ul> </li> </ul>		<b>P1</b> A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> <li>(a) capable of storing the number of bins required for the site;</li> <li>(b) screened from the frontage and dwellings; and</li> <li>(c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</li> </ul>

## 9.5 Development Standards for Non-dwellings

## 9.5.1 Non-dwelling development

Objective:	That all non-dwelling development: <ul style="list-style-type: none"> <li>(a) is compatible with the character, siting, apparent form, scale, bulk, massing and proportion of residential development; and</li> <li>(b) does not cause and unreasonable loss of amenity on adjoining residential properties.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> A building that is not a dwelling, excluding for General Retail and Hire, Food Services, garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 3m, or if the setback from the primary</li> </ul>		<b>P1</b> A building that is not a dwelling, excluding for General Retail and Hire, or Food Services, must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

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<p>frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 2m, or if the setback from the primary frontage is less than 2.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties 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 properties on the same street.</p>	
<p><b>A2</b></p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 9.1, 9.2 and 9.3) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback of 3m, or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 9.5m above existing ground level; and</li> </ul> <p>(b) only have a setback within 1.5m of a side or rear boundary if the building:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).</li> </ul>	<p><b>P2</b></p> <p>The siting and scale of a building must:</p> <p>(a) not cause an unreasonable loss of amenity having regard to:</p> <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 property;</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining property;</li> <li>(iii) overshadowing of an adjoining vacant property; or</li> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and</li> </ul> <p>(b) provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.</p>

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<p><b>A3</b></p> <p>A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 65% (excluding eaves up to 0.6m); and</li> <li>(b) a site area of which not less than 15% is free from impervious surfaces.</li> </ul>	<p><b>P3</b></p> <p>A building that is not a dwelling must have:</p> <ul style="list-style-type: none"> <li>(a) site coverage consistent with that on established properties in the area; and</li> <li>(b) a reasonable space for the planting of gardens and landscaping.</li> </ul>
<p><b>A4</b></p> <p>No Acceptable Solution.<sup>2</sup></p>	<p><b>P4</b></p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</li> <li>(b) be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> <li>(i) the topography of the site; and</li> <li>(ii) traffic volumes on the adjoining road.</li> </ul> </li> </ul>
<p><b>A5</b></p> <p>Outdoor storage areas, for a building that is not a dwelling including waste storage must not:</p> <ul style="list-style-type: none"> <li>(a) be visible from any road or public open space adjoining the site; or</li> <li>(b) encroach upon parking areas, driveways or landscaped areas.</li> </ul>	<p><b>P5</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise their impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the use;</li> <li>(b) the type of goods, materials or waste to be stored;</li> <li>(c) the topography of the site; and</li> <li>(d) any screening proposed.</li> </ul>
<p><b>A6</b></p> <p>Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback not less than 10m from a property containing a sensitive use.<sup>3</sup></p>	<p><b>P6</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of the boundary of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any emissions generated;</li> </ul>

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

<sup>3</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.

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	<p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any mitigation measures proposed.</p>
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## 9.5.2 Non-residential garages and carports

Objective:	To maintain frontage setbacks compatible with the streetscape and reduce the potential for garage and carport openings to dominate the primary frontage.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A garage or carport not forming part of a dwelling, must have a setback from a primary frontage of not less than: <ul style="list-style-type: none"> <li>(a) 4m, or alternatively 1m behind the building line;</li> <li>(b) the same as the building line, if a portion of the building gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>		<b>P1</b> A garage or carport not forming part of a dwelling, must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.
<b>A2</b> A garage or carport not forming part of a dwelling within 12m of a primary frontage (whether the garage or carport is free-standing) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).		<b>P2</b> A garage or carport not forming part of a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

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**9.6 Development Standards for Subdivision**

## 9.6.1 Lot design

Objective:	That each lot:  (a) has an area and dimensions appropriate for use and development in the zone;  (b) is provided with appropriate access to a road; and  (c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 200m<sup>2</sup> and:</p> <p>(i) be able to contain a minimum area of 10m x 12m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of public utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards; and</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area.</p>

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<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the functionality and useability of the frontage;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic;</li> <li>(d) the anticipated nature of vehicles likely to access the site; and</li> <li>(e) the ability for emergency services to access the site.</li> </ul>

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## 9.6.2 Roads

Objective:	<p>That the arrangement of new roads within a subdivision provides for:</p> <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any relevant road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian paths to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> <li>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</li> <li>(h) the need to provide for bicycle infrastructure on new arterial and collector roads in accordance with <i>Guide to Road Design Part 6A: Pedestrian and Cyclist Paths 2009</i>;</li> <li>(i) the topography of the site; and</li> <li>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</li> </ul>



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## 9.6.3 Services

Objective:	That the subdivision of land provides services for future use and development of the land.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.		<b>P1</b>  A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: <ul style="list-style-type: none"> <li>(a) flow rates;</li> <li>(b) the quality of potable water;</li> <li>(c) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(d) the topography of the site; and</li> <li>(e) any advice from a regulated entity.</li> </ul>
<b>A2</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		<b>P2</b>  No Performance Criterion.
<b>A3</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		<b>P3</b>  No Performance Criterion.

## 10.0 Low Density Residential Zone

### 10.1 Zone Purpose

The purpose of the Low Density Residential Zone is:

- 10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.
- 10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.
- 10.1.3 To provide for Visitor Accommodation that is compatible with residential character.

### 10.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
<b>Permitted</b>	
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a consulting room, medical centre, veterinary surgery, child health clinic or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Residential	If not listed as No Permit Required.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.

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Use Class	Qualification
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

### 10.3 Use Standards

#### 10.3.1 Discretionary uses

Objective:	That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation for a use listed as Discretionary, excluding Emergency Services, must be within: <ul style="list-style-type: none"> <li>(a) 8.00am to 6.00pm Monday to Friday;</li> <li>(b) 9.00am to 12.00 noon Saturday; and</li> <li>(c) nil on Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation for a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise or other emissions.</li> </ul>
<b>A2</b> External lighting for a use listed as Discretionary: <ul style="list-style-type: none"> <li>(a) must be within the hours of 7.00pm to 7.00am, excluding any security lighting; and</li> <li>(b) security lighting must be baffled so that direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b> External lighting for a use listed as Discretionary, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to: <ul style="list-style-type: none"> <li>(a) the number of proposed light sources and their intensity;</li> <li>(b) the location of the proposed light sources;</li> <li>(c) the topography of the site; and</li> <li>(d) any existing light sources.</li> </ul>

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<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7:00am to 5:00pm Monday to Friday;</li> <li>(b) 9:00am to 12 noon Saturday; and</li> <li>(c) nil on Sunday and public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any existing or proposed noise mitigation measures between the vehicle movement areas and sensitive use;</li> <li>(f) potential conflicts with other traffic; and</li> <li>(g) existing levels of amenity.</li> </ul>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intensity and scale of the use;</li> <li>(b) the emissions generated by the use;</li> <li>(c) the type and intensity of traffic generated by the use;</li> <li>(d) the impact on the character of the area; and</li> <li>(e) the need for the use in that location.</li> </ul>

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## 10.3.2 Visitor Accommodation

Objective:	That Visitor Accommodation: (a) is of a scale that is compatible with the character and use of the area; (b) does not cause an unreasonable loss of privacy; and (c) does not impact the safety and efficiency of local roads or rights of way.
Acceptable Solutions	Performance Criteria
<b>A1</b> Visitor Accommodation: (a) guests are accommodated in existing buildings; and (b) has a gross floor area of not more than 160m <sup>2</sup> .	<b>P1</b> Visitor Accommodation must: (a) not cause an unreasonable loss of privacy to adjoining properties; (b) be of a scale that respects the character and use of the area; (c) not adversely impact the safety and efficiency of the local road network; and (d) not unreasonably disadvantage owners and users of rights of way.

## 10.4 Development Standards for Dwellings

## 10.4.1 Residential density for multiple dwellings

Objective:	That the density of multiple dwellings: (a) is appropriate for the low density nature of the zone; and (b) is consistent with the availability of infrastructure services and any constraints to development.
Acceptable Solutions	Performance Criteria
<b>A1</b> Multiple dwellings must have a site area per dwelling of not less than: (a) 1500m <sup>2</sup> if it has a connection or is capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system; or (b) 2500m <sup>2</sup> otherwise.	<b>P1.1</b> For a site that has a connection or is capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 1500m <sup>2</sup> if the number of dwellings: (a) is not out of character with the pattern of development existing on established properties in the area; (b) does not exceed the capacity of the current or intended infrastructure services in the area; and (c) the site area per dwelling is not less than

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	<p>1200m<sup>2</sup>, having regard to any constraints to development.</p> <p><b>P1.2</b></p> <p>For a site that is not capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 2500m<sup>2</sup> if the number of dwellings:</p> <ul style="list-style-type: none"> <li>(a) is not out of character with the pattern of development existing on established properties in the area;</li> <li>(b) can be provided with adequate on-site wastewater disposal and water supply; and</li> <li>(c) the site area per dwelling is not less than 2000m<sup>2</sup>; and</li> <li>(d) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system,</li> </ul> <p>having regard to any constraints to development.</p>
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## 10.4.2 Building height

Objective:	That the height of dwellings is compatible with the streetscape and do not cause an unreasonable loss of amenity for adjoining properties.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A dwelling must have a building height not more than 8.5m.</p>	<p><b>P1</b></p> <p>The height of dwellings must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height of buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of existing and proposed buildings;</li> <li>(d) sunlight to habitable rooms and private open space of dwellings; and</li> <li>(e) any overshadowing of adjoining properties.</li> </ul>

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## 10.4.3 Setback

Objective:	That the siting of dwellings is compatible with the streetscape and does not cause an unreasonable loss of amenity for adjoining properties.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Dwellings, excluding protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage not less than 8m.		<b>P1</b>  The siting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of surrounding buildings;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public open space adjacent to the site; and</li> <li>(e) the safety of road users.</li> </ul>
<b>A2</b>  Dwellings, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a setback from side and rear boundaries of not less than 5m.		<b>P2</b>  The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height, bulk and form of existing and proposed buildings;</li> <li>(e) the existing buildings and private open space areas on the site;</li> <li>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</li> <li>(g) the character of development existing on established properties in the area.</li> </ul>

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## 10.4.4 Site coverage

Objective:	That site coverage: (a) is consistent with the character of existing development in the area; (b) provides sufficient area for private open space and landscaping; and (c) assists with the management of stormwater runoff.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Dwellings must have a site coverage of not more than 30%.		<b>P1</b>  The site coverage of dwellings must be consistent with that existing on established properties in the area, having regard to:  (a) the topography of the site; (b) the capacity of the site to absorb runoff; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the provision for landscaping and private open space; (f) the need to remove vegetation; and (g) the site coverage of adjacent properties.

## 10.4.5 Frontage fences for all dwellings

Objective:	That the height and transparency of frontage fences: (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) is reasonably consistent with fences in the street.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution. <sup>1</sup>		<b>P1</b>  A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:  (a) provide for security and privacy, while allowing for passive surveillance of the road; and

<sup>1</sup> An exemption applies for fences in this zone – see Table 4.6.



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	<p>(b) be consistent with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
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## 10.5 Development Standards for Non-dwellings

### 10.5.1 Non-dwelling development

Objective:	<p>That all non-dwelling development:</p> <p>(a) is compatible with the streetscape;</p> <p>(b) is compatible with the form and scale of existing residential development; and</p> <p>(c) does not cause an unreasonable loss of amenity to adjoining properties.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A building that is not a dwelling must have a building height not more than 8.5m.</p>	<p><b>P1</b></p> <p>The height of a building that is not a dwelling must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height of buildings on the site and adjacent properties;</p> <p>(c) the bulk and form of existing and proposed buildings;</p> <p>(d) sunlight to habitable rooms of dwellings and private open space; and</p> <p>(e) any overshadowing of adjoining properties.</p>
<p><b>A2</b></p> <p>A building that is not a dwelling, excluding protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage not less than 8m.</p>	<p><b>P2</b></p> <p>The siting of a building that is not a dwelling must be compatible with the streetscape and character of development existing on established properties in the area having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setbacks of surrounding buildings;</p> <p>(c) the height, bulk and form of existing and proposed buildings;</p> <p>(d) the appearance when viewed from roads and public open space adjacent to the site; and</p> <p>(e) the safety of road users.</p>

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<p><b>A3</b></p> <p>A building that is not a dwelling excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a setback from side and rear boundaries of not less than 5m.</p>	<p><b>P3</b></p> <p>The siting of a building that is not a dwelling, must not cause unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height, bulk and form of existing and proposed buildings;</li> <li>(e) the existing buildings and private open space areas on the site;</li> <li>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</li> <li>(g) the character of development existing on established properties in the area.</li> </ul>
<p><b>A4</b></p> <p>A building that is not a dwelling must have a site coverage of not more than 30%.</p>	<p><b>P4</b></p> <p>The site coverage of a building that is not a dwelling must, be consistent with that existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the capacity of the site to absorb runoff;</li> <li>(c) the size and shape of the site;</li> <li>(d) the existing buildings and any constraints imposed by existing development;</li> <li>(e) the provision for landscaping and private open space;</li> <li>(f) the need to remove vegetation; and</li> <li>(g) the site coverage of adjacent properties.</li> </ul>
<p><b>A5</b></p> <p>No Acceptable Solution.<sup>2</sup></p>	<p><b>P5</b></p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</li> <li>(b) be consistent with the height and transparency of fences in the street, having regard to:</li> </ul>

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

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	<ul style="list-style-type: none"> <li>(i) the topography of the site; and</li> <li>(ii) traffic volumes on the adjoining road.</li> </ul>
<p><b>A6</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <ul style="list-style-type: none"> <li>(a) be visible from any road or public open space adjoining the site; or</li> <li>(b) encroach upon parking areas, driveways or landscaped areas.</li> </ul>	<p><b>P6</b></p> <p>Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise its impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the use;</li> <li>(b) the type of goods, materials or waste to be stored;</li> <li>(c) the topography of the site; and</li> <li>(d) any screening proposed.</li> </ul>
<p><b>A7</b></p> <p>Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use of not less than 10m.<sup>3</sup></p>	<p><b>P7</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of a the boundary of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any mitigation measures proposed.</li> </ul>

<sup>3</sup> An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6.

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**10.6 Development Standards for Subdivision**

## 10.6.1 Lot design

Objective:	<p>That each lot:</p> <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone;</li> <li>(b) is provided with appropriate access to a road; and</li> <li>(c) contains areas which are suitable for residential development.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) have an area of not less than 1500m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 10.4.3 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2;</li> </ul> </li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of public utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) adequate provision of private open space;</li> <li>(e) the pattern of development existing on established properties in the area; and</li> <li>(f) any constraints to development,</li> </ul> <p>and must have an area not less than 1200m<sup>2</sup>.</p>

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<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the functionality and useability of the frontage;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area,</li> </ul> <p>and is not less than 3.6m wide.</p>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic;</li> <li>(d) the anticipated nature of vehicles likely to access the site; and</li> <li>(e) the ability for emergency services to access the site.</li> </ul>

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## 10.6.2 Roads

Objective:	<p>That the arrangement of new roads within a subdivision provides:</p> <ul style="list-style-type: none"> <li>(a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any relevant road network plan adopted by council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>(f) access to public transport;</li> <li>(g) the efficient and safe movement of pedestrians, cyclists and public transport;</li> <li>(h) the need to provide for bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Pedestrian and Cyclist Paths 2009</i>;</li> <li>(i) the topography of the site; and</li> <li>(j) the future subdivision potential of any balance lots on adjoining or adjacent land.</li> </ul>

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## 10.6.3 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must: <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply service; or</li> <li>(b) the frontage of each lot must be within 30m of a connection to: <ul style="list-style-type: none"> <li>(i) a full water supply service; or</li> <li>(ii) a limited water supply service.</li> </ul> </li> </ul>		<b>P1</b> A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to: <ul style="list-style-type: none"> <li>(a) the distance from and location of any water supply service;</li> <li>(b) flow rates;</li> <li>(c) the quality of potable water;</li> <li>(d) any existing or proposed infrastructure to provide a water service and its location;</li> <li>(e) the nature and source of the water supply;</li> <li>(f) the topography of the site; and</li> <li>(g) any advice from a regulated entity.</li> </ul>
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>

## 11.0 Rural Living Zone

### 11.1 Zone Purpose

The purpose of the Rural Living Zone is:

11.1.1 To provide for residential use or development in a rural setting where:

(a) services are limited; or

(b) existing natural and landscape values are to be retained.

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

11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.

11.1.4 To provide for Visitor Accommodation that is compatible with residential character.

### 11.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Resource Development	If for grazing.
Utilities	If for minor utilities.
<b>Permitted</b>	
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for a veterinary surgery.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Domestic Animal Breeding, Boarding and Training	



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Use Class	Qualification
Education and Occasional Care	If for: (a) a childcare centre or primary school; or (b) an existing respite centre.
Emergency Services	
Food Services	If for a gross floor area of no more than 200m <sup>2</sup> .
General Retail and Hire	If for: (a) primary produce sales; (b) sales related to Resource Development; or (c) a local shop.
Manufacturing and Processing	If for alterations or extensions to existing Manufacturing and Processing.
Resource Development	If: (a) not for intensive animal husbandry or plantation forestry; or (b) not listed as No Permit Required.
Resource Processing	If not for an abattoir, animal saleyards or sawmilling.
Sports and Recreation	If for an outdoor recreation facility.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
<b>Prohibited</b>	
All other uses	

### 11.3 Use Standards

#### 11.3.1 Discretionary uses

Objective:	That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation for a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 8.00am to 6.00pm Monday to Friday; (b) 9.00am to 12.00 noon Saturday; and (c) nil on Sunday and public holidays.		<b>P1</b> Hours of operation for a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses having regard to: (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.

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<p><b>A2</b></p> <p>External lighting for a use listed as Discretionary:</p> <ul style="list-style-type: none"> <li>(a) must be within the hours of 7.00pm to 7.00am, excluding any security lighting; and</li> <li>(b) security lighting must be baffled so that direct light does not extend into the adjoining property.</li> </ul>	<p><b>P2</b></p> <p>External lighting for a use listed as Discretionary, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of proposed light sources and their intensity;</li> <li>(b) the location of the proposed light sources;</li> <li>(c) the topography of the site; and</li> <li>(d) any existing light sources.</li> </ul>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 5.00pm Monday to Friday;</li> <li>(b) 9.00am to 12 noon Saturday; and</li> <li>(c) nil on Sunday and public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the extent and timing of traffic generation;</li> <li>(b) the dispatch of goods and materials; and</li> <li>(c) the existing levels of amenity.</li> </ul>

## 11.3.2 Visitor Accommodation

Objective:	<p>That Visitor Accommodation:</p> <ul style="list-style-type: none"> <li>(a) is of a scale that is compatible with the character and use of the area;</li> <li>(b) does not cause an unreasonable loss of privacy; and</li> <li>(c) does not impact the safety and efficiency of local roads or rights of way.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Visitor Accommodation:</p> <ul style="list-style-type: none"> <li>(a) guests are accommodated in existing buildings; and</li> <li>(b) has a gross floor area of not more than 160m<sup>2</sup>.</li> </ul>	<p><b>P1</b></p> <p>Visitor Accommodation must:</p> <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity and privacy to adjoining properties;</li> <li>(b) be of a scale that respects the character and use of the area;</li> <li>(c) not adversely impact the safety and efficiency of the local road network; and</li> <li>(d) not unreasonably disadvantage owners and users of rights of carriageway.</li> </ul>

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**11.4 Development Standards for Buildings and Works****11.4.1 Site coverage**

<b>Objective:</b>	That the site coverage: (a) is compatible with the character of existing development in the area; and (b) assists with the management of stormwater runoff.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  The site coverage must be not more than 400m <sup>2</sup> .	<b>P1</b>  The site coverage must be consistent with that existing on established properties in the area having regard to:  (a) the topography of the site; (b) the capacity of the site to absorb runoff; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the need to remove vegetation; and (f) the character of development existing on established properties in the area.

**11.4.2 Building height, setback and siting**

<b>Objective:</b>	That height, setback and siting of buildings: (a) is compatible with the character of the area; (b) does not cause an unreasonable loss of amenity; (c) minimises the impact on the natural values of the area; and (d) minimises the impact on adjacent uses.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  Building height must be not more than 8.5m.	<b>P1</b>  Building height must be compatible with the character of the area and not cause an unreasonable loss of amenity to adjoining properties having regard to:  (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjoining properties; (c) the bulk and form of proposed buildings; (d) sunlight to habitable rooms and private open space in adjoining properties; and (e) any overshadowing of adjoining properties or public places.

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<p><b>A2</b></p> <p>Buildings must have a setback from a frontage of not less than 20m.</p>	<p><b>P2</b></p> <p>Buildings must be sited to be compatible with the character of the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of adjacent buildings;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public places; and</li> <li>(e) the retention of vegetation.</li> </ul>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries of not less than 10m.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height bulk and form of existing and proposed buildings;</li> <li>(e) the character of the development existing on established properties in the area; and</li> <li>(f) any overshadowing of adjoining properties or public places.</li> </ul>
<p><b>A4</b></p> <p>Buildings for a sensitive use must be separated from an Agriculture Zone or Rural Zone a distance of:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if the setback of an existing building is within 200m, not less than the existing building.</li> </ul>	<p><b>P4</b></p> <p>Buildings for a sensitive use must be sited so as to not conflict or interfere with uses in the Agriculture Zone or Rural Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the separation of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the existing and potential use of adjoining properties;</li> <li>(d) any proposed attenuation measures; and</li> <li>(e) any buffers created by natural or other features.</li> </ul>

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**11.5 Development Standards for Subdivision****11.5.1 Lot design**

Objective:	<p>That each lot:</p> <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone;</li> <li>(b) is provided with appropriate access to a road; and</li> <li>(c) contains areas which are suitable for residential development.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) have an area not less than specified in Table 11.1.1 and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 15m x 20m clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 11.4.2 A2 and A3; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3;</li> </ul> </li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of public utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of existing buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) any natural or landscape values;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area,</li> </ul> <p>and must be no more than 20% smaller than the applicable lot size required by clause 11.5.1 A1.</p>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> </ul>

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	<p>(d) the functionality and useability of the frontage;</p> <p>(e) the ability to manoeuvre vehicles on the site; and</p> <p>(f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</p>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the length of the access;</p> <p>(c) the distance between the lot or building area and the carriageway;</p> <p>(d) the nature of the road and the traffic;</p> <p>(e) the anticipated nature of vehicles likely to access the site; and</p> <p>(f) the ability for emergency services to access the site.</p>

Table 11.1 Rural Living Zone minimum lot sizes

Rural Living A	1ha
Rural Living B	2ha
Rural Living C	5ha
Rural Living D	10ha

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## 11.5.2 Roads

Objective:	<p>That the arrangement of new roads with a subdivision provides:</p> <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The subdivision includes no new roads.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any relevant road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) maximising connectivity with the surrounding road network;</li> <li>(d) appropriate access to public transport; and</li> <li>(e) access for pedestrians and cyclists.</li> </ul>

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## 11.5.3 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must: <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply service; or</li> <li>(b) the frontage of each lot must be within 30m of: <ul style="list-style-type: none"> <li>(i) a full water supply service; or</li> <li>(ii) a limited water supply service.</li> </ul> </li> </ul>		<b>P1</b> A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to an adequate water supply, having regard to: <ul style="list-style-type: none"> <li>(a) the distance from and location of the water supply service;</li> <li>(b) flow rates;</li> <li>(c) the quality of potable water;</li> <li>(d) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(e) the topography of the site; and</li> <li>(f) any advice from a regulated entity.</li> </ul>
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living C or Rural Living D or for public open space, a riparian or littoral reserve or Utilities, must: <ul style="list-style-type: none"> <li>(a) be connected to a reticulated sewerage system; or</li> <li>(b) be connected to a full reticulated sewerage system if the frontage of each lot is within 30m of a full reticulated sewerage system and can be connected by gravity feed.</li> </ul>		<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living C or Rural Living D or for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.



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## 12.0 Village Zone

### 12.1 Zone Purpose

The purpose of the Village Zone is:

- 12.1.1 To provide for small rural centres with a mix of residential, community services and commercial activities.
- 12.1.2 To provide amenity for residents appropriate to the mixed use characteristics of the zone.

### 12.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling or home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	
Community Meeting and Entertainment	
Educational and Occasional Care	
Emergency Services	
Food Services	
General Retail and Hire	
Residential	If not listed as No Permit Required.
Service Industry	If not for motor repairs or panel beating.
Sports and Recreation	
Storage	If not for liquid fuel depot or solid fuel depot.
Visitor Accommodation	

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Use Class	Qualification
<b>Discretionary</b>	
Bulky Goods Sales	
Crematoria and Cemeteries	If for a cemetery.
Custodial Facility	If for a remand centre.
Domestic Animal Breeding, Boarding or Training	
Equipment and Machinery Sales and Hire	
Hotel Industry	
Manufacturing and Processing	If for: (a) a craft industry or an artist's studio; or (b) alterations or extensions to existing Manufacturing and Processing.
Pleasure Boat Facility	
Research and Development	
Resource Processing	If not for an abattoir, animal saleyards or sawmilling.
Service Industry	If not listed as Permitted.
Tourist Operation	
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

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**12.3 Use Standards**

## 12.3.1 All non-residential uses

Objective:	That non-residential use: (a) is compatible with the mixed use characteristics of a village; and (b) does not cause unreasonable loss of amenity to adjacent sensitive uses.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must be within the hours of:  (a) 7.00am to 9.00pm Monday to Friday; (b) 8.00am to 6.00pm Saturday; and (c) 9.00am to 5.00pm Sunday and public holidays.	<b>P1</b>  Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:  (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.
<b>A2</b>  External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Utilities and Visitor Accommodation, must  (a) be baffled so that it does not cause emission of light onto adjoining residential properties; and (b) not include permanent fixed floodlighting if the site adjoins a General Residential Zone, Low Density Residential Zone or Rural Living Zone.	<b>P2</b>  External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Utilities and Visitor Accommodation, used on the site must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:  (a) the number of proposed light sources and their intensity; (b) the location of the proposed light sources; (c) the topography of the site; (d) the degree of screening between the light source and the sensitive use; and (e) existing light sources.

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<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 7.00pm Monday to Friday; and</li> <li>(b) 8.00am to 6.00pm Saturday, Sunday and public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the extent and timing of traffic generation;</li> <li>(b) the dispatch of goods and materials;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) noise reducing structures between vehicle movement areas and dwellings; and</li> <li>(e) existing levels of amenity.</li> </ul>
<p><b>A4</b></p> <p>The gross floor area of a non-residential use must be not more than 250m<sup>2</sup>.</p>	<p><b>P4</b></p> <p>A non-residential use must be at a scale and intensity consistent with the character of the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and scale of the use;</li> <li>(b) the number of employees;</li> <li>(c) the hours of operation;</li> <li>(d) the emissions generated by the use;</li> <li>(e) the type and intensity of traffic generated by the use;</li> <li>(f) the impact on the character of the surrounding area; and</li> <li>(g) the impact on the amenity of any adjoining residential properties.</li> </ul>

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**12.4 Development Standards for Buildings and Works****12.4.1 Residential density and servicing for multiple dwellings**

Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Multiple dwellings must: <ul style="list-style-type: none"> <li>(a) have a site area per dwelling of not less than 600m<sup>2</sup>; and</li> <li>(b) have a connection to a reticulated sewerage, stormwater and full water supply service.</li> </ul>	<b>P1.1</b>  For a site that has a connection to or is capable of being connected to, a reticulated sewerage, stormwater and full water supply service, multiple dwellings must only have a site area per dwelling that is less than 600m <sup>2</sup> if the number of dwellings: <ul style="list-style-type: none"> <li>(a) have a site area per dwelling that does not exceed the capacity of the reticulated infrastructure services; and</li> <li>(b) are consistent with the density existing on established properties in the area; or</li> <li>(c) the development provides a specific accommodation need with significant social or community benefit.</li> </ul> <b>P1.2</b>  For a site that is not capable of being connected to a reticulated sewerage, stormwater and full water supply service, multiple dwellings must have a site area that: <ul style="list-style-type: none"> <li>(a) is sufficient for on-site wastewater and stormwater disposal and water supply; and</li> <li>(b) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system.</li> </ul>

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## 12.4.2 Building height

Objective:	That building height is compatible with the streetscape and does not cause an unreasonable loss of amenity for adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must be not more than 8.5m.	<b>P1</b> Building height must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) sunlight to habitable rooms and private open space in adjoining properties; and</li> <li>(e) any overshadowing of adjoining properties or public places.</li> </ul>

## 12.4.3 Setback

Objective:	That building setback is compatible with the streetscape and does not result in an unreasonable impact on amenity of adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings must have a setback from a frontage of: <ul style="list-style-type: none"> <li>(a) not less than 4.5m;</li> <li>(b) not less than existing buildings on the site; or</li> <li>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</li> </ul>	<b>P1</b> Buildings must be sited to be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of buildings on adjoining properties;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance of proposed buildings when viewed from roads and public places adjoining the site; and</li> <li>(e) the safety of road users.</li> </ul>

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<p><b>A2</b></p> <p>Buildings must have a setback from side and rear boundaries of not less than:</p> <p>(a) 3m; or</p> <p>(b) half the wall height of the building, whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the setbacks of surrounding buildings;</p> <p>(d) the height, bulk and form of existing and proposed buildings;</p> <p>(e) the existing buildings and private open space areas on the site;</p> <p>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</p> <p>(g) the character of development existing on established properties in the area.</p>
<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems, compressors or generators, excluding Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, must have a setback from a property containing a sensitive use of not less than 10m.<sup>1</sup></p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators, excluding Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, within 10m of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <p>(a) the characteristics and frequency of any emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any mitigation measures proposed.</p>

<sup>1</sup> An exemption for air conditioners and heat pumps applies in this zone – see Table 4.6.

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## 12.4.4 Site coverage

Objective:	That site coverage: (a) is compatible with the character of the development existing in the area; and (b) provides sufficient area for private open space and landscaping.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Site coverage must be not more than 50%.	<b>P1</b>  Site coverage must be consistent with that existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) the existing buildings and any constraints imposed by existing development;</li> <li>(d) the provision for landscaping and private open space; and</li> <li>(e) the character of development existing on established properties in the area.</li> </ul>

## 12.4.5 Fencing

Objective:	That the height and transparency of frontage fences: (a) allows the potential for mutual passive surveillance between the road and the dwelling; and (b) provides reasonably consistent height and transparency.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution. <sup>2</sup>	<b>P1</b>  A fence (including a free-standing wall) within 4.5m of a frontage must: <ul style="list-style-type: none"> <li>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</li> <li>(b) be consistent with the height and transparency of fences in the street, having regard to:               <ul style="list-style-type: none"> <li>(i) topography of the site; and</li> <li>(ii) traffic volumes on the adjoining road.</li> </ul> </li> </ul>

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.



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## 12.4.6 Outdoor storage areas

Objective:	That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas for non-residential uses, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.		<b>P1</b> Outdoor storage areas for non-residential uses, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of the visual amenity of the area, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the use;</li> <li>(b) the type of goods, materials or waste to be stored;</li> <li>(c) the topography of the site; and</li> <li>(d) any screening proposed.</li> </ul>

## 12.5 Development Standards for Subdivision

## 12.5.1 Lot design

Objective	That each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 600m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 10m x 15m, with a gradient of not more than 1 in 5, clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 12.4.3 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 12.4.3 A1 and A2;</li> </ul> </li> <li>(b) be required for public use by the Crown, a</li> </ul>		<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of existing buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>

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<p>council or a State authority;</p> <p>(c) be required for the provision of public utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 10m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area,</li> </ul> <p>and is not less than 3.6m wide.</p>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

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## 12.5.2 Roads

Objective:	That the arrangement of new roads within a subdivision provides: <ul style="list-style-type: none"> <li>(a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> The subdivision includes no new roads.	<b>P1</b> The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to: <ul style="list-style-type: none"> <li>(a) any relevant road network plan adopted by council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) the need for connecting roads and pedestrian paths to common boundaries with adjoining land to facilitate future subdivision potential;</li> <li>(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>(e) access to public transport;</li> <li>(f) the topography of the site; and</li> <li>(g) the future subdivision potential of any balance lots on adjoining or adjacent land.</li> </ul>

## 12.5.3 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply</li> </ul>	<b>P1</b> A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to:

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<p>service; or</p> <p>(b) the frontage of each lot, must be within 30m of a connection to:</p> <p>(i) a full water supply service; or</p> <p>(ii) a limited water supply service.</p>	<p>(a) the distance from and location of the water supply service;</p> <p>(b) flow rates;</p> <p>(c) the quality of potable water;</p> <p>(d) any existing or proposed infrastructure to provide the water service and its location;</p> <p>(e) the nature and source of the water supply;</p> <p>(f) the topography of the site; and</p> <p>(g) any advice from a regulated entity.</p>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <p>(a) the size of the lot;</p> <p>(b) topography of the site;</p> <p>(c) soil conditions;</p> <p>(d) any existing buildings on the site;</p> <p>(e) any area of the site covered by impervious surfaces; and</p> <p>(f) any watercourse on the land.</p>

## 13.0 Urban Mixed Use Zone

### 13.1 Zone Purpose

The purpose of the Urban Mixed Use Zone is:

- 13.1.1 To provide for a mix of residential, retail, community services and commercial activities in urban locations.
- 13.1.2 To provide for a diverse range of use or development that are of a type and scale that support and do not compromise or distort the role of surrounding activity centres in the activity centre hierarchy.

### 13.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Business and Professional Services	
Community Meeting and Entertainment	
Food Services	
General Retail and Hire	
Hotel Industry	
Research and Development	
Residential	If: <ul style="list-style-type: none"> <li>(a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and</li> <li>(b) not listed as No Permit Required.</li> </ul>

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Use Class	Qualification
Service Industry	If not for motor repairs or panel beating.
Tourist Operation	
Visitor Accommodation	If: (a) not a camping and caravan park or overnight camping area; and (b) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.
<b>Discretionary</b>	
Custodial Facility	If for a remand centre.
Educational and Occasional Care	
Emergency Services	
Hospital Services	
Manufacturing and Processing	If for alterations or extensions to existing Manufacturing and Processing.
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for a distillery, brewery or cidery.
Sports and Recreation	
Storage	
Transport Depot and Distribution	If for public transport facilities.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If: (a) not a camping and caravan park or overnight camping area; and (b) not listed as Permitted.
<b>Prohibited</b>	
All other uses	

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**13.3 Use Standards**

## 13.3.1 All uses

Objective:	That uses do not cause unreasonable loss of amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b>  Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>
<b>A2</b>  External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must: <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b>  External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>

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<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(a) 8.00am to 9.00pm Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the residential area; and</p> <p>(f) potential conflicts with other traffic.</p>
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## 13.3.2 Discretionary uses

Objective:	That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the size and scale of the proposed use;</p> <p>(c) the function of the activity centre and the surrounding activity centres; and</p> <p>(d) the extent that the proposed use impacts on the other activity centres.</p>



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## 13.3.3 Retail impact

Objective:	That retail uses do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  The gross floor area for Bulky Goods Sales and General Retail and Hire must be not more than 300m <sup>2</sup> per tenancy.		<b>P1</b>  Bulky Goods Sales and General Retail and Hire must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the degree to which the proposed use improves and broadens the commercial or retail choice with the area;</li> <li>(b) the extent that the proposed use impacts on other activity centres of a higher order; and</li> <li>(c) any relevant local area objectives contained within the relevant Local Provisions Schedule.</li> </ul>

## 13.4 Development Standards for Building and Works

## 13.4.1 Building height

Objective:	That building height: <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 10m.		<b>P1</b>  Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the apparent height when viewed from adjoining road and public places; and</li> <li>(e) any overshadowing of public places.</li> </ul>

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<p><b>A2</b></p> <p>Building height within 10m of a General Residential Zone or Inner Residential Zone, must be not more than 8.5m.</p>	<p><b>P2</b></p> <p>Building height within 10m of a General Residential Zone or Inner Residential Zone, must be consistent with building height on adjoining properties and not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; and</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
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## 13.4.2 Setback

<p>Objective:</p>	<p>That building setback:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> <li>(a) not less than 3m;</li> <li>(b) not less than existing buildings on the site; or</li> <li>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</li> </ul>	<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setback of buildings on adjacent properties;</li> <li>(c) the height, bulk and form of existing and proposed buildings; and</li> <li>(d) the safety of road users.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within a General Residential Zone or Inner Residential Zone of not less than:</p> <ul style="list-style-type: none"> <li>(a) 3m; or</li> <li>(b) half the wall height of the building,</li> </ul> <p>whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited so there is no unreasonable loss of residential amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>

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<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone or Inner Residential Zone.<sup>1</sup></p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone or Inner Residential Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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## 13.4.3 Design

<p><b>Objective:</b></p> <p>That building design and façades, promote and maintain high levels of pedestrian interaction, amenity and safety and compatible with the streetscape.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New buildings must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</li> <li>(c) not include security shutters or grilles over windows or doors on a façade facing a frontage or other public places; and</li> <li>(d) provide external lighting to illuminate external vehicle parking areas and pathways.</li> </ul>	<p><b>P1</b></p> <p>New buildings must be designed to be compatible with the streetscape having regard to:</p> <ul style="list-style-type: none"> <li>(a) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(b) minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and</li> <li>(c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</li> </ul>

<sup>1</sup> An exemption for air conditioners and heat pumps applies in this zone – see Table 4.6.

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<p><b>A2</b></p> <p>New buildings or alterations to an existing façade must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) excluding for Residential, if for a ground floor level façade facing a frontage:             <ul style="list-style-type: none"> <li>(i) have not less than 40% of the total surface area consisting of windows or doorways; or</li> <li>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</li> </ul> </li> <li>(c) excluding for Residential, if a ground floor level façade facing a frontage, must:             <ul style="list-style-type: none"> <li>(i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</li> <li>(ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and</li> </ul> </li> <li>(d) excluding for Residential, provide awnings over a public footpath if existing on the site or on adjoining properties.</li> </ul>	<p><b>P2</b></p> <p>New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) how the main pedestrian access to the building will address the street or other public places;</li> <li>(b) excluding for Residential, windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</li> <li>(c) excluding for Residential, providing architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</li> <li>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</li> <li>(e) excluding for Residential, the need for provision of awnings over a public footpath.</li> </ul>
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## 13.4.4 Fencing

Objective:	That fencing: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution. <sup>2</sup>	<b>P1</b> A fence (including a free-standing wall) within 4.5m of a frontage must be compatible with the streetscape, having regard to: (a) the height, design, location and extent of the fence; (b) the degree of transparency; and (c) the proposed materials and construction.	
<b>A2</b> Common boundary fences with a property in a General Residential Zone or Inner Residential Zone must:  (a) have a height above existing ground level of not more than 2.1m; and  (b) not use barbed wire.	<b>P2</b> Common boundary fences with a property in a General Residential Zone or Inner Residential Zone must not cause an unreasonable loss of residential amenity, having regard to: (a) the height, design, location and extent of the fence; and (b) the proposed materials and construction.	

## 13.4.5 Outdoor storage areas

Objective:	That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for a Residential use or for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	<b>P1</b> Outdoor storage areas, excluding for a Residential Use and the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.	

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

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## 13.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A dwelling must have private open space that is not less than: <ul style="list-style-type: none"> <li>(a) 24m<sup>2</sup> with a minimum horizontal dimension of not less than 4m; or</li> <li>(b) 8m<sup>2</sup> with a minimum horizontal dimension not less than 1.5m, if the dwelling is located wholly above ground floor level.</li> </ul>		<b>P1</b> A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.
<b>A2</b> Each dwelling must be provided with a dedicated and secure storage space of no less than 6m <sup>3</sup> .		<b>P2</b> Each dwelling must be provided with adequate storage space.

## 13.5 Development Standards for Subdivision

## 13.5.1 Lot design

Objective:	That each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 300m<sup>2</sup> and: <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 10m x 15m clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 13.4.2 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 13.4.2 A1 and A2;</li> </ul> </li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> </ul>		<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) existing buildings and the likely location of intended buildings on the lot;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>

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<p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

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## 13.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.		<b>P1</b>  A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: <ul style="list-style-type: none"> <li>(a) flow rates;</li> <li>(b) the quality of potable water;</li> <li>(c) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(d) the topography of the site; and</li> <li>(e) any advice from a regulated entity.</li> </ul>
<b>A2</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.		<b>P2</b>  Each lot, or lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		<b>P3</b>  Each lot, or lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>



## 14.0 Local Business Zone

### 14.1 Zone Purpose

The purpose of the Local Business Zone is:

- 14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.
- 14.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.
- 14.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- 14.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

### 14.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Business and Professional Services	
Food Service	
General Retail and Hire	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Community Meeting and Entertainment	
Educational and Occasional Care	
Emergency Services	
Hotel Industry	

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Use Class	Qualification
Pleasure Boat Facility	If for a boat ramp.
Research and Development	
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required.
Visitor Accommodation	If located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.
<b>Discretionary</b>	
Equipment and Machinery Sales and Hire	
Manufacturing and Processing	
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for a distillery, brewery or cidery.
Service Industry	
Sports and Recreation	
Storage	
Tourist Operation	
Transport Depot and Distribution	If for: (a) a public transport facility; or (b) distribution of goods to or from land within the zone.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## Tasmanian Planning Scheme – State Planning Provisions

**14.3 Use Standards**

## 14.3.1 All uses

Objective:	That uses do not cause unreasonable loss of amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>
<b>A2</b> External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must: <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in the zones.</li> </ul>		<b>P2</b> External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public</li> </ul>		<b>P3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services, Residential or Visitor Accommodation, on a site within 50m of an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> </ul>

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holidays.	<ul style="list-style-type: none"> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</li> <li>(f) potential conflicts with other traffic.</li> </ul>
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## 14.3.2 Discretionary uses

Objective:	That uses listed as Discretionary does not: <ul style="list-style-type: none"> <li>(a) cause unreasonable loss of amenity to adjoining residential zones; and</li> <li>(b) compromise or distort the activity centre hierarchy.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> A use listed as Discretionary must: <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity to properties in adjoining residential zones; and</li> <li>(b) be of an intensity that respects the character of the area.</li> </ul>
<b>A2</b> No Acceptable Solution.	<b>P2</b> A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the need to encourage activity at pedestrian levels;</li> <li>(c) the size and scale of the proposed use;</li> <li>(d) the functions of the activity centre and the surrounding activity centres; and</li> <li>(e) the extent that the proposed use impacts on other activity centres.</li> </ul>

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## 14.3.3 Retail impact

Objective:	That retail uses do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  The gross floor area for Bulky Goods Sales and General Retail and Hire uses must be not more than 250m <sup>2</sup> per tenancy.		<b>P1</b>  Bulky Goods Sales and General Retail and Hire uses must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the degree to which the proposed use improves and broadens the commercial or retail choice with the area;</li> <li>(b) the extent that the proposed use impacts on other activity centres; and</li> <li>(c) any relevant local area objectives contained within the relevant Local Provisions Schedule.</li> </ul>

## 14.4 Development Standards for Buildings and Works

## 14.4.1 Building height

Objective:	That building height: <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 9m.		<b>P1</b>  Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the apparent height when viewed from the adjoining road and public places; and</li> <li>(e) any overshadowing of adjoining properties and public places.</li> </ul>

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## 14.4.2 Setbacks

Objective:	<p>That building setback:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape;</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential zones; and</li> <li>(c) minimises opportunities for crime and anti-social behaviour through setback of buildings.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be:</p> <ul style="list-style-type: none"> <li>(a) built to the frontage at ground level; or</li> <li>(b) have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</li> </ul>	<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</p> <ul style="list-style-type: none"> <li>(a) providing small variations in building alignment to break up long building façades;</li> <li>(b) providing variations in building alignment to provide a forecourt space for public use, such as outdoor dining or landscaping;</li> <li>(c) the avoidance of concealment spaces;</li> <li>(d) the ability to achieve passive surveillance; and</li> <li>(e) the availability of lighting.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, of not less than:</p> <ul style="list-style-type: none"> <li>(a) 4m; or</li> <li>(b) half the wall height of the building,</li> </ul> <p>whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy to the adjoining properties; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>

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<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from an General Residential Zone, Inner Residential Zone or Low Density Residential Zone.<sup>1</sup></p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of an General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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## 14.4.3 Design

Objective:	That building façades promote and maintain high levels of pedestrian interaction, amenity and safety and are compatible with the streetscape.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New buildings must be designed to satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</li> <li>(c) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and</li> <li>(d) provide external lighting to illuminate external vehicle parking areas and pathways.</li> </ul>	<p><b>P1</b></p> <p>New buildings must be designed to be compatible with the streetscape having regard to:</p> <ul style="list-style-type: none"> <li>(a) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(b) minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and</li> <li>(c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</li> </ul>
<p><b>A2</b></p> <p>New buildings or alterations to an existing façade must be designed to satisfy all of the following:</p>	<p><b>P2</b></p> <p>New buildings or alterations to an existing façade must be designed to be compatible with the</p>

<sup>1</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.

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<p>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</p> <p>(b) if for a ground floor level façade facing a frontage:</p> <p>(i) have not less than 40% of the total surface area consisting of windows or doorways; or</p> <p>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</p> <p>(c) if a ground floor level façade facing a frontage must:</p> <p>(i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</p> <p>(ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and</p> <p>(d) provide awnings over a public footpath if existing on the site or on adjoining properties.</p>	<p>streetscape, having regard to:</p> <p>(a) how the main pedestrian access to the building addresses the street or other public places;</p> <p>(b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</p> <p>(c) providing architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</p> <p>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</p> <p>(e) the need for provision of awnings over a public footpath.</p>
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## 14.4.4 Fencing

Objective:	That fencing: <p>(a) is compatible with the streetscape; and</p> <p>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.<sup>2</sup></p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</p> <p>(a) its height, design, location and extent;</p> <p>(b) its degree of transparency; and</p> <p>(c) the proposed materials and construction.</p>

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.



