From: Planning Policy <planningpolicy@stategrowth.tas.gov.au>

Sent: Thursday, 25 November 2021 11:27 AM

To: TPC Enquiry

Cc: Wolf, Claire; Carroll, Patrick (StateGrowth) **Subject:** Southern Midlands LPS - Pre-Hearing Directions

Attachments: Bagdad Bypass - Appendix A.pdf; Bagdad Bypass - Appendix B.pdf; Southern

Midlands Draft Interim Planning Scheme Comments_att1_20130712102210218.pdf

Good morning,

Please find attached the information requested in response to the Commission's pre-hearing directions for the Southern Midlands LPS.

1.5 To clarify the proposed application of the future major road overlay:

(a) provide a map showing the intended application of the future major road overlay near the Bagdad bypass corridor; and

(b) comment on application of SOU-P1.0 Particular Purpose Zone – Future Road Corridor, and explain whether it applies to an area large enough to contain both a future road reserve (including all physical road infrastructure) and an attenuation area for the future road (Bagdad bypass).

Please see attached Appendix A & B, which are extracts of a report titled Bagdad Bypass Concept Development Report, prepared by Pitt & Sherry for State Growth's predecessor, the Department of Infrastructure, Energy and Resources (DIER) in June 2011. This is the alignment currently within the Southern Midlands Interim Planning Scheme 2015.

Appendix A is the Concept Design, and Appendix B is the Concept Design Drawings.

These plans indicate that the nominal property boundary and the planning scheme corridor were two separate lines, the latter being wider to ensure that any alterations to the design as a result of further design investigations could be accommodated without having to go outside the planning scheme corridor.

I understand that, since this work, no further work has been undertaken on the corridor and future Highway alignment.

I also attach DIER's correspondence to Southern Midlands Council from July 2013, when the then-draft Interim Scheme was made available for comment. Page 4 makes reference to the Future Road Corridor, demonstrating that the Future Road Corridor was exhibited at that time.

State Growth considers that the planning corridor is sufficient to contain a future road reserve (including all physical road infrastructure), but it would not be of a width to adequately provide an attenuation area for the Mangalore to Bagdad bypass.

1.6 Provide a list of mining leases proposed to be rezoned from the Agriculture Zone to the Rural Zone.

Upon reviewing the Zone Purpose for the Rural Zone (Section 20.1) and the Agriculture Zone (Section 21.1), State Growth's comments were highlighting that Extractive Industries may be a better strategic fit with the Rural Zone.

However, it is acknowledged that a discretionary approval pathway is provided for via the Agriculture Zone provisions for new or intensified Extractive Industry uses. As such, State Growth does not propose specific mining leases to be rezoned.

Please feel free to contact me should you have any further questions.

Kind Regards,

Patrick Carroll | Principal Land Use Planning Analyst
Transport Systems and Planning Policy Branch | Department of State Growth
4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Phone: (03) 6166 4472

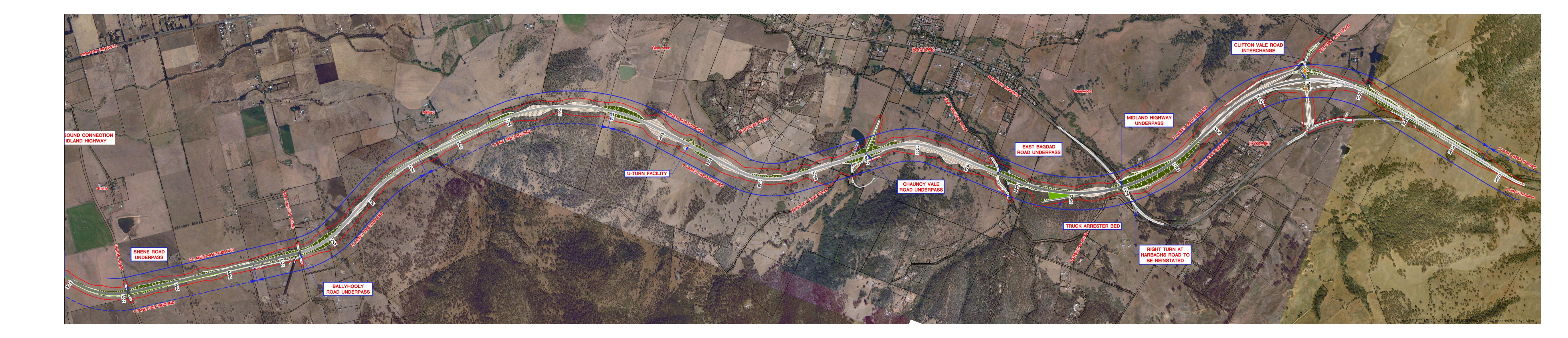
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DEPART MENT OF STATE GROWTH COURAGE IO MAKEA UNHEREACE THROUGH:



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CONCEPT DESIGN



BAGDAD BYPASS APPENDIX B

ROADWORKS

CONCEPT DESIGN DRAWINGS

- ROADWORKS
- BRIDGE CONCEPT



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4	HB09034-C5	-	KEY PLAN - SHEET 1 OF 2
5	HB09034-C6	-	KEY PLAN - SHEET 2 OF 2
6	HB09034-C11	-	TYPICAL CROSS SECTIONS - SHEET 1 OF 9
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8	HB09034-C13	-	TYPICAL CROSS SECTIONS - SHEET 3 OF 9
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61	HB09034-P1501	А	CHAUNCY VALE UNDERPASS CONCEPT
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63	HB09034-P1701	А	MIDLAND HIGHWAY UNDERPASS CONCEPT
64	HB09034-P1801	А	CLIFTON VALE ROAD OVERPASS CONCEPT

REFERENCE FILES ATTACHED:

SURVEYED
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CESTER FRANKS
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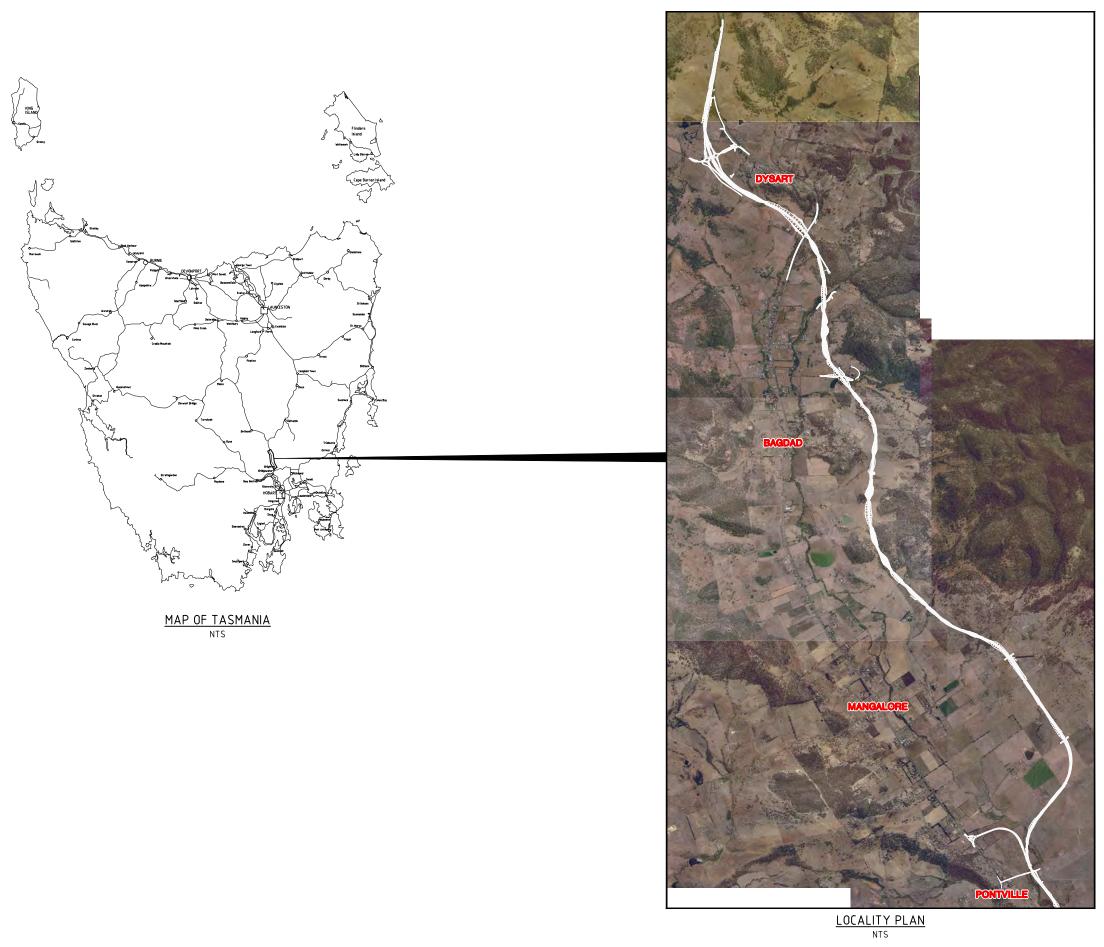