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<p><b>A2</b></p> <p>Common boundary fences with a property in an General Residential Zone, Inner Residential Zone or Low Density Residential Zone must:</p> <p>(a) have a height above existing ground level of not more than 2.1m; and</p> <p>(b) not contain barbed wire.</p>	<p><b>P2</b></p> <p>Common boundary fences with a property in an General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) their height, design, location and extent; and</p> <p>(b) the proposed materials and construction.</p>
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## 14.4.5 Outdoor storage areas

Objective:	That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p><b>P1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>	

## 14.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A dwelling must have private open space that has an area not less than:</p> <p>(a) 24m<sup>2</sup> with a minimum horizontal dimension of not less than 4m; or</p> <p>(b) 8m<sup>2</sup> with a minimum horizontal dimension not less than 1.5m, if the dwelling is located wholly above ground floor level.</p>	<p><b>P1</b></p> <p>A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.</p>	
<p><b>A2</b></p> <p>Each dwelling must be provided with a dedicated and secure storage space of not less than 6m<sup>3</sup>.</p>	<p><b>P2</b></p> <p>Each dwelling must be provided with adequate storage space.</p>	

## 14.5 Development Standards for Subdivision

### 14.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 200m<sup>2</sup> and:</p> <p>(i) be able to contain a minimum area of 10m x 12m clear of:</p> <p>a. all setbacks required by clause 14.4.2 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 14.4.2 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lot;</p> <p>(b) existing buildings and the location of intended buildings on the lot;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards; and</p> <p>(e) the pattern of development existing on established properties in the area.</p>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(b) the topography of the site;</p> <p>(c) the functionality and useability of the frontage;</p> <p>(d) the anticipated nature of vehicles likely to access the site;</p> <p>(e) the ability to manoeuvre vehicles on the site;</p>

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	<p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p> <p>(c) the nature of the road and the traffic; and</p> <p>(d) the pattern of development existing on established properties in the area.</p>

## 14.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <p>(a) have a connection to a full water supply service; or</p> <p>(b) the frontage of each lot, must be within 30m of a connection to:</p> <p>(i) a full water supply service; or</p> <p>(ii) a limited water supply service.</p>		<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to:</p> <p>(a) the distance from and location of the water supply service;</p> <p>(b) flow rates;</p> <p>(c) the quality of potable water;</p> <p>(d) any existing or proposed infrastructure to provide the water service and its location;</p> <p>(e) the nature and source of the water supply;</p> <p>(f) the topography of the site; and</p> <p>(g) any advice from a regulated entity.</p>

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<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>

## 15.0 General Business Zone

### 15.1 Zone Purpose

The purpose of the General Business Zone is:

- 15.1.1 To provide for business, retail, administrative, professional, community, and entertainment functions within Tasmania's main suburban and rural centres.
- 15.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.
- 15.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- 15.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

### 15.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Business and Professional Services	
Food Services	
General Retail and Hire	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Community Meeting and Entertainment	
Educational and Occasional Care	
Emergency Services	
Hotel Industry	
Pleasure Boat Facility	If for a boat ramp.

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Use Class	Qualification
Research and Development	
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required.
Visitor Accommodation	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not a camping and caravan park or overnight camping area.
<b>Discretionary</b>	
Custodial Facility	If for a remand centre.
Equipment and Machinery Sales and Hire	
Hospital Services	
Manufacturing and Processing	
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for a distillery, brewery or cidery.
Service Industry	
Sports and Recreation	
Storage	
Tourist Operation	
Transport Depot and Distribution	If for: (a) a public transport facility; or (b) distribution of goods to or from land within the zone.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted
<b>Prohibited</b>	
All other uses	

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**15.3 Use Standards**

## 15.3.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to residential zones.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of the General Residential Zone or Inner Residential Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p><b>P1</b></p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of the General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and</p> <p>(b) noise, lighting or other emissions.</p>
<p><b>A2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must:</p> <p>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</p> <p>(b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property in these zones.</p>	<p><b>P2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the level of illumination and duration of lighting; and</p> <p>(b) the distance to habitable rooms of an adjacent dwelling.</p>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p>

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	<ul style="list-style-type: none"> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</li> <li>(f) potential conflicts with other traffic.</li> </ul>
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## 15.3.2 Discretionary uses

Objective:	That uses listed as Discretionary in the Use Table do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution.		<b>P1</b> A use listed as Discretionary in the Use Table must: <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity to properties in adjoining residential zones; and</li> <li>(b) be of an intensity that respects the character of the area.</li> </ul>
<b>A2</b> No Acceptable Solution.		<b>P2</b> A use listed as Discretionary in the Use Table must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the need to encourage activity at pedestrian levels;</li> <li>(c) the size and scale of the proposed use;</li> <li>(d) the functions of the activity centre and the surrounding activity centres; and</li> <li>(e) the extent that the proposed use impacts on other activity centres.</li> </ul>



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## 15.3.3 Retail impact

Objective:	That retail uses do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  The gross floor area for Bulky Goods Sales and General Retail and Hire uses must be not more than 3500m <sup>2</sup> per tenancy.		<b>P1</b>  Bulky Goods Sales and General Retail and Hire uses must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the extent that the proposed use improves and broadens the commercial or retail choice with the area;</li> <li>(b) the extent that the proposed use impacts on other activity centres; and</li> <li>(c) any relevant local area objectives contained within the relevant Local Provisions Schedule.</li> </ul>

## 15.4 Development Standards for Buildings and Works

## 15.4.1 Building height

Objective:	That building height: <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape; and</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Building height must be not more than 12m.		<b>P1</b>  Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of existing buildings;</li> <li>(d) the apparent height when viewed from the adjoining road and public places; and</li> <li>(e) any overshadowing of public places.</li> </ul>

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<p><b>A2</b></p> <p>Building height within 10m of a General Residential Zone or Inner Residential Zone must be not more than 8.5m.</p>	<p><b>P2</b></p> <p>Building height within 10m of General Residential Zone or Inner Residential Zone must be consistent with building height on the adjoining properties and not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy to adjoining properties; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
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## 15.4.2 Setbacks

Objective:	<p>That building setback:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape;</li> <li>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones; and</li> <li>(c) minimises opportunities for crime and anti-social behaviour through setback of buildings.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be:</p> <ul style="list-style-type: none"> <li>(a) built to the frontage at ground level; or</li> <li>(b) have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</li> </ul>	<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</p> <ul style="list-style-type: none"> <li>(a) providing small variations in building alignment to break up long façades;</li> <li>(b) providing variations in building alignment appropriate to provide a forecourt or space for public use, such as outdoor dining or landscaping;</li> <li>(c) the avoidance of concealment spaces;</li> <li>(d) the ability to achieve passive surveillance; and</li> <li>(e) the availability of lighting.</li> </ul>

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<p><b>A2</b></p> <p>Building must have a setback from an adjoining property within a General Residential Zone or Inner Residential Zone of not less than:</p> <p>(a) 5m; or</p> <p>(b) half the wall height of the building,</p> <p>whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy to the adjoining property; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone or Inner Residential Zone.<sup>1</sup></p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone or Inner Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</p> <p>(a) the characteristics and frequency of emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any proposed mitigation measures.</p>

<sup>1</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6

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## 15.4.3 Design

Objective:	That building façades promote and maintain high levels of pedestrian interaction, amenity and safety, and are compatible with the streetscape.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New buildings must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</li> <li>(c) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and</li> <li>(d) provide external lighting to illuminate external vehicle parking areas and pathways.</li> </ul>	<p><b>P1</b></p> <p>New buildings must be designed to be compatible with the streetscape having regard to:</p> <ul style="list-style-type: none"> <li>(a) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(b) minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and</li> <li>(c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</li> </ul>
<p><b>A2</b></p> <p>New buildings or alterations to an existing façade must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) if for a ground floor level façade facing a frontage: <ul style="list-style-type: none"> <li>(i) have not less than 40% of the total surface area consisting of windows or doorways; or</li> <li>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</li> </ul> </li> <li>(c) if a ground floor level façade facing a frontage must: <ul style="list-style-type: none"> <li>(i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</li> <li>(ii) not increase the length of an existing</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) how the main pedestrian access to the building addresses the street or other public places;</li> <li>(b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</li> <li>(c) architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</li> <li>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</li> <li>(e) the need for provision of awnings over a public footpath.</li> </ul>

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<p>blank wall, if already greater than 30% of the length of the façade on that frontage; and</p> <p>(d) provide awnings over a public footpath if existing on the site or on adjoining properties.</p>	
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## 15.4.4 Fencing

Objective:	That fencing : (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.<sup>2</sup></p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to:</p> <p>(a) its height, design, location and extent; (b) its degree of transparency; and (c) the proposed materials and construction.</p>
<p><b>A2</b></p> <p>Common boundary fences with a property in a General Residential Zone or Inner Residential Zone must:</p> <p>(a) have a height above existing ground level of not more than 2.1m; and (b) not use barbed wire.</p>	<p><b>P2</b></p> <p>Common boundary fences with a property in a General Residential Zone or Inner Residential Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) their height, design, location and extent; and (b) the proposed materials and construction.</p>

## 15.4.5 Outdoor storage areas

Objective:	That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p><b>P1</b></p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

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## 15.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A dwelling must have private open space that is not less than: <ul style="list-style-type: none"> <li>(a) 24m<sup>2</sup> with a minimum horizontal dimension of not less than 4m; or</li> <li>(b) 8m<sup>2</sup> with a minimum dimension of not less than 1.5m, if the dwelling is located wholly above ground floor level.</li> </ul>		<b>P1</b> A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.
<b>A2</b> Each dwelling must be provided with a dedicated and secure storage space of no less than 6m <sup>3</sup> .		<b>P2</b> Each dwelling must be provided with adequate storage space.

## 15.5 Development Standards for Subdivision

## 15.5.1 Lot design

Objective:	That each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone; and</li> <li>(b) is provided with appropriate frontage to a road.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 100m<sup>2</sup> and existing buildings are consistent with the setback required by clause 15.4.2 A1 and A2;</li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>		<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.		<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

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	<ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage ;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<b>A3</b>  No Acceptable Solution.	<b>P3</b>  Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic, including pedestrians; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

## 15.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.		<b>P1</b>  A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a limited water supply service, having regard to: <ul style="list-style-type: none"> <li>(a) flow rates;</li> <li>(b) the quality of potable water;</li> <li>(c) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(d) the topography of the site; and</li> <li>(e) any advice from a regulated entity.</li> </ul>

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<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>



## 16.0 Central Business Zone

### 16.1 Zone Purpose

The purpose of the Central Business Zone is:

- 16.1.1 To provide for the concentration of the higher order business, retail, administrative, professional, community, and entertainment functions within Tasmania's primary centres.
- 16.1.2 To provide for a type and scale of use and development supports and does not compromise or distort the activity centre hierarchy.
- 16.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.
- 16.1.4 To encourage Residential and Visitor Accommodation use above ground floor level if it supports the viability of the activity centre and an active street frontage is maintained.

### 16.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Business and Professional Services	
Food Services	
General Retail and Hire	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Community Meeting and Entertainment	
Educational and Occasional Care	
Emergency Services	
Hotel Industry	

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Use Class	Qualification
Research and Development	
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access); and (b) not listed as No Permit Required.
Sports and Recreation	If located above ground floor level (excluding pedestrian or vehicular access).
Tourist Operation	
Visitor Accommodation	If: (a) located above ground floor level (excluding pedestrian or vehicular access); and (b) not a camping and caravan park or overnight camping area.
<b>Discretionary</b>	
Custodial Facility	If for a remand centre.
Equipment and Machinery Sales and Hire	
Hospital Services	
Manufacturing and Processing	If for alterations or extensions to existing Manufacturing and Processing.
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for a distillery, brewery or cidery.
Service Industry	If for alterations or extensions to an existing Service Industry.
Sports and Recreation	If not listed as Permitted.
Storage	If not for a liquid, solid or gas fuel depot.
Transport Depot and Distribution	If for a public transport facility.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If: (a) not a camping and caravan park or overnight camping area; or (b) not listed as Permitted.

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

## 16.3 Use Standards

### 16.3.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>
<b>A2</b> External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must: <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.</li> </ul>		<b>P2</b> External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:		<b>P3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the

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<p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>residential zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</p> <p>(f) potential conflicts with other traffic.</p>
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## 16.3.2 Discretionary uses

Objective:	<p>That uses listed as Discretionary:</p> <p>(a) encourage activity at pedestrian levels with active frontages; and</p> <p>(b) do not compromise or distort the activity centre hierarchy.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must:</p> <p>(a) not cause an unreasonable loss of amenity to properties in adjoining residential zones; and</p> <p>(b) be of an intensity that respects the character of the area.</p>
<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the need to encourage activity at pedestrian levels;</p> <p>(c) the size and scale of the proposed use;</p> <p>(d) the functions of the activity centre and the surrounding activity centres; and</p> <p>(e) the extent that the proposed use impacts on other activity centres.</p>

## 16.4 Development Standards for Buildings and Works

### 16.4.1 Building height

Objective:	That building height: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of amenity to adjoining residential zones.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Building height must be not more than 20m.	<b>P1</b>  Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:  (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjacent properties; (c) the bulk and form of proposed buildings; (d) the apparent height when viewed from the adjoining road and public places; and (e) any overshadowing of public places.
<b>A2</b>  Building height within 10m of the General Residential Zone or Inner Residential Zone must be not more than 8.5m.	<b>P2</b>  Building height within 10m of the General Residential Zone or Inner Residential Zone must be consistent with building height on adjoining properties and not cause an unreasonable loss of residential amenity having regard to:  (a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) overlooking and reduction of privacy; or (c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from adjoining properties.

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## 16.4.2 Setbacks

Objective:	<p>That building setback:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape;</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential zones; and</li> <li>(c) minimises opportunities for crime and anti-social behaviour through setback of buildings.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be:</p> <ul style="list-style-type: none"> <li>(a) built to the frontage at ground level; or</li> <li>(b) have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</li> </ul>	<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime or anti-social behaviour, having regard to:</p> <ul style="list-style-type: none"> <li>(a) providing small variations in building alignment to break up long building façades,</li> <li>(b) providing variations in building alignment appropriate to provide a forecourt space for public use, such as outdoor dining or landscaping;</li> <li>(c) the avoidance of concealment spaces;</li> <li>(d) the ability to achieve passive surveillance; and</li> <li>(e) the availability of lighting.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within a General Residential Zone or Inner Residential Zone of not less than:</p> <ul style="list-style-type: none"> <li>(a) 6m; or</li> <li>(b) half the wall height of the building,</li> </ul> <p>whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy to the adjoining property; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>

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<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone or Inner Residential Zone.<sup>1</sup></p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone or Inner Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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## 16.4.3 Design

<p><b>Objective:</b></p> <p>That building façades promote and maintain high levels of pedestrian interaction, amenity and safety, and are compatible with the streetscape.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New buildings must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</li> <li>(c) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and</li> <li>(d) provide external lighting to illuminate external vehicle parking areas and pathways.</li> </ul>	<p><b>P1</b></p> <p>New buildings must be designed to be compatible with the streetscape having regard to:</p> <ul style="list-style-type: none"> <li>(a) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(b) minimising the visual impact of security grilles and shutters and roof-top service infrastructure, including lift structures; and</li> <li>(c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</li> </ul>

<sup>1</sup> An exemption applies to air conditioners and heat pumps in this zone – see Table 4.6.

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<p><b>A2</b></p> <p>New buildings or alterations to an existing façade must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) if for a ground floor level façade facing a frontage:             <ul style="list-style-type: none"> <li>(i) have not less than 40% of the total surface area consisting of windows or doorways; or</li> <li>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</li> </ul> </li> <li>(c) if a ground floor level façade facing a frontage must:             <ul style="list-style-type: none"> <li>(i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</li> <li>(ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and</li> </ul> </li> <li>(d) provide awnings over a public footpath if existing on the site or on adjoining properties.</li> </ul>	<p><b>P2</b></p> <p>New buildings or alterations to an existing façade must be designed to be compatible with the streetscape having regard to:</p> <ul style="list-style-type: none"> <li>(a) how the main pedestrian access to the building addresses the street or other public places;</li> <li>(b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</li> <li>(c) providing architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</li> <li>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if it is essential for the security of the premises and any other alternatives are not practical; and</li> <li>(e) providing awnings over a public footpath.</li> </ul>
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## 16.4.4 Fencing

Objective:	That fencing: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution. <sup>2</sup>		<b>P1</b> A fence (including a free-standing wall) within 4.5m of a frontage must be compatible with the streetscape, having regard to: (a) its height, design, location and extent; (b) its degree of transparency; and (c) the proposed materials and construction.
<b>A2</b> Common boundary fences with a property in a General Residential Zone or Inner Residential Zone must: (a) have a height above existing ground level of not more than 2.1m; and (b) not contain barbed wire.		<b>P2</b> Common boundary fences with a property in a General Residential Zone or Inner Residential Zone must not cause an unreasonable loss of residential amenity, having regard to: (a) their height, design, location and extent; and (b) the proposed materials and construction.

## 16.4.5 Outdoor storage areas

Objective:	That outdoor storage areas do not detract from the appearance of the site or locality.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.		<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

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## 16.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A dwelling must have private open space that is not less than: <ul style="list-style-type: none"> <li>(a) 24m<sup>2</sup> with a minimum horizontal dimension of not less than 4m; or</li> <li>(b) 8m<sup>2</sup> with a minimum horizontal dimension of not less than 1.5m, if the dwelling is located wholly above ground floor level.</li> </ul>		<b>P1</b> A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.
<b>A2</b> Each dwelling must be provided with a dedicated and secure storage space of not less than 6m <sup>3</sup> .		<b>P2</b> Each dwelling must be provided with adequate storage space.

## 16.5 Development Standards for Subdivision

## 16.5.1 Lot design

Objective:	That each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 45m<sup>2</sup> and existing buildings are consistent with the setback required by clause 16.4.2 A1 and A2;</li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>		<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

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<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right-of-carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage or access;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic, including pedestrians; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

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## 16.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.		<b>P1</b>  A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: <ul style="list-style-type: none"> <li>(a) flow rates;</li> <li>(b) the quality of potable water;</li> <li>(c) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(d) the topography of the site; and</li> <li>(e) any advice from a regulated entity.</li> </ul>
<b>A2</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		<b>P2</b>  No Performance Criterion.
<b>A3</b>  Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		<b>P3</b>  No Performance Criterion.

## 17.0 Commercial Zone

### 17.1 Zone Purpose

The purpose of the Commercial Zone is:

17.1.1 To provide for retailing, service industries, storage and warehousing that require:

- (a) large floor or outdoor areas for the sale of goods or operational requirements; and
- (b) high levels of vehicle access and parking for customers.

17.1.2 To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.

### 17.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Emergency Services	
Equipment and Machinery Sales and Hire	
Service Industry	
Storage	
<b>Discretionary</b>	
Business and Professional Services	
Community Meeting and Entertainment	
Educational and Occasional Care	
Food Services	

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Use Class	Qualification
General Retail and Hire	
Hotel Industry	If for alterations or extensions to an existing Hotel Industry.
Manufacturing and Processing	
Research and Development	
Resource Processing	If for a distillery, brewery or cidery.
Sports and Recreation	
Transport Depot and Distribution	
Tourist Operation	
Utilities	
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If for alterations or extensions to existing Visitor Accommodation.
<b>Prohibited</b>	
All other uses	

### 17.3 Use Standards

#### 17.3.1 All uses

Objective:	That uses do not cause an unreasonable loss of residential amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>

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<p><b>A2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must:</p> <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.</li> </ul>	<p><b>P2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the adjoining residential area; and</li> <li>(f) potential conflicts with other traffic.</li> </ul>

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## 17.3.2 Discretionary uses

Objective:	That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the size and scale of the proposed use;</li> <li>(c) the functions of the activity centre and the surrounding activity centres; and</li> <li>(d) the extent that the proposed use impacts on other activity centres.</li> </ul>

## 17.3.3 Retail impact

Objective:	That Bulky Goods Sales do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  The gross floor area for Bulky Goods Sales must be not less than 250m <sup>2</sup> per tenancy, unless the use relies on more than 50% of the site area for outdoor display of goods for sale.		<b>P1</b>  Bulky Goods Sales must not compromise or distort the activity centre hierarchy, having regard to: <ul style="list-style-type: none"> <li>(a) the extent that the proposed use improves and broadens the commercial or retail choice within the area;</li> <li>(b) the extent that the proposed use impacts on surrounding activity centres; and</li> <li>(c) any relevant local area objectives contained within the relevant Local Provisions Schedule.</li> </ul>



## 17.4 Development Standards for Buildings and Works

### 17.4.1 Building height

Objective:	<p>That building height:</p> <p>(a) is compatible with the streetscape; and</p> <p>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</p>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 12m.</p>		<p><b>P1</b></p> <p>Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height, bulk and form of existing building on the site and adjacent properties;</p> <p>(c) the bulk and form of proposed buildings;</p> <p>(d) the apparent height when viewed from the adjoining road and public places; and</p> <p>(e) any overshadowing of public places.</p>
<p><b>A2</b></p> <p>Building height within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone must be not more than 8.5m.</p>		<p><b>P2</b></p> <p>Building height within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone must be consistent with building height on adjoining properties and not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; and</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>

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## 17.4.2 Setbacks

Objective:	That building setback: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of amenity to adjoining residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Buildings must have a setback from a frontage of: (a) not less than 5.5m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.		<b>P1</b> Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to: (a) the topography of the site; (b) the setback of buildings on adjacent properties; and (c) the safety of road users.
<b>A2</b> Buildings must have setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone of not less than: (a) 4m; or (b) half the wall height of the building, whichever is the greater.		<b>P2</b> Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, having regard to: (a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) overlooking and reduction of privacy to the adjoining property; or (c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.
<b>A3</b> Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone. <sup>1</sup>		<b>P3</b> Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to: (a) the characteristics and frequency of emissions generated; (b) the nature of the proposed use; (c) the topography of the site and location of the

<sup>1</sup> An exemption for air conditioners and heat pumps applies in this zone – see clause 4.6.

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	sensitive use; and (d) any proposed mitigation measures.
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## 17.4.3 Design

Objective:	That building design is compatible with the streetscape.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Buildings must be designed to satisfy all the following: <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(c) roof-top mechanical plant and service infrastructure, excluding lift structures, must be contained within the roof or screened from public spaces and adjoining properties;</li> <li>(d) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places;</li> <li>(e) provide awnings over a public footpath if existing on the site or on adjoining properties; and</li> <li>(f) provide external lighting to illuminate external vehicle parking areas and pathways.</li> </ul>		<b>P1</b>  Buildings must be designed to be compatible with the streetscape, having regard to: <ul style="list-style-type: none"> <li>(a) how the main pedestrian access to the building addresses the street or other public places;</li> <li>(b) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(c) minimising the visual impact of roof-top service infrastructure, excluding lift structures;</li> <li>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and other alternatives are not practical;</li> <li>(e) the need for provision of awnings over a public footpath; and</li> <li>(f) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</li> </ul>

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## 17.4.4 Fencing

Objective:	That fencing: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution. <sup>2</sup>		<b>P1</b> A fence (including a free-standing wall) within 4.5m of a frontage must be compatible with the streetscape, having regard to:  (a) its height, design, location and extent; (b) its degree of transparency; and (c) the proposed materials and construction.
<b>A2</b> Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must:  (a) have a height above existing ground level of not more than 2.1m; and (b) not use barbed wire.		<b>P2</b> Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of residential amenity, having regard to:  (a) their height, design, location and extent; and (b) the proposed materials and construction.

## 17.4.5 Outdoor storage areas

Objective:	That outdoor storage areas do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.		<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

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## 17.4.6 Landscaping

Objective:	That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.	
Acceptable Solutions		Performance Criteria
<b>A1</b> If a building is set back from a road, landscaping treatment must be provided along the frontage of the site: <ul style="list-style-type: none"> <li>(a) to a depth of not less than 5.5m; or</li> <li>(b) not less than the frontage of an existing building if it is a lesser distance.</li> </ul>		<b>P1</b> If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the width of the setback;</li> <li>(b) the width of the frontage;</li> <li>(c) the topography of the site;</li> <li>(d) existing vegetation on the site;</li> <li>(e) the location, type and growth of the proposed vegetation; and</li> <li>(f) the character of the streetscape and surrounding area.</li> </ul>

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**17.5 Development Standards for Subdivision**

## 17.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 1000m <sup>2</sup> and: (i) be able to contain a minimum area of 15m x 20m clear of: a. all setbacks required by clause 17.4.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 17.4.2 A1 and A2; (b) be required for public use by the Crown, council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.		<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lot; (b) existing buildings and the location of intended buildings on the lot; (c) the topography of the site; (d) the presence of any natural hazards; and (e) the pattern of development existing on established properties in the area.
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, must have a frontage of not less than 20m.		<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (b) the topography of the site; (c) the functionality and useability of the frontage; (d) the anticipated nature of vehicles likely to access the site; (e) the ability to manoeuvre vehicles on the site; (f) the ability for emergency services to access the

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	<p>site; and</p> <p>(g) the pattern of development existing on established properties in the area.</p>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p> <p>(c) the nature of the road and the traffic, including pedestrians; and</p> <p>(d) the pattern of development existing on established properties in the area.</p>

## 17.5.2 Services

Objective:	The subdivision of land provides services for the future use and development of the land.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.</p>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to:</p> <p>(a) flow rates;</p> <p>(b) the quality of potable water;</p> <p>(c) any existing or proposed infrastructure to provide the water service and its location;</p> <p>(d) the topography of the site; and</p> <p>(e) any advice from a regulated entity.</p>	

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<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>



## 18.0 Light Industrial Zone

### 18.1 Zone Purpose

The purpose of the Light Industrial Zone is:

- 18.1.1 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 with, or unreasonable loss of amenity to, any other uses.
- 18.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.

### 18.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Emergency Services	
Equipment and Machinery Sales and Hire	
Manufacturing and Processing	
Port and Shipping	
Research and Development	
Service Industry	
Storage	
Transport Depot and Distribution	
Vehicle Fuel Sales and Service	

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Use Class	Qualification
<b>Discretionary</b>	
Bulky Goods Sales	If for: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscaping materials, trade or hardware supplier; or (c) a timber yard.
Community Meeting and Entertainment	
Crematoria and Cemeteries	
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	If for alterations or extensions to existing Educational and Occasional Care.
Food Services	
General Retail and Hire	If for alterations or extensions to existing General Retail and Hire.
Recycling and Waste Disposal	If for a scrap yard or waste transfer station.
Resource Processing	
Sports and Recreation	
Utilities	If not listed as No Permit Required.
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

## Tasmanian Planning Scheme – State Planning Provisions

**18.3 Use Standards**

## 18.3.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>
<b>A2</b> External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must: <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.</li> </ul>		<b>P2</b> External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>

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<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the residential area; and</p> <p>(f) potential conflicts with other traffic.</p>
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## 18.3.2 Discretionary uses

Objective:	That uses listed as Discretionary do not compromise the use or development of the land for industrial activities with minimal or managed off-site impacts.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must not compromise the use or development of the surrounding properties for industrial activities with minimal or managed off site impacts, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the size and scale of the proposed use; and</p> <p>(c) the function of the industrial area.</p>

## 18.4 Development Standards for Buildings and Works

### 18.4.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must be not more than 10m.	<b>P1</b> Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: (a) the bulk and form of the building; (b) separation from existing uses on adjoining properties; and (c) any buffers created by natural or other features.
<b>A2</b> Building height within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be not more than 8.5m.	<b>P2</b> Building height within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be consistent with building height on adjoining properties in those zones and not cause an unreasonable loss of residential amenity, having regard to: (a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) overlooking and reduction of privacy; or (c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining properties.

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## 18.4.2 Setbacks

Objective:	That building setbacks: (a) are appropriate for the site; and (b) do not cause an unreasonable loss of residential amenity to adjoining residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Buildings must have a setback from a frontage of: (a) not less than 5.5m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.		<b>P1</b> Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to: (a) the topography of the site; (b) the setback of buildings on adjacent properties; and (c) the safety of road users.
<b>A2</b> Buildings must have a setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone of not less than: (a) 4m; or (b) half the wall height of the building, whichever is the greater.		<b>P2</b> Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, having regard to: (a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) overlooking and reduction of privacy; and (c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.

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<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone.<sup>1</sup></p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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## 18.4.3 Fencing

Objective:	That fencing does not cause an unreasonable loss of residential amenity to adjoining residential zones.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.<sup>2</sup></p>	<p><b>P1</b></p> <p>Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) their height, design, location and extent; and</li> <li>(b) the proposed materials and construction.</li> </ul>

<sup>1</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

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## 18.4.4 Outdoor storage areas

Objective:	Outdoor storage areas do not detract from the appearance of the site or surrounding area.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.		<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.

## 18.4.5 Landscaping

Objective:	That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> If a building is set back from a road, landscaping treatment must be provided along the frontage of the site: <ul style="list-style-type: none"> <li>(a) to a depth of not less than 5.5m; or</li> <li>(b) not less than the frontage of an existing building if it is a lesser distance.</li> </ul>		<b>P1</b> If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the width of the setback;</li> <li>(b) the width of the frontage;</li> <li>(c) the topography of the site;</li> <li>(d) existing vegetation on the site;</li> <li>(e) the location, type and growth of the proposed vegetation; and</li> <li>(f) any relevant local area objectives contained within the relevant Local Provisions Schedule.</li> </ul>



## 18.5 Development Standards for Subdivision

### 18.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 1000m<sup>2</sup> and:</p> <p>(i) be able to contain a minimum area of 15m x 20m clear of:</p> <p>a. all setbacks required by Clause 18.4.2 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by Clause 18.4.2 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lot;</p> <p>(b) existing buildings and the location of intended buildings on the lot;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards; and</p> <p>(e) the pattern of development existing on established properties in the area.</p>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage of not less than 20m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(b) the topography of the site;</p> <p>(c) the functionality and useability of the frontage;</p> <p>(d) the anticipated nature of vehicles likely to access the site;</p> <p>(e) the ability to manoeuvre vehicles on the site;</p> <p>(f) the ability for emergency services to access the site; and</p> <p>(g) the pattern of development existing on</p>

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	established properties in the area.
<b>A3</b> No Acceptable Solution.	<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic, including pedestrians; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

## 18.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must: <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply service; or</li> <li>(b) the frontage of each lot, must be within 30m of a connection to: <ul style="list-style-type: none"> <li>(i) a full water supply service; or</li> <li>(ii) a limited water supply service.</li> </ul> </li> </ul>		<b>P1</b> A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to: <ul style="list-style-type: none"> <li>(a) the distance from and location of the water supply service;</li> <li>(b) flow rates;</li> <li>(c) the quality of potable water;</li> <li>(d) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(e) the nature and source of the water supply;</li> <li>(f) the topography of the site; and</li> <li>(g) any advice from a regulated entity.</li> </ul>
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

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<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>
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## 19.0 General Industrial Zone

### 19.1 Zone Purpose

The purpose of the General Industrial Zone is:

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

19.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.

### 19.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Emergency Services	
Equipment and Machinery Sales and Hire	
Manufacturing and Processing	
Port and Shipping	
Recycling and Waste Disposal	
Research and Development	
Resource Processing	
Service Industry	
Storage	
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	

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Use Class	Qualification
<b>Discretionary</b>	
Bulky Goods Sales	If for: (a) a supplier for Resource Development, Extractive Industry or Resource Processing; (b) a garden and landscape, trade or hardware supplier; or (c) a timber yard.
Crematoria and Cemeteries	If for a crematoria.
Educational and Occasional Care	If for an employment training centre.
Food Services	
Motor Racing Facility	
Sports and Recreation	
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

## 19.3 Use Standards

### 19.3.1 Discretionary uses

Objective:	That uses listed as Discretionary do not compromise the use or development of the land for industrial activities that may have impacts on adjacent uses.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> No Acceptable Solution.		<b>P1</b> A use listed as Discretionary must not compromise the use or development of surrounding properties for industrial activities that may have impacts on adjacent uses, having regard to: (a) the characteristics of the site; (b) the size and scale of the proposed use; and (c) the functions of the industrial area.

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**19.4 Development Standards for Buildings and Works****19.4.1 Building height**

<b>Objective:</b>	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  Building height must be not more than 20m.	<b>P1</b>  Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:  (a) the bulk and form of the building; (b) separation from existing use on adjoining properties; and (c) any buffers created by natural or other features.

**19.4.2 Setback**

<b>Objective:</b>	That the building setback is appropriate for the site.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  Buildings must have setback from a frontage of: (a) not less than 10m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	<b>P1</b>  Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, having regard to: (a) the topography of the site; (b) the setback of buildings on adjacent properties; and (c) the safety of road users.

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## 19.4.3 Landscaping

<b>Objective:</b>	That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.	
<b>A1</b> If a building is set back from a road, landscaping treatment must be provided along the frontage of the site: (a) to a depth of not less than 6m; or (b) not less than the frontage of an existing building if it is a lesser distance.	<b>P1</b> If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to: (a) the width of the setback; (b) the width of the frontage; (c) the topography of the site; (d) existing vegetation on the site; (e) the location, type and growth of the proposed vegetation; and (f) any relevant local area objectives contained within the relevant Local Provisions Schedule.	

## 19.5 Development Standards for Subdivision

## 19.5.1 Lot design

<b>Objective:</b>	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 2000m <sup>2</sup> and: (i) be able to contain a minimum area of 20m x 40m clear of: a. all setbacks required by clause 19.4.2 A1; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 19.4.2 A1; (b) be required for public use by the Crown, a council or a State authority;		<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lot; (b) existing buildings and the intended location of new buildings on the lot; (c) the topography of the site; (d) the presence of any natural hazards; and (e) the pattern of development existing on established properties in the area.

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<p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage of not less than 20m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic, including pedestrians; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>



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## 19.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply service; or</li> <li>(b) the frontage of each lot, must be within 30m of a connection to: <ul style="list-style-type: none"> <li>(i) a full water supply service; or</li> <li>(ii) a limited water supply service.</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the distance from and location of the water supply service;</li> <li>(b) flow rates;</li> <li>(c) the quality of potable water;</li> <li>(d) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(e) the nature and source of the water supply;</li> <li>(f) the topography of the site; and</li> <li>(g) any advice from a regulated entity.</li> </ul>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site waste-water treatment system adequate for the future use and development of the land.</p>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>

## 20.0 Rural Zone

### 20.1 Zone Purpose

The purpose of the Rural Zone is:

20.1.1 To provide for a range of use or development in a rural location:

- (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;
- (b) that requires a rural location for operational reasons;
- (c) is compatible with agricultural use if occurring on agricultural land;
- (d) minimises adverse impacts on surrounding uses.

20.1.2 To minimise conversion of agricultural land for non-agricultural use.

20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

### 20.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	If for: <ul style="list-style-type: none"> <li>(a) a veterinary centre; or</li> <li>(b) an agribusiness consultant or agricultural consultant.</li> </ul>
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	If associated with Resource Development or Resource Processing.
Emergency Services	

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Use Class	Qualification
Extractive Industry	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Manufacturing and Processing	If for the processing of materials from Extractive Industry.
Pleasure Boat Facility	If for a boat ramp.
Research and Development	If associated with Resource Development or Resource Processing.
Residential	If for: (a) a home based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
Resource Processing	
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) grain storage; (d) a liquid, solid or gas fuel depot; or (e) a woodyard.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	If for guests accommodated within an existing building.
<b>Discretionary</b>	
Bulky Goods Sales	If for: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscaping materials supplier; (c) a timber yard; or (d) rural supplies.
Business and Professional Services	If not listed as Permitted.
Community Meeting and Entertainment	
Crematoria and Cemeteries	

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Use Class	Qualification
Custodial Facility	
Educational and Occasional Care	If not listed as Permitted.
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Manufacturing and Processing	If not listed as Permitted.
Motor Racing Facility	
Pleasure Boat Facility	
Recycling and Waste Disposal	
Research and Development	If not listed as Permitted.
Residential	If for a single dwelling and not restricted by an existing agreement under section 71 of the Act.
Service Industry	If associated with Extractive Industry, Resource Development or Resource Processing.
Sports and Recreation	
Storage	If not listed as Permitted.
Tourist Operation	
Transport Depot and Distribution	
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

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**20.3 Use Standards****20.3.1 Discretionary use**

Objective:	That the location, scale and intensity of a use listed as Discretionary: <ul style="list-style-type: none"> <li>(a) is required for operational reasons;</li> <li>(b) does not unreasonably confine or restrain the operation of uses on adjoining properties;</li> <li>(c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and</li> <li>(d) is appropriate for a rural location and does not compromise the function of surrounding settlements.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if: <ul style="list-style-type: none"> <li>(a) the gross floor area does not increase by more than 30% from that existing at the effective date; and</li> <li>(b) the development area does not increase by more than 30% from that existing at the effective date.</li> </ul>	<b>P1</b> A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to: <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the importance or significance of the proposed use for the local community;</li> <li>(c) whether the use supports an existing agricultural use;</li> <li>(d) whether the use requires close proximity to infrastructure or natural resources; and</li> <li>(e) whether the use requires separation from other uses to minimise impacts.</li> </ul>
<b>A2</b> No Acceptable Solution	<b>P2</b> A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the location of the proposed use;</li> <li>(b) the nature, scale and intensity of the use;</li> <li>(c) the likelihood and nature of any adverse impacts on adjoining uses;</li> <li>(d) whether the proposed use is required to support a use for security or operational reasons; and</li> <li>(e) any off site impacts from adjoining uses.</li> </ul>
<b>A3</b> No Acceptable Solution.	<b>P3</b> A use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with

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	<p>agricultural use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the use;</li> <li>(b) the local or regional significance of the agricultural land; and</li> <li>(c) whether agricultural use on adjoining properties will be confined or restrained.</li> </ul>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>A use listed as Discretionary, excluding Residential, must be appropriate for a rural location having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature, scale and intensity of the proposed use;</li> <li>(b) whether the use will compromise or distort the activity centre hierarchy;</li> <li>(c) whether the use could reasonably be located on land zoned for that purpose;</li> <li>(d) the capacity of the local road network to accommodate the traffic generated by the use; and</li> <li>(e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.</li> </ul>

## 20.4 Development Standards for Buildings and Works

### 20.4.1 Building height

Objective:	<p>To provide for a building height that:</p> <ul style="list-style-type: none"> <li>(a) is necessary for the operation of the use; and</li> <li>(b) minimises adverse impacts on adjoining properties.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 12m.</p>	<p><b>P1</b></p> <p>Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the proposed height of the building;</li> <li>(b) the bulk and form of the building;</li> <li>(c) the separation from existing uses on adjoining properties; and</li> <li>(d) any buffers created by natural or other features.</li> </ul>

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## 20.4.2 Setbacks

Objective:	That the siting of buildings minimises potential conflict with use on adjoining sites.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Buildings must have a setback from all boundaries of: <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) if the setback of an existing building is within 5m, not less than the existing building.</li> </ul>		<b>P1</b> Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(a) the bulk and form of the building;</li> <li>(b) the nature of existing use on the adjoining properties;</li> <li>(c) separation from existing use on the adjoining properties; and</li> <li>(d) any buffers created by natural or other features.</li> </ul>
<b>A2</b> Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>		<b>P2</b> Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use within the Agriculture Zone, having regard to: <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the existing and potential use of adjoining properties;</li> <li>(e) any proposed attenuation measures; and</li> <li>(f) any buffers created by natural or other features.</li> </ul>

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## 20.4.3 Access for new dwellings

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.	
Acceptable Solutions		Performance Criteria
<b>A1</b> New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.		<b>P1</b> New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate having regard to: <ul style="list-style-type: none"> <li>(a) the number of users of the access;</li> <li>(b) the length of the access;</li> <li>(c) the suitability of the access for use by the occupants of the dwelling;</li> <li>(d) the suitability of the access for emergency services vehicles;</li> <li>(e) the topography of the site;</li> <li>(f) the construction and maintenance of the access;</li> <li>(g) the construction, maintenance and usage of the road; and</li> <li>(h) any advice from a road authority.</li> </ul>



## 20.5 Development Standards for Subdivision

### 20.5.1 Lot design

Objective:	To provide for subdivision that: (a) relates to public use, irrigation or Utilities; or (b) facilitates use and development for allowable uses in the zone.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) be required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of Utilities or irrigation infrastructure;</li> <li>(c) be for the consolidation of a lot with another lot provided each lot is within the same zone; or</li> <li>(d) be not less than 40ha with a frontage of no less than 25m and existing buildings are consistent with the setback and separation distance required by clause 20.4.2 A1 and A2.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) have sufficient useable area and dimensions suitable for the intended purpose, excluding Residential or Visitor Accommodation, that: <ul style="list-style-type: none"> <li>(i) requires the rural location for operational reasons;</li> <li>(ii) minimises the conversion of agricultural land for a non-agricultural use;</li> <li>(iii) minimises adverse impacts on non-sensitive uses on adjoining properties; and</li> <li>(iv) is appropriate for a rural location; or</li> </ul> </li> <li>(b) be for the excision of an existing dwelling or Visitor Accommodation that satisfies all of the following: <ul style="list-style-type: none"> <li>(i) the balance lot provides for the sustainable operation of a Resource Development use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the balance lot for productive agricultural use; and</li> <li>c. any topographical constraints to agricultural use;</li> </ul> </li> <li>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>(iii) the existing dwelling or Visitor Accommodation must meet the setbacks required by subclause 20.4.2 in relation to setbacks to new boundaries;</li> <li>(iv) it is demonstrated that the new lot will not unreasonably confine or restrain the operation of any adjoining site used for agricultural use; and</li> <li>(c) be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: <ul style="list-style-type: none"> <li>(i) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(ii) the topography of the site;</li> <li>(iii) the functionality and useability of the frontage;</li> <li>(iv) the anticipated nature of vehicles likely to access the site;</li> <li>(v) the ability to manoeuvre vehicles on the site;</li> <li>(vi) the ability for emergency services to access the site; and</li> <li>(vii) the pattern of development existing on established properties in the area.</li> </ul> </li> </ul>
<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, is provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic, including pedestrians; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

## 21.0 Agriculture Zone

### 21.1 Zone Purpose

The purpose of the Agriculture Zone is:

- 21.1.1 To provide for the use or development of land for agricultural use.
- 21.1.2 To protect land for the use or development of agricultural use by minimising:
- (a) conflict with or interference from non-agricultural uses;
  - (b) non-agricultural use or development that precludes the return of the land to agricultural use; and
  - (c) use of land for non-agricultural use in irrigation districts.
- 21.1.3 To provide for use or development that supports the use of the land for agricultural use.

### 21.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If: <ul style="list-style-type: none"> <li>(a) on land other than prime agricultural land; or</li> <li>(b) an agricultural use, other than plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.</li> </ul>
Utilities	If for minor utilities.
<b>Permitted</b>	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Pleasure Boat Facility	If for a boat ramp.
Residential	If for:

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Use Class	Qualification
	(a) a home based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
<b>Discretionary</b>	
Bulky Goods Sales	If: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscape supplier; or (c) a timber yard.
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	
Emergency Services	
Extractive Industry	
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Manufacturing and Processing	If for: (a) the manufacturing of agricultural equipment; or (b) the processing of materials from Extractive Industry.
Research and Development	
Residential	If for a single dwelling and not restricted by an existing agreement under section 71 of the Act.
Resource Development	If not listed as No Permit Required.
Resource Processing	
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) a liquid, solid or gas fuel depot; or (d) a woodyard.
Tourist Operation	

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Use Class	Qualification
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

## 21.3 Use Standards

### 21.3.1 Discretionary uses

Objective:	That uses listed as Discretionary: (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution.		<b>P1</b> A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: <ul style="list-style-type: none"> <li>(a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site;</li> <li>(b) access to infrastructure only available on the site or on land in the vicinity of the site;</li> <li>(c) access to a product or material related to an agricultural use;</li> <li>(d) service or support for an agricultural use on the site or on land in the vicinity of the site;</li> <li>(e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and</li> <li>(f) provision of essential Emergency Services or Utilities.</li> </ul>

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<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the area of land being converted to non-agricultural use;</li> <li>(b) whether the use precludes the land from being returned to an agricultural use;</li> <li>(c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>A use listed as Discretionary, excluding Residential, located on prime agricultural land must:</p> <ul style="list-style-type: none"> <li>(a) be for Extractive Industry, Resource Development or Utilities, provided that: <ul style="list-style-type: none"> <li>(i) the area of land converted to the use is minimised;</li> <li>(ii) adverse impacts on the surrounding agricultural use are minimised; and</li> <li>(iii) the site is reasonably required for operational efficiency; or</li> </ul> </li> <li>(b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.</li> </ul>

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<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>A Residential use listed as Discretionary must:</p> <ul style="list-style-type: none"> <li>(a) be required as part of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>(i) the scale of the agricultural use;</li> <li>(ii) the complexity of the agricultural use;</li> <li>(iii) the operational requirements of the agricultural use;</li> <li>(iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and</li> <li>(v) proximity of the dwelling to the agricultural use; or</li> </ul> </li> <li>(b) be located on a site that: <ul style="list-style-type: none"> <li>(i) is not capable of supporting an agricultural use;</li> <li>(ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and</li> <li>(iii) does not confine or restrain agricultural use on adjoining properties.</li> </ul> </li> </ul>
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## 21.4 Development Standards for Buildings and Works

### 21.4.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must be not more than 12m.	<b>P1</b> Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: (a) the proposed height of the building; (b) the topography of the site; (c) the bulk and form of the building; (d) separation from existing use on adjoining properties; (e) the nature of the existing uses on adjoining properties; and (f) any buffers created by natural or other features.

### 21.4.2 Setbacks

Objective:	That the siting of buildings minimises potential conflict with use on adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.	<b>P1</b> Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features.



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<p><b>A2</b></p> <p>Buildings for a sensitive use must have a setback from all boundaries of:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>	<p><b>P2</b></p> <p>Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the existing and potential use of adjoining properties;</li> <li>(e) any proposed attenuation measures; and</li> <li>(f) any buffers created by natural or other features.</li> </ul>
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## 21.4.3 Access for new dwellings

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.</p>	<p><b>P1</b></p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority, that is appropriate having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of users of the access;</li> <li>(b) the length of the access;</li> <li>(c) the suitability of the access for use by the occupants of the dwelling;</li> <li>(d) the suitability of the access for emergency services vehicles;</li> <li>(e) the topography of the site;</li> <li>(f) the construction and maintenance of the access;</li> <li>(g) the construction, maintenance and usage of the road; and</li> <li>(h) any advice from the road authority.</li> </ul>

## 21.5 Development Standards for Subdivision

### 21.5.1 Lot design

Objective:	To provide for subdivision that: (a) relates to public use, irrigation infrastructure or Utilities; and (b) protects the long term productive capacity of agricultural land.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) be required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of Utilities or irrigation infrastructure; or</li> <li>(c) be for the consolidation of a lot with another lot provided both lots are within the same zone.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) provide for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>(i) not materially diminishing the agricultural productivity of the land;</li> <li>(ii) the capacity of the new lots for productive agricultural use;</li> <li>(iii) any topographical constraints to agricultural use; and</li> <li>(iv) current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(b) be for the reorganisation of lot boundaries that satisfies all of the following: <ul style="list-style-type: none"> <li>(i) provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the new lots for productive agricultural use;</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) all new lots must be not less than 1ha in area;</li> <li>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</li> <li>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and</li> <li>(v) it does not create any additional lots; or</li> </ul> </li> </ul>

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	<p>(c) be for the excision of a use or development existing at the effective date that satisfies all of the following:</p> <ul style="list-style-type: none"> <li>(i) the balance lot provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> <li>a. not materially diminishing the agricultural productivity of the land;</li> <li>b. the capacity of the balance lot for productive agricultural use;</li> <li>c. any topographical constraints to agricultural use; and</li> <li>d. current irrigation practices and the potential for irrigation;</li> </ul> </li> <li>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</li> <li>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</li> <li>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</li> </ul>
<p><b>A2</b> No Acceptable Solution.</p>	<p><b>P2</b> Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic, including pedestrians; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

## 22.0 Landscape Conservation Zone

### 22.1 Zone Purpose

The purpose of the Landscape Conservation Zone is:

- 22.1.1 To provide for the protection, conservation and management of landscape values.
- 22.1.2 To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

### 22.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Residential	If for a: (a) home-based business; or (b) single dwelling located within a building area, if shown on a sealed plan.
Utilities	If for minor utilities.
<b>Discretionary</b>	
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Domestic Animal Breeding, Boarding and Training	
Emergency Services	
Food Services	If for a gross floor area of not more than 200m <sup>2</sup> .
General Retail and Hire	If associated with a Tourist Operation.
Residential	If for a single dwelling.
Resource Development	If not for intensive animal husbandry or plantation forestry.

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Use Class	Qualification
Sports and Recreation	If for an outdoor recreation facility.
Tourist Operation	
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

## 22.3 Use Standards

### 22.3.1 Community Meeting and Entertainment, Food Services, and General Retail and Hire uses.

Objective:	That Community Meeting and Entertainment, Food Services, and General Retail and Hire uses operate at a scale and in a manner that does not cause an unreasonable impact on landscape values.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation for Community Meeting and Entertainment, Food Services, and General Retail and Hire must be within the hours of 8.00am to 6.00pm.		<b>P1</b> Hours of operation for Community Meeting and Entertainment, Food Services, and General Retail and Hire must not cause an unreasonable impact on the landscape values having regard to: <ul style="list-style-type: none"> <li>(a) the duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>

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## 22.3.2 Visitor Accommodation

Objective:	That Visitor Accommodation is of a scale that is: (a) compatible with the landscape values of the site and surrounding area; and (b) does not impact the safety and efficiency of local roads or private rights of way.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Visitor Accommodation: (a) guests are accommodated in existing buildings; and (b) has a gross floor area of no more than 160m <sup>2</sup> .		<b>P1</b> Visitor Accommodation must: (a) be of a scale that respects the character of use in the area; (b) not cause an unreasonable impact on the landscape values of the site; and (c) not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of rights of carriageway.

## 22.3.3 Discretionary use

Objective:	That the location, scale and extent of a use listed as Discretionary is compatible with landscape values.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution.		<b>P1</b> Use listed as Discretionary must be compatible with landscape values, having regard to: (a) the nature, scale and extent of the use; (b) the characteristics and type of the use; (c) the landscape values of the site; (d) the landscape value of the surrounding area; and (e) measures to minimise or mitigate impacts.

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**22.4 Development Standards for Buildings and Works**

## 22.4.1 Site coverage

Objective:	That the site coverage is compatible with the protection, conservation and management of the landscape values of the site and surrounding area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Site coverage must be not more than 400m <sup>2</sup> .	<b>P1</b> Site coverage must be compatible with the landscape values of the site and surrounding area having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the capacity of the site to absorb run-off;</li> <li>(c) the size and shape of the site;</li> <li>(d) the existing buildings and any constraints imposed by existing development;</li> <li>(e) the need to remove vegetation;</li> <li>(f) the location of development in relation to cleared areas; and</li> <li>(g) the location of development in relation to natural hazards.</li> </ul>	

## 22.4.2 Building height, siting and exterior finishes

Objective:	That building height, siting and exterior finishes: <ul style="list-style-type: none"> <li>(a) protects the amenity of adjoining properties;</li> <li>(b) minimises the impact on the landscape values of the area; and</li> <li>(c) minimises the impact on adjoining agricultural uses.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b> Building height must be not more than 6m.	<b>P1</b> Building height must be compatible with the landscape values of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the height, bulk and form of proposed buildings;</li> <li>(b) the height, bulk and form of existing buildings;</li> <li>(c) the topography of the site;</li> <li>(d) the visual impact of the buildings when viewed from roads and public places; and</li> <li>(e) the landscape values of the surrounding area.</li> </ul>	

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<p><b>A2</b></p> <p>Buildings must have a setback from a frontage not less than 10m.</p>	<p><b>P2</b></p> <p>Building setback from a frontage must be compatible with the landscape values of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the frontage setbacks of adjacent buildings;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public places;</li> <li>(e) the safety of road users; and</li> <li>(f) the retention of vegetation.</li> </ul>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries not less than 20m.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity, or impact on landscape values of the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the side and rear setbacks of adjacent buildings;</li> <li>(d) the height, bulk and form of existing and proposed buildings;</li> <li>(e) the need to remove vegetation as part of the development;</li> <li>(f) the appearance when viewed from roads and public places; and</li> <li>(g) the landscape values of the surrounding area.</li> </ul>
<p><b>A4</b></p> <p>Buildings for a sensitive use, must be separated from the boundary of an adjoining Rural Zone or Agriculture Zone a distance of:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>	<p><b>P4</b></p> <p>Buildings for a sensitive use must be sited to not conflict or interfere with uses in the Rural Zone or Agriculture Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the separation from those zones of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the existing and potential use of land in the adjoining zones;</li> <li>(d) any buffers created by natural or other features; and</li> <li>(e) any proposed attenuation measures.</li> </ul>



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<p><b>A5</b></p> <p>Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.</p>	<p><b>P5</b></p> <p>Exterior building finishes must not cause an unreasonable loss of amenity to occupiers of adjoining properties or detract from the landscape values of the site or surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the appearance of the building when viewed from roads or public places in the surrounding area;</li> <li>(b) any screening vegetation; and</li> <li>(c) the nature of the exterior finishes.</li> </ul>
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## 22.4.3 Access to a road

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.</p>		<p><b>P1</b></p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is sufficient for the intended use having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of users of the access;</li> <li>(b) the length of the access;</li> <li>(c) the suitability of the access for use by the occupants of the dwelling;</li> <li>(d) the suitability of the access for emergency services vehicles;</li> <li>(e) the topography of the site;</li> <li>(f) the construction and maintenance of the access; and</li> <li>(g) the construction, maintenance and usage of the road.</li> </ul>

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## 22.4.4 Landscape protection

Objective:	That the landscape values of the site and surrounding area are protected or managed to minimise adverse impacts.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building and works must be located within a building area, if shown on a sealed plan.</p>	<p><b>P1</b></p> <p>Building and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the extent of the area from which vegetation has been removed;</li> <li>(b) the extent of native vegetation to be removed;</li> <li>(c) any remedial or mitigation measures or revegetation requirements;</li> <li>(d) provision for native habitat for native fauna;</li> <li>(e) the management and treatment of the balance of the site or native vegetation areas;</li> <li>(f) the type, size, and design of development; and</li> <li>(g) the landscape values of the site and surrounding area.</li> </ul>
<p><b>A2</b></p> <p>Buildings and works must:</p> <ul style="list-style-type: none"> <li>(a) be located within a building area, if shown on a sealed plan; or</li> <li>(b) be an alteration or extension to an existing building providing it is not more than the existing building height; and</li> <li>(c) not include cut and fill greater than 1m; and</li> <li>(d) be not less than 10m in elevation below a skyline or ridgeline.</li> </ul>	<p><b>P2.1</b></p> <p>Buildings and works must be located to minimise impacts on landscape values, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) the proposed building height, size and bulk;</li> <li>(d) any constraints imposed by existing development;</li> <li>(e) visual impact when viewed from roads and public places; and</li> <li>(f) any screening vegetation, and</li> </ul> <p><b>P2.2</b></p> <p>If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no other suitable building areas.</p>

## 22.5 Development Standards for Subdivision

### 22.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) contain areas which are suitable for development, located to protect and conserve landscape values; and (c) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a proposed lot in a plan of subdivision, must:</p> <p>(a) have an area of not less than 50ha and:</p> <p>(i) be able to contain a minimum area of 25m x 25m, where native vegetation cover has been removed, with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 22.4.2 A2, A3 and A4; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 22.4.2 A2, A3 and A4;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of public utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b></p> <p>Each lot, or a proposed lot in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <p>(a) the relevant Acceptable Solutions for development of buildings on the lots;</p> <p>(b) existing buildings and the location of intended buildings on the lot;</p> <p>(c) the ability to retain vegetation and protect landscape values on each lot;</p> <p>(d) the topography of the site; and</p> <p>(e) the pattern of development existing on established properties in the area, and must have an area not less than 20ha.</p>
<p><b>A2</b></p> <p>Each lot, or a proposed lot in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities must have a frontage of not less than 40m.</p>	<p><b>P2</b></p> <p>Each lot, or a proposed lot in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a right of carriageway that is sufficient for the intended use, having regard to:</p> <p>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(b) the topography of the site;</p>

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	<ul style="list-style-type: none"> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</li> </ul>
<b>A3</b> No Acceptable Solution.	<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, must be capable of accommodating an on-site wastewater management system adequate for the intended use and development of the land, which minimises any environmental impacts.

## 23.0 Environmental Management Zone

### 23.1 Zone Purpose

The purpose of the Environmental Management Zone is:

- 23.1.1 To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value.
- 23.1.2 To allow for compatible use or development where it is consistent with:
- (a) the protection, conservation and management of the values of the land; and
  - (b) applicable reserved land management objectives and objectives of reserve management plans.

### 23.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Community Meeting and Entertainment	If on State-reserved land.
Educational and Occasional Care	If on State-reserved land.
Emergency Services	If on State-reserved land.
Food Services	If on State-reserved land.
General Retail and Hire	If on State-reserved land.
Pleasure Boat Facility.	If on State-reserved land.
Research and Development	If on State-reserved land.
Residential	If: <ul style="list-style-type: none"> <li>(a) for reserve management staff accommodation; and</li> <li>(b) on State-reserved land.</li> </ul>

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Use Class	Qualification
Resource Development	If for grazing on State-reserved land.
Sport and Recreation	If on State-reserved land.
Tourist Operation	If on State-reserved land.
Utilities	If: (a) for minor utilities; and (b) on State-reserved land.
Visitor Accommodation	If on State-reserved land.
<b>Discretionary</b>	
Community Meeting and Entertainment	If not listed as Permitted.
Educational and Occasional care	If not listed as Permitted.
Emergency Services	If not listed as Permitted.
Extractive Industry	
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Pleasure Boat Facility.	If not listed as Permitted.
Research and Development	If not listed as Permitted.
Resource Development	If not listed as Permitted.
Resource Processing	
Sport and Recreation	If not listed as Permitted.
Tourist Operation	If not listed as Permitted.
Utilities	If not listed as Permitted.
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted.

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

### 23.3 Use Standards

#### 23.3.1 Use of State-reserved land

Objective:	That a use on State-reserved land is consistent with reserved land management values and purposes and the objectives of any applicable reserve management plans.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A use on State-reserved land must be in accordance with an approval or authority granted by a managing authority under: <ul style="list-style-type: none"> <li>(a) the <i>National Parks and Reserves Management Act 2002</i>;</li> <li>(b) the <i>National Parks and Reserved Land Regulations 2009</i>;</li> <li>(c) the <i>Nature Conservation Act 2002</i>;</li> <li>(d) the <i>Crown Lands Act 1976</i>; or</li> <li>(e) <i>Crown Lands Regulations 2011</i>.</li> </ul>		<b>P1</b> A use on State-reserved land must be consistent with the values of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the significance of the ecological, scientific, cultural or scenic values of the land;</li> <li>(b) the protection, conservation, and management of the values;</li> <li>(c) the applicable reserved land management values and purposes and the objectives of any reserve management plans;</li> <li>(d) the specific requirements of the use to operate;</li> <li>(e) the location, intensity and scale of the use;</li> <li>(f) the characteristics and type of the use;</li> <li>(g) traffic and parking generation;</li> <li>(h) any emissions and waste produced by the use;</li> <li>(i) the measures to minimise or mitigate impacts;</li> <li>(j) the storage and handling of goods, materials and waste;</li> <li>(k) the proximity of any sensitive uses; and</li> <li>(l) the advice of the managing authority.</li> </ul>

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## 23.3.2 Use of land excluding State-reserved land

Objective:	That uses on land, excluding State-reserved land, are at a scale and intensity that is consistent with the values of the land.
Acceptable Solutions	Performance Criteria
<b>A1</b> If for a No Permit Required use.	<b>P1</b> A use on land, excluding State-reserved land, must be consistent with the values of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the significance of the ecological, scientific, cultural or scenic values;</li> <li>(b) the protection, conservation, and management of the values;</li> <li>(c) the specific requirements of the use to operate;</li> <li>(d) the location, scale and intensity of the use;</li> <li>(e) the characteristics and type of the use;</li> <li>(f) traffic and parking generation;</li> <li>(g) any emissions and waste produced by the use;</li> <li>(h) the measures to minimise or mitigate impacts;</li> <li>(i) the storage and handling of goods, materials and waste; and</li> <li>(j) the proximity of any sensitive uses.</li> </ul>



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**23.4 Development Standards for Buildings and Works**

## 23.4.1 Development area

Objective:	That the development area is: (a) compatible with the values of the site and surrounding area; and (b) minimises disturbance of the site.
Acceptable Solutions	Performance Criteria
<b>A1</b> The development area must: (a) be not more than 500m <sup>2</sup> ; or (b) if on State-reserved land, be in accordance with an approval or authority under: (i) the <i>National Parks and Reserves Management Act 2002</i> ; (ii) the <i>National Parks and Reserved Land Regulations 2009</i> ; (iii) the <i>Nature Conservation Act 2002</i> ; (iv) the <i>Crown Lands Act 1976</i> ; or (v) the <i>Crown Lands Regulations 2011</i> .	<b>P1</b> The development area must not cause an unreasonable impact upon the values of the site and surrounding area, having regard to: (a) the design, siting, scale and type of development; (b) the operation of the use; (c) the impact of the development on the values of the site and surrounding area; (d) the need for the development to be located on the site; (e) how any significant values are managed; and (f) any protection, conservation, remediation or mitigation works.

## 23.4.2 Building height, setback and siting

Objective:	That the design and siting of buildings responds appropriately to the values of the site and surrounding area.
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must: (a) be not more than 6m; or (b) if on State-reserved land, be in accordance with an approval or authority under: (i) the <i>National Parks and Reserves Management Act 2002</i> ; (ii) the <i>National Parks and Reserved Land Regulations 2009</i> ; (iii) the <i>Nature Conservation Act 2002</i> ; (iv) the <i>Crown Lands Act 1976</i> ; or (v) the <i>Crown Lands Regulations 2011</i> .	<b>P1</b> Building height must be compatible with the values of the site and surrounding area, having regard to: (a) the bulk and form of proposed buildings; (b) the height, bulk and form of existing buildings; (c) the topography of the site; (d) the appearance when viewed from roads and public places; and (e) the character of the surrounding area.

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<p><b>A2</b></p> <p>Buildings must have a setback from all boundaries:</p> <ul style="list-style-type: none"> <li>(a) not less than 10m;</li> <li>(b) not less than the existing building for an extension; or</li> <li>(c) if on State-reserved land, be in accordance with an approval or authority under: <ul style="list-style-type: none"> <li>(i) the <i>National Parks and Reserves Management Act 2002</i>;</li> <li>(ii) the <i>National Parks and Reserved Land Regulations 2009</i>;</li> <li>(iii) the <i>Nature Conservation Act 2002</i>;</li> <li>(iv) the <i>Crown Lands Act 1976</i>; or</li> <li>(v) the <i>Crown Lands Regulations 2011</i>.</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>Buildings must be sited to be compatible with the values of the site and surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the bulk and form of proposed buildings;</li> <li>(b) the height, bulk and form of existing buildings;</li> <li>(c) the topography of the site;</li> <li>(d) the appearance when viewed from roads and public places;</li> <li>(e) the retention of vegetation;</li> <li>(f) the safety of road users; and</li> <li>(g) the character of the surrounding area.</li> </ul>
<p><b>A3</b></p> <p>Buildings for a sensitive use, must be separated from an adjoining Rural Zone or Agriculture Zone:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) where an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</li> </ul>	<p><b>P3</b></p> <p>Buildings for a sensitive use must be sited to not conflict or interfere with an agricultural use in the Rural Zone or Agriculture Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the existing and potential use of land in the adjoining zone; and</li> <li>(d) any proposed attenuation measures.</li> </ul>

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## 23.4.3 Exterior finish

Objective:	That exterior finishes are not prominent and blend with the character of the site and surrounding area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Exterior building finishes of must: <ul style="list-style-type: none"> <li>(a) be coloured using colours with a light reflectance value not more than 40 % in dark natural tones of grey, green or brown; or</li> <li>(b) if on State-reserved land, be in accordance with an approval or authority under:               <ul style="list-style-type: none"> <li>(i) the <i>National Parks and Reserves Management Act 2002</i>;</li> <li>(ii) the <i>National Parks and Reserved Land Regulations 2009</i>;</li> <li>(iii) the <i>Nature Conservation Act 2002</i>;</li> <li>(iv) the <i>Crown Lands Act 1976</i>; or</li> <li>(v) the <i>Crown Lands Regulations 2011</i>.</li> </ul> </li> </ul>		<b>P1</b> Exterior building finishes must be compatible with the character of the site and surrounding area, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the existing vegetation;</li> <li>(c) the dominant colours of the vegetation and surrounding area;</li> <li>(d) the nature of the development;</li> <li>(e) the nature of the exterior finishes;</li> <li>(f) the appearance when viewed from roads and public places; and</li> <li>(g) the character of the surrounding area.</li> </ul>

## 23.4.4 Vegetation management

Objective:	That the site contributes to the values of the surrounding area by restricting vegetation removal.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Building and works must: <ul style="list-style-type: none"> <li>(a) be located on land where the native vegetation cover has been lawfully removed; or</li> <li>(b) if on State-reserved land, be in accordance with an approval or authority under:               <ul style="list-style-type: none"> <li>(i) the <i>National Parks and Reserves Management Act 2002</i>;</li> <li>(ii) the <i>National Parks and Reserved Land Regulations 2009</i>;</li> <li>(iii) the <i>Nature Conservation Act 2002</i>;</li> <li>(iv) the <i>Crown Lands Act 1976</i>; or</li> <li>(v) the <i>Crown Lands Regulations 2011</i>.</li> </ul> </li> </ul>		<b>P1</b> Building and works must be located to minimise native vegetation removal and the impact on values of the site and surrounding area, having regard to: <ul style="list-style-type: none"> <li>(a) the extent of native vegetation to be removed;</li> <li>(b) any proposed remedial, mitigation or revegetation measures;</li> <li>(c) provision for native habitat for native fauna;</li> <li>(d) the management and treatment of the balance of the site or native vegetation areas; and</li> <li>(e) the type, size and design of development.</li> </ul>

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**23.5 Development Standards for Subdivision**

## 23.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, lot must be: <ul style="list-style-type: none"> <li>(a) required for public use by the Crown, a council, or a State authority;</li> <li>(b) required for the provision of Utilities; or</li> <li>(c) for the consolidation of a lot with another lot, provided each lot is within the same zone.</li> </ul>	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to: <ul style="list-style-type: none"> <li>(a) the relevant Acceptable Solutions for development of buildings on the lots;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the ability to retain vegetation and protect the values of the land on each lot;</li> <li>(d) the topography of the site;</li> <li>(e) the presence of any natural hazards;</li> <li>(f) the need for the subdivision; and</li> <li>(g) any advice of the managing authority.</li> </ul>
<b>A2</b> No Acceptable Solution.	<b>P2</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended purpose, having regard to: <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the anticipated nature of vehicles likely to access the site;</li> <li>(c) the topography of the site;</li> <li>(d) the pattern of development in the area; and</li> <li>(e) the ability for emergency services to access the site,</li> </ul> and must have a frontage of not less than 3.6 m.

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<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot, or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic;</li> <li>(e) any vegetation removal; and</li> <li>(f) the protection of values on the site.</li> </ul>
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## 23.5.2 Services

Objective:	That each lot provides for appropriate wastewater disposal.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be capable of accommodating an on-site wastewater management system adequate for the intended use and development of the land, which minimises any environmental impacts.</p>

## 24.0 Major Tourism Zone

### 24.1 Zone Purpose

The purpose of the Major Tourism Zone is:

- 24.1.1 To provide for large scale tourist facilities which include a range of use and development.
- 24.1.2 To provide for compatible use and development that complements or enhances the tourist facilities on the site.
- 24.1.3 To provide for development that does not unreasonably impact on surrounding areas.
- 24.1.4 To ensure that any commercial uses support the tourist purpose of the site and do not compromise or distort the role of existing activity centres.

### 24.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Community Meeting and Entertainment	
Food Services	If not a take-away food premises.
Hotel Industry	
Sports and Recreation	
Tourist Operation	
Visitor Accommodation	

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Use Class	Qualification
<b>Discretionary</b>	
Business and Professional Services	
Educational and Occasional Care	
Emergency Services	
Food Services	If not listed as Permitted.
General Retail and Hire	
Pleasure Boat Facility	
Research and Development	
Residential	
Resource Processing	If for a winery, distillery, brewery or cidery.
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## 24.3 Use Standards

### 24.3.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential or Rural Living Zone must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones having regard to: (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.

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<p><b>A2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must:</p> <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property.</li> </ul>	<p><b>P2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting;</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the residential area; and</li> <li>(f) potential conflicts with other traffic.</li> </ul>



## Tasmanian Planning Scheme – State Planning Provisions

## 24.3.2 Discretionary uses

Objective:	That uses listed as Discretionary complement the tourism use of the site and do not compromise or distort the role of existing activity centres.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must:</p> <ul style="list-style-type: none"> <li>(a) complement or support the tourism related uses on the site;</li> <li>(b) not compromise the operational efficiency of any Permitted use operating within the zone;</li> <li>(c) not be the dominant use on the site;</li> <li>(d) excluding for Emergency Services, Residential or Utilities use, cater primarily for demand from customers or visitors from outside the local area; and</li> <li>(e) not compromise the role of existing activity centres, having regard to:             <ul style="list-style-type: none"> <li>(i) the size and scale of the proposed use;</li> <li>(ii) the functions of the surrounding activity centres; and</li> <li>(iii) the extent that the proposed use impacts on surrounding activity centres.</li> </ul> </li> </ul>

## 24.4 Development Standards for Buildings and Works

### 24.4.1 Building height

Objective:	To provide for a building height that does not cause an unreasonable impact on adjoining properties and the visual character of the area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Building height must be not more than 10m.		<b>P1</b> Building height must: <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity from overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties, having regard to:               <ul style="list-style-type: none"> <li>(i) the height, bulk and form of the building;</li> <li>(ii) separation from existing buildings on adjoining properties; and</li> <li>(iii) any buffers created by natural or other features; and</li> </ul> </li> <li>(b) minimise the impact on the visual character of the area, having regard to:               <ul style="list-style-type: none"> <li>(i) the topography of the site;</li> <li>(ii) any existing vegetation; and</li> <li>(iii) visibility from adjoining roads and public open spaces.</li> </ul> </li> </ul>
<b>A2</b> Building height, within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential or Rural Living Zone, must be not more than 8.5m.		<b>P2</b> Building height, within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential or Rural Living Zone, must be consistent with buildings existing on established properties in the adjoining zone and not cause an unreasonable loss of residential amenity, having regard to: <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy to adjoining properties; and</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>

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## 24.4.2 Setbacks

Objective:	<p>That the building setback:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the character of the surrounding area;</li> <li>(b) does not cause an unreasonable loss of amenity to adjoining residential areas; and</li> <li>(c) minimises potential conflicts with adjoining properties.</li> </ul>	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> <li>(a) not less than 10m;</li> <li>(b) not less than existing buildings on the site; or</li> <li>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining lots.</li> </ul>		<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is compatible with the character of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the setbacks of buildings existing on established adjacent properties; and</li> <li>(b) provision of adequate vehicle access, parking and landscaping.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5m; or</li> <li>(b) half the wall height of the building, whichever is the greater.</li> </ul>		<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties within a General Residential Zone, Inner Residential Zone, Low Density Residential or Rural Living Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setback of existing buildings on the site and adjoining properties;</li> <li>(d) the bulk and form of proposed buildings;</li> <li>(e) overlooking and reduction of privacy of dwellings on adjoining properties;</li> <li>(f) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and</li> <li>(g) any existing screening or the ability to implement screening.</li> </ul>

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<p><b>A3</b></p> <p>Buildings for a sensitive use must be separated from an Rural Zone or Agriculture Zone a distance of:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) if an existing building for a sensitive use is within 200m, not less than the existing building.</li> </ul>	<p><b>P3</b></p> <p>Buildings for a sensitive use must be sited to not conflict or interfere with an agricultural use in the Rural Zone or Agriculture Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the pattern of separation of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the location of existing buildings for sensitive uses on the site;</li> <li>(d) the existing and potential use of adjoining properties in those zones; and</li> <li>(e) any proposed or existing attenuation measures.</li> </ul>
<p><b>A4</b></p> <p>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from the General Residential Zone, Inner Residential Zone, Low Density Residential Zone and Rural Living Zone.<sup>1</sup></p>	<p><b>P4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of an adjoining General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses in the adjoining zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of adjoining sensitive uses; and</li> <li>(d) any proposed or existing mitigation measures.</li> </ul>

<sup>1</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.

## 24.5 Development Standards for Subdivision

### 24.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or lot proposed on a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) be required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of Utilities; or</li> <li>(c) be for the consolidation of a lot with another lot provided both lots are within the same zone.</li> </ul>	<b>P1</b> Each lot, or lot proposed on a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lot;</li> <li>(b) the existing buildings and the location of intended buildings; and</li> <li>(c) the accessibility for vehicles providing for supplies, waste removal and emergency services.</li> </ul>
<b>A2</b> Each lot, or lot proposed on a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.	<b>P2</b> Each lot, or lot proposed on a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>

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<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>
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## 24.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or lot proposed on a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply service;</li> <li>(b) the frontage of each lot, must be within 30m of a connection to: <ul style="list-style-type: none"> <li>(i) a full water supply service; or</li> <li>(ii) a limited water supply service.</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the distance from and location of the water supply service;</li> <li>(b) flow rates;</li> <li>(c) the quality of potable water;</li> <li>(d) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(e) the nature and source of the water supply;</li> <li>(f) the topography of the site; and</li> <li>(g) any advice from a regulated entity.</li> </ul>
<p><b>A2</b></p> <p>Each lot, or lot proposed on a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, or lot proposed on a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>

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<p><b>A3</b></p> <p>Each lot , or lot proposed on a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or lot proposed on a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>
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## 25.0 Port and Marine Zone

### 25.1 Zone Purpose

The purpose of the Port and Marine Zone is:

- 25.1.1 To provide for major port and marine activity related to shipping and other associated transport facilities and supply and storage.
- 25.1.2 To provide for use or development that supports and does not adversely impact on port and marine activities.

### 25.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Port and Shipping	
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	If for boat sales, shipping supplies or other maritime purposes.
Business and Professional Services	If for marine, port, shipping and transport purposes.
Educational and Occasional Care	If for training in marine, port, shipping and transport purposes.
Emergency Services	
Equipment and Machinery Sales and Hire	If for marine, port, shipping and transport equipment.
General Retail and Hire	If for chandlers and other shipping and transport related goods.
Manufacturing and Processing	If associated with maritime purposes.
Passive Recreation	
Pleasure Boat Facility	
Research and Development	If associated with Port and Shipping or marine and transport purposes.



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Use Class	Qualification
Service Industry	If for marine, port, shipping and transport purposes.
Storage	If for marine, port, shipping and transport purposes.
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
<b>Discretionary</b>	
Food Services	
Resource Processing	If for: (a) marine, port, shipping and transport purposes; and (b) aquaculture or fish processing.
Sports and Recreation	If for marine or aquatic based activities.
Storage	If not listed as Permitted.
Tourist Operation	
Vehicle Parking	
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

## 25.3 Use Standards

25.3.1 There are no Use Standards in the zone.

## Tasmanian Planning Scheme – State Planning Provisions

**25.4 Development Standards for Buildings and Works**

## 25.4.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) does not cause unreasonable loss of amenity on adjoining properties.
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height, excluding for Port and Shipping, and structures such as towers, poles, gantries, cranes or similar, must be not more than 20m.	<b>P1</b> Building height, excluding for Port and Shipping, and structures such as towers, poles, gantries, cranes or similar, must: (a) be necessary for the operation of the use; and (b) not cause unreasonable loss of amenity to adjoining properties, having regard to: (i) the bulk and form of the building; (ii) separation from existing use on adjoining sites; and (iii) any buffers created by natural or other features.

**25.5 Development Standards for Subdivision**

## 25.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: (a) be required for Port and Shipping; (b) have an area of not less than 1000m <sup>2</sup> and be able to contain a minimum area of 15m x 20m clear of all of easements or other title restrictions that limit or restrict development; (c) be required for public use by the Crown, a council or a State authority; (d) be required for the provision of Utilities; or (e) be for the consolidation of a lot with another lot provided each lot is within the same zone.	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the existing buildings and the location of intended buildings on the lot; (b) the topography of the site; (c) the presence of any natural hazards; and (d) the pattern of development existing on established properties in the area.

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<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage of not less than 6m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right-of-carriageway suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
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## 25.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must:</p> <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply service; or</li> <li>(b) the frontage of each lot, must be within 30m of a connection to: <ul style="list-style-type: none"> <li>(i) a full water supply service; or</li> <li>(ii) a limited water supply service.</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the distance from and location of the water supply service;</li> <li>(b) flow rates;</li> <li>(c) the quality of potable water;</li> <li>(d) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(e) the nature and source of the water supply;</li> <li>(f) the topography of the site; and</li> <li>(g) any advice from a regulated entity.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>

## 26.0 Utilities Zone

### 26.1 Zone Purpose

The purpose of the Utilities Zone to:

26.1.1 To provide land for major utilities installations and corridors.

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

### 26.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Recycling and Waste Disposal	
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
Vehicle Parking	
<b>Discretionary</b>	
Emergency Services	
Sports and Recreation	
Storage	
Tourist Operation	
<b>Prohibited</b>	
All other uses	

## 26.3 Use Standards

### 26.3.1 All uses

Objective:	That uses do not cause an unreasonable loss of residential amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be within the hours of: <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must not cause an unreasonable loss of amenity to the residential zones having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>
<b>A2</b> External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must: <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm and 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property.</li> </ul>		<b>P2</b> External lighting for a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to: <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>

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<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and sensitive use; and</p> <p>(f) potential conflicts with other traffic.</p>
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## 26.3.2 Discretionary uses

Objective:	That uses listed as Discretionary do not compromise the use of land for Utilities.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must not compromise or restrict the operations of an existing or proposed utility, having regard to:</p> <p>(a) the compatibility of the utility and the proposed use;</p> <p>(b) the location of the proposed use in relation to the utility, or any proposed utility;</p> <p>(c) existing land uses on the site; and</p> <p>(d) any proposed or existing buffers or mitigation measures.</p>

## Tasmanian Planning Scheme – State Planning Provisions

**26.4 Development Standards for Buildings and Works**

## 26.4.1 Building height

Objective:	To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties and the visual character of the area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Building height must be not more than: (a) 10m; or (b) 15m if for a structure, such as a tower, pole or similar.		<b>P1</b> Building height must: (a) be necessary for the operation of the use and not cause unreasonable impact on adjoining properties, having regard to: (i) the bulk and form of the building; (ii) separation from existing buildings on adjoining properties; and (iii) any buffers created by natural or other features; and (b) not unreasonably impact on the visual character of the area, having regard to: (i) the topography of the site; (ii) any existing vegetation; and (iii) visibility from adjoining roads and public open space.
<b>A2</b> Building height, within 10m of an adjoining property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as a tower, pole or similar, must be not more than 8.5m.		<b>P2</b> Building height, within 10m of an adjoining property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, excluding a structure such as a tower, pole or similar, must not cause an unreasonable loss of residential amenity, having regard to: (a) compatibility with buildings on established properties in the adjoining zone; (b) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (c) overlooking and reduction of privacy to adjoining properties; and (d) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.



## Tasmanian Planning Scheme – State Planning Provisions

## 26.4.2 Setbacks

Objective:	That building setbacks are: (a) compatible with the character of the surrounding area; and (b) does not cause an unreasonable loss of amenity to adjoining properties.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Buildings, excluding a structure such as a tower, pole or similar, must have a setback from all boundaries of not less than: (a) 5m; or (b) an existing building on the lot.		<b>P1</b> Buildings, excluding a structure such as a tower, pole or similar, must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setback of existing buildings on the site and on adjoining properties; (d) the bulk and form of proposed buildings; (e) overlooking and reduction of privacy of dwellings on adjoining properties; (f) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings on adjoining properties; and (g) any existing screening or the ability to implement screening.
<b>A2</b> Air extraction, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, Low Density Residential Zone and Rural Living Zone <sup>1</sup> .		<b>P2</b> Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated so as to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to: (a) the characteristics and frequency of emissions generated; (b) the nature of the proposed use; (c) the topography of the site and location of adjoining sensitive uses; and (d) any proposed or existing mitigation measures.

<sup>1</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.

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## 26.4.3 Fencing

Objective:	That fencing: (a) does not detract from the appearance of the site or surrounding area; and (b) provides for passive surveillance.	
Acceptable Solutions		Performance Criteria
<b>A1</b> A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must have a height above existing ground level of not more than: (a) 1.2m if the fence is solid; or (b) 2.1m, if any part of the fence that is within 4.5m of a frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30%.		<b>P1</b> A fence (including a free-standing wall) within 4.5m of a frontage and where adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must be compatible with the streetscape, having regard to: (a) the height, design, location and extent of the fence; (b) the degree of transparency; and (c) the proposed materials and construction.
<b>A2</b> Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must: (a) have a height above existing ground level of not more than 2.1m; and (b) not use barbed wire.		<b>P2</b> Common boundary fences with a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone must not cause an unreasonable loss of residential amenity, having regard to: (a) the height, design, location and extent of the fence; and (b) the proposed materials and construction.

## 26.4.4 Outdoor storage areas

Objective:	That outdoor storage areas do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outdoor storage areas, excluding any goods for sale, must not be visible from any road or public open space adjoining the site.		<b>P1</b> Outdoor storage areas, excluding any goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.

## 26.5 Development Standards for Subdivision

### 26.5.1 Subdivision

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate frontage to a road.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or lot proposed in a plan of subdivision, must: (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone.	<b>P1</b> Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lot; (b) location of existing buildings on the lot; (c) likely location of buildings on the lot; and (d) accessibility for vehicles.
<b>A2</b> Each lot, or lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.	<b>P2</b> Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to: (a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (b) the topography of the site; (c) the functionality and useability of the frontage; (d) the anticipated nature of vehicles likely to access the site; (e) the ability to manoeuvre vehicles on the site; (f) the ability for emergency services to access the site; and (g) the pattern of development existing on established properties in the area.

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<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>
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## 26.5.2 Services

Objective:	That the subdivision of land provides adequate services to meet the projected needs of future development.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P1</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>
<p><b>A2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of providing an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>

## 27.0 Community Purpose Zone

### 27.1 Zone Purpose

The purpose of the Community Purpose Zone is:

27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.

27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.

### 27.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	If for: (a) medical centre; (b) a community-based organisation; (c) government offices; or (d) funeral parlour.
Community Meeting and Entertainment	
Crematoria and Cemeteries	If for a cemetery
Educational and Occasional Care	
Emergency Services	
Hospital Services	
Residential	If for: (a) a residential care facility, respite centre, retirement village or assisted housing; or (b) accommodation for staff or students of a use on the site.

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Use Class	Qualification
Tourist Operation	If for a visitors centre.
<b>Discretionary</b>	
Business and Professional Services	If not listed as Permitted.
Custodial Facility	If for alterations or extensions to an existing Custodial Facility.
Food Services	
General Retail and Hire	If for a market.
Recycling and Waste Depot	If for alterations or extension to an existing Recycling and Waste Depot.
Sports and Recreation	
Tourist Operation	If not listed as Permitted.
Utilities	If not listed as No Permit Required.
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

## 27.3 Use Standards

### 27.3.1 Non-residential use

Objective:	That non-residential use does not cause an unreasonable loss of amenity to residential zones.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: (a) 8.00am to 8.00pm Monday to Friday; (b) 9.00am to 6.00pm Saturday; and		<b>P1</b> Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to an adjacent residential use having regard to: (a) the timing, duration or extent of vehicle

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(c) 10.00am to 5.00pm Sunday and public holidays.	movements; and (b) noise, lighting or other emissions.
<p><b>A2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone must:</p> <p>(a) not operate between 9:00pm and 6:00am, excluding any security lighting; and</p> <p>(b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property.</p>	<p><b>P2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, within 50m of the General Residential Zone, Inner Residential Zone, and Low Density Residential Zone must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the level of illumination and duration of lighting; and</p> <p>(b) distance to habitable rooms of an adjacent dwelling.</p>
<p><b>A3</b></p> <p>Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not operate between 9.00pm and 6.00am.</p>	<p><b>P3</b></p> <p>Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of amenity to the residential zone, having regard to:</p> <p>(a) the necessity of floodlighting for the Sports and Recreation use;</p> <p>(b) the frequency of the Sports and Recreation event;</p> <p>(c) whether the event is of a special nature; and</p> <p>(d) the duration of the event;</p> <p>(e) any lighting required to set up and pack up for the event.</p>

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<p><b>A4</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of:</p> <p>(a) 7.00am to 6.00pm Monday to Friday; and</p> <p>(b) 9.00am to 5.00pm Saturday, Sunday and public holidays.</p>	<p><b>P4</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</p> <p>(f) the existing levels of amenity.</p>
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## 27.4 Development Standards for Buildings and Works

### 27.4.1 Building height

Objective:	<p>That building height:</p> <p>(a) is compatible with the streetscape; and</p> <p>(b) does not cause an unreasonable loss of amenity to adjoining residential properties.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 10m.</p>	<p><b>P1</b></p> <p>Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</p> <p>(c) the bulk and form of proposed buildings;</p> <p>(d) the apparent height when viewed from the road and public places;</p> <p>(e) any overshadowing of adjoining properties or public places; and</p> <p>(f) the need to locate the building on the site.</p>



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## 27.4.2 Setback

Objective:	That building setback: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Buildings must have a setback from a frontage of: (a) not less than 5m; or (b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties; whichever is the lesser.		<b>P1</b> Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to: (a) the topography of the site; (b) the setbacks of buildings on adjacent properties; (c) the height, bulk and form of existing and proposed buildings; and (d) the safety of road users.
<b>A2</b> Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than: (a) 3m; or (b) half the wall height of the building; whichever is the greater.		<b>P2</b> Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to: (a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) overlooking and reduction of privacy to adjoining properties; or (c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.

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<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone<sup>1</sup>.</p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of adjoining sensitive uses; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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## 27.4.3 Fencing

Objective:	<p>That fencing:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape; and</li> <li>(b) provides for passive surveillance.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.<sup>2</sup></p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide for security and privacy while allowing for passive surveillance of the road; and</li> <li>(b) be compatible with the streetscape, having regard to: <ul style="list-style-type: none"> <li>(i) its height, design, location and extent;</li> <li>(ii) the topography of the site; and</li> <li>(iii) traffic volumes on the adjoining road.</li> </ul> </li> </ul>

<sup>1</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.

<sup>2</sup> An exemption applies to fences in this zone – see Table 4.6.

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## 27.4.4 Outdoor storage areas

Objective:	That outdoor storage areas for do not detract from the appearance of the site or surrounding area.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.		<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.

## 27.5 Development Standards for Subdivision

## 27.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Each lot, or lot proposed in a plan of subdivision, must: (a) have an area of not less than 600m <sup>2</sup> and: (i) be able to contain a minimum area of 10m x 15m, with a gradient not steeper than 1 in 5, clear of: a. all setbacks required by clause 27.4.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 27.4.2 A1 and A2; (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.		<b>P1</b> Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to: (a) the relevant requirements for development of buildings on the lots; (b) existing buildings and the location of intended buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area.

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<p><b>A2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, must have a frontage or legal connection to a road by a right of carriageway of not less than 10m.</p>	<p><b>P2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>

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## 27.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must: <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply service: or</li> <li>(b) the frontage of each lot, must be within 30m of a connection to: <ul style="list-style-type: none"> <li>(i) a full water supply service; or</li> <li>(ii) a limited water supply service.</li> </ul> </li> </ul>		<b>P1</b> A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to: <ul style="list-style-type: none"> <li>(a) the distance from and location of the water supply service;</li> <li>(b) flow rates;</li> <li>(c) the quality of potable water;</li> <li>(d) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(e) the nature and source of the water supply;</li> <li>(f) the topography of the site; and</li> <li>(g) any advice from a regulated entity.</li> </ul>
<b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		<b>P2</b> Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b> Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		<b>P3</b> Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>

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## 28.0 Recreation Zone

### 28.1 Zone Purpose

The purpose of the Recreation Zone is:

- 28.1.1 To provide for active and organised recreational use and development ranging from small community facilities to major sporting facilities.
- 28.1.2 To provide for complementary uses that do not impact adversely on the recreational use of the land.
- 28.1.3 To ensure that new major sporting facilities do not cause unreasonable impacts on adjacent sensitive uses.

### 28.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Sports and Recreation	If not for a major sporting facility.
Utilities	If for minor utilities.
<b>Permitted</b>	
Sports and Recreation	Except if No Permit Required.
<b>Discretionary</b>	
Community Meeting and Entertainment	
Crematoria and Cemeteries	If for alterations or extensions to an existing Crematoria or Cemetery.
Domestic Animal Breeding, Boarding and Training	If for animal training.
Educational and Occasional Care	
Emergency Services	
Food Services	

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Use Class	Qualification
General Retail and Hire	If for: (a) clothing, equipment or souvenirs for a Sports and Recreation use; or (b) a market.
Motor Racing Facility	
Pleasure Boat Facility	
Tourist Operation	
Utilities	If not listed as No Permit Required.
Vehicle Parking	
Visitor Accommodation	If for a camping and caravan park or overnight camping area.
<b>Prohibited</b>	
All other uses	

### 28.3 Use Standards

#### 28.3.1 Sports and Recreation and Discretionary uses, excluding Emergency Services or Visitor Accommodation

Objective:	That uses do not cause an unreasonable loss of amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Hours of operation for Sports and Recreation and uses listed as Discretionary, excluding Emergency Services or Visitor Accommodation, must be within the hours of: (a) 8.00am to 10.00pm if within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone; or (b) 6.00am to midnight otherwise.		<b>P1</b> Hours of operation for Sports and Recreation and uses listed as Discretionary, excluding Emergency Services or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent sensitive uses having regard to: (a) the timing, duration or extent of vehicle movements; (b) noise, lighting or other emissions; (c) the nature and intensity of the proposed use; (d) the characteristics and frequency of any emissions generated; (e) the existing levels of amenity; and (f) set up, testing and removal of event related equipment.

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<p><b>A2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not operate between 11.00pm and 7.00am.</p>	<p><b>P2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of amenity to the residential zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the necessity of floodlighting for the Sports and Recreation use;</li> <li>(b) the frequency of the Sports and Recreation event;</li> <li>(c) whether the event is of a special nature;</li> <li>(d) the duration of the event;</li> <li>(e) any lighting required to set up and pack up for the event.</li> </ul>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for Sports and Recreation and uses listed as Discretionary, excluding Emergency Services, within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00 am to 6.00 pm Monday to Friday; and</li> <li>(b) 8.00 am to 5.00 pm Saturday, Sunday or public holidays.</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for Sports and Recreation and uses listed as Discretionary, excluding Emergency Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of amenity to the residential zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring by the commercial vehicles, including the amount of reversing (including associated warning noise);</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</li> <li>(f) the existing levels of amenity.</li> </ul>



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## 28.3.2 Sports and Recreation - major sporting facilities

Objective:	That major sporting facilities do not cause an unreasonable loss of amenity to residential zones.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Extensions to an existing major sporting facility within 100m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not increase spectator capacity.		<b>P1</b>  A major sporting facility within 100m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of residential amenity having regard to: <ul style="list-style-type: none"> <li>(a) the surrounding uses, their character and amenity;</li> <li>(b) impacts associated with existing facilities;</li> <li>(c) frequency and scale of events;</li> <li>(d) traffic, parking and the availability of public transport;</li> <li>(e) likely noise generation;</li> <li>(f) the arrival and departure of crowds; and</li> <li>(g) any proposed mitigation measures.</li> </ul>

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**28.4 Development Standards for Buildings and Works**

## 28.4.1 Building height, setback and siting

Objective:	That building height, bulk, form and siting: <ul style="list-style-type: none"> <li>(a) does not cause unreasonable loss of amenity to adjacent properties; and</li> <li>(b) minimises opportunities for crime and anti-social behaviour through setback of buildings.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must be not more than 10m.	<b>P1</b> Building height must not cause unreasonable loss of amenity to adjacent properties, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the requirements of the proposed use;</li> <li>(e) sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;</li> <li>(f) the privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties;</li> <li>(g) any overshadowing of adjacent public places; and</li> <li>(h) if an existing major sporting facility, the impact of the proposed height on existing development in the surrounding area.</li> </ul>
<b>A2</b> Buildings must have a setback from a frontage of: <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties</li> </ul> whichever is the lesser.	<b>P2</b> Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behavior, having regard to: <ul style="list-style-type: none"> <li>(a) providing for small variations in building alignment to break up long building façades;</li> <li>(b) providing for variations in building alignment to provide for a forecourt or space for public use, such as outdoor dining or landscaping;</li> <li>(c) the avoidance of concealment spaces;</li> <li>(d) the ability to achieve passive surveillance; and</li> <li>(e) the availability of lighting.</li> </ul>

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<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than:</p> <p>(a) 3m; or</p> <p>(b) half the wall height of the building, whichever is the greater.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties in a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms of dwellings and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy to adjoining properties; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p><b>A4</b></p> <p>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone or Low Density Residential Zone<sup>1</sup>.</p>	<p><b>P4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <p>(a) the characteristics and frequency of any emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site; and</p> <p>(d) any mitigation measures proposed.</p>

## 28.4.2 Outdoor storage areas

Objective:	That outdoor storage areas do not detract from the appearance of the site or surrounding area.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.

<sup>1</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.

## Tasmanian Planning Scheme – State Planning Provisions

**28.5 Development Standards for Subdivision**

## 28.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) be required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of Utilities; or</li> <li>(c) be for the consolidation of a lot with another lot, provided each lot is within the same zone.</li> </ul>	<b>P1</b> Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) existing buildings and the location of intended buildings on the lot;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>
<b>A2</b> Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 3.6m.	<b>P2</b> Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, having regard to: <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>
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## 28.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must:</p> <ul style="list-style-type: none"> <li>(a) have a connection to a full water supply; or</li> <li>(b) the frontage of each lot, must be within 30m of a connection to: <ul style="list-style-type: none"> <li>(i) a full water supply service; or</li> <li>(ii) a limited water supply service.</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the distance from and location of the water supply service;</li> <li>(b) flow rates;</li> <li>(c) the quality of potable water;</li> <li>(d) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(e) the nature and source of the water supply;</li> <li>(f) the topography of the site; and</li> <li>(g) any advice from a regulated entity.</li> </ul>	
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>	

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<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>
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## 29.0 Open Space Zone

### 29.1 Zone Purpose

The purpose of the Open Space Zone is:

- 29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.
- 29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.

### 29.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities and underground utilities.
<b>Permitted</b>	
	No Permitted uses.
<b>Discretionary</b>	
Community Meeting and Entertainment	
Crematoria and Cemeteries	If for a cemetery.
Emergency Services	
Food Services	
General Retail and Hire	
Pleasure Boat Facility	
Resource Development	If for: <ul style="list-style-type: none"> <li>(a) marine farming shore facility or other facility that relies upon a coastal location to fulfil its purpose; or</li> <li>(b) grazing animals.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

Use Class	Qualification
Sports and Recreation	
Tourist Operation	
Transport Depot and Distribution	If associated with wharves, water taxis, or commuter or passenger ferry terminals.
Utilities	If not listed as No Permit Required.
Vehicle Parking	
Visitor Accommodation	If for camping and caravan park or overnight camping areas.
<b>Prohibited</b>	
All other uses	

## 29.3 Use Standards

### 29.3.1 All Discretionary uses

Objective:	That a use listed as Discretionary, does not cause an unreasonable loss of amenity to adjacent sensitive uses.
Acceptable Solutions	Performance Criteria
<b>A1</b> Hours of operation for a use listed as Discretionary, excluding Emergency Services or Visitor Accommodation, must be within the hours of: (a) 8.00am to 10.00pm if within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone; or (b) 6.00am to midnight, otherwise.	<b>P1</b> Hours of operation for a use listed as Discretionary, excluding Emergency Services or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent sensitive uses having regard to: (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions.



## Tasmanian Planning Scheme – State Planning Provisions

<p><b>A2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not operate between 11.00pm and 7.00am.</p>	<p><b>P2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of amenity to the residential zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the necessity of floodlighting for the Sports and Recreation use;</li> <li>(b) the frequency of the Sports and Recreation event;</li> <li>(c) whether the event is of a special nature;</li> <li>(d) the duration of the event; and</li> <li>(e) any lighting required to set up and pack up for the event.</li> </ul>
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## 29.4 Development Standards for Buildings and Works

### 29.4.1 Building height, setback and siting

Objective:	<p>That building bulk, height, form and siting:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape;</li> <li>(b) does not cause unreasonable loss of amenity to adjacent properties;</li> <li>(c) respects the natural and landscape values of the site; and</li> <li>(d) minimises opportunities for crime and anti-social behaviour through setback of buildings.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 10m.</p>	<p><b>P1</b></p> <p>Building height must not cause an unreasonable loss of amenity to adjacent properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the requirements of the proposed use;</li> <li>(e) sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;</li> <li>(f) the privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties; and</li> <li>(g) any overshadowing of adjacent public places.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

<p><b>A2</b></p> <p>Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties</li> </ul> <p>whichever is the lesser.</p>	<p><b>P2</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</p> <ul style="list-style-type: none"> <li>(a) providing small variations in building alignment to break up long building façades;</li> <li>(b) providing variations in building alignment to provide a forecourt or space for public use, such as outdoor dining or landscaping;</li> <li>(c) the avoidance of concealment spaces;</li> <li>(d) the ability to achieve passive surveillance; and</li> <li>(e) the availability of lighting.</li> </ul>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than:</p> <ul style="list-style-type: none"> <li>(a) 3m; or</li> <li>(b) half the wall height of the building,</li> </ul> <p>whichever is the greater.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties in a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(c) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(d) overlooking and reduction of privacy of adjoining properties; or</li> <li>(e) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
<p><b>A4</b></p> <p>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone or Low Density Residential Zone<sup>1</sup>.</p>	<p><b>P4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site; and</li> <li>(d) any mitigation measures proposed.</li> </ul>

<sup>1</sup> An exemption applies for air conditioners and heat pumps in this zone – see Table 4.6.

## Tasmanian Planning Scheme – State Planning Provisions

## 29.4.2 Outdoor storage areas

Objective:	That outdoor storage areas do not detract from the appearance of the site or surrounding area.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.	

## 29.5 Development Standards for Subdivision

## 29.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Each lot, or lot proposed in a plan of subdivision, must: (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone.	<b>P1</b> Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to: (a) the relevant requirements for development of buildings on the lots; (b) existing buildings and the location of intended buildings on the lot; (c) the topography of the site; (d) the presence of any natural hazards; and (e) the pattern of development existing on established properties in the area.	

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<p><b>A2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding a riparian or littoral reserve or Utilities, must have a frontage not less than 15m.</p>	<p><b>P2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

## 30.0 Future Urban Zone

### 30.1 Zone Purpose

The purpose of the Future Urban Zone is:

- 30.1.1 To identify land intended for future urban use and development.
- 30.1.2 To ensure that development does not compromise the potential for future urban use and development of the land.
- 30.1.3 To support the planned rezoning of land for urban use and development in sequence with the planned expansion of infrastructure.

### 30.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Residential	If for a single dwelling or home-based business.
Resource Development	If for agricultural use, excluding controlled environment agriculture.
Utilities	If for minor utilities.
<b>Discretionary</b>	
Utilities	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## Tasmanian Planning Scheme – State Planning Provisions

**30.3 Use Standards**

30.3.1 There are no use standards in this zone.

**30.4 Development Standards for Buildings and Works**

30.4.1 Buildings and works

Objective:	That buildings and works do not prejudice the efficient future utilisation of land for urban development.	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Buildings and works must:	<b>P1</b>
	<ul style="list-style-type: none"> <li>(a) be for an addition to an existing dwelling, a secondary residence or a home based business;</li> <li>(b) be for a single dwelling and on a lot not more than 1000m<sup>2</sup> in size; or</li> <li>(c) be of a temporary nature able to be readily removed prior to the development of the land for urban purposes.</li> </ul>	Buildings and works must not preclude or hinder the effective and efficient future subdivision and development of the land to urban densities, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) any existing access arrangements;</li> <li>(c) location of any services; and</li> <li>(d) the purpose, location and extent of any building and works.</li> </ul>

30.4.2 Building height, setback and siting

Objective:	That height, setback and siting of buildings: <ul style="list-style-type: none"> <li>(a) is compatible with the future urban development of the area;</li> <li>(b) does not cause an unreasonable loss of amenity; and</li> <li>(c) minimises potential conflict with agricultural uses in an adjoining Agriculture Zone.</li> </ul>	
Acceptable Solutions		Performance Criteria
<b>A1</b>	Building height must be not more than 8.5m.	<b>P1</b>
		Building height must be compatible with the future urban development of the area and not cause an unreasonable loss of amenity to adjoining properties having regard to: <ul style="list-style-type: none"> <li>(a) the height of the proposed building;</li> <li>(b) the topography of the site;</li> <li>(c) the height, bulk and form of existing buildings on the site and adjoining properties;</li> <li>(d) the bulk and form of proposed buildings;</li> <li>(e) sunlight to habitable rooms and private open space in adjoining buildings; and</li> <li>(f) any overshadowing of adjoining properties or</li> </ul>

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	public places.
<p><b>A2</b></p> <p>Buildings must have a setback from all boundaries of:</p> <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) where the setback of an existing building is within 5m, not less than the setbacks of the existing building.</li> </ul>	<p><b>P2</b></p> <p>Buildings must be sited to be compatible with the future urban development of the area and not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the height of the proposed building;</li> <li>(b) the topography of the site;</li> <li>(c) the size, shape and orientation of the site;</li> <li>(d) the setbacks of adjacent buildings;</li> <li>(e) the height, bulk and form of existing and proposed buildings;</li> <li>(f) the appearance when viewed from roads and public places;</li> <li>(g) the character of the development existing on established properties in the area; and</li> <li>(h) any overshadowing of adjoining properties or public places.</li> </ul>
<p><b>A3</b></p> <p>Buildings for a sensitive use must be separated from a Rural Zone or Agriculture Zone a distance of:</p> <ul style="list-style-type: none"> <li>(a) not less than 200m; or</li> <li>(b) where the setback of an existing building is within 200m, not less than the existing building.</li> </ul>	<p><b>P3</b></p> <p>Buildings for a sensitive use must be sited so as to not conflict or interfere with an agricultural use in the Rural Zone or Agriculture Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size, shape and topography of the site;</li> <li>(b) the separation of any existing buildings for sensitive uses on adjoining properties;</li> <li>(c) the existing and potential use of adjoining properties; and</li> <li>(d) any proposed attenuation measures.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

**30.5 Development Standards for Subdivision**

## 30.5.1 Lot design

Objective:	That subdivision of land not in accordance with a specific area plan does not prejudice the efficient future utilisation of land for urban development.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must be: <ul style="list-style-type: none"> <li>(a) required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of public utilities; or</li> <li>(c) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>		<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must be for the excision of an existing dwelling provided that the lot design and layout does not preclude or hinder the effective and efficient future subdivision and development of the land to urban densities, having regard to: <ul style="list-style-type: none"> <li>(a) any existing access arrangements; and</li> <li>(b) the location of any services.</li> </ul>



## C1.0 Signs Code

### C1.1 Code Purpose

The purpose of the Signs Code is:

- C1.1.1 To provide for appropriate advertising and display of information for business and community activity.
- C1.1.2 To provide for well-designed signs that are compatible with the visual amenity of the surrounding area.
- C1.1.3 To ensure that signage does not disrupt or compromise safety and efficiency of vehicular or pedestrian movement.

### C1.2 Application of this Code

- C1.2.1 Unless otherwise stated in a particular purpose zone, this code applies to all development for signs, unless the following clauses apply:

- (a) C1.4.2; or
- (b) C1.4.3.

- C1.2.2 This code does not apply to use.

### C1.3 Definition of Terms

- C1.3.1 In this code, unless the contrary intention appears:


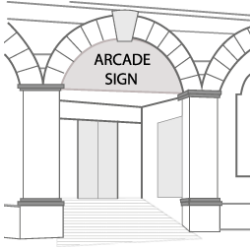



Term	Definition
advertisement	means words, lettering, model, symbol, device, representation, banner, bunting, decorative flag or lights used for the purposes of advertising, announcement or display.
dwelt time	means the length of time a message or image is displayed on a sign with the capacity to change the displayed message, using digital or other method.
illuminated sign	means a sign that uses a light source or sources to display or highlight the content. This includes internally illuminated signs such as neon signs, light boxes and LED (light emitting diode) screens or panels and signs lit by an external source such as a light bulb or floodlight.
third party sign	means a sign that does not relate to the goods or services available on the premises or land to which is it attached.

- C1.3.2 Sign type definitions


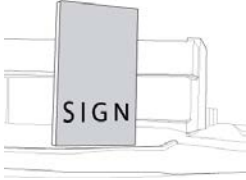





- C1.3.2.1 Each sign must be categorised into one of the defined sign types described below in Table C1.3. If a sign does not readily fit a defined sign type, it must be categorised into the most similar sign type.

- C1.3.2.2 In Table C1.3, the text definitions are to be used to categorise the sign type, and the figures are illustrative only.

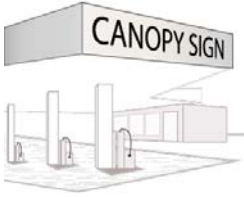
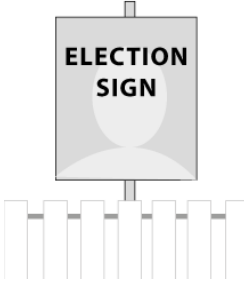



**Table C1.3 Sign Type Definitions**

Sign Type	Definition
above awning sign	 <p>means a sign attached to and supported above an awning, veranda or similar.</p>
arcade sign	 <p>means a sign suspended from or attached to the ceiling of an outside public pedestrian area (but excluding other sign types) that is visible from outside of the building or site.</p>
awning fascia sign	 <p>means a sign attached to the face of an awning.</p>
banner sign - horizontal	 <p>means a sign constructed of light weight non-rigid material, such as cloth, canvas or similar fabric, and where the horizontal dimension is greater than the vertical dimension.</p>
banner sign - vertical	 <p>means a sign constructed of a light-weight, non-rigid material such as cloth, canvas or similar fabric and where the vertical dimension is greater than the horizontal dimension.</p>


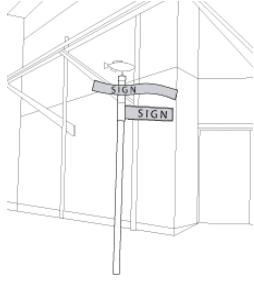


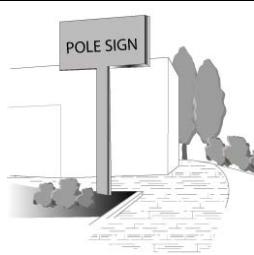
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below awning sign		means a sign attached to and suspended below an awning, verandah, ceiling or similar.
blade sign		means a sign that projects vertically from the ground by a single form in which the supports/structure of the sign are concealed within.
building fascia sign		means a sign attached to the fascia of a building.
building site sign		means an impermanent sign which identifies architects, engineers, builders or contractors involved with construction on the premises, the name of the building or development, the intended purpose of the building or development or the expected completion date.
bunting (flag and decorative elements)		means a sign made up of small flags attached to a pole or rope.
business directory		means a sign for a building with multiple tenancies which, identifies the name of the business and its location within the same building and does not contain any product or other advertising content.
cabinet sign		means a lockable compartment with a transparent face for the display of notices and advertising attached to a wall of a building or structure for the display of information within, for example, menus outside a restaurant.

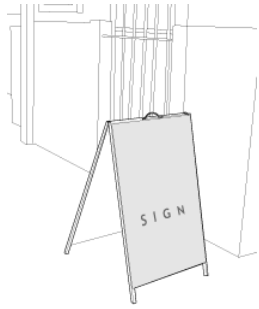





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canopy sign	 <p>means a <b>sign</b> attached to the perimeter of a canopy on a building for the purpose of shielding from the elements for example, signs on the fascia of a canopy over a service station.</p>
community information sign	<p>means a <b>sign</b> erected by a statutory authority for the purpose of providing community information.</p>
election sign	 <p>means an impermanent <b>sign</b> identifying candidates or promoting a political party for local, state or federal government elections.</p>
flag	 <p>means a piece of cloth or similar material, typically rectangular or square and attached by one edge to a pole or rope.</p>
ground base sign	 <p>means a freestanding <b>sign</b> permanently attached to the ground on its own supportive structure, but not including a pole/pylon <b>sign</b> or a <b>blade sign</b>.</p>
hanging sign	 <p>means a <b>sign</b> suspended from a bracket which projects perpendicularly from the wall of a building.</p>

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horizontal projecting wall sign	 A line drawing of a building facade with a sign projecting horizontally from the wall. The sign is rectangular and labeled 'SIGN'.	means a <b>sign</b> that projects from the street façade of a building and where the horizontal dimension is greater than the vertical dimension.
interpretive sign	 A line drawing of a building with a sign mounted on a pole. The sign is rectangular and labeled 'SIGN'.	means a <b>sign</b> designed to communicate information about the nature, origin and purpose of historical, natural or cultural resources, objects, sites and phenomena.
name plate	 A line drawing of a building with a sign mounted on a pole. The sign is rectangular and labeled 'SIGN'.	means a single <b>sign</b> identifying one of the occupants of a property used for professional rooms, and attached to the building.
painted wall sign	 A line drawing of a building facade with a sign painted on the wall. The sign is rectangular and labeled 'SIGN'.	means a <b>sign</b> painted on the wall of a building other than the transom of a doorway or building fascia.
pole / pylon sign	 A line drawing of a sign supported by a vertical pole. The sign is rectangular and labeled 'POLE SIGN'.	means a <b>sign</b> supported by one or more vertical supports, independent of any building or other structure.

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portable sign	 means a <b>sign</b> not permanently attached to the ground or to a building or other structure, and is removed on a daily basis. <sup>1</sup>
billboard	 means a structure either freestanding or attached to a building designed to accommodate <b>standard</b> billboards, the message of which may be changeable and variable.
real estate sign	 means a <b>sign</b> erected for the purposes of advertising a parcel of land or building for sale, lease or let.
regulatory sign	means a <b>sign</b> that provides notice of laws, regulations and warnings.
roof sign	 means a <b>sign</b> erected directly on a roof or above a parapet of a building.
sky sign	 means a <b>sign</b> erected directly on the top of the building structure and where the base of the <b>sign</b> is higher than the highest point of the building.
sports ground sign	 means a sign erected within a sports ground.
statutory sign	means a <b>sign</b> that is required to be installed in buildings and is regulated by the Building Code of Australia.

<sup>1</sup> N.B. portable signs on public land may be controlled by licence under a council's By-Laws.

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sun blind sign		means a <b>sign</b> on a canvas or other cloth or metal awning, erectable or fixed, projecting from the face of a building over a door or window.
temporary sign		means an impermanent <b>sign</b> announcing an event of a religious, educational, cultural, social or recreational character erected for a specific period of time.
transom sign		means a single faced <b>sign</b> erected above the entrance door or display window of a building.
vertical projecting wall sign		means a <b>sign</b> that projects from the street façade of a building and where the vertical dimension is greater than the horizontal dimension.
wall mural		means a graphic design that covers the wall of a building and does not convey a defined advertising message.
wall sign		means a <b>sign</b> attached to the wall of a building.
window sign		means a <b>sign</b> attached to the inside or outside of a window including windows painted or covered in an opaque finish, for the display of advertisements relating to the goods or services available inside the premises.

## C1.4 Development Exempt from this Code

- C1.4.1 A sign listed in Table C1.4 is exempt from this code, provided it complies with the relevant requirements.
- C1.4.2 A sign within a building or site that cannot be, or is not intended to be, seen from outside of the building or site is exempt from requiring a permit.
- C1.4.3 Changes to the graphics of a sign that was lawfully displayed on or after the effective date, including text, graphic design and colour, is exempt provided that:
- (a) the sign has not changed in dimension, proportion or location; and
  - (b) if an illuminated sign, the method of illumination has not changed.

**Table C1.4 Exempt Signs**

Sign Type	Requirements
awning fascia sign	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 250mm and not project above or below the fascia of the awning to which it is attached;</li> <li>(b) not be closer than 450mm from a vertical projection of the kerb alignment of any road;</li> <li>(c) have a minimum height above ground level of 2.4m;</li> <li>(d) not be an illuminated sign or third party sign; and</li> <li>(e) not be located on a site that is a local heritage place, in a local heritage precinct or local heritage landscape precinct listed under the Local Historic Heritage Code.</li> </ul>
business directory	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not be placed on the exterior of a building but may be placed within a recessed entrance or doorway and must not project beyond the face of the building;</li> <li>(b) have a maximum vertical dimension of 2m;</li> <li>(c) have a maximum horizontal dimension of 600mm;</li> <li>(d) not be an illuminated sign or third party sign; and</li> <li>(e) not be located on a site that is a local heritage place, in a local heritage precinct or local heritage landscape precinct listed under the Local Historic Heritage Code.</li> </ul>
building site sign	Must only be displayed during construction works.
bunting (flag and decorative elements)	Must not be located on a site that is a local heritage place, in a local heritage precinct or local heritage landscape precinct listed under the Local Historic Heritage Code.



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Sign Type	Requirements
community information sign	No requirements.
election sign	Must: (a) not encroach on any road or other public land; (b) have a maximum area of 1.5m <sup>2</sup> ; (c) not be erected more than 8 weeks before the polling date; and (d) be removed within 7 days after the polling date.
flag	Must: (a) be limited to 2 flags per site; (b) have a minimum clearance above ground level of 2.4m; and (c) have a maximum area of 2m <sup>2</sup> for each flag.
interpretive sign	Must have a maximum area of 2m <sup>2</sup> .
name plate	Must: (a) be located at the entrance to the building; (b) have a maximum area of 0.5m <sup>2</sup> ; (c) not be an illuminated sign or third party sign; and (d) not be located on a site that is a local heritage place, in a local heritage precinct or local heritage landscape precinct listed under the Local Historic Heritage Code.
portable sign	No requirements.
real estate sign	Must: (a) be erected only on the land for which the property is for let, lease or for sale; and (b) be removed within 7 days of the property being sold, leased or let.
regulatory sign	No requirements.
sports ground sign	Must not be located on a site that is a local heritage place, in a local heritage precinct or local heritage landscape precinct listed under the Local Historic Heritage Code.
statutory sign	No requirements.

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Sign Type	Requirements
temporary sign	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have permission from the landowner to erect the sign;</li> <li>(b) have a maximum area of 2.0m<sup>2</sup>;</li> <li>(c) be displayed for no longer than 30 days before the event;</li> <li>(d) be removed within 7 days of the events completion;</li> <li>(e) not be located within a road;</li> <li>(f) not be attached to a local heritage place listed in the Local Historic Heritage Code;</li> <li>(g) not be attached to trees or other similar vegetation; and</li> <li>(h) be displayed for a maximum of four months.</li> </ul>
tourism information sign	Must have written approval from the relevant road authority.
window sign	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not occupy an area of more than 10% of each window area;</li> <li>(b) be on or behind a ground floor level window;</li> <li>(c) not be an illuminated sign or third party sign; and</li> <li>(d) not be located on a site that is a local heritage place, in a local heritage precinct or local heritage landscape precinct listed under the Local Historic Heritage Code.</li> </ul>

## C1.5 Use Standards

C1.5.1 There are no Use Standards in this code.

## C1.6 Development Standards for Buildings and Works

C1.6.1 Design and siting of signs

Objective:	That: (a) signage is well designed and sited; and (b) signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A sign must:</p> <ul style="list-style-type: none"> <li>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and</li> <li>(b) meet the sign standards for the relevant sign type set out in Table C1.6,</li> </ul> <p>excluding for the following sign types, for which there is no Acceptable Solution:</p> <ul style="list-style-type: none"> <li>(i) roof sign;</li> <li>(ii) sky sign; and</li> <li>(iii) billboard.</li> </ul>	<p><b>P1.1</b></p> <p>A sign must:</p> <ul style="list-style-type: none"> <li>(a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and</li> <li>(b) be compatible with the streetscape or landscape, having regard to: <ul style="list-style-type: none"> <li>(i) the size and dimensions of the sign;</li> <li>(ii) the size and scale of the building upon which the sign is proposed;</li> <li>(iii) the amenity of surrounding properties;</li> <li>(iv) the repetition of messages or information;</li> <li>(v) the number and density of signs on the site and on adjacent properties; and</li> <li>(vi) the impact on the safe and efficient movement of vehicles and pedestrians.</li> </ul> </li> </ul> <p><b>P1.2</b></p> <p>If a roof sign, sky sign or billboard, the sign must:</p> <ul style="list-style-type: none"> <li>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6;</li> <li>(b) meet the sign standards for the relevant sign type in Table C1.6; and</li> <li>(c) not contribute to visual clutter or cause unreasonable loss of amenity to the surrounding area having regard to: <ul style="list-style-type: none"> <li>(i) the size and dimensions of the sign;</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>(ii) the size and scale of the building upon which the sign is proposed;</li> <li>(iii) the amenity of surrounding properties;</li> <li>(iv) the repetition of messages or information;</li> <li>(v) the number and density of signs on the site and on adjacent properties; and</li> <li>(vi) the impact on the safe and efficient movement of vehicles and pedestrians.</li> </ul>
<p><b>A2</b></p> <p>A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.</p>	<p><b>P2</b></p> <p>A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site and the surrounding area;</li> <li>(b) the relative location of buildings, habitable rooms of dwellings and private open space;</li> <li>(c) any overshadowing; and</li> <li>(d) the nature and type of the sign.</li> </ul>
<p><b>A3</b></p> <p>The number of signs for each business or tenancy on a road frontage of a building must be no more than:</p> <ul style="list-style-type: none"> <li>(a) 1 of each sign type, unless otherwise stated in Table C1.6;</li> <li>(b) 1 window sign for each window;</li> <li>(c) 3 if the street frontage is less than 20m in length; and</li> <li>(d) 6 if the street frontage is 20m or more, excluding the following sign types, for which there is no limit: <ul style="list-style-type: none"> <li>(i) name plate; and</li> <li>(ii) temporary sign.</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>The number of signs for each business or tenancy on a street frontage must:</p> <ul style="list-style-type: none"> <li>(a) not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and</li> <li>(b) not involve the repetition of messages or information.</li> </ul>

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## C1.6.2 Illuminated signs

Objective:	That: (a) illuminated signs are compatible with the streetscape; (b) the cumulative impact of illuminated signs on the character of the area is managed, including the need to avoid visual disorder or clutter of signs; and (c) any potential negative impacts of illuminated signs on road safety and pedestrian movement are minimised.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to: <ul style="list-style-type: none"> <li>(a) the location of the sign;</li> <li>(b) the size of the sign;</li> <li>(c) the intensity of the lighting;</li> <li>(d) the hours of operation of the sign;</li> <li>(e) the purpose of the sign;</li> <li>(f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;</li> <li>(g) the intended purpose of the changing message of the sign;</li> <li>(h) the percentage of the sign that is illuminated with changing messages;</li> <li>(i) proposed dwell time; and</li> <li>(j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.</li> </ul>
<b>A2</b>  An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.	<b>P2</b>  No Performance Criterion.

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## C1.6.3 Third party sign

Objective:	<p>To:</p> <ul style="list-style-type: none"> <li>(a) provide for third party signs that are compatible with the streetscape and the character of the area in which it is proposed to be located; and</li> <li>(b) manage the cumulative impact of third party signs on the character of an area; and</li> <li>(c) minimise any potential impact of third party signs on road safety.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A third party sign must be compatible with the natural and built environment of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the content of the sign;</li> <li>(b) the necessity for the advertisement to be in the location;</li> <li>(c) opportunities for alternative locations or other methods to achieve the intended purpose (e.g. eligibility for Tasmanian Visitor Information System (TVIS) signs); and</li> <li>(d) the likely impact on the operation and safety of a railway, road, footpath, or navigable water ; and</li> <li>(e) any advice from a State authority.</li> </ul>

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## C1.6.4 Signs on local heritage places and in local heritage precincts and local historic landscape precincts

Objective:	That the size, design and siting of signs is compatible with and does not have an unacceptable impact on the local historic heritage significance of a local heritage place, a local heritage precinct or a local historic landscape precinct as listed in the Local Historic Heritage Code.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code, must:</p> <ul style="list-style-type: none"> <li>(a) be not more than 0.2m<sup>2</sup>;</li> <li>(b) not be an illuminated sign; and</li> <li>(c) there must be not more than 1 sign per site.</li> </ul>	<p><b>P1</b></p> <p>A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code must be located in a manner that does not have an unacceptable impact on the local heritage significance of the place or precinct, having regard to;</p> <ul style="list-style-type: none"> <li>(a) placement to allow the architectural details of the building to remain prominent;</li> <li>(b) the size and design not substantially diminishing the local historic heritage significance of the place or precinct;</li> <li>(c) where relevant, placement in a location on the building that would traditionally have been used as an advertising area;</li> <li>(d) any domination or obscuring of any historic signs forming an integral part of a building's architectural detailing or local historic heritage significance;</li> <li>(e) using fixtures that do not and are not likely to damage building fabric;</li> <li>(f) not projecting above a parapet or roof line if such a projection impacts on the local historic heritage significance of the building; and</li> <li>(g) not using internal illumination in a sign on a local heritage place unless it is demonstrated that such illumination will not detract from the local historic heritage significance of the place or precinct.</li> </ul>

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**Table C1.6 Sign Standards**

<b>Sign Type</b>	<b>Applicable Zones</b>	<b>Sign Standards</b>
above awning sign	General Business Central Business Commercial Light Industrial General Industrial Major Tourism Port and Marine particular purpose	Must: (a) have a maximum vertical dimension of 500mm; and (b) not project beyond the width of the awning or have a maximum horizontal dimension of 2.7m, whichever is the lesser.
arcade sign	Village Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Major Tourism Port and Marine Utilities Community Purpose Recreation particular purpose	Must: (a) have a maximum area of 1m <sup>2</sup> ; (b) have a maximum vertical dimension of 500mm; (c) have a minimum clearance above ground level of 2.4m; and (d) be limited to 1 arcade sign at each main public entrance or arcade.
awning fascia sign	All zones	Must: (a) have a maximum vertical dimension of 250mm and not project above, or below, the fascia of the awning to which it is attached; (b) not be closer than 450mm from a vertical projection of the kerb alignment of any road; and (c) have a minimum height above ground level of 2.4m.



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Sign Type	Applicable Zones	Sign Standards
banner - horizontal sign	Village Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Rural Environmental Management Major Tourism Port and Marine Utilities Community Purpose Recreation Open Space particular purpose	Must:  (a) have a maximum vertical dimension of 1m; (b) have a maximum horizontal dimension of 6m; (c) have a minimum clearance above ground level of 5.5m; and (d) have a maximum area of 4m <sup>2</sup> if attached to a building façade.
banner - vertical sign	Village Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Rural Environmental Management Major Tourism Port and Marine Utilities Community Purpose Recreation Open Space particular purpose	Must:  (a) be no higher than 4.2m above the ground; (b) have a minimum clearance above ground level of 2.4m; and (c) have a maximum number of 2 banners per site frontage.

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Sign Type	Applicable Zones	Sign Standards
below awning sign	All zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 500mm;</li> <li>(b) have a maximum width of 300mm;</li> <li>(c) not be closer than 450mm from a vertical projection of the kerb line of any road;</li> <li>(d) not project beyond the width of the awning or exceed 2.5m in horizontal dimension whichever is the shorter; and</li> <li>(e) have a minimum clearance above ground level of 2.4m.</li> </ul>
blade sign	Urban Mixed Use General Business Central Business Commercial Light Industrial General Industrial Major Tourism Port and Marine Community Purpose Recreation particular purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 3.6m; and</li> <li>(b) have a maximum horizontal dimension of 1.2m.</li> </ul>
building fascia sign	Village Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Rural Environmental Management Major Tourism Port and Marine Utilities Community Purpose particular purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not project above, or below, the fascia of the building;</li> <li>(b) not exceed two thirds the depth of the fascia and must not exceed 1m in vertical dimension; and</li> <li>(c) not project more than 200mm from the vertical face of the fascia.</li> </ul>

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Sign Type	Applicable Zones	Sign Standards
business directory	All zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum of 1 sign for each building;</li> <li>(b) have a maximum vertical dimension of 2m; and</li> <li>(c) have a maximum horizontal dimension of 600mm.</li> </ul>
cabinet sign	All zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not project more than 40mm from the wall if erected on a wall or structure;</li> <li>(b) not extend vertically or horizontally beyond the wall to which it is attached; and</li> <li>(c) have a maximum area of 2m<sup>2</sup>.</li> </ul>
canopy sign	Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Major Tourism Port and Marine particular purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a minimum clearance above ground level of 2.4m; and</li> <li>(b) not be closer than 450mm from a vertical projection of the kerb line of any road.</li> </ul>
ground base sign	All zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be limited to 1 ground base sign for each 20m of frontage or part thereof;</li> <li>(b) not be higher than 2.4m above the ground; and</li> <li>(c) have a supportive structure that does not project above the sign face, unless it forms a feature or is incorporated in the sign design.</li> </ul>

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Sign Type	Applicable Zones	Sign Standards
hanging sign	All zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be limited to 1 hanging sign on each tenancy having frontage;</li> <li>(b) have a maximum vertical dimension of 800mm;</li> <li>(c) have a maximum distance of 200mm from the wall;</li> <li>(d) have a minimum clearance above ground level of 2.4m;</li> <li>(e) not be erected within 2.4m of any existing projecting sign; and</li> <li>(f) not be erected within 1.2m of any side boundary.</li> </ul>
horizontal projecting wall sign	Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Major Tourism Port and Marine particular purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum horizontal dimension of 2.7m;</li> <li>(b) have a maximum vertical dimension of 500mm;</li> <li>(c) have a maximum width of 300mm;</li> <li>(d) not be closer than 450mm of a vertical projection of the kerb alignment of the road;</li> <li>(e) have a maximum height above ground level of 3m; and</li> <li>(f) have a minimum clearance above ground level of 2.4m.</li> </ul>
name plate	All zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be fixed directly to the building;</li> <li>(b) have a maximum area of 0.5m<sup>2</sup>; and</li> <li>(c) be no higher than 1.8m above the level of the pedestrian access to the building.</li> </ul>

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Sign Type	Applicable Zones	Sign Standards
<p>           painted wall            sign         </p>	<p>           Village            Urban Mixed Use            Local Business            General Business            Central Business            Commercial            Light Industrial            General Industrial            Rural            Environmental Management            Major Tourism            Port and Marine            Utilities            Community Purpose            particular purpose         </p>	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) be limited to 1 painted wall sign for each site;</li> <li>(b) not exceed 12m<sup>2</sup>; and</li> <li>(c) not occupy more than 25% of the wall area.</li> </ul>
<p>           pole / pylon sign         </p>	<p>           Local Business            General Business            Central Business            Commercial            Light Industrial            General Industrial            Major Tourism            Port and Marine            Community Purpose            Recreation            Open Space            particular purpose         </p>	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) project not more than 1.2m beyond the boundary with the footpath or road reservation;</li> <li>(b) have no more than two faces;</li> <li>(c) have a maximum area of 5m<sup>2</sup> for each face;</li> <li>(d) have a maximum height above ground level of 5m; and</li> <li>(e) have a clearance from ground level to the sign not less than 2.4m.</li> </ul>
<p>           billboard         </p>	<p>           Rural Living            Village            Urban Mixed Use            Local Business            General Business            Central Business            Commercial            Light Industrial            General Industrial            Rural            Agriculture            Major Tourism            Port and Marine            Community Purpose            Recreation            Open Space            particular purpose         </p>	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum vertical dimension of 3m;</li> <li>(b) have a maximum horizontal dimension of 6m; and</li> <li>(c) not extend vertically or horizontally from the surface to which it is attached.</li> </ul>

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Sign Type	Applicable Zones	Sign Standards
roof sign	General Business Central Business Light Industrial General Industrial Port and Marine	Must: (a) be not higher than 750mm measured from the top of the roof or parapet; (b) have a maximum vertical dimension of 750mm; (c) have a horizontal dimension of 4.5m; and (d) have no more than two faces.
sky sign	General Business Central Business Light Industrial General Industrial Port and Marine	Must: (a) be not higher than 1.8m measured from the top of the roof or parapet; (b) have a maximum vertical dimension of 1.8m; (c) have a horizontal dimension of 4.5m; and (d) have no more than two faces.
sun blind sign	All zones	Must: (a) not be closer than 450mm of a vertical projection of the kerb alignment of the road; and (b) have a minimum clearance above ground level of 2.4m.
temporary sign	All zones	Must: (a) be displayed for no longer than 30 days before the event; (b) be removed within 14 days of the events completion; (c) not disrupt the safe movement of pedestrians or vehicles; (d) not cause damage to the building fabric of a local heritage place listed under the Local Historic Heritage Code; (e) not be attached to trees or other similar vegetation; and (f) be displayed for a maximum of 4 months.

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Sign Type	Applicable Zones	Sign Standards
transom sign	All zones	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) not extend more than 200mm beyond the wall or building alignment;</li> <li>(b) not extend beyond or below the level of the head of the doorway or window above which it is attached;</li> <li>(c) have a maximum vertical dimension of 500mm; and</li> <li>(d) have a maximum height above ground level of 3.6m.</li> </ul>
vertical projecting wall sign	Village Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Rural Environmental Management Major Tourism Port and Marine Community Purpose Recreation particular purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) have a maximum projection of 1.2m from the wall;</li> <li>(b) have no part of the sign above the eaves or the parapet of the façade, and not be higher than 6m above the ground;</li> <li>(c) have a minimum distance of 1.2m from any side boundary;</li> <li>(d) have a maximum vertical dimension of 2.4m;</li> <li>(e) have a maximum width of 300mm; and</li> <li>(f) have a minimum clearance above ground level of 3.6m.</li> </ul>
wall sign	Village Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Rural Environmental Management Major Tourism Port and Marine Utilities Community Purpose particular purpose	<p>Must:</p> <ul style="list-style-type: none"> <li>(a) must not extend beyond the wall or above the top of the wall to which it is attached;</li> <li>(b) have a maximum area of 4.5m<sup>2</sup>; and</li> <li>(c) must not occupy more than 25% of the wall area.</li> </ul>

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Sign Type	Applicable Zones	Sign Standards
wall mural	Village Urban Mixed Use Local Business General Business Central Business Commercial Light Industrial General Industrial Rural Environmental Management Major Tourism Port and Marine Utilities Community Purpose Recreation Open Space particular purpose	Must not extend beyond the wall or above the top of the wall to which it is attached.
window sign	All zones	Must not occupy more than 25% of each window area.



## **C2.0 Parking and Sustainable Transport Code**

### **C2.1 Code Purpose**

The purpose of the Parking and Sustainable Transport Code is:

- C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.
- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
- C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
- C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.
- C2.1.6 To provide for parking precincts and pedestrian priority streets.

### **C2.2 Application of this Code**

- C2.2.1 Unless stated otherwise in a particular purpose zone, sub-clause C2.2.2, C2.2.3 or C2.2.4, this code applies to all use and development.
- C2.2.2 Clause C2.5.3 only applies to use and development in the following Use Classes:
  - (a) Business and Professional Services;
  - (b) Community Meeting and Entertainment;
  - (c) Custodial Facility;
  - (d) Crematoria and Cemeteries;
  - (e) Educational and Occasional Care;
  - (f) Food Services;
  - (g) General Retail and Hire;
  - (h) Hospital Services;
  - (i) Hotel Industry;
  - (j) Pleasure Boat Facility;
  - (k) Residential if for a communal residence, multiple dwellings or hostel use;
  - (l) Sports and Recreation; and
  - (m) Tourist Operation.
- C2.2.3 Clause C2.5.4 only applies to use and development in the following Use Classes:
  - (a) Bulky Goods Sales;
  - (b) General Retail and Hire;
  - (c) Manufacturing and Processing; and
  - (d) Storage.

## Tasmanian Planning Scheme – State Planning Provisions

C2.2.4 Clause C2.5.5 only applies to use and development in the following Use Classes:

- (a) Business and Professional Services;
- (b) Community Meeting and Entertainment;
- (c) Educational and Occasional Care;
- (d) Emergency Services;
- (e) Food Services;
- (f) General Retail and Hire;
- (g) Sports and Recreation; and
- (h) Utilities, if not for minor utilities.

## C2.3 Definition of Terms

C2.3.1 In this code, unless the contrary intention appears:

Term	Definition
floor area	means the gross floor area, excluding the area of stairs, loading bays, access ways, or parking areas, of any area occupied by machinery required for air conditioning, heating, power supply, or lifts.
no requirement	means the use or development is not required to provide any on-site parking.
parking precinct plan	means a plan relating to on-site parking of cars and other vehicles within a defined area of land, shown on an overlay map in the relevant Local Provisions Schedule.
pedestrian priority street	means a road shown on an overlay map in the relevant Local Provisions Schedule, as having active street frontages where pedestrian movement and activity take priority over siting of vehicle parking and access.

## C2.4 Use or Development Exempt from this Code

C2.4.1 There are no exemptions to this code.

## C2.5 Use Standards

### C2.5.1 Car parking numbers

Objective:	That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria	
<p><b>A1</b></p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> <li>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</li> <li>(c) the site is subject to Clause C2.5.5; or</li> <li>(d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> <li>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</li> <li>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: <math display="block">N = A + (C - B)</math> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p> </li> </ul> </li> </ul>	<p><b>P1.1</b></p> <p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</li> <li>(b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>(i) variations in car parking demand over time; or</li> <li>(ii) efficiencies gained by consolidation of car parking spaces;</li> </ul> </li> <li>(c) the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>(d) the availability and frequency of other transport alternatives;</li> <li>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</li> <li>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</li> <li>(g) the effect on streetscape; and</li> <li>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development, or</li> </ul> <p><b>P1.2</b></p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and intensity of the use and car parking required;</li> <li>(b) the size of the dwelling and the number of bedrooms; and</li> <li>(c) the pattern of parking in the surrounding area.</li> </ul>	

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## C2.5.2 Bicycle parking numbers

Objective:	That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Bicycle parking spaces must: <ul style="list-style-type: none"> <li>(a) be provided on the site or within 50m of the site; and</li> <li>(b) be no less than the number specified in Table C2.1.</li> </ul>		<b>P1</b> Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> <li>(a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and</li> <li>(b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</li> </ul>

## C2.5.3 Motorcycle parking numbers

Objective:	That the appropriate level of motorcycle parking is provided to meet the needs of the use.	
Acceptable Solutions		Performance Criteria
<b>A1</b> The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> <li>(a) be no less than the number specified in Table C2.4; and</li> <li>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</li> </ul>		<b>P1</b> Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the proposed use and development;</li> <li>(b) the topography of the site;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) any constraints imposed by existing development; and</li> <li>(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.</li> </ul>

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## C2.5.4 Loading Bays

Objective:	That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.
Acceptable Solutions	Performance Criteria
<b>A1</b>  A loading bay must be provided for uses with a floor area of more than 1000m <sup>2</sup> in a single occupancy.	<b>P1</b>  Adequate space for loading and unloading of vehicles must be provided, having regard to: <ul style="list-style-type: none"> <li>(a) the type of vehicles associated with the use;</li> <li>(b) the nature of the use;</li> <li>(c) the frequency of loading and unloading;</li> <li>(d) the location of the site;</li> <li>(e) the nature of traffic in the surrounding area;</li> <li>(f) the area and dimensions of the site; and</li> <li>(g) the topography of the site;</li> <li>(h) the location of existing buildings on the site; and</li> <li>(i) any constraints imposed by existing development.</li> </ul>

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## C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone

Objective:	<p>To:</p> <ul style="list-style-type: none"> <li>(a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and</li> <li>(b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <ul style="list-style-type: none"> <li>(a) Food Services uses up to 100m<sup>2</sup> floor area or 30 seats, whichever is the greater; and</li> <li>(b) General Retail and Hire uses up to 100m<sup>2</sup> floor area,</li> </ul> <p>provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<p><b>P1</b></p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to:</p> <ul style="list-style-type: none"> <li>(a) car parking demand generated by the proposed use during its proposed hours of operation;</li> <li>(b) the availability of on-street and public car parking in the surrounding area;</li> <li>(c) the availability and frequency of public transport within a 400m walking distance of the site;</li> <li>(d) the availability and likely use of other modes of transport;</li> <li>(e) the availability and suitability of alternative arrangements for car parking provision;</li> <li>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</li> <li>(g) any car parking deficiency or surplus associated with the existing use of the land;</li> <li>(h) any relevant parking plan for the area adopted by council;</li> <li>(i) any existing on-street car parking restrictions; and</li> <li>(j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.</li> </ul>

## C2.6 Development Standards for Buildings and Works

### C2.6.1 Construction of parking areas

Objective:	That parking areas are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria	
<b>A1</b> All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> <li>(a) be constructed with a durable all weather pavement;</li> <li>(b) be drained to the public stormwater system, or contain stormwater on the site; and</li> <li>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</li> </ul>	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed to so that they are useable in all weather conditions, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the use;</li> <li>(b) the topography of the land;</li> <li>(c) the drainage system available;</li> <li>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</li> <li>(e) the likelihood of generating dust; and</li> <li>(f) the nature of the proposed surfacing.</li> </ul>	

### C2.6.2 Design and layout of parking areas

Objective:	That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solutions	Performance Criteria	
<b>A1.1</b> Parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> <li>(a) comply with the following: <ul style="list-style-type: none"> <li>(i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>;</li> <li>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</li> <li>(iii) have an access width not less than the requirements in Table C2.2;</li> <li>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</li> <li>(v) have a combined access and manoeuvring</li> </ul> </li> </ul>	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the proposed slope, dimensions and layout;</li> <li>(c) useability in all weather conditions;</li> <li>(d) vehicle and pedestrian traffic safety;</li> <li>(e) the nature and use of the development;</li> <li>(f) the expected number and type of vehicles;</li> <li>(g) the likely use of the parking areas by persons with a disability;</li> <li>(h) the nature of traffic in the surrounding area;</li> </ul>	

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<p>width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p> <p><b>A1.2</b></p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>.<sup>1</sup></p>	<p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of <i>Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking</i> and <i>AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities</i>.</p>
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<sup>1</sup> Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.



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## C2.6.3 Number of accesses for vehicles

Objective:	That: (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape.
Acceptable Solutions	Performance Criteria
<b>A1</b> The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.	<b>P1</b> The number of accesses for each frontage must be minimised, having regard to: (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.
<b>A2</b> Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	<b>P2</b> Within the Central Business Zone or in a pedestrian priority street, any new accesses must: (a) not have an adverse impact on: (i) pedestrian safety and amenity; or (ii) traffic safety; and (b) be compatible with the streetscape.

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## C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone

Objective:	<p>That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:</p> <ul style="list-style-type: none"> <li>(a) enables easy and efficient use;</li> <li>(b) promotes the safety of users;</li> <li>(c) minimises opportunities for crime or anti-social behaviour; and</li> <li>(d) prevents unreasonable light overspill impacts.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>	<p><b>P1</b></p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <ul style="list-style-type: none"> <li>(a) enabling easy and efficient use of the area;</li> <li>(b) minimising potential for conflicts involving pedestrians, cyclists and vehicles;</li> <li>(c) minimising opportunities for crime or anti-social behaviour through the creation of concealment spaces;</li> <li>(d) any unreasonable impact on the amenity of adjoining properties through light overspill; and</li> <li>(e) the hours of operation of the use.</li> </ul>

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## C2.6.5 Pedestrian access

Objective:	That pedestrian access within parking areas is provided in a safe and convenient manner.
Acceptable Solutions	Performance Criteria
<p><b>A1.1</b></p> <p>Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> <li>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> <li>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</li> <li>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</li> </ul> </li> <li>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</li> </ul> <p><b>A1.2</b></p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p><b>P1</b></p> <p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the nature of the use;</li> <li>(c) the number of parking spaces;</li> <li>(d) the frequency of vehicle movements;</li> <li>(e) the needs of persons with a disability;</li> <li>(f) the location and number of footpath crossings;</li> <li>(g) vehicle and pedestrian traffic safety;</li> <li>(h) the location of any access ways or parking aisles; and</li> <li>(i) any protective devices proposed for pedestrian safety.</li> </ul>

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## C2.6.6 Loading bays

Objective:	That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i> , for the type of vehicles likely to use the site.		<b>P1</b>  Loading bays must have an area and dimensions suitable for the use, having regard to: <ul style="list-style-type: none"> <li>(a) the types of vehicles likely to use the site;</li> <li>(b) the nature of the use;</li> <li>(c) the frequency of loading and unloading;</li> <li>(d) the area and dimensions of the site;</li> <li>(e) the topography of the site;</li> <li>(f) the location of existing buildings on the site; and</li> <li>(g) any constraints imposed by existing development.</li> </ul>
<b>A2</b>  The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities</i> .		<b>P2</b>  Access for commercial vehicles to and from the site must be safe, having regard to: <ul style="list-style-type: none"> <li>(a) the types of vehicles associated with the use;</li> <li>(b) the nature of the use;</li> <li>(c) the frequency of loading and unloading;</li> <li>(d) the area and dimensions of the site;</li> <li>(e) the location of the site and nature of traffic in the area of the site;</li> <li>(f) the effectiveness or efficiency of the surrounding road network; and</li> <li>(g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</li> </ul>

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## C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone

Objective:	That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must: <ul style="list-style-type: none"> <li>(a) be accessible from a road, cycle path, bicycle lane, shared path or access way;</li> <li>(b) be located within 50m from an entrance;</li> <li>(c) be visible from the main entrance or otherwise signed; and</li> <li>(d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements</i>.</li> </ul>		<b>P1</b> Bicycle parking must be provided in a safe, secure and convenient location, having regard to: <ul style="list-style-type: none"> <li>(a) the accessibility to the site;</li> <li>(b) the characteristics of the site;</li> <li>(c) the nature of the proposed use;</li> <li>(d) the number of employees;</li> <li>(e) the users of the site and the likelihood of travel by bicycle;</li> <li>(f) the location and visibility of proposed parking for bicycles;</li> <li>(g) whether there are other parking areas on the site; and</li> <li>(h) the opportunity for sharing bicycle parking on nearby sites.</li> </ul>
<b>A2</b> Bicycle parking spaces must: <ul style="list-style-type: none"> <li>(a) have dimensions not less than:               <ul style="list-style-type: none"> <li>(i) 1.7m in length;</li> <li>(ii) 1.2m in height; and</li> <li>(iii) 0.7m in width at the handlebars;</li> </ul> </li> <li>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</li> <li>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-1993 Parking facilities - Part 3: Bicycle parking facilities</i>.</li> </ul>		<b>P2</b> Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the space available;</li> <li>(c) the safety of cyclists; and</li> <li>(d) the provisions of <i>Australian Standard AS 2890.3-1993 Parking facilities Part 3: Bicycle parking facilities</i>.</li> </ul>

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## C2.6.8 Siting of parking and turning areas

Objective:	That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<p><b>P1</b></p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) topographical or other site constraints;</li> <li>(b) availability of space behind the building line;</li> <li>(c) availability of space for vehicle access to the side or rear of the property;</li> <li>(d) the gradient between the front and the rear of existing or proposed buildings;</li> <li>(e) the length of access or shared access required to service the car parking;</li> <li>(f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling;</li> <li>(g) the visual impact of the vehicle parking and access on the site;</li> <li>(h) the streetscape character and amenity;</li> <li>(i) the nature of the zone in which the site is located and its preferred uses; and</li> <li>(j) opportunities for passive surveillance of the road.</li> </ul>

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<p><b>A2</b></p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <ul style="list-style-type: none"> <li>(a) have no new vehicle accesses, unless an existing access is removed;</li> <li>(b) retain an active street frontage; and</li> <li>(c) not result in parked cars being visible from public places in the adjacent roads.</li> </ul>	<p><b>P2</b></p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the streetscape;</li> <li>(b) any unreasonable loss of amenity of the occupants of adjoining properties; and</li> <li>(c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.</li> </ul>
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## C2.7 Parking Precinct Plan

### C2.7.1 Parking precinct plan

Objective:	To minimise the amount of on-site parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within a parking precinct plan, on-site parking must:</p> <ul style="list-style-type: none"> <li>(a) not be provided; or</li> <li>(b) not be increased above existing parking numbers.</li> </ul>	<p><b>P1</b></p> <p>Within a parking precinct plan, on-site parking must be necessary for the operation of the use and not detract from the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the availability of off-street public parking spaces within reasonable walking distance;</li> <li>(b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>(i) variations in parking demand over time; or</li> <li>(ii) efficiencies gained by consolidation of parking spaces;</li> </ul> </li> <li>(c) the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>(d) the availability and frequency of other transport alternatives;</li> <li>(e) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</li> <li>(f) the streetscape;</li> <li>(g) the topography of the site;</li> <li>(h) the location of existing buildings on the site;</li> <li>(i) any constraints imposed by existing development; and</li> <li>(j) any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and</li> </ul> <p>not exceed the number specified in Table C2.1.</p>



**Table C2.1 Parking Space Requirements**

Use	Parking Space Requirements	
	Car	Bicycle
<b>Bulky Goods Sales</b>		
Motor vehicle, boat or caravan sales	1 space per 100m <sup>2</sup> of display, storage and workshop floor area	1 space per 500m <sup>2</sup> of floor area
Retail plant nursery	15 spaces or 0.5 spaces per 100m <sup>2</sup> of site area, whichever is greater	No requirement
Bulky Goods Sales, excluding as otherwise specified in this Table	1 space per 50m <sup>2</sup> of floor area	1 space per 500m <sup>2</sup> of floor area
<b>Business and Professional Services</b>		
Bank, real estate agency, travel agent	1 space per 50m <sup>2</sup> of floor area	1 space per 500m <sup>2</sup> of floor area
Office	1 space per 40m <sup>2</sup> of floor area	1 space per 500m <sup>2</sup> of floor area
Doctors' surgery, clinic, consulting room	4 spaces per practitioner	2 spaces for each 8 practitioners
Veterinary surgery	4 spaces per practitioner	No requirement
Funeral parlour	1 space per employee + 1 visitor space + 1 space per 4 chapel seats	1 space per 50 chapel seats
Business and Professional Services, excluding as otherwise specified in this Table	1 space per 30m <sup>2</sup> of floor area	1 space per 500m <sup>2</sup> of floor area
<b>Community Meeting and Entertainment</b>		
Art and craft centre	1 space per 30m <sup>2</sup> of floor area	1 space per 50m <sup>2</sup> floor area or 1 space per 40 seats whichever is greater
Exhibition centre, library, museum or public art gallery	1 space per 20m <sup>2</sup> of floor area	4 spaces plus 2 spaces for each 1500m <sup>2</sup> of floor area
Cinema, place of worship, civic centre, function centre, public hall, theatre	1 space per 15m <sup>2</sup> of floor area, or 1 space per 3 seats, whichever is greater	1 space per 50m <sup>2</sup> floor area or 1 space per 40 seats whichever is greater
Community Meeting and Entertainment, excluding as otherwise specified in this Table	1 space per 15m <sup>2</sup> of floor area or 1 space per 4 seats, whichever is greater	1 space per 50m <sup>2</sup> floor area or 1 space per 40 seats whichever is greater
<b>Custodial Facility</b>	1 space per 2 employees + 1 space per 5 inmates	No requirement
<b>Crematoria and Cemeteries</b>	1 space per employee + 1 visitor space + 1 space per 4 chapel seats	1 space per 50 chapel seats
<b>Domestic Animal Breeding, Boarding or Training</b>	1 space per employee + 2 visitor spaces	No requirement

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Use	Parking Space Requirements	
	Car	Bicycle
<b>Educational and Occasional Care</b>	1 space per employee + 1 space per 6 tertiary education students	1 space per 5 employees and tertiary education students
<b>Emergency Services</b>		
Fire/ambulance	1 space per employee	No requirement
Emergency Services, excluding as otherwise specified in this Table	No requirement	No requirement
<b>Equipment and Machinery Sales and Hire</b>	1 space per 50m <sup>2</sup> of floor area	No requirement
<b>Extractive Industry</b>	1 space per 2 employees	No requirement
<b>Food Services</b>		
Restaurant	1 space per 15m <sup>2</sup> of floor area (including any outdoor dining areas) + 6 queuing spaces for drive through (if applicable), unless subject to Clause C2.5.5	1 space per 75m <sup>2</sup> floor area
Take-away food premises	1 space per 15m <sup>2</sup> of floor area (including any outdoor dining areas) + 6 queuing spaces for drive through (if applicable), unless subject to Clause C2.5.5	1 space per 75m <sup>2</sup> floor area
Food Services, excluding as otherwise specified in this Table	15 for each 100m <sup>2</sup> of floor area or 1 space per 3 seats, whichever is greater, unless subject to Clause C2.5.5	1 space per 75m <sup>2</sup> floor area
<b>General Retail and Hire</b>	1 space per 30m <sup>2</sup> of floor area, unless subject to Clause C2.5.5	1 space per 100m <sup>2</sup> of floor area
<b>Hospital Services</b>	1 space per 4 beds + 1 space per doctor + 1 space per 2 other employees	1 space per 10 beds
<b>Hotel Industry</b>	1 space per 20m <sup>2</sup> of floor area available to the public + 1 space per bedroom + 6 spaces for drive-in bottle shop	1 space per 100m <sup>2</sup> of floor area available to the public
<b>Manufacturing and Processing</b>	1 space per 200m <sup>2</sup> of floor area or 2 spaces per 3 employees, whichever is greater	1 space per 5 employees
<b>Motor Racing Facility</b>	No requirement	No requirement
<b>Natural and Cultural Values Management</b>	No requirement	No requirement
<b>Passive Recreation</b>	No requirement	No requirement
<b>Pleasure Boat Facility</b>		
Marina	0.6 spaces for each wet berth and 0.2 spaces for each dry storage berth and 0.5 spaces per marina employee	No requirement
Boathouse	0.5 space for each boathouse	No requirement
Pleasure Boat Facility, excluding as otherwise specified in this Table	No requirement	No requirement
<b>Port and Shipping</b>	No requirement	No requirement

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Use	Parking Space Requirements	
	Car	Bicycle
<b>Recycling and Waste Disposal</b>	1 space per 500m <sup>2</sup> of site area + 1 space per employee	No requirement
<b>Research and Development</b>	1 space per 100m <sup>2</sup> of floor area or 2 spaces per 3 employees, whichever is greater	No requirement
<b>Residential</b>		
If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling	No requirement
If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	2 spaces per dwelling	No requirement
Visitor parking for multiple dwellings in the General Residential Zone	1 dedicated space per 4 dwellings (rounded up to the nearest whole number); or 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)	No requirement
Other Residential use in the General Residential Zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 10 bedrooms (rounded up to the nearest whole number)	No requirement for residential care facility, assisted housing and retirement village. All other uses require 1 space per 5 bedrooms in other forms of accommodation.
Any Residential use in any other zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 multiple dwellings or every 10 bedrooms for a non-dwelling residential use (rounded up to the nearest whole number)	No requirement for single dwellings, multiple dwellings, residential care facility, assisted housing and retirement village. All other uses require 1 space per 5 bedrooms in other forms of accommodation.
<b>Resource Development</b>		
Aquaculture	2 spaces per 3 employees	No requirement
Resource development, excluding as otherwise specified in this Table	No requirement	No requirement
<b>Resource Processing</b>	2 spaces per 3 employees	1 space per 5 employees

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Use	Parking Space Requirements	
	Car	Bicycle
<b>Service Industry</b>	1 space per 80m <sup>2</sup> of floor area or 2 spaces per 3 employees, whichever is greater	1 space per 5 employees
<b>Sports and Recreation</b>		
Bowling green	6 spaces per bowling rink	No requirement
Fitness centre	4.5 spaces per 100m <sup>2</sup> of floor area.	No requirement
Golf course	4 spaces per golf hole	No requirement
Swimming pool (other than in conjunction with a single dwelling)	5 spaces for each 100m <sup>2</sup> of site area.	1 space per 100m <sup>2</sup> of site area
Tennis court or Squash court (other than in conjunction with a single dwelling)	3 spaces for each tennis or squash court + 1 space per 5 spectator places	No requirement
Major Sporting Facility	1 space per 5 seats	No requirement
Sports and Recreation, excluding as otherwise specified in this Table	50 spaces per facility.	No requirement
<b>Storage</b>	1 space per 200m <sup>2</sup> of the site area or 1 space per 2 employees, whichever is greater	No requirement
<b>Tourist Operation</b>	1 space per 200m <sup>2</sup> of floor area or 1 space for each 500m <sup>2</sup> of the site area, whichever is greater	1 space per 1000m <sup>2</sup> of floor area or 1 space per 500m <sup>2</sup> of site area, whichever is the greater
<b>Transport Depot and Distribution</b>	3.5 spaces for each 100m <sup>2</sup> of gross floor area	1 space per 5 employees
<b>Utilities</b>	No requirement	No requirement
<b>Vehicle Fuel Sales and Servicing</b>	4 spaces per service bay	1 space per 5 employees
<b>Vehicle Parking</b>	No requirement	No requirement
<b>Visitor Accommodation</b>	1 space per self-contained accommodation unit, allocated tent or caravan space, or 1 space per 4 beds, whichever is the greater	No requirement

## Notes to Table C2.1:

- (1) The number of parking spaces required is to be calculated based on the proposed use or development.
- (2) Parking spaces must be individually accessible, excluding tandem parking spaces which may be used to serve a dwelling.
- (3) Excluding visitor parking for multiple dwellings in the General Residential Zone, fractions of a space are to be rounded to the nearest whole number, so that a full number of spaces is provided for any fraction of a quota of floor area or number of employees.
- (4) Where a proposal contains multiple Use Classes, the car parking requirements must be calculated as the sum of the requirements for each individual use component.
- (5) Reference to an employee is equivalent to 1 full-time employee.

**Table C2.2 Internal Access Way Widths for Vehicles**

Number of parking spaces served	Internal access way widths	Passing bay dimensions for two-way traffic in addition to the access way width
1 to 5	A width not less than 3m.	2m wide by 5m long, plus entry and exit tapers, every 30m, unless on land within the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone or Open Space Zone.
6 to 20	(a) A width not less than 4.5m for the first 7m from the road carriageway and 3m thereafter, and (b) At changes of direction or intersections have: (i) an internal radius of not less than 4m, or (ii) a width more than 4.2m.	2m wide by 5m long, plus entry and exit tapers, every 30m.
21 and over	A width not less than 5.5m.	Not applicable

**Table C2.3 Dimensions of Car Parking Spaces and Combined Access and Manoeuvring Space Adjacent to Parking Spaces**

Angle of car spaces to manoeuvring space	Combined access and manoeuvring width	Car park widths	Car park length
Parallel	3.6m	2.3m	6.7m
45 degrees	3.5m	2.6m	5.4m
60 degrees	4.9m	2.6m	5.4m
90 degrees	6.4m	2.6m	5.4m
90 degrees	5.8m	2.8m	5.4m
90 degrees	5.2m	3m	5.4m
90 degrees	4.8m	3.2m	5.4m

Notes to Table C2.3:

- (1) If entry to the car space is from a road, the combined access and manoeuvring width may include the road.

**Table C2.4 Motorcycle Parking Space Requirements**

Number of car parking spaces required for a use	Number of motorcycle parking spaces required for a use
0-20	No requirement
21-40	1 space
41 or more	1 space for every additional 20 car parking spaces required

## C3.0 Road and Railway Assets Code

### C3.1 Purpose of the Road and Railway Assets Code

The purpose of the Road and Railway Assets code is:

- C3.1.1 To protect the safety and efficiency of the road and railway networks; and
- C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

### C3.2 Application of this Code

C3.2.1 This code applies to a use or development that:

- (a) will increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing;
- (b) will require a new vehicle crossing, junction or level crossing; or
- (c) involves a subdivision or habitable building within a road or railway attenuation area if for a sensitive use.

### C3.3 Definition of Terms

C3.3.1 In this code, unless the contrary intention appears:

Term	Definition
annual average daily traffic	means the number of vehicles per day averaged over all days in a calendar year.
category 1 road	means a category 1 road as defined in the <i>State Road Hierarchy</i> .
future major road	means land within which a major road is intended to be built shown as a future major road on an overlay map in the relevant Local Provisions Schedule.
future railway	means land on which an extension to the rail network is intended to be built shown as a future railway on an overlay map in the relevant Local Provisions Schedule.
limited access road	means a road declared to be a limited access road under s.52A of the <i>Roads and Jetties Act 1935</i> .
major road	means a category 1, 2 or 3 road as defined in the <i>State Road Hierarchy</i> , and any other road described in an other major roads list in the relevant Local Provisions Schedule.
private level crossing	means a level crossing across the rail network by a private road or vehicular right of way which does not service any public use.
rail network	means as defined in the <i>Rail Infrastructure Act 2007</i> .

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Term	Definition
road or railway attenuation area	means a road or railway attenuation area shown on an overlay map in the relevant Local Provisions Schedule.
traffic impact assessment	means a study or a statement prepared in accordance with the <i>Guide to Traffic Management Part 12: Traffic Impacts of Development 2009</i> by a person with qualifications and a level of experience appropriate to the significance of the traffic impact.
vehicular traffic	means traffic composed of motor vehicles as motor vehicle is defined in section 3 of the <i>Vehicle and Traffic Act 1999</i> .

**C3.4 Use or Development Exempt from this Code**

C3.4.1 There are no exemptions from this code.

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**C3.5 Use Standards****C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction**

Objective:	To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.	
Acceptable Solutions		Performance Criteria
<p><b>A1.1</b></p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> <li>(a) a new junction;</li> <li>(b) a new vehicle crossing; or</li> <li>(c) a new level crossing; or</li> </ul> <p><b>A1.2</b></p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority; or</p> <p><b>A1.3</b></p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority; and</p> <p><b>A1.4</b></p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> <li>(a) the amounts in Table C3.1; or</li> <li>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road; and</li> </ul> <p><b>A1.5</b></p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		<p><b>P1</b></p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> <li>(h) any advice received from the rail or road authority.</li> </ul>



**Table C3.1 Acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)**

Location of vehicular traffic	Amount of acceptable increase in annual average daily traffic to and from the site (total of ingress and egress)	
	Vehicles up to 5.5m long	Vehicles longer than 5.5m long
Vehicle crossing on major roads and private level crossings	10% or 10 vehicle movements per day, whichever is the greater	10%
Vehicle crossings on other roads	20% or 40 vehicle movements per day, whichever is the greater	20% or 5 vehicle movements per day, whichever is the greater

### C3.6 Development Standards for Buildings or Works

#### C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area

Objective:	To minimise the effects of noise, vibration, light and air emissions on sensitive uses from existing and future major roads and the rail network.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use must be: <ul style="list-style-type: none"> <li>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</li> <li>(b) an extension which extends no closer to the existing or future major road or rail network than:               <ul style="list-style-type: none"> <li>(i) the existing habitable building; or</li> <li>(ii) an adjoining habitable building for a sensitive use; or</li> </ul> </li> <li>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual</i>, 2<sup>nd</sup> edition, July 2008.</li> </ul>		<b>P1</b> Habitable buildings for sensitive uses must be sited, designed or screened to minimise adverse effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the proposed setback;</li> <li>(c) any buffers created by natural or other features;</li> <li>(d) the location of existing or proposed buildings on the site;</li> <li>(e) the frequency of use of the rail network;</li> <li>(f) the speed limit and traffic volume of the road;</li> <li>(g) any noise, vibration, light and air emissions from the rail network or road;</li> <li>(h) the nature of the road;</li> <li>(i) the nature of the development;</li> <li>(j) the need for the development;</li> <li>(k) any traffic impact assessment;</li> </ul>

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	<ul style="list-style-type: none"> <li>(l) any mitigating measures proposed;</li> <li>(m) any recommendations from a suitably qualified person for mitigation of noise; and</li> <li>(n) any advice received from the rail or road authority.</li> </ul>
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**Table C3.2 Acceptable noise levels within a road or railway attenuation area**

<b>Roads</b>	<b>Railways</b>
The arithmetic average of the A-weighted L10 sound pressure levels for each of the one-hour periods between 6:00am and midnight on any day [L10 (18-hour)] of 63 dB(A).	A 24-hour Leq and Lmax noise level of 65 dB(A) and 87dB(A) Lmax assessed as a single event maximum sound pressure level.

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**C3.7 Development Standards for Subdivision****C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area**

Objective:	To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses from existing and future major roads and the rail network.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.</p>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) any buffers created by natural or other features;</li> <li>(c) the location of existing or proposed buildings on the site;</li> <li>(d) the frequency of use of the rail network;</li> <li>(e) the speed limit and traffic volume of the road;</li> <li>(f) any noise, vibration, light and air emissions from the rail network or road;</li> <li>(g) the nature of the road;</li> <li>(h) the nature of the intended uses;</li> <li>(i) the layout of the subdivision;</li> <li>(j) the need for the subdivision;</li> <li>(k) any traffic impact assessment;</li> <li>(l) any mitigating measures proposed;</li> <li>(m) any recommendations from a suitably qualified person for mitigation of noise; and</li> <li>(n) any advice received from the rail or road authority.</li> </ul>

## **C4.0 Electricity Transmission Infrastructure Protection Code**

### **C4.1 Purpose of the Electricity Transmission Infrastructure Protection Code**

The purpose of the Electricity Transmission Infrastructure Protection Code is:

- C4.1.1 To protect use and development against hazards associated with proximity to electricity transmission infrastructure.
- C4.1.2 To ensure that use and development near existing and future electricity transmission infrastructure does not adversely affect the safe and reliable operation of that infrastructure.
- C4.1.3 To maintain future opportunities for electricity transmission infrastructure.

### **C4.2 Application of this Code**

C4.2.1 This code applies to use or development of land within the following areas:

- (a) electricity transmission corridor, and if for:
  - (i) buildings or works;
  - (ii) a sensitive use contained within a building;
  - (iii) use listed in Table C4.1; or
  - (iv) subdivision; and
- (b) communications station buffer area, and if for:
  - (i) buildings or works;
  - (ii) use listed in Table C4.1; or
  - (iii) subdivision; and
- (c) substation facility buffer area, and if for:
  - (i) a sensitive use contained within a building;
  - (ii) a use listed in Table C4.1;
  - (iii) buildings or works within 5m of a substation facility; or
  - (iv) subdivision.

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**C4.3 Definition of Terms**

C4.3.1 In this code, unless the contrary intention appears:

<b>Term</b>	<b>Definition</b>
communications station	means an antenna and any supporting tower or pole that is: (a) used for carrying communications associated with the electricity entity; and (b) located on land within a communications station buffer area.
communications station buffer area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a communications station buffer area.
electricity entity	means as defined in the <i>Electricity Supply Industry Act 1995</i> that is licenced to carry on operations in the electricity supply industry under that Act, with respect to transmission of electricity.
electricity transmission corridor	means land shown on an overlay map in the relevant Local Provisions Schedule, as within an electricity transmission corridor, and may include an inner protection area or a registered electricity easement.
electricity transmission infrastructure	means infrastructure for or associated with the transmission of electricity. It includes overhead lines, underground electricity and communication cables, substations, communications station, buildings, structures and access tracks for or associated with the transmission of electricity, and the like.
inner protection area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within an inner protection area.
registered electricity easement	means: (a) an easement registered under the <i>Land Titles Act 1980</i> that relates to electricity transmission infrastructure; or (b) a registered wayleave as defined in the <i>Electricity Wayleaves and Easement Act 2000</i> .
substation facility	means land shown on an overlay map in the relevant Local Provisions Schedule, as containing a substation facility.
substation facility buffer area	means land shown on an overlay map in the relevant Local Provisions Schedule, as within a substation facility buffer area.

## C4.4 Use or Development Exempt from this Code

C4.4.1 The following use or development is exempt from this code:

- (a) buildings or works, or a sensitive use within an electricity transmission corridor, but not within an inner protection area or registered electricity easement for:
  - (i) alterations or extensions to an existing building provided it does not increase the site coverage by more than 150m<sup>2</sup> from that existing at the effective date;
  - (ii) a non-habitable building provided the site coverage is not more than 150m<sup>2</sup> from that existing at the effective date; or
  - (iii) minor utilities;
- (b) buildings or works within a communications station buffer area if:
  - (i) the building height is not more than 9.5m; and
  - (ii) is located not less than:
    - a. 5m from a security fence associated with a communications station; or
    - b. 5m from the boundary of a lot containing a communications station;
- (c) use or development for Utilities within a communications station buffer area;
- (d) use or development of electricity transmission infrastructure;
- (e) use or development within a building area on a sealed plan approved under this planning scheme; and
- (f) consolidation of lots.

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**C4.5 Use Standards****C4.5.1 Sensitive use within a substation facility buffer area**

Objective:	That a sensitive use contained within a building and located within a substation facility buffer area is located and designed to not cause an unreasonable loss of amenity due to substation noise.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A sensitive use, excluding any non-habitable rooms, contained within a building and located within a substation facility buffer area must:</p> <ul style="list-style-type: none"> <li>(a) be for an existing sensitive use, provided the distance between the building and the substation facility is not reduced; or</li> <li>(b) not be exposed to substation noise emission higher than:             <ul style="list-style-type: none"> <li>(i) 55 dB(A) (LAeq) within the hours of 8:00am to 6:00pm;</li> <li>(ii) 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, within the hours of 6:00pm to 8:00am; and</li> <li>(iii) 65 dB(A) (LAm<sub>ax</sub>).</li> </ul> </li> </ul> <p>Noise levels are to be averaged over a 15 minute interval.</p>	<p><b>P1</b></p> <p>A sensitive use, excluding any non-habitable rooms, contained within a building and located within a substation facility buffer area must be appropriately located or designed to not cause unreasonable loss of amenity due to substation noise emission, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the sensitive use;</li> <li>(b) proximity to the substation facility;</li> <li>(c) noise levels generated by the substation facility;</li> <li>(d) any existing buffers to noise impacts;</li> <li>(e) any mitigation measures proposed;</li> <li>(f) any written advice from a suitably qualified person; and</li> <li>(g) any advice from the electricity entity.</li> </ul>

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## C4.5.2 Dust within an electricity transmission corridor

Objective:	That dust does not adversely affect the safe and reliable operation of overhead electricity transmission infrastructure within an electricity transmission corridor.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  A use listed in Table C4.1 and located within an electricity transmission corridor must not generate dust that will cause an unreasonable impact on the operation of overhead electricity transmission infrastructure, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the proposed use and the materials that will be stored and handled on the site;</li> <li>(b) the conductivity or corrosiveness of any dust and its potential to affect the operation of the electricity transmission infrastructure;</li> <li>(c) proximity to the electricity transmission infrastructure;</li> <li>(d) any mitigation measures proposed; and</li> <li>(e) any advice from the electricity entity.</li> </ul>



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## C4.5.3 Dust within a substation facility buffer area

Objective:	That dust does not cause an unreasonable impact on the safe and reliable operation of electricity transmission infrastructure within a substation facility buffer area.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  A use listed in Table C4.1 and located within a substation facility buffer area must not generate dust that will cause an unreasonable impact on the operation of a substation facility, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the proposed use and the materials that will be stored and handled on the site;</li> <li>(b) the conductivity or corrosiveness of any dust and its potential to affect the operation of the substation facility;</li> <li>(c) proximity to the substation facility;</li> <li>(d) any mitigation measures proposed; and</li> <li>(e) any advice from the electricity entity.</li> </ul>

**Table C4.1 Uses with the Potential to Create Dust**

Use Class	Qualification
Bulky Goods Sales	If not located within a building and: <ul style="list-style-type: none"> <li>(a) for garden and landscaping materials suppliers;</li> <li>(b) for a supplier for Extractive Industry, Resource Development or Resource Processing; or</li> <li>(c) for a timber yard.</li> </ul>
Crematoria and Cemeteries	If for a Crematoria.
Extractive Industry	If not located within a building.
Manufacturing and Processing	If not located within a building.
Recycling and Waste Disposal	If not located within a building.
Resource Processing	If not located within a building.
Service Industry	If not located within a building.
Storage	If not located within a building and:

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Use Class	Qualification
	(a) for a liquid, solid or gas fuel depot; or (b) for a woodyard.

## C4.6 Development Standards for Buildings or Works

### C4.6.1 Buildings or works within an electricity transmission corridor

Objective:	<p>That buildings or works within an electricity transmission corridor are located at appropriate distances from transmission lines or cables to:</p> <p>(a) ensure operational efficiencies, access to, and security of, existing or future electricity transmission infrastructure; and</p> <p>(b) protect against a safety hazard associated with proximity to existing or future electricity transmission infrastructure.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings or works within an electricity transmission corridor must not be within:</p> <p>(a) an inner protection area; or</p> <p>(b) a registered electricity easement.</p>	<p><b>P1</b></p> <p>Buildings or works within an electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation of, or access to, existing or future electricity transmission infrastructure, having regard to:</p> <p>(a) the nature, height and materials of the buildings and works;</p> <p>(b) the extent of encroachment of the buildings and works into the electricity transmission corridor;</p> <p>(c) the location of the buildings and works within the electricity transmission corridor; and</p> <p>(d) any advice from the electricity entity.</p>

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## C4.6.2 Buildings or works within a substation facility buffer area

Objective:	That buildings or works within a substation facility buffer area are appropriately located to minimise risk to the security, operation, safety and access to existing and future electricity transmission infrastructure.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings or works within a substation facility buffer area must be located not less than 5m from a substation facility.	<b>P1</b> Buildings or works within a substation facility buffer area and located less than 5m from a substation facility, must minimise any impact on the safety, security, operation or access to the substation facility, having regard to: <ul style="list-style-type: none"> <li>(a) the nature, height, and materials of the buildings and works;</li> <li>(b) the location of the buildings and works;</li> <li>(c) any proposed mitigation measures; and</li> <li>(d) any advice from the electricity entity.</li> </ul>

## C4.6.3 Buildings or works within a communications station buffer area

Objective:	That buildings or works do not adversely impact upon the safety, security, operation of, and access to, a communications station.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings or works within a communications station buffer area must: <ul style="list-style-type: none"> <li>(a) be located:               <ul style="list-style-type: none"> <li>(i) not less than 5m from any security fence associated with a communications station; or</li> <li>(ii) not less than 5m from a lot boundary of a lot containing a communications station; and</li> </ul> </li> <li>(b) building height must be not more than the height of the communications station's antennae.</li> </ul>	<b>P1</b> Buildings or works within a communications station buffer area must not cause an unreasonable impact on the safety, security, operation of, or access to, the communication station, having regard to: <ul style="list-style-type: none"> <li>(a) the nature, height and materials of the buildings and works;</li> <li>(b) the location of the buildings and works; and</li> <li>(c) any advice from the electricity entity.</li> </ul>

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**C4.7 Development Standards for Subdivision****C4.7.1 Subdivision**

Objective:	<p>To provide for subdivision:</p> <p>(a) that allows for development to be suitably located to avoid hazards from electricity transmission infrastructure and enable appropriate levels of amenity; and</p> <p>(b) so that future development does not compromise safety, security, access to, and operation of, existing and future electricity transmission infrastructure.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, within an electricity transmission corridor, must:</p> <p>(a) be for the creation of separate lots for existing buildings where the buildings are located wholly outside an inner protection area or a registered electricity easement;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the creation of a lot that contains a building area not less than 10m x 15m entirely located outside an inner protection area or registered electricity easement.</p>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, within the electricity transmission corridor must not cause an unreasonable impact on the safety, security, operation of, or access to, existing or future electricity transmission infrastructure, having regard to:</p> <p>(a) the intended use of the proposed lots;</p> <p>(b) the location of any proposed building areas; and</p> <p>(c) any advice from the electricity entity.</p>

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<p><b>A2</b></p> <p>A lot, or a lot proposed in a plan of subdivision, within a substation facility buffer area, must be:</p> <ul style="list-style-type: none"> <li>(a) for the creation of separate lots for existing buildings;</li> <li>(b) be for the creation of a lot that contains a building area not less than 10m x 15m entirely located outside the substation facility buffer area; or</li> <li>(c) be for the creation of a lot with a building area not less than 10m x 15m and satisfies the following: <ul style="list-style-type: none"> <li>(i) is not less than 5m from the substation facility; and</li> <li>(ii) if the subdivision creates an opportunity for a sensitive use, is not exposed to substation noise emissions that exceed the following: <ul style="list-style-type: none"> <li>a. 55 dB(A) (LAeq) within the hours of 8.00am to 6.00pm;</li> <li>b. 5 dB(A) above the background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, within the hours of 6.00pm to 8.00am; and</li> <li>c. 65 dB(A) (LAmix).</li> </ul> </li> </ul> </li> </ul> <p>Noise levels are to be averaged over a 15 minute interval.</p>	<p><b>P2</b></p> <p>A lot, or a lot proposed in a plan of subdivision, within a substation facility buffer area, must not cause an unreasonable impact on the operation of the substation facility, having regard to:</p> <ul style="list-style-type: none"> <li>(a) provision of access to and security of the substation facility;</li> <li>(b) safety hazards associated with proximity to the substation facility;</li> <li>(c) if the subdivision creates an opportunity for a sensitive use: <ul style="list-style-type: none"> <li>(i) the nature of the sensitive use;</li> <li>(ii) proximity to the substation facility;</li> <li>(iii) noise levels generated by the substation facility;</li> <li>(iv) any existing buffers to noise impacts;</li> <li>(v) any mitigation measures proposed; and</li> <li>(vi) any advice from a suitably qualified person regarding the likelihood of a sensitive use on the lot experiencing an environmental nuisance as a result of noise emissions from the substation facility; and</li> </ul> </li> <li>(d) any advice from the electricity entity.</li> </ul>
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<p><b>A3</b></p> <p>A lot, or a lot proposed in a plan of subdivision, within a communications station buffer area, must:</p> <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing buildings;</li> <li>(b) be required for public use by the Crown, a council, a State;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) identify a building area with dimensions of not less than 10m x 15m that is located no less than either: <ul style="list-style-type: none"> <li>(i) 5m from any security fence associated with a communications station; or</li> <li>(ii) 5m from a boundary of a lot that accommodates a communications station.</li> </ul> </li> </ul>	<p><b>P3</b></p> <p>A lot, or a lot proposed in a plan of subdivision, within a communications station buffer area, must identify a building area that will not compromise access to, security of, or the operation of a communications station, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intended use of the proposed lots;</li> <li>(b) the location of any proposed building areas; and</li> <li>(c) any advice from the electricity entity.</li> </ul>
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## Tasmanian Planning Scheme – State Planning Provisions

**C5.0 Telecommunications Code****C5.1 Code Purpose**

The purpose of the Telecommunications Code is:

- C5.1.1 To provide for telecommunication networks as a service for the community.
- C5.1.2 To ensure that facilities are co-located where practicable.
- C5.1.3 To ensure that facilities use mitigation measures to avoid an unreasonable loss of visual amenity.

**C5.2 Application of this Code**

- C5.2.1 Unless otherwise stated in a particular purpose zone, this code applies to all development for telecommunication facilities.
- C5.2.2 This code does not apply to use.

**C5.3 Definition of Terms**

- C5.3.1 In this code, unless the contrary intention appears:

Term	Definition
facilities	means, any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure used, or for use, in or in connection with a telecommunications network.
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.
telecommunications networks	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.

**C5.4 Use or Development Exempt from this Code**

- C5.4.1 There are no exemptions from this code.

**C5.5 Use Standards**

- C5.5.1 There are no Use Standards in this code.

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**C5.6 Development Standards for Buildings and Works**

## C5.6.1 Visual amenity

Objective:	That facilities do not cause an unreasonable loss of visual amenity.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1.1</b>  Facilities located within existing utility corridors or on sites with existing facilities, must not cause an unreasonable loss of visual amenity, having regard to: <ul style="list-style-type: none"> <li>(a) the siting and design of facilities;</li> <li>(b) best practice methods to:               <ul style="list-style-type: none"> <li>(i) reduce the visual impact of facilities; or</li> <li>(ii) conceal facilities within the surrounding natural or built environment;</li> </ul> </li> <li>(c) the need to minimise clearing of vegetation; and</li> <li>(d) functional and safety requirements to establish, operate and maintain facilities.</li> </ul> <b>P1.2</b>  Facilities not located within existing utility corridors or on sites with existing facilities, must not cause an unreasonable loss of visual amenity, having regard to: <ul style="list-style-type: none"> <li>(a) the need to locate the facility outside existing utility corridors or on a site with an existing facility;</li> <li>(b) the siting and design of facilities;</li> <li>(c) best practice methods to:               <ul style="list-style-type: none"> <li>(i) reduce the visual impact of facilities; or</li> <li>(ii) conceal facilities within the surrounding natural or built environment;</li> </ul> </li> <li>(d) the need to minimise clearing of vegetation; and</li> <li>(e) functional and safety requirements to establish, operate and maintain the facilities.</li> </ul>



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<p><b>A2</b></p> <p>Building height of freestanding towers must be not more than:</p> <p>(a) 30m in the Rural Living Zone, General Business Zone, Central Business Zone, Commercial Zone, General Industrial Zone, Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Major Tourism Zone, Port and Marine Zone, or Utilities Zone;</p> <p>(b) 20m in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, Light Industrial Zone, Community Purpose Zone, Recreation Zone, Open Space Zone, Future Urban Zone and a particular purpose zone.</p>	<p><b>P2</b></p> <p>The height of freestanding towers must not cause an unreasonable visual impact on vistas to significant public buildings, streetscapes and land reserved for, or designated in this planning scheme for, natural or scenic values, having regard to:</p> <p>(a) the topography and predominant height of existing buildings or vegetation in the surrounding area;</p> <p>(b) best practice methods to reduce visual impact;</p> <p>(c) functional and safety requirements to establish, operate and maintain the facility;</p> <p>(d) the siting and design of the facility; and</p> <p>(e) the necessity or critical role of the facility within the telecommunications network.</p>
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## C6.0 Local Historic Heritage Code

### C6.1 Code Purpose

The purpose of the Local Historic Heritage Code is:

- C6.1.1 To recognise and protect the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential by regulating development that may impact on their values, features and characteristics.

### C6.2 Application of this Code

- C6.2.1 This code applies to development on land within any of the following, as defined in this code:

- (a) a local heritage place;
- (b) a local heritage precinct;
- (c) a local historic landscape precinct; and
- (d) for excavation only, a place or precinct of archaeological potential.

- C6.2.2 If a site is listed as a local heritage place and also within a local heritage precinct or local historic landscape precinct, it is only necessary to demonstrate compliance with the standards for the local heritage place unless demolition, buildings and works are proposed for an area of the site outside the identified specific extent of the local heritage place.

- C6.2.3 This code does not apply to a registered place entered on the Tasmanian Heritage Register.

- C6.2.4 This code does not apply to use<sup>1</sup>.

### C6.3 Definition of Terms

- C6.3.1 In this code, unless the contrary intention appears:

Term	Definition
archaeological evidence	means the remains of former structures and surfaces, construction debris, demolition debris, fabric, fittings and finishes, modified landforms, burials, subsurface features and deposits, artefacts, discarded waste or by-products, residues, or pollen.
archaeological impact assessment	means a report prepared by a suitably qualified person that describes the impact of proposed works upon archaeological sensitivity as referred to in a statement of archaeological potential.
local historic heritage significance	means significance in relation to a local heritage place or a local heritage precinct or local historic landscape precinct, and its historic heritage values as identified in the relevant list, in the relevant Local Provisions Schedule, because of: <ul style="list-style-type: none"> <li>(a) its role in, representation of, or potential for contributing to the</li> </ul>

<sup>1</sup> Clause 7.4, change of use of a local heritage place may apply.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
	<p>understanding of:</p> <ul style="list-style-type: none"> <li>(i) local history;</li> <li>(ii) creative or technical achievements;</li> <li>(iii) a class of building or place; or</li> <li>(iv) aesthetic characteristics; or</li> </ul> <p>(b) its association with:</p> <ul style="list-style-type: none"> <li>(i) a particular community or cultural group for social or spiritual reasons; or</li> <li>(ii) the life or works of a person, or group of persons, of importance to the locality or region.</li> </ul>
local historic landscape precinct	<p>means an area that has been identified as having particular local historic heritage significance because of the collective heritage value of individual elements and features, both natural and constructed, as a group, for their landscape value and is:</p> <ul style="list-style-type: none"> <li>(a) shown on an overlay map in the relevant Local Provisions Schedule; and</li> <li>(b) listed and identified in the local historic landscape precincts list in the relevant Local Provisions Schedule.</li> </ul>
local heritage place	<p>means a place that is listed, and the specific extent identified, in the local heritage places list in the relevant Local Provisions Schedule.</p>
local heritage precinct	<p>means an area that has been identified as having particular local historic heritage significance because of the collective heritage value of individual places as a group for their streetscape or townscape values, and is:</p> <ul style="list-style-type: none"> <li>(a) shown on an overlay map in the relevant Local Provisions Schedule; and</li> <li>(b) listed and identified in the local heritage precincts list in the relevant Local Provisions Schedule.</li> </ul>
place or precinct of archaeological potential	<p>means a place that is a site, precinct or parcel of land that has been identified as having the potential to contain archaeological evidence that provides information about the past and is:</p> <ul style="list-style-type: none"> <li>(a) shown on an overlay map in the relevant Local Provisions Schedule; and</li> <li>(b) listed and identified in the places or precincts of archaeological potential list in the relevant Local Provisions Schedule.</li> </ul>
registered place	<p>means a place as defined in the <i>Historic Cultural Heritage Act 1995</i> and entered on the Tasmanian Heritage Register.</p>
setting	<p>means the surroundings or environment of a local heritage place.</p>

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statement of archaeological potential	<p>means a statement prepared by a suitably qualified person that includes:</p> <ul style="list-style-type: none"> <li>(a) a written and illustrated site history;</li> <li>(b) plans depicting the main historical phases of site development and land use;</li> <li>(c) a disturbance history; and</li> <li>(d) a written statement of archaeological significance and potential, accompanied by an archaeological sensitivity plan depicting the likely surviving extent of important archaeological evidence which takes into consideration key phases of site development and land use and the impact of disturbance.</li> </ul>
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## C6.4 Development Exempt from this Code

C6.4.1 Development described in Table C6.4.1 is exempt from this code provided it meets the corresponding qualifications.

**Table C6.4.1**

Exempt Development	Qualifications
Development within a local heritage place	<ul style="list-style-type: none"> <li>(a) temporary structural stabilisation works as certified by a structural engineer;</li> <li>(b) permanent structural stabilisation works considered by a suitably qualified person to maintain the local historic heritage significance of the place;</li> <li>(c) building works, alterations and modifications required for compliance with fire regulation under the <i>Building Code of Australia</i>, which are not visible externally upon completion from any road or public open space adjoining the site; or</li> <li>(d) the pruning of a tree to improve its health or appearance provided its normal growth habit is not retarded.</li> </ul>
Development within a local heritage place, local heritage precinct or local historic landscape precinct	<ul style="list-style-type: none"> <li>(a) a maximum of 1 mast for telecommunications and a single flagpole, provided each is not more than 6m in height and is not attached to any building specifically part of a local heritage place listed in the relevant Local Provisions Schedule;</li> <li>(b) the construction or demolition of: <ul style="list-style-type: none"> <li>(i) side and rear boundary fences: <ul style="list-style-type: none"> <li>a. not adjoining a road or public reserve; and</li> <li>b. not more than a total height of 2.1m above existing ground level, except where they are within a garden or grounds that is specifically part of a local heritage place listed in the relevant Local Provisions Schedule; or</li> </ul> </li> <li>(ii) fencing of agricultural land or for protection of wetlands and watercourses;</li> </ul> </li> </ul>

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Exempt Development	Qualifications
	<ul style="list-style-type: none"> <li>(c) the planting, clearing or modification of vegetation on pasture or cropping land, other than for plantation forestry on prime agricultural land;</li> <li>(d) electricity, optic fibre and telecommunications cables, water, sewerage and drainage connections and gas lines to individual buildings;</li> <li>(e) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;</li> <li>(f) repainting or re-rendering of an exterior surface that has been previously painted or rendered, in a colour similar to the existing;</li> <li>(g) solar collector panels and photovoltaic cells aligned with the plane of a roof and located on a roof plane not visible from any road or public open space adjoining the site;</li> <li>(h) one satellite dish not more than 2m in diameter, and if on a local heritage place not visible from any road or public open space adjoining the site; or</li> <li>(i) minor upgrade by, or on behalf, of a State authority or a council, of infrastructure such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines including: <ul style="list-style-type: none"> <li>(i) minor widening or narrowing of existing carriageways or making, placing or upgrading kerbs, gutters, footpaths, roadsides or traffic control devices; and</li> <li>(ii) road markings, street lighting and landscaping, except where any of those elements are specifically part of a local heritage place listed in the relevant Local Provisions Schedule.</li> </ul> </li> </ul>
Development involving a place or precinct of archaeological potential	<ul style="list-style-type: none"> <li>(a) development not involving ground disturbance;</li> <li>(b) works involving excavation within an area that has been assessed under a previous development application and the archaeological potential was realised when that permit was acted upon or the site was found not to be of archaeological sensitivity in that process;</li> <li>(c) minor excavations where a suitably qualified person has prepared an archaeological impact assessment and determined that there is no chance of disturbance to significant archaeological values;</li> <li>(d) removal of non-significant deposits by a suitably qualified person to test, confirm or refine an archaeological assessment and temporarily expose underlying deposits without disturbing them;</li> <li>(e) excavation of land to a depth of not more than 1m on a site provided it is within an existing building that is not listed as a local heritage place; or</li> <li>(f) excavation of land to a depth of not more than 0.3m and not more than 20m<sup>2</sup> in area on a site provided it is for the purposes of minor building works and structures.</li> </ul>
signs	All signs, excluding any associated excavation works on a place or precinct of archaeological potential, not exempt from this code <sup>3</sup> .

<sup>3</sup> Standards for signs located on land in a local heritage place, local heritage precinct or local historic landscape precinct are contained in the Signs Code.

## C6.5 Use Standards

C6.5.1 There are no Use Standards in this code.

## C6.6 Development Standards for Local Heritage Places

C6.6.1 Demolition

Objective:	That the demolition or removal of buildings do not cause an unacceptable impact on the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>Demolition or removal of buildings on a local heritage place must not cause an unacceptable impact on the local historic heritage significance of the place, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the physical condition of the local heritage place;</li> <li>(b) the extent and rate of deterioration of the building or structure;</li> <li>(c) the safety of the building or structure;</li> <li>(d) the streetscape or setting in which the building or structure is located;</li> <li>(e) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(f) any options to reduce or mitigate deterioration;</li> <li>(g) whether demolition is a reasonable option to secure the long-term future of a building or structure; and</li> <li>(h) any economic considerations.</li> </ul>

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## C6.6.2 Site coverage

Objective:	That site coverage is compatible with the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  The site coverage must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site; and</li> <li>(b) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule.</li> </ul>

## C6.6.3 Height and bulk of buildings

Objective:	That the height and bulk of buildings are compatible with the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  The height and bulk of buildings must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the character and appearance of the existing building or place;</li> <li>(c) the height and bulk of other buildings in the surrounding area; and</li> <li>(d) the setting of the local heritage place.</li> </ul>

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## C6.6.4 Siting of buildings and structures

Objective:	That the siting of buildings is compatible with the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  The front, side and rear setbacks of a building must be compatible with the local historic heritage significance of the place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the topography of the site;</li> <li>(c) the size, shape, and orientation of the lot; and</li> <li>(d) the setbacks of other buildings in the surrounding area.</li> </ul>

## C6.6.5 Fences

Objective:	That fences are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  New fences and gates on local heritage places must be designed and constructed to match existing original fences on the site.		<b>P1</b>  New fences and gates must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the architectural style of the buildings on the site;</li> <li>(c) the dominant fencing style in the setting;</li> <li>(d) the original or previous fences on the site; and</li> <li>(e) the proposed height and location of the fence.</li> </ul>



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## C6.6.6 Roof form and materials

Objective:	That roof form and materials are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Replacement roofs on local heritage places which will be visible from any road or public open space adjoining the site, must be of a form and material to match the existing roof being replaced.		<b>P1</b>  Roof form and materials must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place in the relevant Local Provisions Schedule;</li> <li>(b) the design, period of construction and materials of the building on the site that the roof directly relates to;</li> <li>(c) the dominant roofing style and materials in the setting; and</li> <li>(d) the streetscape.</li> </ul>

## C6.6.7 Building alterations, excluding roof form and materials

Objective:	That building alterations, excluding roof form and materials, are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  Building alterations, excluding roof form and materials, of an existing building that is a local heritage place must be compatible with and not detract from the local historic heritage significance of the place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the design, period of construction and materials of the building on the site that the building alterations most directly relate to;</li> <li>(c) the dominant external building materials in the setting; and</li> <li>(d) the streetscape.</li> </ul>

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## C6.6.8 Outbuildings and structures

Objective:	That the siting of outbuildings and structures are compatible with the local historic heritage significance of local heritage places.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Outbuildings and structures on local heritage places must: <ul style="list-style-type: none"> <li>(a) not be located in the front setback;</li> <li>(b) not be visible from any road or public open space adjoining the site;</li> <li>(c) not have a side that is longer than 3m;</li> <li>(d) have a gross floor area less than 9m<sup>2</sup></li> <li>(e) have a combined total area of all outbuildings on the site of not more than 20m<sup>2</sup>;</li> <li>(f) have a maximum height less than 2.4m above existing ground level;</li> <li>(g) not have a maximum change of level as a result of cut or fill of more than 1m; and</li> <li>(h) not encroach on any service easement or be located within 1m of any underground service.</li> </ul>		<b>P1</b> Outbuildings and structures must be compatible with the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the bulk, form and size of buildings on the site;</li> <li>(c) the bulk, form and size of the proposed outbuilding or structure;</li> <li>(d) the external materials, finishes and decoration of the outbuilding or structure; and</li> <li>(e) the visibility of the outbuilding or structure from any road or public open space adjoining the site.</li> </ul>

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## C6.6.9 Driveways and parking for non-residential purposes

Objective:	That driveways and parking for non-residential purposes are compatible with the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Parking areas for non-residential purposes on local heritage places must be located behind the building line of buildings located or proposed on a site.</p>	<p><b>P1</b></p> <p>Driveways and parking areas for non-residential purposes must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the loss of any building fabric;</li> <li>(c) the removal of gardens or vegetated areas;</li> <li>(d) parking availability in the surrounding area;</li> <li>(e) vehicle and pedestrian traffic safety; and</li> <li>(f) the streetscape.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

## C6.6.10 Removal, destruction or lopping of trees, or removal of vegetation, that is specifically part of a local heritage place

Objective:	That the removal, destruction or lopping of trees or the removal of vegetation that is specifically part of a local heritage place does not impact on the local historic heritage significance of the place.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  The removal, destruction or lopping of trees or the removal of vegetation which is specifically part of a local heritage place listed in the relevant Local Provisions Schedule, must not cause an unreasonable impact on the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the historic heritage values of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the age and condition of the tree or vegetation;</li> <li>(c) the size and form of the tree or vegetation;</li> <li>(d) the importance of the tree or vegetation to the local historic heritage significance of a local heritage place; and</li> <li>(e) any advice by a suitably qualified person.</li> </ul>

## C6.7 Development Standards for Local Heritage Precincts and Local Historic Landscape Precincts

### C6.7.1 Demolition within a local heritage precinct

Objective:	That demolition within a local heritage precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings must: <ul style="list-style-type: none"> <li>(a) not be on a local heritage place;</li> <li>(b) not be visible from any road or public open space; and</li> <li>(c) not involve a value or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</li> </ul>		<b>P1</b>  Within a local heritage precinct, demolition of a building, works or fabric, including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct as identified in the relevant Local Provisions Schedule, having regard to: <ul style="list-style-type: none"> <li>(a) the physical condition of the building, works, structure or trees;</li> <li>(b) the extent and rate of deterioration of the building, works, structure or trees;</li> <li>(c) the safety of the building, works, structure or trees;</li> <li>(d) the streetscape in which the building, works, structure or trees is located;</li> <li>(e) the special or unique contribution that the building, works, structure or trees makes to the streetscape or townscape values of the local heritage precinct identified in the relevant Local Provisions Schedule;</li> <li>(f) any options to reduce or mitigate deterioration;</li> <li>(g) whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and</li> <li>(h) any economic considerations.</li> </ul>

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## C6.7.2 Demolition within a local historic landscape precinct

Objective:	That demolition within a local historic landscape precinct does not have an unacceptable impact on the local historic heritage significance of the precinct.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within a local historic landscape precinct, demolition of a building, works, fabric or landscape elements including trees, fences, walls and outbuildings must:</p> <ul style="list-style-type: none"> <li>(a) not be on a local heritage place;</li> <li>(b) not be visible from any road or public open space; and</li> <li>(c) not involve a value, feature or characteristic specifically part of a precinct listed in the relevant Local Provisions Schedule.</li> </ul>	<p><b>P1</b></p> <p>Within a local historic landscape precinct, demolition of a building, works, fabric or landscape elements including trees, fences, walls and outbuildings, must not cause an unacceptable impact on the local historic heritage significance of the local historic landscape precinct as identified in the relevant Local Provisions Schedule, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the physical condition of the building, works, structure or trees;</li> <li>(b) the extent and rate of deterioration of the building, works, structure or trees;</li> <li>(c) the safety of the building, works, structure or trees;</li> <li>(d) the special or unique contribution that the building, works, structure or trees makes to the landscape values of the local historic landscape precinct identified in the relevant Local Provisions Schedule;</li> <li>(e) any options to reduce or mitigate deterioration;</li> <li>(f) whether demolition is a reasonable option to secure the long-term future of a building, works or structure; and</li> <li>(g) any economic considerations.</li> </ul>

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## C6.7.3 Buildings and works, excluding demolition

Objective:	That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must:</p> <ul style="list-style-type: none"> <li>(a) not be on a local heritage place;</li> <li>(b) not be visible from any road or public open space; and</li> <li>(c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</li> </ul>	<p><b>P1.1</b></p> <p>Within a local heritage precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local heritage precinct, except if a local heritage place of an architectural style different from that characterising the precinct, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</li> <li>(b) the character and appearance of the surrounding area;</li> <li>(c) the height and bulk of other buildings in the surrounding area; and</li> <li>(d) the setbacks of other buildings in the surrounding area.</li> </ul> <p><b>P1.2</b></p> <p>Within a local heritage precinct, extensions to existing buildings must be compatible with the local heritage precinct, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</li> <li>(b) the character and appearance of the surrounding area;</li> <li>(c) the height and bulk of other buildings in the surrounding area; and</li> <li>(d) the setbacks of other buildings in the surrounding area.</li> </ul> <p><b>P1.3</b></p> <p>Within a local historic landscape precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local historic landscape precinct, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the landscape values identified in the statement of local historic heritage significance for the local</li> </ul>

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	<p>historic landscape precinct, as identified in the relevant Local Provisions Schedule; and</p> <p>(b) any relevant design criteria or conservation policies for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule.</p>
<p><b>A2</b></p> <p>Within a local heritage precinct, new front fences and gates must be designed and constructed to match the existing original fences on the site.</p>	<p><b>P2</b></p> <p>Within a local heritage precinct, new front fences and gates must be compatible with the local heritage precinct, having regard to:</p> <p>(a) the streetscape or townscape values identified in the local historic heritage significance of the local heritage precinct, as identified in the relevant Local Provisions Schedule;</p> <p>(b) height, form, style and materials of the proposed fence; and</p> <p>(c) the style, characteristics and setbacks of fences and gates in the surrounding area.</p>



## C6.8 Development Standards for Places or Precincts of Archaeological Potential

### C6.8.1 Building and Works

Objective:	That building and works on a place or precinct of archaeological potential is implemented in a manner that seeks to retain or protect, preserve or otherwise appropriately manage archaeological evidence.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  Building and works on places or precincts of archaeological potential must not cause an unacceptable impact on archaeological evidence, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the archaeological evidence, either known or potential;</li> <li>(b) measures proposed to investigate the archaeological evidence to confirm statements of potential;</li> <li>(c) strategies to avoid, minimise or control impacts arising from building, works and demolition;</li> <li>(d) measures proposed to preserve significant archaeological evidence in situ; and</li> <li>(e) any advice contained in a statement of archaeological potential.</li> </ul>

## C6.9 Development Standards for Subdivision

### C6.9.1 Lot design on a Local Heritage Place

Objective:	That subdivision does not cause an unacceptable impact on the local historic heritage significance of local heritage places.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  Subdivision must not cause an unacceptable impact on the local historic heritage significance of a local heritage place, having regard to: <ul style="list-style-type: none"> <li>(a) the local historic heritage significance of the local heritage place identified in the relevant Local Provisions Schedule;</li> <li>(b) the historic development pattern of the area;</li> <li>(c) the separation of buildings or structures from their original setting;</li> <li>(d) the lot sizes, dimensions, frontage, access and orientation;</li> <li>(e) the suitability of the proposed lots for their intended uses; and</li> <li>(f) the removal of vegetation, trees or garden settings.</li> </ul>

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## C6.9.2 Lot design for a Local Heritage Precinct or a Local Historic Landscape Precinct

Objective:	That:  (a) subdivision within a local heritage precinct is consistent with historic patterns of development; and  (b) subdivision within a local historic landscape precinct is compatible with the character of the precinct.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  Subdivision must be compatible with the local historic heritage significance of a local heritage precinct or a local historic landscape precinct, as identified in the relevant Local Provisions Schedule, having regard to:  (a) any relevant design criteria or conservation policy for a local heritage precinct or local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and  (b) the historic pattern of subdivision of the precinct.

## C6.9.3 Subdivision works for places or precincts of archaeological potential

Objective:	That works associated with subdivision, including infrastructure, do not increase the likelihood of adverse impact on a place or precinct of archaeological potential.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  Works associated with subdivision must not increase the likelihood of adverse impact on archaeological evidence on places or precincts of archaeological potential, having regard to:  (a) the nature, extent and significance of the archaeological evidence existing on the land;  (b) any significant impact upon archaeological evidence or potential;  (c) any increased likelihood of future development that is incompatible with a place or precinct of archaeological potential;  (d) the statement of archaeological potential for the place or precinct identified in the relevant Local Provisions Schedule; and  (e) any advice contained in a statement of archaeological potential.

TPC modifications

## **C7.0 Natural Assets Code**

This code is being reviewed

TPC Modifications

## **C8.0 Scenic Protection Code**

### **C8.1 Code Purpose**

The purpose of the Scenic Protection Code is:

- C8.1.1 To recognise and protect landscapes that are identified as important for their scenic values.

### **C8.2 Application of this Code**

- C8.2.1 This code applies to development on land within a scenic protection area or scenic road corridor and only if within the following zones:

- (a) Low Density Residential Zone;
- (b) Rural Living Zone;
- (c) Rural Zone;
- (d) Agriculture Zone;
- (e) Landscape Conservation Zone;
- (f) Environmental Management Zone; or
- (g) Open Space Zone.

- C8.2.2 This code does not apply to use.

### C8.3 Definition of Terms

C8.3.1 In this code, unless the contrary intention appears:

Term	Definition
management objectives	means the management objectives for the scenic protection area or scenic road corridor as detailed in the scenic protection areas list in the relevant Local Provisions Schedule.
scenic protection area	means an area shown on an overlay map in the relevant Local Provisions Schedule, as within a scenic protection area, and is listed and described in the scenic protection areas list in the relevant Local Provisions Schedule.
scenic road corridor	means an area shown on an overlay map in the relevant Local Provisions Schedule, as within a scenic road corridor, that is: <ul style="list-style-type: none"> <li>(a) measured from each frontage to a scenic road and shown on the overlay map; or</li> <li>(b) where there is no frontage, the area of land within 120m of the edge of the carriageway of the scenic road nearest the site,</li> </ul> and is listed and described in the scenic road corridors list in the relevant Local Provisions Schedule.
scenic value	means the specific characteristics or features of the landscape that collectively contribute to a scenic protection area or a scenic road corridor, as described in the scenic protection areas list or the scenic road corridors list in the relevant Local Provisions Schedule.

## **C8.4 Use or Development Exempt from this Code**

C8.4.1 The following development is exempt from this code:

- (a) planting or destruction of vegetation on existing pasture or crop production land, unless for the destruction of the following:
  - (i) exotic trees, other than part of an agricultural crop, more than 10m in height within a scenic road corridor; or
  - (ii) hedgerows adjoining a scenic road within a scenic road corridor,
- (b) agricultural buildings and works, including structures for controlled environment agriculture, irrigation and netting, on land within an Agriculture Zone or Rural Zone, excluding the destruction of vegetation identified in C8.4.1(a);
- (c) alterations or extensions to an existing building if:
  - (i) the gross floor area is increased by not more than 25% from that existing at the effective date;
  - (ii) there is no increase in the building height; and
  - (iii) external finishes are the same or similar to the existing building;
- (d) subdivision not involving any works;
- (e) development subject to the Telecommunications Code; and
- (f) any development or works associated with road construction within a scenic road corridor.

## **C8.5 Use Standards**

C8.5.1 There are no Use Standards in this code.



## C8.6 Development Standards for Buildings and Works

### C8.6.1 Development within a scenic protection area

Objective:	<p>That:</p> <ul style="list-style-type: none"> <li>(a) destruction of vegetation does not cause an unreasonable reduction of the scenic value of a scenic protection area; and</li> <li>(b) buildings and works do not cause an unreasonable reduction of the scenic value of a scenic protection area.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings or works, including destruction of vegetation, within a scenic protection area must:</p> <ul style="list-style-type: none"> <li>(a) be on land not less than 50m in elevation below a skyline; and</li> <li>(b) not total more than 500m<sup>2</sup> in extent.</li> </ul>	<p><b>P1.1</b></p> <p>Destruction of vegetation within a scenic protection area must not cause an unreasonable impact on the scenic value of a scenic protection area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the vegetation to be removed;</li> <li>(b) the area of vegetation to be removed;</li> <li>(c) the topography of the site;</li> <li>(d) any visual impact on a skyline;</li> <li>(e) the nature of the reduction of the scenic value; and</li> <li>(f) the purpose of any management objectives identified in the relevant Local Provisions Schedule, and</li> </ul> <p><b>P1.2</b></p> <p>Buildings or works within a scenic protection area must not cause an unreasonable reduction of the scenic value of a scenic protection area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the location of, and materials used in construction of, driveways or access tracks;</li> <li>(c) proposed reflectance and colour of external finishes;</li> <li>(d) design and proposed location of the buildings or works;</li> <li>(e) the extent of any cut or fill required;</li> <li>(f) any visual impact on a skyline;</li> <li>(g) any existing or proposed screening; and</li> <li>(h) the purpose of any management objectives identified in the relevant Local Provisions Schedule.</li> </ul>

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## C8.6.2 Development within a scenic road corridor

Objective:	That: (a) destruction of native vegetation or exotic vegetation does not cause an unreasonable loss of scenic value of scenic road corridors; and (b) buildings and works do not cause an unreasonable loss of the scenic value of scenic road corridors.
Acceptable Solutions	Performance Criteria
<b>A1</b>  Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must not be visible from the scenic road.	<b>P1</b>  Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to  (a) the nature, extent and location of the exotic trees, native vegetation and hedgerows; and (b) the purpose of any management objectives identified in the relevant Local Provisions Schedule.
<b>A2</b>  Buildings or works within a scenic road corridor must not be visible from the scenic road.	<b>P2</b>  Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to:  (a) the topography of the site; (b) proposed reflectance and colour of external finishes; (c) design and proposed location of the buildings or works; (d) the extent of any cut or fill required; (e) any existing or proposed screening; (f) the impact on views from the road; and (g) the purpose of any management objectives identified in the relevant Local Provisions Schedule.

## Tasmanian Planning Scheme – State Planning Provisions

**C9.0 Attenuation Code****C9.1 Code Purpose**

The purpose of the Attenuation Code is:

- C9.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions.
- C9.1.2 To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.

**C9.2 Application of this Code**

C9.2.1 This code applies to:

- (a) activities listed in Tables C9.1 and C9.2; and
- (b) sensitive uses; and
- (c) subdivision if it creates a lot where a sensitive use could be established, within an attenuation area.

C9.2.2 The code does not apply to attenuation areas between the activities listed in Tables C9.1 and C9.2 where those activities occur within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone, and Utilities Zone.

C9.2.3 The code does not apply to sensitive uses occurring within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone, and Utilities Zone.

C9.2.4 The code does not apply to a plant nursery or controlled environment agriculture activities occurring within the Rural Zone and Agriculture Zone.

**C9.3 Definition of Terms**

C9.3.1 In this code, unless the contrary intention appears:

Term	Definition
aerated lagoon	means a lagoon with mechanical aerators sufficient to transfer the oxygen required for biological treatment of sewage and to maintain solids in suspension to undergo aerobic decomposition.
aerobic lagoon	means a lagoon where the water column is characterised by aerobic conditions, being where oxygen is freely available for biological purposes.
anaerobic lagoon	means a lagoon where the water column is characterised by anaerobic conditions, being where oxygen is totally depleted and oxidised nitrogen is absent.

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Term	Definition
attenuation area	<p>means land that is:</p> <p>(a) within the boundary of an attenuation area shown on an overlay map in the relevant Local Provisions Schedule; or</p> <p>(b) within the relevant attenuation distance from an activity listed in Table C9.1 or C9.2, which is an existing activity or an activity for which a planning permit is in force.</p> <p>If an inconsistency exists between the relevant attenuation distance in Tables C9.1 or C9.2, and an attenuation area shown on an overlay map in the relevant Local Provisions Schedule, the distance shown on the overlay map applies.</p>
attenuation distance	means the distance listed in Tables C9.1 and C9.2 for the relevant activity measured as the shortest distance from the boundary of the site on which the activity is located.
facultative lagoon	means a lagoon similar to an aerobic lagoon, but with lower energy input, sufficient to transfer the oxygen required to biological treatment of sewage but not to maintain solids in suspension which settle onto the lagoon floor and undergo anaerobic decomposition.
level 1 activity	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .

**C9.4 Use or Development Exempt from this Code**

C9.4.1 The following use or development is exempt from this code:

- (a) use or development assessed as a level 2 activity; and
- (b) additions or alterations to an existing building used for sensitive use, provided that the gross floor area does not increase by more than 50% or 100m<sup>2</sup>, whichever is the greater, from that existing at the effective date.

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**C9.5 Use Standards**

## C9.5.1 Activities with potential to cause emissions

Objective:	That an activity with potential to cause emissions is located so that it does not cause an unreasonable impact on an existing sensitive use.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The attenuation area of an activity listed in Tables C9.1 or C9.2 must not include:</p> <ul style="list-style-type: none"> <li>(a) a site used for a sensitive use which is existing;</li> <li>(b) a site that has a planning permit for a sensitive use; or</li> <li>(c) land within the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone A, Rural Living Zone B, Village Zone or Urban Mixed Use Zone.</li> </ul>	<p><b>P1</b></p> <p>An activity listed in Tables C9.1 or C9.2 must not cause:</p> <ul style="list-style-type: none"> <li>(a) an unreasonable loss of amenity or unreasonable impacts on health and safety of a sensitive use which is existing, or has a planning permit; or</li> <li>(b) unreasonable impacts on land within the relevant attenuation area that is in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone A, Rural Living Zone B, Village Zone or Urban Mixed Use Zone, having regard to: <ul style="list-style-type: none"> <li>(i) operational characteristics of the activity;</li> <li>(ii) scale and intensity of the activity;</li> <li>(iii) degree of hazard or pollution that may be emitted from the activity;</li> <li>(iv) hours of operation of the activity;</li> <li>(v) nature of likely emissions such as noise, odour, gases, dust, particulates, radiation, vibrations or waste;</li> <li>(vi) existing emissions such as noise, odour, gases, dust, particulates, radiation, vibrations or waste; and</li> <li>(vii) measures to eliminate, mitigate or manage emissions from the activity.</li> </ul> </li> </ul>

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## C9.5.2 Sensitive use within an attenuation area

Objective:	That sensitive use located within an attenuation area does not interfere with or constrain the operation of an existing activity listed in Tables C9.1 or C9.2.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables C9.1 or C9.2, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the activity with potential to cause emissions including:               <ul style="list-style-type: none"> <li>(i) operational characteristics of the activity;</li> <li>(ii) scale and intensity of the activity; and</li> <li>(iii) degree of hazard or pollution that may be emitted from the activity;</li> </ul> </li> <li>(b) the nature of the sensitive use;</li> <li>(c) the extent of encroachment by the sensitive use into the attenuation area;</li> <li>(d) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity;</li> <li>(e) any advice from the Director, Environment Protection Authority; and</li> <li>(f) any advice from the Director of Mines.</li> </ul>

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**C9.6 Development Standards for Subdivision**

## C9.6.1 Lot design

Objective:	<p>To provide for subdivision so that a lot intended for a sensitive use:</p> <ul style="list-style-type: none"> <li>(a) is located to avoid an activity with potential to cause emissions and enable appropriate levels of amenity; and</li> <li>(b) does not conflict with, interfere with or constrain an existing activity with potential to cause emissions.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must:</p> <ul style="list-style-type: none"> <li>(a) be for the creation of separate lots for existing buildings;</li> <li>(b) be for the creation of a lot where a building for a sensitive use can be located entirely outside the attenuation area; or</li> <li>(c) not be for the creation of a lot intended for a sensitive use.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must not result in the potential for a sensitive use to be impacted by emissions, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the activity with the potential to cause emissions, including: <ul style="list-style-type: none"> <li>(i) operational characteristics of the activity;</li> <li>(ii) scale and intensity of the activity; and</li> <li>(iii) degree of emissions from the activity; and</li> </ul> </li> <li>(b) the intended use of the lot.</li> </ul>

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**Table C9.1 Attenuation Distances**

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Abattoir or slaughterhouse (primary)</b> The conduct of meat processing within the meaning of the <i>Primary Produce Safety Act 2011</i> , excluding rendering or fat extraction works – emissions such as odour, noise, dust and light pollution		500m	1000m
<b>Abrasive blasting</b> The cleaning of materials by the abrasive action of any metal shot or mineral particulate propelled in a gaseous or liquid medium.	Blasting in cabinets less than 5 cubic metres in volume or totally enclosed automatic blast cleaning units – emissions such as noise and dust.	100m	-
	All other types of operation – emissions such as noise and dust.	300m	-
<b>Agricultural produce processing works</b> The conduct of works for the processing of vegetables, seed, grain, or any other agricultural crop by deep fat frying or roasting or boiling or drying through application of heat – emissions such as odour and noise.		100m	300m
<b>Animal saleyard</b> Yards for the holding of live animals pending sale, shipment or slaughter–emissions such as odour, noise and dust.		500m	-
<b>Aquaculture operation</b>	Marine or estuarine operations - emissions such as odour and noise.	300m	-
	Land operations - emissions such as odour and noise.	100m	-
<b>Bakery</b> Excluding a bakery primarily selling produce directly to the public - emissions such as noise.		200m	-
<b>Beverage production (non-alcoholic)</b> Beverage production plants with the capacity to produce more than 2000L per day - emissions such as odour and noise.		300m	-



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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Biosolids application to land</b> Class 2 biosolids as classified in accordance with the requirement of Sections 4 and 5 of the <i>Tasmanian Biosolids Reuse Guidelines 1999</i> – emissions such as odour, noise and disease vectors.		100m	100m
<b>Brewery or distillery</b> The conduct of works for the production of beer by infusion, boiling or fermentation, or spirits by distillation with the capacity to produce more than 2000L per day - emissions such as odour and noise.		200m	500m
<b>Cement works</b> The conduct of works as described in Schedule 2 clause 2(a) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as noise and dust.			2000m
<b>Ceramic works</b> The conduct of cement works for the production of any products such as bricks, tiles, pipes, pottery goods, refractories or glass that are manufactured or are capable of being manufactured in furnaces or kilns fired by fuel – emissions such as noise and dust.		200m	500m
<b>Chemical works</b>	The manufacture (through chemical reaction) of any inorganic chemical, including sulphuric acid, inorganic fertilisers, sodium silicate, lime or other calcium compound - emissions such as odour, noise and gases.	300m	1000m
	The manufacture (through chemical reaction) or processing of any organic chemicals or chemical product or petrochemical - emissions such as odour, noise and gases.	500m	1500m
<b>Cidery</b>	Bottling facilities only – emissions such as odour and noise.	300m	-
	Cider production facilities– emissions such as odour and noise.	500m	-

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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Composting works</b> Excluding backyard composting for domestic use, on-farm composting for use on agricultural land having the same owner as the land on which the compost is produced, and works in respect of silage for use on agricultural land.	Vegetation only - emissions such as odour and noise.	250m	500m
	Human or animal wastes - emissions such as odour and noise.	500m	1000m
<b>Concrete batching plants</b> The conduct of works for the production of concrete by the mixing of cement, sand, rock, aggregate or other similar materials, excluding the manufacture of concrete products - emissions such as noise and dust.		200m	-
<b>Concrete or stone product manufacture</b> The conduct of works to manufacture concrete or stone products, excluding concrete batching plants - emissions such as odour, noise and dust.		300m	-
<b>Crematoria</b> Emissions such as odour and gases.		300m	-
<b>Dog kennels</b> Commercial operations only – emissions such as odour and noise.		300m	-
<b>Feedlot</b> Intensive animal husbandry (excluding piggeries, poultry farms, horse stables, and any such operation carried out at an abattoir, slaughterhouse or saleyard or for the purpose only of drought or other emergency feeding) – emissions such as odour, noise and dust.		3000m	-
<b>Fibreglass manufacture</b> Manufacture of fibre-reinforced plastic products - emissions such as odour and noise.		300m	-
<b>Fish processing</b> The conduct of works for scaling, gilling, gutting, filleting, smoking, drying or otherwise processing fish for sale, other than by freezing, chilling or packing, excluding the processing of fish only in the course of a business selling fish directly to the public - emissions such as odour and noise.		250m	500m
<b>Flour mill</b> Grain or seed milling works, excluding non-commercial processing for on farm use - emissions such as noise and dust.		300m	-

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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Frost fan</b> Emissions such as noise.		2000m	-
<b>Fuel burning</b> Excluding fuel burning associated with a domestic or on-farm use.	Waste incinerator: Wood waste - emissions such as odour, particles and gases.	100m	300m
	Waste incinerator: Plastic or rubber waste - emissions such as odour, particles and gases.	500m	1000m
	Waste incinerator: Chemical, biomedical or organic waste - emissions such as odour, particles and gases.	500m	1000m
	All other types of operation - emissions such as odour, particles and gases.	100m	300m
<b>Gas pressure reduction facility</b> A facility for altering the pressure between a gas transmission pipeline and a gas distribution system - emissions such as odour, noise and gases.		300m	-
<b>Horse stables</b> Commercial operations only – emissions such as odour, noise and dust.		500m	-
<b>Joinery</b> Production of wooden furniture and household items such as doors, kitchen fittings, flooring and mouldings - emissions such as noise and dust		200m	-
<b>Liquid waste spray application to land</b> Spray application of liquid fruit or vegetable wastes, excluding spray application of treated sewage effluent	Primary treated	500m	-
	Secondary treated	200m	-
<b>Liquid waste treatment</b> Lagoons for the treatment of wastewater, such as treatment of wastewater for wineries and cider production, excluding sewage treatment plants <sup>1</sup> and organic waste treatment – emissions such as odour.		300m	-
<b>Marinas</b> Excluding maritime construction and maintenance works - emissions such as noise.		200m	-

<sup>1</sup> For sewage treatment plants, refer to Table C9.2.

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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Maritime construction and maintenance works</b> The conduct of works for the construction, maintenance or repair of ships, vessels or floating platforms or structures, being works with the capacity to construct or repair ships, vessels or floating platforms or structures.	Organotin compounds used or removed from ships, vessels, or floating platforms or structures – emissions such as odour, noise, dust and gases.	500m	-
	All other types of operation – emissions such as odour, noise, dust and gases.	300m	-
<b>Materials handling</b> Processing of chemicals, rubber, rock, ores and minerals by crushing, grinding, milling or separating into different sizes by sieving, air elutriation or in any other manner – emissions such as noise and dust.	Crushing or grinding.	750m	750m
	Other methods.	500m	500m
<b>Metal fabrication</b> The fabrication of sheet metal, structural metal and other iron and steel products, excluding metallurgical works, and ferrous and non-ferrous metal melting - emissions such as noise and particles.		500m	-
<b>Metal melting (ferrous and non-ferrous)</b> The melting of ferrous or non-ferrous metal in a furnace – emissions such as odour and noise.		300m	1000m
<b>Metallurgical works</b> The conduct of metallurgical works as described in Schedule 2, clause 2(d) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as odour, noise, dust and gases.			2000m
<b>Milk processing works</b> The conduct of works at which milk is evaporated or otherwise processed for the manufacture of milk powder, cheese, butter, ice cream or other similar dairy products – emissions such as odour and noise.		100m	500m
<b>Milking shed (dairy)</b> Milk shed operations on dairy farms – emissions such as odour, noise and dust.		300m	-
<b>Mine</b> The extraction of any minerals, excluding a quarry or extractive pit - emissions such as noise, dust, ground vibration and shock waves.	Open cut.	1000m	2000m
	Underground.	1000m	1000m

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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Motor bodyworks</b> Panel beating, spray painting, and the like – emissions such as odour and noise.		100m	-
<b>Motor racing or performance trials</b> The conduct of facilities designed for motor vehicles or motor-driven boat racing competitions, or speed or performance trials – emissions such as odour, noise and dust.		3000m	-
<b>Oil and gas extraction and production</b> Land or offshore, excluding gas extraction from landfill sites – emissions such as odour, noise and gases.		2000m	-
<b>Oil refinery</b> The conduct of oil refinery works as described in Schedule 2, clause 1(c) of the <i>Environmental Management and Pollution Control Act 1994</i> .	Refining of recycled oil – emissions such as odour, noise and gases.		500m
	All other refining – emissions such as odour, noise and gases.		2000m
<b>Organic waste treatment</b> The treatment of organic waste such as animal manures, and solid waste from fruit or vegetable processing, excluding sewage treatment plants <sup>2</sup> and liquid waste treatment – emissions such as odour, gases and disease vectors.		500m	-
<b>Piggery</b> Intensive animal husbandry.	Less than 50 pigs – emissions such as odour and noise.	500m	-
	50 or more pigs – emissions such as odour and noise.	2000m	-
<b>Plant nurseries and controlled environment agriculture</b> Excluding operations primarily selling directly to the public.	With manure or refuse use – emissions such as odour.	300m	-
	All other types of operation use – emissions such as odour.	100m	-
<b>Poultry farm</b> Intensive animal husbandry – emissions such as odour, dust and noise.		500m	-
<b>Pre-mix bitumen plant</b> Works in which crushed or ground rock aggregates are mixed with bituminous or asphaltic materials for the purpose of producing road-building mixtures– emissions such as odour and noise.		500m	1000m

<sup>2</sup> For sewage treatment plants, refer to Table C9.2.

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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Pulp and paper works</b> The conduct of pulp and paper works as described in Schedule 2, clause 2(f) of the <i>Environmental Management and Pollution Control Act 1994</i> .	Process involving combustion of sulphur or sulphur-containing materials - emissions such as odour, noise, particles and gases.		5000m
	All other processes - emissions such as odour, noise, particles and gases.		1000m
<b>Quarry or extractive pit</b> Extraction of rock, gravel, sand or clay, excluding a mine – emissions such as noise, dust, ground vibration and shock waves.	No blasting, crushing or vibratory screening – emissions such as noise, dust, ground vibration and shock waves.	300m	300m
	Vibratory screening – emissions such as noise, dust, ground vibration and shock waves.	500m	500m
	Crushing or grinding – emissions such as noise, dust, ground vibration and shock waves.	750m	750m
	Blasting – emissions such as noise, dust, ground vibration and shock waves.	1000m	1000m
<b>Rendering or fat extraction works</b> The conduct of works at which animal, fish or grease trap wastes or other matter is processed or is capable of being processed by rendering or extraction or by some other means to produce tallow or fat or their derivatives or proteinaceous matter.	Processing of fish – emissions such as odour and noise.	500m	1000m
	Processing of other matter – emissions such as odour and noise.	1000m	1500m
<b>Scrap metal recovery</b> The conduct of works at which scrap metals are treated in any type of fuel burning equipment or electrically heated furnaces or are disintegrated by mechanical means for recovery of metal, excluding commercial printing establishments at which type metal is melted or re-melted in thermostatically controlled pots for the purpose of type casting – emissions such as noise, dust and light pollution.		500m	-
<b>Shooting range</b> The conduct of facilities for outdoor shooting competitions, practice or instruction - emissions such as noise.		2000m	-

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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Smallgoods manufacture</b>	Smoking, drying and curing - emissions such as odour, noise and smoke particles.	250m	-
	All other types of operation - emissions such as odour, noise and smoke particles.	100m	-
<b>Storage</b>	Petroleum products and crude oil with fixed roofs - emissions such as odour and noise.	500m	-
	Petroleum products and crude oil with floating roofs - emissions such as odour and noise.	200m	-
	Wet salted or unprocessed hides - emissions such as odour and noise.	300m	-
	Chemicals - emissions such as odour and noise.	500m	-
<b>Surface coating</b> The conduct of works for: (a) metal finishing, in which metal surfaces are prepared or finished by means of electroplating, electrolyse plating, anodising (chromating, phosphating and colouring), chemical etching or milling, or printed circuit board manufacture; (b) hot dip galvanising; or (c) spray painting and powder coating, excluding motor bodyworks. - emissions such as gases, odour, noise and dust.		300m	-
<b>Textile bleaching and dyeing</b> The works involving bleaching, dyeing or printing of yarns, threads, fabrics or other textiles - emissions such as odour, noise and gases.	Textile bleaching and dyeing factory.	500m	1000m

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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Waste depot</b> The conduct of depots for the reception, storage, treatment or disposal of waste excluding: <ul style="list-style-type: none"> <li>(a) temporary storage at the place at which the waste is produced while awaiting transport to another place;</li> <li>(b) storage, treatment or disposal of clean fill;</li> <li>(c) storage, treatment or disposal of domestic waste; or</li> <li>(d) a waste transfer station.</li> </ul>	Waste depot non-putrescible waste only - emissions such as odour, noise, dust and disease vectors.	150m	300m
	Waste depot putrescible waste - emissions such as odour, noise, dust and disease vectors.	300m	750m
<b>Waste transfer station</b> Emissions such as odour, noise, dust, light pollution and disease vectors.		150m	-
<b>Wind energy facility</b> Output per wind turbine generator of less than 250kW.	single turbine generator <10kW - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	60m	-
	single turbine generator >10kW - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	250m	-
	wind farm with 2-4 turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	350m	-
	wind farm with 5 or more turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	500m	500m



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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
<b>Wind energy facility</b> Output per wind turbine generator 250kW or greater.	single turbine generator - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	500m	-
	wind farm with 2-4 turbine generators- emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	750m	750m
	wind farm with 5 or more turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	1000m	1000m
<b>Winery</b>	Bottling facilities only – emissions such as odour and noise.	300m	-
	Wine making – emissions such as odour and noise.	500m	-
<b>Woodchip mill</b>	Less than 1000 tonnes per year production capacity - emissions such as noise and particles.	250m	-
	1000 tonnes to 20 000 tonnes per year production capacity - emissions such as noise and particles.		500m
	More than 20 000 tonnes per year production capacity - emissions such as noise and particles.		1000m
<b>Wood preservation works</b> The conduct of wood preservation works as described in Schedule 2, clause 1(d) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as odour and noise.			300m
<b>Wood processing works</b> The conduct of works (other than works at a builders supply yard, home improvement centre or firewood depot) at which timber is sawn, cut, compressed, milled, machined or kiln-dried.	Sawmill - emissions such as noise and particles.	250m	500m
	All other types of operation (excluding joinery, firewood merchant or woodchip mill) - emissions such as noise and particles.	250m	1000m

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Activity	Attenuation Distance	
	Level 1 Activity	Level 2 Activity
<b>Wool scouring, tannery or fellmongery</b> The conduct of works for the scouring of wool or the commercial preservation or treatment or drying of animal skins or hides - emissions such as odour and noise.	250m	500m
<b>Wrecking yard (automotive)</b> Emissions such as noise and dust.	200m	-

**Table C9.2 Attenuation Distances for Sewage Treatment Plant Processes**

Activity (type of sewage treatment plant process)	Attenuation distance according to sewage treatment plant designed capacity (average dry weather flow) in kL/day or person equivalent (pe)				
	<275kL/day or <1000pe	<1375kL/day or <5000pe	<5500kL/day or <20000pe	<13750kL/day or <50000pe	>13750kL/day or >50000pe
Mechanical/biological treatment (includes aerated lagoons)	100m	200m	300m	400m	>400m
Aerobic lagoons	150m	350m	700m	1000m	>1000m
Facultative lagoons	300m	550m	700m	1000m	>1000m
Anaerobic lagoons	400m	700m	1400m	2200m	>2200m

## C10.0 Coastal Erosion Hazard Code

### C10.1 Code Purpose

The purpose of the Coastal Erosion Hazard Code is:

C10.1.1 To ensure that use or development subject to risk from coastal erosion is appropriately located and managed, so that:

- (a) people, property and infrastructure are not exposed to an unacceptable level of risk;
- (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;
- (c) it does not increase the risk from coastal erosion to other land or public infrastructure; and
- (d) works to protect land from coastal erosion are undertaken in a way that provides appropriate protection without increasing risks to other land.

C10.1.2 To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.

### C10.2 Application of this Code

C10.2.1 This code applies to:

- (a) use and development of land within a coastal erosion hazard area; or
- (b) development identified in a report, that is lodged with an application, or required in response to a request under section 54 of the Act, as located on an actively mobile landform within the coastal zone.

C10.2.2 The planning authority may only make a request under clause C10.2.1(b) where it has information to form the opinion that the land is located on an actively mobile landform within the coastal zone.

C10.2.3 For the purposes of C10.5.1, Residential and Visitor Accommodation are not Use Classes that are reliant on a coastal location.

### C10.3 Definition of Terms

C10.3.1 In this code, unless the contrary intention appears:

Term	Definition
coastal erosion	means: (a) erosion of the coastline by water, wind and general weather conditions; or (b) coastal recession, which is the long-term movement of the coastline due to sea level rise.
coastal erosion hazard area	means land: (a) shown on an overlay map in the relevant Local Provisions Schedule, as within a coastal erosion hazard area, which is classified into one of three coastal erosion hazard bands; or (b) identified in a report for the purposes of C10.2.1(b).

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Term	Definition
coastal erosion hazard bands	<p>means the classification of land within a coastal erosion hazard area into one of the following coastal erosion hazard bands:</p> <ul style="list-style-type: none"> <li>(a) low;</li> <li>(b) medium; or</li> <li>(c) high.</li> </ul>
coastal erosion hazard report	<p>means a report prepared by geotechnical practitioner and must include:</p> <ul style="list-style-type: none"> <li>(a) details of, and be signed by, the person who prepared or verified the report;</li> <li>(b) confirmation that the person has the appropriate qualifications, expertise and level of current indemnity insurance;</li> <li>(c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority;</li> <li>(d) a report of a geotechnical site investigation undertaken consistent with <i>Australian Standard AS 1726-1993 Geotechnical site investigations</i>; and</li> <li>(e) conclusions based on consideration of the proposed use and development: <ul style="list-style-type: none"> <li>(i) as to whether the use or development is likely to cause or contribute to the occurrence of coastal erosion on the site or on adjacent land;</li> <li>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to: <ul style="list-style-type: none"> <li>a. the nature, intensity and duration of the use;</li> <li>b. the type, form and duration of any development;</li> <li>c. the likely change in the risk across the intended life of the use or development;</li> <li>d. the ability to adapt to a change in the level of risk;</li> <li>e. the ability to maintain access to utilities and services;</li> <li>f. the need for specific coastal erosion reduction or protection measures on the site;</li> <li>g. the need for coastal erosion reduction or protection measures beyond the boundary of the site; and</li> <li>h. any coastal erosion management plan in place for the site or adjacent land;</li> </ul> </li> <li>(iii) any advice relating to the ongoing management of the use or development;</li> <li>(iv) as to whether the use or development is located on an actively mobile landform within the coastal zone; and</li> <li>(v) relating to any matter specifically required by Performance Criteria in this code.</li> </ul> </li> </ul>
coastal erosion management plan	<p>means a management plan for a coastal erosion hazard area endorsed by the relevant council.</p>

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Term	Definition
critical use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Emergency Services; or</li> <li>(b) Hospital Services.</li> </ul>
geotechnical practitioner	<p>means:</p> <ul style="list-style-type: none"> <li>(a) a person holding a building services license issued under the <i>Occupational Licensing Act 2005</i> in the class of engineer-civil;</li> <li>(b) a geotechnical engineer acting within their area of competence; or</li> <li>(c) an engineering geologist acting within their area of competence.</li> </ul>
hazardous use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Crematoria and Cemeteries;</li> <li>(b) Extractive Industry, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(e) Recycling and Waste Disposal;</li> <li>(f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(i) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity; or</li> <li>(j) Vehicle Fuel Sales and Service .</li> </ul>
non-urban zone	<p>means land shown on a zone map in the relevant Local Provisions Schedule, as within the following zones:</p> <ul style="list-style-type: none"> <li>(a) Rural Living Zone;</li> <li>(b) Rural Zone;</li> <li>(c) Agriculture Zone;</li> <li>(d) Landscape Conservation Zone;</li> <li>(e) Environmental Management Zone;</li> <li>(f) Utilities Zone;</li> <li>(g) Open Space Zone; and</li> <li>(h) Future Urban Zone.</li> </ul>

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Term	Definition
urban zone	<p>means land shown on a zone map in the relevant Local Provisions Schedule, as within the following zones:</p> <ul style="list-style-type: none"> <li>(a) General Residential Zone;</li> <li>(b) Inner Residential Zone;</li> <li>(c) Low Density Residential Zone;</li> <li>(d) Village Zone;</li> <li>(e) Urban Mixed Use Zone;</li> <li>(f) Local Business Zone;</li> <li>(g) General Business Zone;</li> <li>(h) Central Business Zone;</li> <li>(i) Commercial Zone;</li> <li>(j) Light Industrial Zone;</li> <li>(k) General Industrial Zone;</li> <li>(l) Major Tourism Zone;</li> <li>(m) Port and Marine Zone;</li> <li>(n) Community Purpose Zone;</li> <li>(o) Recreation Zone; and</li> <li>(p) any particular purpose zone.</li> </ul>
vulnerable use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Custodial Facility;</li> <li>(b) Educational and Occasional Care;</li> <li>(c) Residential, if for a respite centre, residential care facility, retirement village or assisted housing; or</li> <li>(d) Visitor Accommodation, if the use accommodates more than 12 guests.</li> </ul>

## C10.4 Use or Development Exempt from this Code

C10.4.1 Excluding where development occurs on an actively mobile landform in the coastal zone, the following use or development is exempt from this code:

- (a) use or development that requires authorisation under the *Building Act 2016*, excluding:
  - (i) a critical use, hazardous use, or vulnerable use;
  - (ii) if located within a high coastal erosion hazard band; or
  - (iii) coastal protection works;
- (b) intensification of an existing use, if not for a critical, hazardous, or vulnerable use;
- (c) alterations or extensions to an existing building located within a high coastal erosion hazard band, if:
  - (i) the site coverage is not increased by more than 20m<sup>2</sup> from that existing at the effective date; and
  - (ii) not for a critical, hazardous, or vulnerable use;
- (d) use or development of land for:
  - (i) Natural and Cultural Values Management;
  - (ii) Passive Recreation;
  - (iii) Port and Shipping in a proclaimed wharf area;
  - (iv) Resource Development, excluding use or development in the high coastal erosion hazard band that requires authorisation under the *Building Act 2016*; or
  - (v) minor utilities;
- (e) planting or disturbance of vegetation on existing pasture or crop production land; or
- (f) consolidation of lots.

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**C10.5 Use Standards**

## C10.5.1 Use within a high coastal erosion hazard band

Objective:	That use within a high coastal erosion hazard band: (a) is reliant on a coastal location; and (b) can achieve and maintain a tolerable risk from coastal erosion.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1.1</b></p> <p>A use within a high coastal erosion hazard band must be for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the need to access a specific resource in a coastal location;</li> <li>(b) the need to operate a marine farming shore facility;</li> <li>(c) the need to access infrastructure available in a coastal location;</li> <li>(d) the need to service a marine or coastal related activity;</li> <li>(e) provision of an essential utility or marine infrastructure;</li> <li>(f) provision of open space or for marine-related educational, research or recreational facilities;</li> <li>(g) any advice from a State authority, regulated entity or a council; and</li> <li>(h) the advice obtained in a coastal e hazard report, and</li> </ul> <p><b>P1.2</b></p> <p>A coastal erosion hazard report also demonstrates that:</p> <ul style="list-style-type: none"> <li>(a) any increase in the level of risk from coastal erosion does not require any specific hazard reduction or protection measures; or</li> <li>(b) the use can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</li> </ul>



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C10.5.2 Uses located within a non-urban zone and within a low or medium coastal erosion hazard band

Objective:	That a use located within a non-urban zone and within a low or medium coastal erosion hazard band can achieve and maintain a tolerable risk from coastal erosion.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  A tolerable risk for a use located within a non-urban zone and within a low or medium coastal erosion hazard band can be achieved and maintained, having regard to: <ul style="list-style-type: none"> <li>(a) any increase in the risk from coastal erosion;</li> <li>(b) any requirement for specific hazard reduction or protection measures;</li> <li>(c) the need to minimise any:               <ul style="list-style-type: none"> <li>(i) increase in risk to public infrastructure; and</li> <li>(ii) reliance on coastal protection works;</li> </ul> </li> <li>(d) any advice from a State authority, regulated entity or a council; and</li> <li>(e) the advice contained in a coastal erosion hazard report.</li> </ul>

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## C10.5.3 Critical use, hazardous use or vulnerable use

Objective:	That critical, hazardous and vulnerable uses located within a coastal erosion hazard band can achieve and maintain a tolerable risk from coastal erosion.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1.1</b></p> <p>If located within a non-urban zone or a high coastal erosion hazard band, the use must be for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the need to access a specific resource in a coastal location;</li> <li>(b) the need to operate a marine farming shore facility;</li> <li>(c) the need to access infrastructure available in a coastal location;</li> <li>(d) the need to service a marine or coastal related activity;</li> <li>(e) provision of an essential utility or marine infrastructure;</li> <li>(f) provision of open space or for marine-related educational, research, or recreational facilities; and</li> <li>(g) the advice contained in a coastal erosion hazard report, and</li> </ul> <p><b>P1.2</b></p> <p>A coastal erosion hazard report also demonstrates that:</p> <ul style="list-style-type: none"> <li>(a) an increase in the level of risk from coastal erosion does not require any specific hazard reduction or protection measures; or</li> <li>(b) the use can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</li> </ul>

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<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>In addition to the requirements in clause C10.5.3 P1.2, a critical use within a coastal erosion hazard area must achieve and maintain a tolerable risk from coastal erosion in 2100, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the ability of the use to function and maintain service during the coastal erosion event and recovery period;</li> <li>(b) any interruption to the operation of the critical use in locations external to the immediate impact of the coastal erosion event;</li> <li>(c) the creation of risk to the health or safety of people from damage or disruption to: <ul style="list-style-type: none"> <li>(i) a water supply service; or</li> <li>(ii) the drainage and treatment of waste water;</li> </ul> </li> <li>(d) the advice contained in a coastal erosion hazard report; and</li> <li>(e) any advice from a State authority, regulated entity or a council.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>In addition to the requirements in clause C10.5.3 P1.2, the impact of coastal erosion on a hazardous use within a coastal erosion hazard band must have a tolerable risk in 2100, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the health and safety of people;</li> <li>(b) any impact on property;</li> <li>(c) any impact on the environment;</li> <li>(d) the advice contained in a coastal erosion hazard report; and</li> <li>(e) any advice from a State authority, regulated entity or a council.</li> </ul>

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Acceptable Solutions	Performance Criteria
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>In addition to the requirements in clause C10.5.3 P1.2, vulnerable use within a coastal erosion hazard area, must be protected from coastal erosion, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any protection measures, existing or proposed;</li> <li>(b) the ability and capability of people in a coastal erosion event who may live, work or visit the site, to: <ul style="list-style-type: none"> <li>(i) protect themselves;</li> <li>(ii) evacuate in an emergency; and</li> <li>(iii) understand and respond to instructions in the event of an emergency;</li> </ul> </li> <li>(c) any emergency evacuation plan;</li> <li>(d) the level of risk for emergency personnel involved in evacuation and rescue tasks;</li> <li>(e) the advice contained in a coastal erosion hazard report; and</li> <li>(f) any advice from a State authority, regulated entity or a council.</li> </ul>

## C10.6 Development Standards for Buildings and Works

### C10.6.1 Buildings and works, excluding coastal protection works, within a coastal erosion hazard area

Objective:	That: (a) building and works, excluding coastal protection works, within a coastal erosion hazard area, can achieve and maintain a tolerable risk from coastal erosion; and (b) buildings and works do not increase the risk from coastal erosion to adjacent land and public infrastructure.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  Buildings and works, excluding coastal protection works, within a coastal erosion hazard area must have a tolerable risk, having regard to: <ul style="list-style-type: none"> <li>(a) whether any increase in the level of risk from coastal erosion requires any specific hazard reduction or protection measures;</li> <li>(b) that the building and works:               <ul style="list-style-type: none"> <li>(i) do not cause or contribute to any coastal erosion on the site, on adjacent land or public infrastructure; and</li> <li>(ii) can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific coastal erosion protection works;</li> </ul> </li> <li>(c) buildings and works are not located on actively mobile landforms, unless for engineering or remediation works to protect land, property and human life;</li> <li>(d) any advice from a State authority, regulated entity or a council; and</li> <li>(e) the advice contained in a coastal erosion hazard report.</li> </ul>

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## C10.6.2 Coastal protection works within a coastal erosion hazard area

Objective:	That coastal protection works located within a coastal erosion hazard area are kept to a minimum, appropriately located, fit for purpose and do not increase the likely risks from coastal erosion to adjacent land.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>Coastal protection works within a coastal erosion hazard area must be appropriately located, fit for purpose and kept to a minimum, having regard to:</p> <ul style="list-style-type: none"> <li>(a) if within a non-urban zone, the works are for the protection of a use that relies upon a coastal location to fulfil its purpose;</li> <li>(b) the advice contained in a coastal erosion hazard report that:             <ul style="list-style-type: none"> <li>(i) there is no increased risk from coastal erosion on the site, on adjacent land or public infrastructure; and</li> <li>(ii) risks from coastal erosion to 2100 can be mitigated;</li> </ul> </li> <li>(c) arrangements have been made, including with the applicant, to meet the cost of construction and ongoing maintenance of the coastal protection works; and</li> <li>(d) any advice from a State authority, regulated entity or a council.</li> </ul>

## C10.7 Development Standards for Subdivision

### C10.7.1 Subdivision within a coastal erosion hazard area

Objective:	That subdivision within a coastal erosion hazard area does not create opportunity for use or development that cannot achieve and maintain a tolerable risk from coastal erosion.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a coastal erosion hazard area must be:</p> <ul style="list-style-type: none"> <li>(a) able to contain a building area that is located wholly outside a coastal erosion hazard area; and</li> <li>(b) able to include vehicular access and services that are located wholly outside a coastal erosion hazard area; or</li> <li>(c) be for the creation of separate lots for existing buildings;</li> <li>(d) be required for public use by the Crown, a council, or a State authority; or</li> <li>(e) be required for the provision of Utilities, and not be located on an actively mobile landform.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a coastal erosion hazard area must not create an opportunity for use or development that cannot achieve and maintain a tolerable risk from coastal erosion, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in risk from coastal erosion for adjacent land;</li> <li>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</li> <li>(c) the need to minimise future remediation works;</li> <li>(d) any loss or substantial compromise, by coastal erosion, of access to the lot on or off site;</li> <li>(e) the need to locate building areas outside the coastal erosion hazard area;</li> <li>(f) any advice from a State authority, regulated entity or a council; and</li> <li>(g) the advice contained in a coastal erosion hazard report,</li> </ul> <p>and works must not be located on actively mobile landforms unless for engineering or remediation works to protect land, property and human life.</p>

## C11.0 Coastal Inundation Hazard Code

### C11.1 Code Purpose

The purpose of the Coastal Inundation Hazard Code is:

- C11.1.1 To ensure that use or development subject to risk from coastal inundation is appropriately located and managed so that:
- (a) people, property and infrastructure are not exposed to an unacceptable level of risk;
  - (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised;
  - (c) it does not increase the risk from coastal inundation to other land or public infrastructure; and
  - (d) works to protect land from coastal inundation are undertaken in a way that provides appropriate protection without increasing risks to other land.
- C11.1.2 To provide for appropriate use or development that relies upon a coastal location to fulfil its purpose.

### C11.2 Application of this Code

- C11.2.1 This code applies to use and development of land within a coastal inundation hazard area.
- C11.2.2 This code applies to land in a coastal inundation investigation area where a suitably qualified person has provided a land survey showing an AHD for the land that falls within one of the coastal inundation hazard band levels shown in the coastal inundation hazard bands AHD levels list in the relevant Local Provisions Schedule and the standards relevant to each band apply.
- C11.2.3 This code does not apply to land in a coastal inundation investigation area where a suitably qualified person has provided a land survey showing an AHD for the land in excess of the low hazard band level relevant for that land, as shown in the coastal inundation hazard bands AHD levels list in the relevant Local Provisions Schedule.
- C11.2.4 For the purposes of C11.5.1 and C11.5.2, Residential or Visitor Accommodation are not Use Classes that are reliant on a coastal location.

### C11.3 Definition of Terms

- C11.3.1 In this code, unless the contrary intention appears:

Term	Definition
coastal inundation	means the risk of temporary or permanent inundation of land by the sea as a result of: <ul style="list-style-type: none"> <li>(a) storm surge;</li> <li>(b) tides; or</li> <li>(c) sea-level rise.</li> </ul>
coastal inundation hazard area	means land: <ul style="list-style-type: none"> <li>(a) shown on an overlay map in the relevant Local Provisions Schedule, as within a coastal inundation hazard area, which is classified into one of</li> </ul>



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Term	Definition
	<p>three coastal inundation hazard bands; or</p> <p>(b) in a coastal inundation investigation area where a suitably qualified person has provided a land survey showing an AHD for the land that falls within one of the coastal inundation hazard band levels shown in the coastal inundation hazard bands AHD levels list in the relevant Local Provisions Schedule.</p>
coastal inundation hazard bands	<p>means the classification of land within a coastal inundation hazard area into one of the following coastal inundation hazard bands:</p> <p>(a) low;</p> <p>(b) medium; or</p> <p>(c) high.</p>
coastal inundation hazard report	<p>means a report prepared by a suitably qualified person for a site that must include:</p> <p>(a) details of, and be signed by, the person who prepared or verified the report;</p> <p>(b) confirmation that the person has the appropriate qualifications, expertise and level of current indemnity insurance;</p> <p>(c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority; and</p> <p>(d) conclusions based on consideration of the proposed use and development:</p> <p>(i) as to whether the use or development is likely to cause or contribute to coastal inundation on the site or on adjacent land;</p> <p>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:</p> <ol style="list-style-type: none"> <li>the nature, intensity and duration of the use;</li> <li>the type, form and duration of any development;</li> <li>the likely change in the risk across the intended life of the use or development;</li> <li>the ability to adapt to a change in the level of risk;</li> <li>the ability to maintain access to utilities and services;</li> <li>the need for specific coastal inundation hazard reduction or protection measures on the site;</li> <li>the need for coastal inundation reduction or protection measures beyond the boundary of the site;</li> <li>any coastal inundation management plan in place for the site or adjacent land;</li> </ol> <p>(iii) any advice relating to the ongoing management of the use or development; and</p> <p>(iv) relating to any matter specifically required by Performance Criteria in this code.</p>

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coastal inundation investigation area	means land shown on an overlay map in the relevant Local Provisions Schedule as within a coastal inundation investigation area.
coastal inundation management plan	means a management plan for a coastal inundation hazard area endorsed by the relevant council.
critical use	means a use that is within one of the following Use Classes: (a) Emergency Services; or (b) Hospital Services.
hazardous use	means a use that is within one of the following Use Classes: (a) Crematoria and Cemeteries; (b) Extractive Industry, if the use involves the storage of a hazardous chemical of a manifest quantity; (c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity; (d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity; (e) Recycling and Waste Disposal; (f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity; (g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity; (h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity; (i) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity; or (j) Vehicle Fuel Sales and Service .
non-urban zone	means land shown on a zone map in the relevant Local Provisions Schedule, as within the following zones: (a) Rural Living Zone; (b) Rural Zone; (c) Agriculture Zone; (d) Landscape Conservation Zone; (e) Environmental Management Zone; (f) Utilities Zone; (g) Open Space Zone; and (h) Future Urban Zone.
urban zone	means land shown on a zone map in the relevant Local Provisions Schedule, as within the following zones: (a) General Residential Zone; (b) Inner Residential Zone; (c) Low Density Residential Zone; (d) Village Zone; (e) Urban Mixed Use Zone; (f) Local Business Zone; (g) General Business Zone;

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	<ul style="list-style-type: none"> <li>(h) Central Business Zone;</li> <li>(i) Commercial Zone;</li> <li>(j) Light Industrial Zone;</li> <li>(k) General Industrial Zone;</li> <li>(l) Major Tourism Zone;</li> <li>(m) Port and Marine Zone;</li> <li>(n) Community Purpose Zone;</li> <li>(o) Recreation Zone; and</li> <li>(p) any particular purpose zone.</li> </ul>
vulnerable use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Custodial Facility;</li> <li>(b) Educational and Occasional Care;</li> <li>(c) Residential, if for respite centre, residential care facility, retirement village or assisted housing; or</li> <li>(d) Visitor Accommodation, if the use accommodates more than 12 guests.</li> </ul>

## C11.4 Use or Development Exempt from this Code

C11.4.1 The following use or development is exempt from this Code:

- (a) development that requires authorisation under the *Building Act 2016*, excluding:
  - (i) a critical use, hazardous use, or vulnerable use;
  - (ii) if located within a high coastal inundation hazard band;
  - (iii) located within a non-urban zone and within a medium coastal inundation hazard band; or
  - (iv) coastal protection works;
- (b) intensification of an existing use, if not for a critical, hazardous, or vulnerable use;
- (c) alterations or extensions to an existing building located within a high coastal inundation hazard band, if:
  - (i) the site coverage is not increased by more than 20m<sup>2</sup> from that existing at the effective date; and
  - (ii) not for a critical, hazardous, or vulnerable use;
- (d) use or development of land for:
  - (i) Natural and Cultural Values Management;
  - (ii) Passive Recreation;
  - (iii) Port and Shipping in a proclaimed wharf area;
  - (iv) Resource Development; or
  - (v) minor utilities;
- (e) planting or disturbance of vegetation on existing pasture or crop production land; or
- (f) consolidation of lots.

## C11.5 Use Standards

C11.5.1 Uses within a high coastal inundation hazard band

Objective:	That use within a high coastal inundation hazard band: <ul style="list-style-type: none"> <li>(a) is reliant on a coastal location; and</li> <li>(b) can achieve and maintain a tolerable risk from coastal inundation.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1.1</b>  A use within a high coastal inundation hazard band must be for a use which relies upon a coastal location to fulfil its purpose, having regard to: <ul style="list-style-type: none"> <li>(a) the need to access a specific resource in a coastal location;</li> <li>(b) the need to operate a marine farming shore</li> </ul>

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	<p>facility;</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of an essential utility or marine infrastructure;</p> <p>(f) provision of open space or for marine-related educational, research, or recreational facilities;</p> <p>(g) any advice from a State authority, regulated entity or a council; and</p> <p>(h) the advice obtained in a coastal inundation hazard report, and</p> <p><b>P1.2</b></p> <p>A coastal inundation hazard report also demonstrates that:</p> <p>(a) any increase in the level of risk from coastal inundation does not require any specific hazard reduction or protection measures; or</p> <p>(b) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</p>
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## C11.5.2 Uses located within a non-urban zone and within a medium hazard band

Objective:	To ensure that a use located within a non-urban zone and within a medium hazard band: <ul style="list-style-type: none"> <li>(a) is reliant on a coastal location; and</li> <li>(b) can achieve and maintain a tolerable risk from exposure to coastal inundation.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1.1</b></p> <p>A use within a non-urban zone and within a medium hazard band must be for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the need to access a specific resource in a coastal location;</li> <li>(b) the need to operate a marine farming shore facility;</li> <li>(c) the need to access infrastructure available in a</li> </ul>

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	<p>coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of an essential utility or marine infrastructure;</p> <p>(f) provision of open space or for marine-related educational, research, or recreational facilities;</p> <p>(g) any advice from a State authority, regulated entity or a council; and</p> <p>(h) the advice obtained in a coastal inundation hazard report, and</p> <p><b>P1.2</b></p> <p>A coastal inundation hazard report also demonstrates that:</p> <p>(a) any increase in the level of risk from coastal inundation does not require any specific hazard reduction or protection measures; or</p> <p>(b) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</p>
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## C11.5.3 Uses located within a non-urban zone and within a low coastal inundation hazard band

Objective:	That a use located within a non-urban zone and within a low coastal inundation hazard band can achieve and maintain a tolerable risk from coastal inundation.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A tolerable risk for a use located within a non-urban zone and within a low coastal inundation hazard band can be achieved and maintained, having regard to:</p> <p>(a) any increase in the level of risk from coastal inundation;</p> <p>(b) any requirement for specific hazard reduction or protection measures;</p> <p>(c) the need to minimise any:</p> <p>(i) increase in risk to public infrastructure; and</p> <p>(ii) reliance on coastal protection works;</p>

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	<p>(d) any advice from a State authority, regulated entity or a council; and</p> <p>(e) the advice contained in a coastal inundation hazard report.</p>
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## C11.5.4 Critical use, hazardous use or vulnerable use

Objective:	That critical, hazardous and vulnerable uses located within a coastal inundation hazard area can achieve and maintain a tolerable risk from coastal inundation.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1.1</b></p> <p>If located within a non-urban zone or a high coastal inundation hazard band, the use must be for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the need to access a specific resource in a coastal location;</li> <li>(b) the need to access infrastructure available in a coastal location;</li> <li>(c) the need to operate a marine farming shore facility;</li> <li>(d) the need to service a marine or coastal related activity;</li> <li>(e) provision of an essential utility or marine infrastructure; and</li> <li>(f) provision of open space or for marine-related educational, research, or recreational facilities;</li> <li>(g) the advice contained in a coastal inundation hazard report, and</li> </ul> <p><b>P1.2</b></p> <p>A coastal inundation hazard report also demonstrates that:</p> <ul style="list-style-type: none"> <li>(a) an increase in the level of risk from a coastal inundation does not require any specific hazard reduction or protection measures; or</li> <li>(b) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.</li> </ul>

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<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>In addition to the requirements in clause C11.5.4 P1.2, a critical use within a coastal inundation hazard area must achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the ability of the use to function and maintain service during the coastal inundation event and recovery period;</li> <li>(b) any interruption to the operation of the critical use in locations external to the immediate impact of the coastal inundation event;</li> <li>(c) the creation of a risk to the health or safety of people from damage or disruption to: <ul style="list-style-type: none"> <li>(i) a water supply service; or</li> <li>(ii) the drainage and treatment of waste water;</li> </ul> </li> <li>(d) the advice contained in a coastal inundation hazard report; and</li> <li>(e) any advice from a State authority, regulated entity or a council.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>In addition to the requirements in clause C11.5.4 P1.2, the impact of coastal inundation on a hazardous use within a coastal inundation hazard area must have a tolerable risk in a 1% annual exceedance probability coastal inundation event in 2100, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the health and safety of people;</li> <li>(b) any impact on property;</li> <li>(c) any impact on the environment;</li> <li>(d) the advice contained in a coastal inundation hazard report; and</li> <li>(e) any advice from a State authority, regulated entity or a council.</li> </ul>



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<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>In addition to the requirements in clause C11.5.4 P1.2, a vulnerable use in a coastal inundation hazard area must be protected from coastal inundation in a 1% annual exceedance probability coastal inundation event in 2100, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any protection measures, existing or proposed;</li> <li>(b) the ability and capability of people in a coastal inundation event who may live, work or visit the site, to: <ul style="list-style-type: none"> <li>(i) protect themselves;</li> <li>(ii) evacuate in an emergency; and</li> <li>(iii) understand and respond to instructions in the event of an emergency;</li> </ul> </li> <li>(c) any emergency evacuation plan;</li> <li>(d) the level of risk for emergency personnel involved in evacuation and rescue tasks;</li> <li>(e) the advice contained in a coastal inundation hazard report; and</li> <li>(f) any advice from a State authority, regulated entity or a council.</li> </ul>
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## C11.6 Development Standards for Buildings and Works

### C11.6.1 Buildings and works, excluding coastal protection works, within a coastal inundation hazard area

Objective:	That: (a) building and works, excluding coastal protection works, within a coastal inundation hazard area, can achieve and maintain a tolerable risk from coastal inundation; and (b) buildings and works do not increase the risk from coastal inundation to adjacent land and public infrastructure.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> Buildings and works, excluding coastal protection works, within a coastal inundation hazard area must have a tolerable risk, having regard to: (a) whether any increase in the level of risk from coastal inundation requires any specific hazard reduction or protection measures; (b) that the building or works: (i) do not cause or contribute to coastal inundation on the site, on adjacent land or public infrastructure; and (ii) can achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100 for the intended life of the use without requiring any specific coastal inundation protection works; and (c) any advice from a State authority, regulated entity or a council; and (d) the advice contained in a coastal inundation hazard report.

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## C11.6.2 Coastal protection works within a coastal inundation hazard area

Objective:	That coastal protection works located within a coastal inundation hazard area are kept to a minimum, appropriately located, fit for purpose and do not increase the likely risks from coastal inundation to adjacent land.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>Coastal protection works within a coastal inundation hazard area must be appropriately located, fit for purpose and kept to a minimum, having regard to:</p> <ul style="list-style-type: none"> <li>(a) if within a non-urban zone, the works are for the protection of a use that relies upon a coastal location to fulfil its purpose;</li> <li>(b) the advice contained in a coastal inundation hazard report that: <ul style="list-style-type: none"> <li>(i) there will not be an increased risk of coastal inundation from a 1% annual exceedance probability coastal inundation event in 2100 on the site, on adjacent land or public infrastructure; and</li> <li>(ii) the risks from coastal inundation in a 1% annual exceedance probability coastal inundation event in 2100 can be mitigated;</li> </ul> </li> <li>(c) arrangements can be made, including with the applicant, to meet the cost of construction and ongoing maintenance of the coastal protection works; and</li> <li>(d) any advice from a State authority, regulated entity or a council.</li> </ul>

## C11.7 Development Standards for Subdivision

### C11.7.1 Subdivision within a coastal inundation hazard area

Objective:	That subdivision within a coastal inundation hazard area does not create an opportunity for use or development that cannot achieve and maintain a tolerable risk from coastal inundation.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision within a coastal inundation hazard area must:</p> <ul style="list-style-type: none"> <li>(a) be able to contain an area that is located wholly outside a coastal inundation hazard area; and</li> <li>(b) be able to include vehicular access and services that are located wholly outside a coastal inundation hazard area; or</li> <li>(c) be for the creation of separate lots for existing buildings;</li> <li>(d) be required for public use by the Crown, a council, or a State authority; or</li> <li>(e) be required for the provision of Utilities.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision within a coastal inundation hazard area must not create an opportunity for use or development that cannot achieve and maintain a tolerable risk from coastal inundation, having regard to;</p> <ul style="list-style-type: none"> <li>(a) any increase in risk from coastal inundation for adjacent land;</li> <li>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</li> <li>(c) the need to minimise future remediation works;</li> <li>(d) any loss or substantial compromise, by coastal inundation, of access to the lot on or off site;</li> <li>(e) the need to locate building areas outside the coastal inundation hazard area;</li> <li>(f) any advice from a State authority, regulated entity or a council; and</li> <li>(g) the advice contained in a coastal inundation hazard report.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

**C12.0 Flood-Prone Areas Hazard Code****C12.1 Code Purpose**

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

- C12.1.1 To ensure that use or development subject to risk from flood is appropriately located and managed, so that:
- (a) people, property and infrastructure are not exposed to an unacceptable level of risk;
  - (b) future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and
  - (c) it does not increase the risk from flood to other land or public infrastructure.
- C12.1.2 To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.

**C12.2 Application of this Code**

- C12.2.1 This code applies to development of land within a flood-prone hazard area.
- C12.2.2 This code applies to use of land within a flood-prone hazard area if for:
- (a) a change of use that converts a non-habitable building to a habitable building; or
  - (b) a new habitable room within an existing building.
- C12.2.3 This code applies to use in a habitable building, or development of land, identified in a report prepared by a suitably qualified person, that is lodged with an application for a permit, or required in response to a request under section 54 of the Act, as subject to risk from flood or that has the potential to cause increased risk from flood.
- C12.2.4 The planning authority may only make a request under clause C12.2.3 where it has information to form the opinion that the land is subject to risk from flood or has the potential to cause increased risk from flood.
- C12.2.5 This code does not apply to land subject to the Coastal Inundation Hazard Code.

## Tasmanian Planning Scheme – State Planning Provisions

**C12.3 Definition of Terms**

C12.3.1 In this code, unless the contrary intention appears:

Term	Definition
critical use	means a use that is within one of the following Use Classes: (a) Emergency Services; or (b) Hospital Services.
flood	means the risk of periodic or permanent flooding of land from a watercourse or other inland water source.
flood-prone hazard area	means land: (a) shown on an overlay map in the relevant Local Provisions Schedule, as within a flood-prone hazard area; or (b) identified in a report for the purposes of C12.2.3.
flood hazard report	means a report prepared by a suitably qualified person for a site, that must include: (a) details of, and be signed by, the person who prepared or verified the report; (b) confirmation that the person has the appropriate qualifications, expertise and level of current indemnity insurance; (c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority; and (d) conclusions based on consideration of the proposed use or development: (i) as to whether the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land; (ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to: a. the nature, intensity and duration of the use; b. the type, form and duration of any development; c. the likely change in the level of risk across the intended life of the use or development; d. the ability to adapt to a change in the level of risk; e. the ability to maintain access to utilities and services; f. the need for flood reduction or protection measures beyond the boundary of the site; g. any flood management plan in place for the site and/or adjacent land; and h. any advice relating to the ongoing management of the use or development; and (iii) any matter specifically required by Performance Criteria in this code.

## Tasmanian Planning Scheme – State Planning Provisions

Term	Definition
flood management plan	means a management plan for a flood-prone hazard area endorsed by the relevant council.
hazardous use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Crematoria and Cemeteries;</li> <li>(b) Extractive Industry, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(e) Recycling and Waste Disposal;</li> <li>(f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(i) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity; or</li> <li>(j) Vehicle Fuel Sales and Service .</li> </ul>
vulnerable use	<p>means a use that is within one of the following Use Classes:</p> <ul style="list-style-type: none"> <li>(a) Custodial Facility;</li> <li>(b) Educational and Occasional Care;</li> <li>(c) Residential, if for a respite centre, residential care facility, retirement village or assisted housing; or</li> <li>(d) Visitor Accommodation, if the use accommodates more than 12 guests.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

**C12.4 Use or Development Exempt from this Code**

C12.4.1 The following use or development is exempt from this code:

- (a) alterations or extensions to an existing building if:
  - (i) the site coverage is not increased by more than 20m<sup>2</sup> from that existing at the effective date; and
  - (ii) not for a critical, hazardous, or vulnerable use;
- (b) use or development of land for:
  - (i) Natural and Cultural Values Management;
  - (ii) Passive Recreation;
  - (iii) Port and Shipping in a proclaimed wharf area;
  - (iv) Resource Development, excluding a habitable building;
  - (v) minor utilities;
  - (vi) infrastructure for the generation of hydro-electricity; and
  - (vii) outbuildings;
- (c) planting or disturbance of vegetation on existing pasture or crop production land; and
- (d) consolidation of lots.



## Tasmanian Planning Scheme – State Planning Provisions

**C12.5 Use Standards**

## C12.5.1 Uses within a flood-prone hazard area

Objective:	That a habitable building can achieve and maintain a tolerable risk from flood.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1.1</b></p> <p>A change of use that, converts a non-habitable building to a habitable building, or a use involving a new habitable room within an existing building, within a flood-prone hazard area must have a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the location of the building; and</li> <li>(b) any advice from a State authority, regulated entity or a council, and</li> </ul> <p><b>P1.2</b></p> <p>A flood hazard report also demonstrates that:</p> <ul style="list-style-type: none"> <li>(a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or</li> <li>(b) the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

## C12.5.2 Critical use, hazardous use or vulnerable use

Objective:	That critical, hazardous and vulnerable uses, located within a flood-prone hazard area can achieve and maintain a tolerable risk from flood.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  A critical, hazardous, or vulnerable use within a flood-prone hazard area must achieve a tolerable level of risk from flood, having regard to: <ul style="list-style-type: none"> <li>(a) the type form and duration of the use; and</li> <li>(b) a flood hazard report that demonstrates that:               <ul style="list-style-type: none"> <li>(i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or</li> <li>(c) the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.</li> </ul> </li> </ul>
<b>A2</b>  No Acceptable Solution.	<b>P2</b>  In addition to the requirements in clause C12.5.2 P1, a critical use within a flood-prone hazard area must achieve and maintain a tolerable risk, having regard to: <ul style="list-style-type: none"> <li>(a) the ability of the use to function and maintain service during the flood event and recovery period;</li> <li>(b) any interruption to the operation of the critical use in locations external to the immediate impact of the flood;</li> <li>(c) the creation of risk to the health or safety of people from damage or disruption to:               <ul style="list-style-type: none"> <li>(i) a water supply service; or</li> <li>(ii) the drainage and treatment of waste water;</li> </ul> </li> <li>(d) the advice contained in a flood hazard report; and</li> <li>(e) any advice from a State authority, regulated entity or a council.</li> </ul>

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<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>In addition to the requirements in clause C12.5.2 P1, the impact of flood on a hazardous use within a flood-prone hazard area must achieve and maintain a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the health and safety of people;</li> <li>(b) any impact on property;</li> <li>(c) any impact on the environment;</li> <li>(d) the advice contained in a flood hazard report; and</li> <li>(e) any advice from a State authority, regulated entity or a council.</li> </ul>
<p><b>A4</b></p> <p>No Acceptable Solutions.</p>	<p><b>P4</b></p> <p>In addition to the requirements in clause C12.5.2 P1, a vulnerable use within a flood-prone hazard area, must be protected from flood, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any protection measures, existing or proposed;</li> <li>(b) the ability and capability of people in a flood event who may live, work or visit the site, to: <ul style="list-style-type: none"> <li>(i) protect themselves;</li> <li>(ii) evacuate in an emergency; and</li> <li>(iii) understand and respond to instructions in the event of an emergency;</li> </ul> </li> <li>(c) any emergency evacuation plan;</li> <li>(d) the level of risk for emergency personnel involved in evacuation and rescue tasks;</li> <li>(e) the advice contained in a flood hazard report; and</li> <li>(f) any advice from a State authority, regulated entity or a council.</li> </ul>

## Tasmanian Planning Scheme – State Planning Provisions

**C12.6 Development Standards for Buildings and Works****C12.6.1 Buildings and works within a flood-prone hazard area**

Objective:	That: (a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and (b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure.
Acceptable Solutions	Performance Criteria
<b>A1</b>  No Acceptable Solution.	<b>P1</b>  Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to: <ul style="list-style-type: none"> <li>(a) the type, form, scale and intended duration of the development;</li> <li>(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;</li> <li>(c) that the building and works:               <ul style="list-style-type: none"> <li>(i) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and</li> <li>(ii) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures;</li> </ul> </li> <li>(d) any advice from a State authority, regulated entity or a council; and</li> <li>(e) the advice contained in a flood hazard report.</li> </ul>

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**C12.7 Development Standards for Subdivision****C12.7.1 Subdivision within a flood-prone hazard area**

Objective:	That subdivision within a flood-prone hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must:</p> <ul style="list-style-type: none"> <li>(a) be able to contain a building area that is located wholly outside a flood-prone hazard area; and</li> <li>(b) be able to include vehicular access and services that are located wholly outside a flood-prone hazard area; or</li> <li>(c) be for the creation of separate lots for existing buildings;</li> <li>(d) be required for public use by the Crown, a council or a State authority; or</li> <li>(e) be required for the provision of Utilities.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in risk from flood for adjacent land;</li> <li>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</li> <li>(c) the need to minimise future remediation works;</li> <li>(d) any loss or substantial compromise by flood of access to the lot, on or off site;</li> <li>(e) the need to locate building areas outside the flood-prone hazard area;</li> <li>(f) any advice from a State authority, regulated entity or a council; and</li> <li>(g) the advice contained in a flood hazard report.</li> </ul>

## C13.0 Bushfire-Prone Areas Code

### C13.1 Code Purpose

The purpose of the Bushfire-Prone Areas Code is:

- C13.1.1 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.

### C13.2 Application of this Code

C13.2.1 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.

### C13.3 Definition of Terms

C13.3.1 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 <i>Australian Standard AS3959–2009 Construction of buildings in bushfire-prone areas</i> as ‘a means of measuring the severity of a building’s potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire’.
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 shown on an overlay map in the relevant Local Provisions Schedule, as within a bushfire-prone area; or</li> <li>(b) land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.</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.

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Term	Definition
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 supply.
fire hydrant	means as described in <i>Australian Standard AS2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning</i> .
hardstand	means as described in <i>Australian Standard AS 2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning</i> .
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) hazardous chemicals of a manifest quantity are stored on a site; 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.
static water supply	means water stored in a tank, swimming pool, dam, or lake, that is available for fire fighting purposes at all times.
TFS	means Tasmania Fire Service.
vulnerable use	means a use that is within one or more of the following use classes: <ul style="list-style-type: none"> <li>(a) Custodial Facility;</li> <li>(b) Education and Occasional Care;</li> <li>(c) Hospital Services;</li> <li>(d) Residential if the use is for assisted housing, residential care facility, respite centre or retirement village.</li> </ul>
water corporation	means the corporation within the meaning of the <i>Water and Sewerage Corporation Act 2012</i> .

### C13.4 Use or Development Exempt from this Code

C13.4.1 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 7.3.

### C13.5 Use Standards

C13.5.1 Vulnerable uses

Objective:	That vulnerable uses are located on land within a bushfire-prone area only in exceptional circumstances.	
Acceptable Solutions		Performance Criteria
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  A vulnerable use must only be located in a bushfire-prone area if the bushfire risk can be managed to an acceptable level, 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 ability of the 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;</li> </ul> </li> <li>(e) any bushfire protection measures available to reduce risk to emergency service personnel; and</li> <li>(f) any advice from the TFS.</li> </ul>



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<b>A2</b> A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	<b>P2</b> No Performance Criterion.
<b>A3</b> An emergency plan that is approved by the TFS.	<b>P3</b> No Performance Criterion.

## C13.5.2 Hazardous uses

Objective:	That hazardous uses are located on land within a bushfire-prone area only in exceptional circumstances.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> A hazardous use must only be located in a bushfire-prone area in exceptional circumstances if the bushfire risk can be managed to an acceptable level, 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 nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</li> <li>(e) available fire protection measures to: <ul style="list-style-type: none"> <li>(i) prevent the hazardous use from contributing to the spread or intensification of bushfire;</li> <li>(ii) limit the potential for bushfire to be ignited on the site;</li> <li>(iii) prevent exposure of people and the environment to the hazardous chemicals, explosives or emissions as a consequence of bushfire; and</li> <li>(iv) reduce the risk to fire fighters; and</li> </ul> </li> <li>(f) any advice from the TFS.</li> </ul>	

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<b>A2</b> A bushfire hazard management plan that contains appropriate bushfire protection measures is certified by the TFS or an accredited person.	<b>P2</b> No Performance Criterion.
<b>A3</b> An emergency plan that is approved by the TFS.	<b>P3</b> No Performance Criterion.

## C13.6 Development Standards for Subdivision

### C13.6.1 Provision of hazard management areas

Objective:	<p>That subdivision provides for hazard management areas that:</p> <ul style="list-style-type: none"> <li>(a) facilitate an integrated approach between subdivision and subsequent building on a lot;</li> <li>(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</li> <li>(c) provide protection for lots at any stage of a staged subdivision.</li> </ul>
Acceptable Solutions	Performance Criteria
<b>A1</b> <ul style="list-style-type: none"> <li>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</li> <li>(b) The proposed plan of subdivision: <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 <i>Australian Standard AS3959–2009 Construction of buildings in bushfire-prone areas</i>; and</li> <li>(iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person,</li> </ul> </li> </ul>	<b>P1</b> 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: <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) any 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 a bushfire hazard</li> </ul>

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<p>showing hazard management areas greater than the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS3959-2009 Construction of buildings in bushfire-prone Areas</i>; and</p> <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>management plan; and</p> <p>(h) any advice from the TFS.</p>
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## C13.6.2 Public and fire fighting access

Objective:	<p>That access roads to, and the layout of roads, tracks and trails, in a subdivision:</p> <p>(a) allow safe access and egress for residents, fire fighters and emergency service personnel;</p> <p>(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;</p> <p>(c) are designed and constructed to allow for fire appliances to be manoeuvred;</p> <p>(d) provide access to water supplies for fire appliances; and</p> <p>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</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 specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables C13.1, C13.2 &amp; C13.3, is included in a bushfire hazard management plan certified by the TFS or accredited person.</p>	<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> <p>(a) appropriate design measures, including:</p> <p>(i) two way traffic;</p> <p>(ii) all weather surfaces;</p> <p>(iii) height and width of any vegetation clearances;</p> <p>(iv) load capacity;</p> <p>(v) provision of passing bays;</p> <p>(vi) traffic control devices;</p>

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	<ul style="list-style-type: none"> <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; and</li> </ul> <p>(b) the provision of access to:</p> <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> <p>(c) any advice from the TFS.</p>
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**Table C13.1: Standards for Roads**

Element		Requirement
<b>A.</b>	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 20 tonnes, 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 <i>Australian Standard, AS 1743-2001 Road signs-Specifications</i>.</li> </ul>

**Table C13.2: Standards for Property Access**

<b>Element</b>		<b>Requirement</b>
<b>A.</b>	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
<b>B.</b>	Property access length is 30m or greater; or access is required for a fire appliance to a fire fighting water point.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) all-weather construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width of 4m;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 0.5m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</li> <li>(h) curves with a minimum inner radius of 10m;</li> <li>(i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and</li> <li>(j) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> <li>(i) a turning circle with a minimum inner radius of 10m; or</li> <li>(ii) a property access encircling the building; or</li> <li>(iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.</li> </ul> </li> </ul>
<b>C.</b>	Property access length is 200m or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) the requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</li> </ul>
<b>D.</b>	Property access length is greater than 30m, and access is provided to 3 or more properties.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) complies with requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.</li> </ul>

**Table C13.3: Standards for Fire Trails**

<b>Element</b>		<b>Requirement</b>
<b>A.</b>	All fire trails.	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> <li>(a) all-weather, 4-wheel drive construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width of 4m;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 2m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</li> <li>(h) curves with a minimum inner radius of 10m;</li> <li>(i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed fire trails, and 10 degrees (1:5.5 or 18%) for unsealed fire trails;</li> <li>(j) gates if installed at fire trail entry, have a minimum width of 3.6m, and if locked, keys are provided to TFS; and</li> <li>(k) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> <li>(i) a turning circle with a minimum radius of 10m; or</li> <li>(ii) a hammerhead “T” or “Y” turning head 4m wide and 8m long.</li> </ul> </li> </ul>
<b>B.</b>	Fire trail length is 200m or greater.	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> <li>(a) the requirements for A above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</li> </ul>

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## C13.6.3 Provision of water supply for fire fighting purposes

Objective:	That an adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>In areas serviced with reticulated water by the water corporation:</p> <ul style="list-style-type: none"> <li>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</li> <li>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table C13.4; or</li> <li>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</li> </ul>	<p><b>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> <ul style="list-style-type: none"> <li>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</li> <li>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table C13.5; or</li> <li>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</li> </ul>	<p><b>P2</b></p> <p>No Performance Criterion.</p>



**Table C13.4: Reticulated Water Supply for Fire Fighting**

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

**Table C13.5: Static Water Supply for Fire Fighting**

Element		Requirement
<b>A.</b>	Distance between building area to be protected and water supply.	<p>The following requirements apply:</p> <ul style="list-style-type: none"> <li>(a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and</li> <li>(b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</li> </ul>
<b>B.</b>	Static Water Supplies.	<p>The static water supply:</p> <ul style="list-style-type: none"> <li>(a) may have a remotely located offtake connected to the static water supply;</li> <li>(b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times;</li> <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 <i>Australian Standard AS3959-2009 Construction of buildings in bushfire-prone areas</i>, 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>

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<b>C.</b>	Fittings, pipework and accessories (including stands and tank supports)	<p>Fittings and pipework associated with a fire fighting water point for a static water supply must:</p> <ul style="list-style-type: none"> <li>(a) have a minimum nominal internal diameter of 50mm;</li> <li>(b) be fitted with a valve with a minimum nominal internal diameter of 50mm;</li> <li>(c) be metal or lagged by non-combustible materials if above ground;</li> <li>(d) if buried, have a minimum depth of 300mm<sup>1</sup> ;</li> <li>(e) provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment;</li> <li>(f) ensure the coupling is accessible and available for connection at all times;</li> <li>(g) ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);</li> <li>(h) ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and</li> <li>(i) if a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> <li>(i) visible;</li> <li>(ii) accessible to allow connection by fire fighting equipment;</li> <li>(iii) at a working height of 450 – 600mm above ground level; and</li> <li>(iv) protected from possible damage, including damage by vehicles.</li> </ul> </li> </ul>
<b>D.</b>	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 comply with:</p> <ul style="list-style-type: none"> <li>(a) water tank signage requirements of <i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>; or</li> <li>(b) the following requirements: <ul style="list-style-type: none"> <li>(i) be marked with the letter “W” contained within a circle with the letter in upper case of not less than 100mm in height;</li> <li>(ii) be in fade-resistant material with white reflective lettering and circle on a red background;</li> <li>(iii) be located within 1m of the firefighting water point in a situation which will not impede access or operation; and</li> <li>(iv) be no less than 400mm above the ground.</li> </ul> </li> </ul>

<sup>1</sup> Compliant with *Australian/New Zealand Standard AS/NZS 3500.1:2003 Plumbing and drainage, Part 1: Water Services* Clause, 5.23

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<b>E.</b>	Hardstand.	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none"> <li>(a) no more than 3m from the firefighting water point, measured as a hoselay (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) with 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>
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TPC modifications

## C14.0 Potentially Contaminated Land Code

### C14.1 Purpose of the Potentially Contaminated Land Code

The purpose of the Potentially Contaminated Land Code is:

C14.1.1 To ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

### C14.2 Application of this Code

C14.2.1 This code applies to

- (a) use, that is a sensitive use, or a use listed in a Use Class in Table C14.1, and is one of the specified uses; or
- (b) development on land that:
  - (i) is shown on an overlay map in the relevant Local Provisions Schedule as within an area of potentially contaminated land;
  - (ii) the planning authority knows to have been used for a potentially contaminating activity, by reference to:
    - a. a notice issued in accordance with Part 5A of the *Environmental Management and Pollution Control Act 1994*; or
    - b. a previous permit;
  - (iii) the planning authority reasonably suspects may be contaminated by reference to:
    - a. a notice issued in accordance with Part 5A of the *Environmental Management and Pollution Control Act 1994*; or
    - b. advice from the Director that it is likely that contamination has migrated onto the land; or
  - (iv) has been identified as having been used, or may have been used, for a potentially contaminating activity, or as land onto which it is likely that contamination from a potentially contaminating activity has migrated:
    - a. in a report lodged with the application; or
    - b. in a report prepared by a site contamination practitioner in response to a request under s.54 of the Act.

C14.2.2 The planning authority may only make a request under clause C14.2.1(b)(iv)b. where it has information to form the opinion that the land has been used, or may have been used, for one of the potentially contaminating activities listed in Table C14.2, or as land onto which it is likely that contamination from a potentially contaminating activity has migrated.

**Table C14.1**

Use Class	Specified Use
Passive Recreation	If for public parks, gardens and playgrounds.
Sports and Recreation	If for outdoor recreation facilities.

### C14.3 Definition of Terms

C14.3.1 In this code, unless the contrary intention appears:

Term	Definition
background concentration	means as defined in Part 5A of the <i>Environmental Management and Pollution Control Act 1994</i> .
contaminated	means the condition of land or water, where any chemical substance, or waste, has been added as a direct or indirect result of human activity at above background concentration, and represents or potentially represents an adverse impact on human health or the environment.
environmental site assessment	means a report prepared by a site contamination practitioner or a person approved by the Director for the purpose of this code on the nature, extent and levels of existing contamination and the actual or potential risk to human health or the environment, on or off the site, resulting from that contamination, prepared in accordance with the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i> .
Director	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
person approved by the Director for the purpose of this code	means a contaminated land auditor accredited under the following legislation: (a) <i>Contaminated Land Management Act 1997</i> (NSW); (b) <i>Environment Protection Act 1993</i> (SA); (c) <i>Environment Protection Act 1970</i> (Vic); (d) <i>Contaminated Sites Act 2003</i> (WA); or (e) <i>Environment Protection Act 1994</i> (Qld), and approved by the Director to provide certification of land in Tasmania.
potentially contaminating activity	means an activity listed in Table C14.2 as a potentially contaminating activity that is not directly associated with and subservient to Residential.
potentially contaminated land	means land: (a) shown on an overlay map in the relevant Local Provisions Schedule as potentially contaminated land; (b) the planning authority knows to have been used for a potentially contaminating activity in accordance with C14.2.1(b)(ii); (c) the planning authority reasonably suspects may be contaminated in accordance with C14.2.1(b)(iii); or (d) identified in a report for the purposes of C14.2.1(b)(iv).
site history	means the collection of information from historical sources to determine if a site is likely to have been impacted by a potentially contaminating activity.
site contamination practitioner	means a person who is certified under the Site Contamination Practitioners Australia (SCP Australia) scheme, or a contaminated land practitioners scheme that is endorsed by the Director.

## C14.4 Use or Development Exempt from this Code

C14.4.1 The following use or development is exempt from this code:

- (a) development:
  - (i) to investigate whether a potentially contaminating activity has contaminated the land; or
  - (ii) in accordance with a notice issued in accordance with Part 5A of the *Environmental Management and Pollution Control Act 1994*;
- (b) development that does not involve disturbance of more than 1m<sup>2</sup> of land;
- (c) any use or development where a site history prepared by a site contamination practitioner or a person approved by the Director for the purpose of this code, has been provided to the planning authority and that site history confirms potentially contaminating activities did not contaminate the site;
- (d) any use or development that the Director, or a person approved by the Director for the purpose of this code, having regard to the applicable standards in this code, has issued a certificate stating that there is insufficient increase in risk from contamination to warrant any specific remediation and protection measures; or
- (e) any use or development that operates in accordance with an approval granted as a result of an assessment of that use or development by the Board of the Environment Protection Authority.

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**C14.5 Use Standards**

## C14.5.1 Suitability for intended use

Objective:	That potentially contaminated land is suitable for a sensitive use or a Use Class listed in Table C14.1 and is one of the specified uses.
Acceptable solutions	Performance Criteria
<p><b>A1</b></p> <p>The Director, or a person approved by the Director for the purpose of this code:</p> <p>(a) certifies that land is suitable for the intended use; or</p> <p>(b) certifies a plan to manage contamination and associated risk to human health or the environment, so that the land is suitable for the intended use.</p>	<p><b>P1</b></p> <p>Land is suitable for the intended use, having regard to:</p> <p>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</p> <p>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</p> <p>(c) an environmental site assessment that includes a plan, to manage contamination and associated risk to human health or the environment that includes:</p> <p>(i) any specific remediation and protection measures required to be implemented before any use commences; and</p> <p>(ii) a statement that the land will be suitable for the intended use.</p>



## C14.6 Development Standards

### C14.6.1 Development standard for works

Objective:	That works involving excavation of potentially contaminated land do not adversely impact on human health or the environment.	
Acceptable solutions		Performance Criteria
<b>A1</b>  Excavation involves less than 250m <sup>3</sup> of site disturbance.		<b>P1</b>  Excavation does not adversely impact on human health or the environment, having regard to: <ul style="list-style-type: none"> <li>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</li> <li>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</li> <li>(c) an environmental site assessment, including a plan to manage contamination and associated risk to human health and the environment, that includes:               <ul style="list-style-type: none"> <li>(i) any specific remediation and protection measures required to be implemented before excavation commences; and</li> <li>(ii) a statement that the excavation does not adversely impact on human health or the environment.</li> </ul> </li> </ul>

## C14.7 Development Standards for Subdivision

### C14.7.1 Subdivision for sensitive use

Objective:	That subdivision of potentially contaminated land that allows for a sensitive use or a Use Class listed in Table C14.1, and is one of the specified uses, does not adversely impact on human health or the environment.
Acceptable solutions	Performance Criteria
<p><b>A1</b></p> <p>For subdivision of land, the Director, or a person approved by the Director for the purpose of this code:</p> <ul style="list-style-type: none"> <li>(a) certifies that the land is suitable for the intended use or development; or</li> <li>(b) certifies a plan to manage contamination and associated risk to human health or the environment, so that the subdivision does not adversely impact on human health or the environment and is suitable for its intended use or development.</li> </ul>	<p><b>P1</b></p> <p>Subdivision of potentially contaminated land does not adversely impact on human health or the environment and is suitable for its intended use or development, having regard to:</p> <ul style="list-style-type: none"> <li>(a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;</li> <li>(b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or</li> <li>(c) an environmental site assessment, including a plan to manage contamination and associated risk to human health and the environment, that includes:             <ul style="list-style-type: none"> <li>(i) any specific remediation and protection measures required to be implemented before any use or development commences; and</li> <li>(ii) a statement that the land is suitable for the intended use or development.</li> </ul> </li> </ul>

**Table C14.2 Potentially Contaminating Activities**

Potentially Contaminating Activity	Potentially Contaminating Activity
Acid / alkali plant and formulation	Mineral processing
Ammunition manufacture and usage (e.g. shooting ranges)	Mine sites involving waste rock or tailings deposits
Asbestos production, handling or disposal	Oil or gas production or refining
Asphalt/bitumen manufacturing	Paint manufacture and formulation
Battery manufacturing or recycling	Pesticide manufacture and formulation
Boat/ship building, marinas, slip ways and associated boat yards	Petroleum product or oil storage
Boiler or kiln usage	Pharmaceutical manufacture and formulation
Chemical manufacture and formulation (e.g. fertilisers, paints, pesticides, photography, plastics, solvents)	Power stations
Commercial engine and machinery repair sites	Printing
Drum conditioning works	Radio-active material usage (e.g. hospitals)
Dry cleaning establishments	Railway yards
Electrical transformers	Scrap yards and recycling facilities
Ethanol production plants	Sewage treatment plants
Explosives industries	Sheep and cattle dips
Fertiliser manufacturing plants	Sites of fires involving hazardous materials, including firefighting foam use
Fill material imported onto a site from a potentially contaminated source	Sites of incidents involving release of hazardous materials
Foundry operations	Spray painting industries
Gas works	Spray storage and mixing sites (e.g. for orchards)
Herbicide manufacture	Tanning and associated trades
Industrial activities involving hazardous chemicals in significant quantities	Textile operations

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Potentially Contaminating Activity	Potentially Contaminating Activity
Iron and steel works	Tyre manufacturing and retreading works
Landfill sites, including on-site waste disposal and refuse pits	Wood preservation and storage or cutting of treated timber
Metal smelting, refining or finishing	Wool scouring
Metal treatments (e.g. electroplating) and abrasive blasting	

## C15.0 Landslip Hazard Code

### C15.1 Code Purpose

The purpose of the Landslip Hazard Code is:

- C15.1.1 To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.

### C15.2 Application of this Code

C15.2.1 This code applies to:

- (a) use or development of land within a landslip hazard area; or
- (b) use or development of land identified in a report, that is lodged with an application, or required in response to a request under section 54 of the Act, as having potential to cause or contribute to a landslip.

C15.2.2 The planning authority may only make a request under clause C15.2.1(b) where it has information to form the opinion that the use of development of the land has the potential to cause or contribute to landslip.

### C15.3 Definition of Terms

C15.3.1 In this code, unless the contrary intention appears:

Term	Definition
critical use	means a use that is within one of the following Use Classes: <ul style="list-style-type: none"> <li>(a) Emergency Services; or</li> <li>(b) Hospital Services.</li> </ul>
geotechnical practitioner	means: <ul style="list-style-type: none"> <li>(a) a person holding a building services license issued under the <i>Occupational Licensing Act 2005</i> in the class of engineer-civil;</li> <li>(b) a geotechnical engineer acting within their area of competence; or</li> <li>(c) an engineering geologist acting within their area of competence.</li> </ul>

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hazardous use	<p>means a use that is within one or more of the following use classes:</p> <ul style="list-style-type: none"> <li>(a) Crematoria and Cemeteries;</li> <li>(b) Extractive Industries, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(c) Hospital Services, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(d) Manufacturing and Processing, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(e) Recycling and Waste Disposal;</li> <li>(f) Research and Development, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(g) Storage, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(h) Transport Depot and Distribution, if the use involves the storage of a hazardous chemical of a manifest quantity;</li> <li>(i) Utilities, if the use involves the storage of a hazardous chemical of a manifest quantity; or</li> <li>(j) Vehicles Fuel Sales and Service.</li> </ul>
landslide	means landslip for the purposes of this code.
landslip	means the downslope movement of a mass of rock, debris, or earth.
landslip hazard area	<p>means land:</p> <ul style="list-style-type: none"> <li>(a) shown on an overlay map in the relevant Local Provisions Schedule, as within a landslip hazard area, which is classified into one of four landslip hazard bands; or</li> <li>(b) identified in a report for the purposes of C15.2.1 (b).</li> </ul>
landslip hazard bands	<p>means the classification of land within a landslip hazard area into one of the following landslip hazard bands:</p> <ul style="list-style-type: none"> <li>(a) low</li> <li>(b) medium;</li> <li>(c) medium-active; or</li> <li>(d) high</li> </ul>
landslip hazard report	<p>means a report prepared using the methodology of the <i>Practice Note Guidelines for Landslide Risk Management 2007</i> by a geotechnical practitioner with experience and competence in the preparation of landslip hazard reports (or equivalent), that must include:</p> <ul style="list-style-type: none"> <li>(a) details of, and be signed by, the person who prepared or verified the report;</li> <li>(b) confirmation that the person has the appropriate qualifications, expertise and level of current indemnity insurance;</li> <li>(c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority;</li> <li>(d) a report of a geotechnical site investigation undertaken consistent with <i>Australian Standard AS 1726-1993 Geotechnical site investigations</i>;</li> <li>(e) conclusions based on consideration of the proposed use or development; <ul style="list-style-type: none"> <li>(i) as to whether the use or development is likely to cause or contribute to the occurrence of a landslip event on the site or on</li> </ul> </li> </ul>

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	<p>adjacent land;</p> <p>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the development, having regard to:</p> <ol style="list-style-type: none"> <li>the nature, intensity and duration of the use;</li> <li>the type, form and duration of any development;</li> <li>the likely change in the risk across the intended life of the use or development;</li> <li>the ability to adapt to a change in the risk;</li> <li>the ability to maintain access to utilities and services;</li> <li>the need for specific landslip reduction or protection measures on the site;</li> <li>the need for landslip reduction or protection measures beyond the boundary of the site; and</li> <li>any landslip management plan in place for the site or adjacent land;</li> </ol> <p>(iii) any advice relating to the ongoing management of the use or development; and</p> <p>(iv) relating to any matter specifically required by Performance Criteria in this code.</p>
landslip management plan	means a management plan for a landslip hazard area endorsed by the relevant council.
significant works	<p>means any of the following:</p> <ol style="list-style-type: none"> <li>excavation equal to or greater than 1m in depth, including temporary excavations for the installation or maintenance of services or pipes;</li> <li>excavation or land filling of greater than 100m<sup>3</sup> whether or not material is sourced on the site or imported;</li> <li>felling or removal of vegetation over a contiguous area greater than 1000m<sup>2</sup>;</li> <li>the collection, pooling or storage of water in a dam, pond, tank or swimming pool with a volume of more than 45 000L;</li> <li>removal, redirection, or introduction of drainage for surface or groundwater; and</li> <li>discharge of stormwater, sewage, water storage overflow or other wastewater.</li> </ol>
vulnerable use	<p>means a use that is within one or more of the following Use Classes:</p> <ol style="list-style-type: none"> <li>Custodial Facility;</li> <li>Education and Occasional Care;</li> <li>Residential, if for respite centre, residential care facility, retirement village or assisted housing; or</li> <li>Visitor Accommodation, if the use is to accommodate more than 12 guests.</li> </ol>

## C15.4 Use or Development Exempt from this Code

C15.4.1 The following use or development is exempt from this code:

- (a) use of land within a low or medium landslip hazard band, excluding for a critical use, hazardous use or vulnerable use;
- (b) use or development of land for Extractive Industry where a mining lease under the *Mineral Resources and Development Act 1995* is in force, excluding a hazardous use;
- (c) use of land for:
  - (i) Natural and Cultural Values Management;
  - (ii) Passive Recreation;
  - (iii) Resource Development; or
  - (iv) Utilities;
- (d) development on land within a low or medium landslip hazard band that requires authorisation under the *Building Act 2016*;
- (e) development, including subdivision, on land within a low landslip hazard band, if it does not involve significant works;
- (f) development for Resource Development on land within the low or medium landslip hazard band, if it does not involve any works;
- (g) development for minor utilities or linear utilities associated with sewer, water, or stormwater systems, electricity, gas, telecommunications and roads, if it does not involve significant works;
- (h) subdivision of land within the medium-active or high landslip hazard band, if it does not involve any works; and
- (i) subdivision of land within a medium landslip hazard band if:
  - (i) it does not involve significant works; or
  - (ii) it does not create a new road, or extend an existing road.



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**C15.5 Use Standards**

## C15.5.1 Use within a landslip hazard area

Objective:	That uses, including critical, hazardous or vulnerable use, can achieve and maintain a tolerable risk from exposure to a landslip for the nature and intended duration of the use.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1.1</b> A use, including a critical use, hazardous use, or vulnerable use, within a landslip hazard area achieve and maintain a tolerable risk from exposure to landslip, having regard to: <ul style="list-style-type: none"> <li>(a) the type, form and duration of the use; and</li> <li>(b) a landslip hazard report that demonstrates that:               <ul style="list-style-type: none"> <li>(i) any increase in the level of risk from landslip does not require any specific hazard reduction or protection measure; or</li> <li>(ii) the use can achieve and maintain a tolerable risk for the intended life of the use, and</li> </ul> </li> </ul> <b>P1.2</b> If landslip reduction or protection measures are required on land beyond the boundary of the site, the consent in writing of the owner of that land must be provided for that land to be managed in accordance with the landslip reduction or protection measures.

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<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>In addition to the requirements in clause C15.5.1 P1.1, a critical use within a landslip hazard area must achieve and maintain a tolerable risk from landslip, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the impact on the ability of the use to respond to a landslip event;</li> <li>(b) the impact on ability of the use to function and maintain service during the landslip and recovery period;</li> <li>(c) any interruption to the operation of the critical use in locations external to the immediate impact of the landslip event;</li> <li>(d) the creation of risk to the health or safety of people from damage or disruption to: <ul style="list-style-type: none"> <li>(i) a water supply service;</li> <li>(ii) an energy supply; or</li> <li>(iii) the drainage and treatment of waste water;</li> </ul> </li> <li>(e) any advice contained in a landslip hazard report; and</li> <li>(f) any advice from a State authority, regulated entity or a council.</li> </ul>
<p><b>A3</b></p> <p>No Acceptable Solution.</p>	<p><b>P3</b></p> <p>In addition to the requirements in clause C15.5.1 P1.1, a hazardous use within a landslip hazard area must achieve and maintain a tolerable risk, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the health and safety of people;</li> <li>(b) any impact on property;</li> <li>(c) any impact on the environment;</li> <li>(d) the advice contained in a landslip hazard report; and</li> <li>(e) any advice from a State authority, regulated entity or a council.</li> </ul>

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<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></p> <p>In addition to the requirements in clause C15.5.1 P1.1, a vulnerable use within a landslip hazard area must be protected from landslip, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any protection measures, existing or proposed;</li> <li>(b) the ability and capability of people in a landslip event who may live, work or visit the site, to: <ul style="list-style-type: none"> <li>(i) protect themselves;</li> <li>(ii) evacuate in an emergency; and</li> <li>(iii) understand and respond to instructions in the event of an emergency;</li> </ul> </li> <li>(c) any emergency evacuation plan; and</li> <li>(d) the advice contained in a landslip hazard report; and</li> <li>(e) any advice from a State authority, regulated entity or a council.</li> </ul>
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## C15.6 Development Standards for Buildings and Works

### C15.6.1 Building and works within a landslip hazard area

Objective:	That building and works on land within a landslip hazard area can: (a) minimise the likelihood of triggering a landslip event; and (b) achieve and maintain a tolerable risk from a landslip.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<p><b>P1.1</b></p> <p>Building and works within a landslip hazard area must minimise the likelihood of triggering a landslip event and achieve and maintain a tolerable risk from landslip, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the type, form, scale and intended duration of the development;</li> <li>(b) whether any increase in the level of risk from a landslip requires any specific hazard reduction or protection measures;</li> <li>(c) that the building and works do not cause or contribute to landslip on the site, on adjacent land or public infrastructure;</li> <li>(d) any advice from a State authority, regulated entity or a council; and</li> <li>(e) the advice contained in a landslip hazard report, and</li> </ul> <p><b>P1.2</b></p> <p>If landslip reduction or protection measures are required beyond the boundary of the site the consent in writing of the owner of that land must be provided for that land to be managed in accordance with the specific hazard reduction or protection measures.</p>

## C15.7 Development Standards for Subdivision

### C15.7.1 Subdivision within a landslip hazard area

Objective:	That subdivision within a landslip hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from a landslip.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must be:</p> <ul style="list-style-type: none"> <li>(a) able to contain a building area that is located wholly outside a landslip hazard area; and</li> <li>(b) able to include vehicular access and services that are located wholly outside a landslip hazard area; or</li> <li>(c) required for public use by the Crown, a council, or a State authority.</li> </ul>	<p><b>P1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or development that cannot achieve a tolerable risk from landslip, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in risk from a landslip for adjacent land;</li> <li>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</li> <li>(c) the need to minimise future remediation works;</li> <li>(d) any loss or substantial compromise, by a landslip, of access to the lot on or off site;</li> <li>(e) the need to locate building areas outside the landslip hazard area;</li> <li>(f) any advice from a State authority, regulated entity or a council; and</li> <li>(g) the advice contained in a landslip hazard report.</li> </ul>

## State Planning Provisions - Applied, Adopted or Incorporated Documents

Document Title	Publication Details	Relevant Clause in State Planning Provision
<i>Australian/New Zealand Standard AS/NZS1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements</i>		C2.6.4 A1 C2.6.7 A1
<i>Australian Standard AS 1726:1993 Geotechnical site investigations</i>		C10.3.1 C15.3.1
<i>Australian Standard AS 1743-2001 Road signs-Specifications</i>		Table C13.1
<i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>		Table C13.5
<i>Australian Standard, AS 2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning</i>		C13.3.1
<i>Australian Standard AS2890 – Parking facilities, Parts 1-6</i>		C.2.6.2 A1.1
<i>Australian Standard AS2890.1:2004 – Parking facilities, Part 1: Off-street car parking</i>		C.2.6.2 P1
<i>Australian Standard, AS2890.2:2002 - Parking facilities, Part 2: Off-street commercial vehicle facilities</i>		C2.6.2 P1 C2.6.6 A1 C2.6.6 A2
<i>Australian Standard, AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities</i>		C2.6.7 A2 C2.6.7 P2
<i>Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Off-street parking for people with disabilities</i>		C2.6.2 A1.2
<i>Australian Standard AS3959-2009 Construction of buildings in bushfire-prone areas</i>		C13.3.1 C13.6.1 A1 Table C13.5
<i>Australian/ New Zealand Standard AS/NZS 3500.1:2003 Plumbing and drainage</i>		Table C13.5

Document Title	Publication Details	Relevant Clause in State Planning Provision
<i>Building Code of Australia</i>	Australian Building Codes Board	3.1.3
<i>The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance, 7<sup>th</sup> edition, 2013</i>	Kerr, J.S., National Trust of Australia (NSW)	7.4.3
<i>Geocentric Datum of Australia Technical Manual, version 2.3(1)</i>	Intergovernmental Committee on Surveying and Mapping	3.1.3
<i>Guide to Road Design, Part 6A: Pedestrian and Cyclist Paths - 2009</i>	Austroads Inc	8.6.2 P1 9.6.2 P1 10.6.2 P1
<i>Guide to Traffic Management Part 12: Traffic Impacts of Development</i>	Austroads Inc	C3.3.1
<i>Practice Note Guidelines for Landslide Risk Management 2007</i>	Australian Geomechanics Society Landslide Taskforce, Landslide Practice Note Working Group	C15.3.1
<i>Land Capability Handbook, Guidelines for the Classification of Agricultural Land in Tasmania, 2nd edition, 1999</i>	Grose, C. J., Department of Primary Industries, Water and Environment	3.1.3
<i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>	National Environment Protection Council, Department of Environment (Commonwealth), Canberra	C14.3.1
<i>Noise Measurement Procedures Manual, 2<sup>nd</sup> edition, July 2008</i>	Environment Division, Department of Environment, Parks, Heritage and the Arts, Hobart	C3.6.1 A1
<i>State Road Hierarchy</i>	Department of State Growth	C3.3.1
<i>Tasmanian Biosolids Reuse Guidelines 1999</i>	Department of Primary Industries, Water and Environment	Table C9.1
<b><i>TasWater Supplement to Water Supply Code of Australia WSA 03-2011-3.1 MRWA 2<sup>nd</sup> edition</i></b>	<b>Tasmanian Water and Sewerage Corporation</b>	<b>Table C13.4</b>

## LP1.0 Local Provisions Schedule Requirements

### LP1.1 Local Provisions Schedule Structure and Numbering

- LP1.1.1 The structure to which each Local Provisions Schedule (LPS) is to conform to the requirements set out in Appendix A.
- LP1.1.2 Each clause in each LPS must contain the relevant numbering prefix specified in Table LP1.0 and as shown in Appendix A.

Table LP1.0 Local Provisions Schedule Numbering

<b>Municipal Area</b>	<b>Prefix</b>
Break O'Day	BRE
Brighton	BRI
Burnie	BUR
Central Coast	CCO
Central Highlands	CHI
Circular Head	CIR
Clarence	CLA
Derwent Valley	DER
Devonport	DEV
Dorset	DOR
Flinders	FLI
George Town	GEO
Glamorgan-Spring Bay	GLA
Glenorchy	GLE
Hobart	HOB
Huon Valley	HUO
Kentish	KEN
Kingborough	KIN
King Island	KIC
Latrobe	LAT
Launceston	LAU
Meander Valley	MEA
Northern Midlands	NOR
Sorell	SOR
Southern Midlands	SOU
Tasman	TAS
Waratah-Wynyard	WAR
West Coast	WCO
West Tamar	WTA



## **LP1.2 Zone Maps**

- LP1.2.1 Each LPS must contain a map that provides for the spatial application of the zones to land in the municipal area.
- LP1.2.3 The zone map contained within each LPS must differentiate between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C and Rural Living Zone D and any particular purpose zones.

## **LP1.3 Local Area Objectives**

- LP1.3.1 Each LPS may include local area objectives in zones and specific area plans.
- LP1.3.2 Local area objectives must be listed in a table in the LPS in separate sub-clauses for each zone or in the specified sub-clause in a specific area plan.
- LP1.3.3 If a local area objective is included in a LPS it must be shown on an overlay map identifying the area of the local area objective.

## **LP1.4 Particular Purpose Zones**

- LP1.4.1 A particular purpose zone must include:
- (a) Zone Purpose;
  - (b) Use Table;
  - (c) Development Standards for Buildings and Works; and
  - (d) Development Standards for Subdivision.
- LP1.4.2 The provisions of a particular purpose zone must include each of the headings shown in Appendix A, followed by either the substance of the provision, or the words “This sub-clause is not used in this particular purpose zone”, as the case may be.
- LP1.4.3 Any defined terms within a particular purpose zone must be additional to those set out in clause 3.0 and must not change the meaning of a defined term.

## **LP1.5 Specific Area Plans**

- LP1.5.1 A specific area plan must include:
- (a) Plan Purpose; and
  - (b) Application,
- as well as at least one other sub-clause, excluding local area objectives, definition of terms or tables.
- LP1.5.2 The provisions of a specific area plan must include each of the headings shown in Appendix A followed by either the substance of the provision, or the words “This sub-clause is not used in this specific area plan”, as the case may be.
- LP1.5.3 Any defined terms within a specific area plan must be additional to those set out in clause 3.0 and must not change the meaning of an existing defined term.
- LP1.5.4 If a specific area plan is included in a LPS it must be shown on an overlay map identifying the area of the specific area plan.

## **LP1.6 Site-specific Qualifications**

- LP1.6.1 Site-specific qualifications for a particular area of land must be shown on the overlay maps, annotated with the reference number and all information requirements completed in a relevant list in the LPS.

## **LP1.7 Code Overlay Maps**

### **LP1.7.1 Parking and Sustainable Transport Code**

- (a) If the planning authority has:

- (i) a pedestrian priority street for; or
- (ii) parking precinct plan within,

its municipal area, the LPS must contain an overlay map showing that plan, or that street, for the purposes of the application of the Parking and Sustainable Transport Code.

### **LP1.7.2 Road and Railway Assets Code**

- (a) Where part of the municipal area is reserved or allocated for the purposes of:

- (i) a future major road; or
- (ii) a future railway,

the planning authority must contain in the LPS an overlay map showing the reservation or application for the purposes of the application of the Road and Railway Assets Code.

- (b) Each LPS may contain an overlay map showing a road or railway attenuation area for the application of the Road and Railway Assets Code.

### **LP1.7.3 Electricity Transmission Infrastructure Protection Code**

- (a) Each LPS must contain an overlay map for the application of the Electricity Transmission Infrastructure Protection Code, produced by TasNetworks, dated XXXX, showing:

- (i) a communications station buffer area;
- (ii) an electricity transmission corridor;
- (iii) an inner protection area;
- (iv) a substation facility; and
- (v) a substation facility buffer area,

unless modified by the planning authority for part of the municipal area. If modified, the modified map must be shown.

### **LP1.7.4 Local Historic Heritage Code**

- (a) If the planning authority has:

- (i) local heritage landscape precincts;
- (ii) local heritage precincts; or

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(iii) places or precincts of archaeological potential,  
within its municipal area, the LPS must include an overlay map showing the place or precinct for the application of the Local Historic Heritage Code.

- (b) Each LPS may contain an overlay map showing local heritage places for the application of the Local Historic Heritage Code.

## LP1.7.5 Scenic Protection Code

- (a) If the planning authority has:

- (i) a scenic protection area; or
- (ii) a scenic road corridor,

within its municipal area, the LPS must contain an overlay map showing the area or road for the application of the Scenic Protection Code.

## LP1.7.6 Attenuation Code

- (a) Each LPS may contain an overlay map showing attenuation areas for the spatial application of the Attenuation Code.

## LP1.7.7 Coastal Erosion Hazard Code

- (a) Each LPS must contain an overlay map produced by the Department of Premier and Cabinet, dated XXXX, showing coastal erosion hazard areas for the application of the Coastal Erosion Hazard Code, unless modified by the planning authority for part of the municipal area. If modified, the modified map must be shown.

## LP1.7.8 Coastal Inundation Hazard Code

- (a) Each LPS must contain an overlay map produced by the Department of Premier and Cabinet, dated XXXX, showing:
- (i) coastal inundation hazard areas; and
  - (ii) coastal inundation investigation areas,
- for the application of the Coastal Inundation Hazard Code, unless modified by the planning authority for part of the municipal area. If modified, the modified map must be shown.

## LP1.7.9 Flood-Prone Areas Hazard Code

- (a) If a planning authority has flood-prone areas in its municipal area, the LPS must contain an overlay showing the areas for the application of the Flood-Prone Areas Hazard Code.

## LP1.7.10 Bushfire-Prone Areas Code

- (a) Each LPS may contain an overlay map showing bushfire-prone areas for the application of the Bushfire-Prone Areas Code.

## LP1.7.11 Landslip Hazard Code

- (a) Each LPS must contain an overlay map produced by the Department of Premier and Cabinet, dated XXXX, showing landslip hazard areas for the application of the Landslip Hazard Code, unless modified by the planning authority for part of the municipal area. If modified, the modified map must be shown.

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## LP1.7.12 Potentially Contaminated Land Code

- (a) Each LPS may contain an overlay map showing potentially contaminated land for the purposes of the application of the Potentially Contaminated Land Code.

**LP1.8 Code Lists in Tables**

LP1.8.1 Each LPS may contain lists in a table for the application of the Road and Railway Assets Code, Local Historic Heritage Code, Scenic Protection Code and Coastal Inundation Hazard Code. All information requirements are to be completed in the tables.

LP1.8.2 If a planning authority does not list any:

- (a) other major roads;
- (b) local heritage places;
- (c) local heritage precincts;
- (d) local historic landscape precincts;
- (e) places or precincts of archaeological potential;
- (f) scenic protection areas;
- (g) scenic road corridors; or
- (h) coastal inundation hazard bands AHD levels,

the relevant table must be used with “This table is not used in this Local Provisions Schedule” inserted in the second row of the first column of the table.

## Appendix A - Local Provisions Schedule Structure

### <municipal area name> Local Provisions Schedule

#### <prefix>-Local Provisions Schedule Title

<prefix>1.1 This Local Provisions Schedule is called the <municipal area name> Local Provisions Schedule and comprises all the land within the municipal area.

#### <prefix>-Local Area Objectives

<prefix>-<zone number>.0 <name> Zone Local Area Objectives

Reference Number	Area Description	Local Area Objectives

**<prefix>-P<number>.0 Particular Purpose Zone – <name>****<prefix>-P<number>.1 Zone Purpose**

The purpose of the Particular Purpose Zone – <name> is:

<prefix>-P<number>.1.1 <insert zone purpose statement>

<prefix>-P<number>.1.2 <insert zone purpose statement>

**<prefix>-P<number>.2 Local Area Objectives**

Reference Number	Area Description	Local Area Objectives

**<prefix>-P<number>.3 Definition of Terms**

<prefix>-P<number>.3.1 In this Particular Purpose Zone, unless the contrary intention appears:

Terms	Definition

**<prefix>-P<number>.4 Use Table**

Use Class	Qualification
<b>No Permit Required</b>	
<b>Permitted</b>	
<b>Discretionary</b>	
<b>Prohibited</b>	
All other uses	

**<prefix>-P<number>.5 Use Standards**

&lt;prefix&gt;-P&lt;number&gt;.5.1 &lt;Title&gt;

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

**<prefix>-P<number>.6 Development Standards for Buildings and Works**

&lt;prefix&gt;-P&lt;number&gt;.6.1 &lt;Title&gt;

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

**<insert prefix>-P<number>.7 Development Standards for Subdivision**

&lt;prefix&gt;-P&lt;number&gt;.7.1 &lt;Title&gt;

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

**<insert prefix>-P<number>.8 Tables**

## <prefix>-S<number>.0 <name> Specific Area Plan

### <prefix>-S<number>.1 Plan Purpose

The purpose of the <name> Specific Area Plan is:

<prefix>-S<number>.1.1 <purpose statement>

<prefix>-S<number>.1.2 <purpose statement>

### <prefix>-S<number>.2 Application of this Plan

<prefix>-S<number>.2.1 The specific area plan applies to the area of land designated as <insert name> Specific Area Plan on the overlay maps [and in Figure S<number>.1].

### <prefix>-S<number>.3 Local Area Objectives

<prefix>-S<number>.3.1 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives

### <prefix>-S<number>.4 Definition of Terms

<prefix>-S<number>.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition



**<prefix>-S<number>.5 Use Table**

Use Class	Qualification
<b>No Permit Required</b>	
<b>Permitted</b>	
<b>Discretionary</b>	
<b>Prohibited</b>	
All other uses	

**<prefix>-S<number>.6 Use Standards**

&lt;prefix&gt;-S&lt;number&gt;.6.1 &lt;Title&gt;

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

**<prefix>-S<number>.7 Development Standards for Buildings and Works**

&lt;prefix&gt;-S&lt;number&gt;.7.1 &lt;Title&gt;

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

**<prefix>-S<number>.8 Development Standards for Subdivision**

&lt;prefix&gt;-S&lt;number&gt;.8.1 &lt;Title&gt;

Objective:	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

**<prefix>-S<number>.9 Tables****<prefix>-Site-specific Qualifications**

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions

**<prefix>-Code Lists****<prefix>-Table C3.1 Other Major Roads**

Road	From	To

&lt;prefix&gt;-Table C6.1 Local Heritage Places

Reference Number	Town/Locality	Street Number	Street / Location	Property Name	Folio of the Register	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values

&lt;prefix&gt;-Table C6.2 Local Heritage Precincts

Reference Number	Town/Locality	Name of Precinct	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy

&lt;prefix&gt;-Table C6.3 Local Historic Landscape Precincts

Reference Number	Town/Locality	Name of Precinct	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy

&lt;prefix&gt;-Table C6.4 Places or Precincts of Archaeological Potential

Reference Number	Town/Locality	Property Name / Address/ Name of Precinct	Folio of the Register	Description, Specific Extent and Archaeological Potential

&lt;prefix&gt;-Table C8.1 Scenic Protection Areas

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives

&lt;prefix&gt;-Table C8.2 Scenic Road Corridors

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives

&lt;prefix&gt;-Table C11.1 Coastal Inundation Hazard Bands AHD Levels

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100

**<prefix>-Applied, Adopted or Incorporated Documents**

Document Title	Publication Details	Relevant Clause in the LPS

TPC modifications

## **Appendix E – Tasmanian Planning Scheme writing style and conventions**

## Tasmanian Planning Scheme writing style and conventions

This a guide to the writing style and conventions applied in the preparation of the SPPs that form part of the TPS. The same writing style and conventions are intended to also apply to the preparation of LPSs.

### Drafting Principles

The following principles underpin the drafting approach in the Tasmanian Planning Scheme:

1. The Tasmanian Planning Scheme is expressed in plain English.
2. The Tasmanian Planning Scheme contains minimal regulation while being legally robust.
3. Regional and local planning strategies are reflected in the Tasmanian Planning Scheme through the application of the local provisions.
4. Zoning is the primary mechanism for expressing spatial strategy.
5. Zone provisions contain the primary directions for the use, development, protection and conservation of land within each zone.
6. Zones identify the range of use and development that is allowable.
7. Codes, particular purpose zones, specific area plans, and site-specific qualifications are additional mechanisms for delivering planning policy and strategy. They may be used to qualify, but not distort, the underlying zone.

### Writing style

<b>Abbreviations</b>	<p>Use of abbreviations should be limited to words that frequently occur in the text. The following abbreviations must be used:</p> <p>‘m’ for metres</p> <p>‘L’ for litres</p> <p>‘m<sup>2</sup>’ for metres squared and m<sup>3</sup> for cubic metres.</p> <p>% rather than percent</p> <p>Use the term ‘section’ rather than ‘s.’ when referring to sections of the Act</p>
<b>Acronyms</b>	Avoid the use of acronyms
<b>Australian Standards</b>	<p>Any reference to an Australian Standard should include its whole title and be italicized. For example <i>Australian Standard AS 2890.3 1993 Parking facilities – Bicycle parking facilities Part 3: Bicycle parking facilities</i>.</p>
<b>Capitalisation</b>	<p>Minimise the use of capitals.</p> <p>Use sentence case for headings, eg. Building height, setback and siting</p>

	<p>Use title case for Use Classes, eg Bulky Goods Sales.</p> <p>Use title case when referring to standards, eg. Objectives, Acceptable Solutions, Performance Criteria</p> <p>Use lower case for particular purpose zone, specific area plan and site-specific qualification to be consistent with the Act.</p> <p>Always capitalise 'Zone' when used in a zone title, eg Commercial Zone. Do not capitalise terms when referring to them generically, eg 'zone' when referred to generally.</p> <p>Always capitalise 'Code' when used in a code title, eg Attenuation Code. Do not capitalise terms when referring to them generically, eg 'code' when referred to generally</p>
<b>Numerical format</b>	<p>Use numerical expression for numbers, eg '5m' or '3 car spaces' rather than 'five' or 'three'.</p> <p>Whole numbers should not have a decimal place.</p>
	<p>Use commas for numbers, do not use spaces. eg 1,000 or 600,000 not 1 000 or 60 000.</p>
<b>Singular and plural</b>	<p>For consistency, use the singular where possible.</p>
<b>Gaps or spaces</b>	<p>There is to be no gap between a number and 'm' or m<sup>2</sup>.</p>
	<p>There is to be no gap in the expression of time, eg 10.00am or 3.00pm</p>
<b>Numbering hierarchy/dot points</b>	<p>Number provisions so that they can be easily cited and do not use dot points.</p>
	<p>Sub-clauses within a standard are to be referenced alpha-numerically as follows:</p> <p>(a).....</p> <p>    (i).....</p> <p>(b) ....</p>
<b>Lists in sub-clauses</b>	<p>Lists should not begin with 'all of the following...', 'any of the following...' or similar, unless there where it is necessary to avoid complication.</p> <p>If all sub-clauses are 'and' or 'or' then use the 'and' or 'or' on the second last sub-clause only.</p>
<b>Plain English</b>	<p>Avoid use of legal or planning jargon, such as 'notwithstanding', 'pursuant to', 'taken to mean', 'by reason of', 'contiguous to', 'whereby, deemed to' or similar and use every day words.</p>



<b>Hours of operation</b>	The hours of operation should be expressed as 'XX Monday to Friday' (or other day). Do not use of the term 'inclusive' or plural expression, except when referring to public holidays.
<b>Planning scheme</b>	Use 'planning scheme' rather than 'scheme'.
<b>If or where</b>	Use 'if' rather than 'where'.
<b>'Not less than' and 'no less than'</b>	Use 'not less than' unless there are a number of general matters, not quantitative requirements, where it should be 'no less than'.
<b>Referring to zones</b>	Refer to 'a' ... zone rather than 'the' ... zone'. eg, 'within 5m of an Inner Residential Zone, General Residential Zone or Low Density Residential Zone'.
<b>Compatible and consistent</b>	Use 'compatible' with reference to 'character' or broader the broader landscape and 'consistent' with reference to 'streetscape or building design.
<b>Building setback Acceptable Solution</b>	Acceptable Solutions should be expressed as 'Buildings must have a setback from X of not less than Xm' except in the General Residential and Inner Residential Zones (due to the adoption of PD4.1drafting).
<b>Building setback Performance Criteria</b>	Performance Criteria relating to siting should consistently start with the expression 'Buildings must be sited...' except for where it relates to frontage setback where a different expression may be required.
<b>Exclusions</b>	In the Acceptable Solutions and Performance criteria, the term 'excluding' is to be used instead of 'except if'.
<b>Planning authority and council</b>	Use 'planning authority' not 'council' unless in the particular circumstance 'council' is the correct term. This may occur from time to time if referring to responsibilities that are those of the Council rather than the council as a planning authority.
<b>Multiple considerations</b>	Acceptable Solutions and Performance Criteria that include a use occurring within a certain distance and an exclusion, unless it is referring to operation of the use, the reference to the area should come first and the exclusion second. For example:  'Building height within 10m of an X zone, excluding a structure such as antenna, tower, mast, pole or similar must be not more than Xm';  or  'External lighting on a site within 50m of X zone, excluding security lighting and where associated with Utilities or Emergency Services,

	must not.'
<b>Use consistent expression</b>	Generally, use consistent expression unless there is a reason for doing otherwise. eg if 'consistent with' is used in the Objective do not use other expressions in the Performance Criteria like 'compatible with'.
<b>Providing examples</b>	Use 'such as' rather than 'for example'
<b>Figures, maps and diagrams</b>	Titles for any images embedded in the text are referred to as figures.
<b>Advice</b>	Use 'advice' not 'written' advice.
<b>Etc.</b>	Use 'and the like'.
<b>Communal/common</b>	Use 'common' rather than 'communal' in reference to space – 'common space'.
<b>Hyphenation</b>	Hyphenate site-specific with reference to site-specific qualification to be consistent with the Act
	Hyphenate Bushfire-Prone and Flood-Prone, home-based, and on-site
	Do not hyphenate off site.
<b>Waste water and stormwater</b>	Waste water is two words and stormwater, one word.

### Writing conventions

<b>General expression</b>	Language should be clear, unambiguous and consistently applied throughout the planning scheme. Words and phrases should carry the same meaning wherever they occur, unless deliberately varied to convey a different meaning.
<b>'amenity'</b>	If using the term 'amenity' and it relates to residential amenity, ensure that it is clear either through the use of 'residential amenity' or similar, except when used in a Residential Zone.
	When referencing impact upon amenity use the expression 'must not cause an unreasonable loss of amenity' instead of 'impact upon amenity', 'adversely impact amenity', 'reduce amenity' or similar.

<b>Words that are not defined</b>	It is acceptable to rely on the dictionary meaning of words in common usage.
<b>Defined terms</b>	If defined, always use the defined term. However, it is acceptable to rely on the dictionary meaning of words in common usage.
<b>Terminology of the Act</b>	Use the terminology of the Act or regulation, eg grant a 'permit' rather than 'approval' or 'planning permit' and 'application' rather 'development application'
<b>Directory terms</b>	Use the term 'must' when expressing a mandate, not 'shall' or 'will'.
	Use the words 'is to' when giving a direction.
<b>Exclusions</b>	All exclusions are to be repeated across the Acceptable Solution and Performance Criteria so it is clear that the exclusion applies to the whole standard, rather than requiring the exclusion to be assessed against the Performance Criteria.
<b>Lot, site and properties</b>	<p>The term 'lot' is only to be used in subdivision development standards.</p> <p>The term 'site' is to be used when referring to the place on which the proposed use and development is occurring. It may comprise more than one lot.</p> <p>The term 'properties' is to be used in the development standards for building and works where there is a requirement to consider the impact on other land. However, it must be qualified to clarify the land to which it refers, eg 'adjacent properties' or 'adjoining properties'.</p>
<b>'as amended from time to time'</b>	Do not use the expression 'as amended' or 'as amended from time to time' when referencing incorporated documents. An amendment should be made to reflect the revision.
<b>'having regard to'</b>	Use 'having regard to' not 'through' 'by' or 'taking into consideration', etc.
<b>'ensure'</b>	Do not use 'ensure' in Objectives, Acceptable Solutions or Performance Criteria.

**Appendix F – Draft Amendment XX/201X to the State Planning  
Provisions (SPPs) – Exemption for home stay**

## **Appendix F - Draft Amendment XX/201X to the State Planning Provisions (SPPs) – Exemption for home stay**

Make the following modifications to the State Planning Provisions:

- i. Table 4.1 Exempt uses

Insert an exemption as follows:

4.1.6	home stay	If for the use of a dwelling for home stay.
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- ii. Table 3.1 Planning Terms and Definitions

Insert a new definition for 'home stay' as follows:

home stay	means use of land for short term accommodation in an existing dwelling or part of an existing dwelling for persons away from their normal place of residence, if the dwelling has no more than 4 bedrooms.
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- iii. Add 'home stay' as an example in the Residential Use Class.