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DEPARTMENT OF INFRASTRUCTURE, ENERGY AND RESOURCES

MIDLAND HIGHWAY BAGDAD BYPASS TABLE OF CONTENTS

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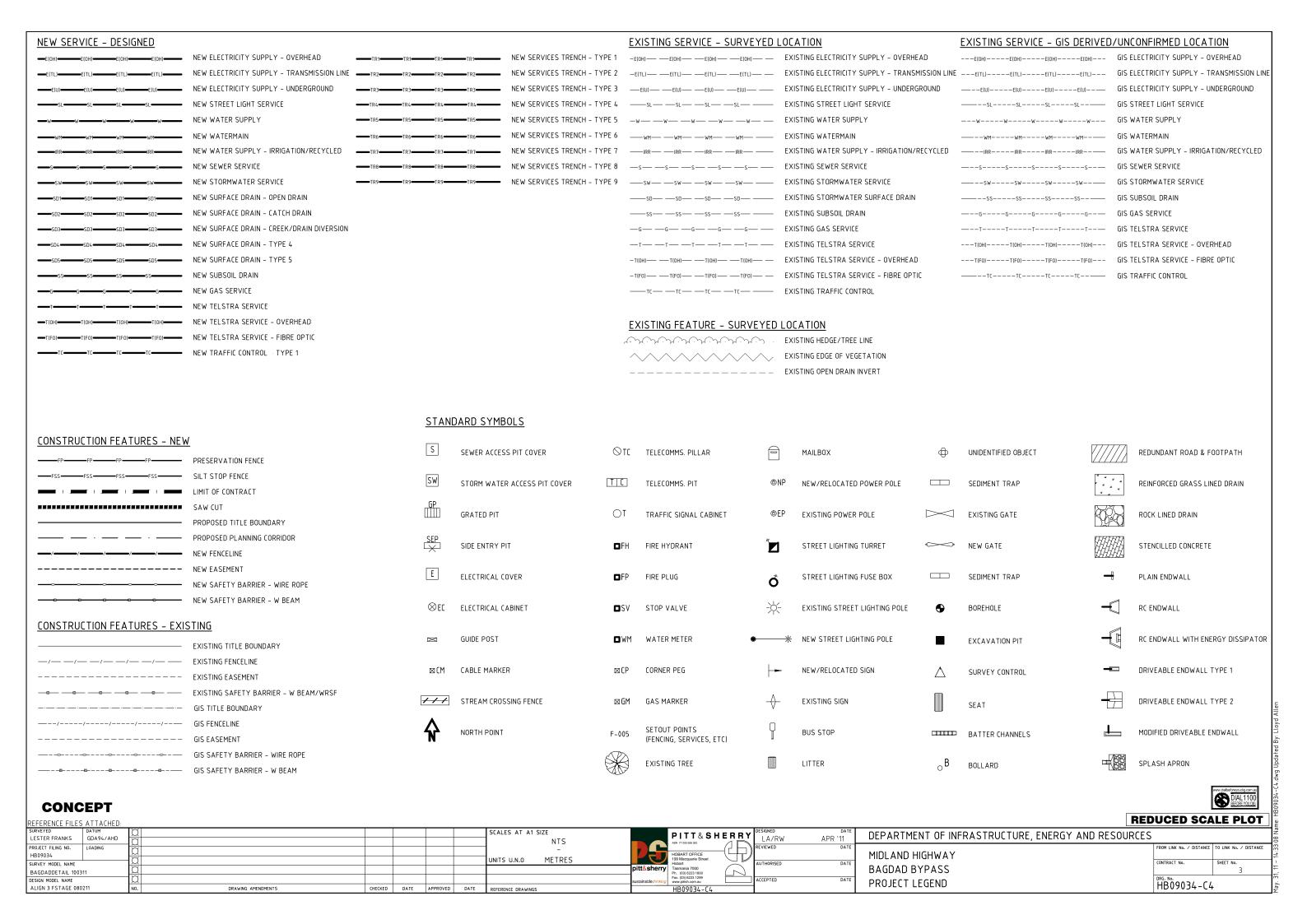
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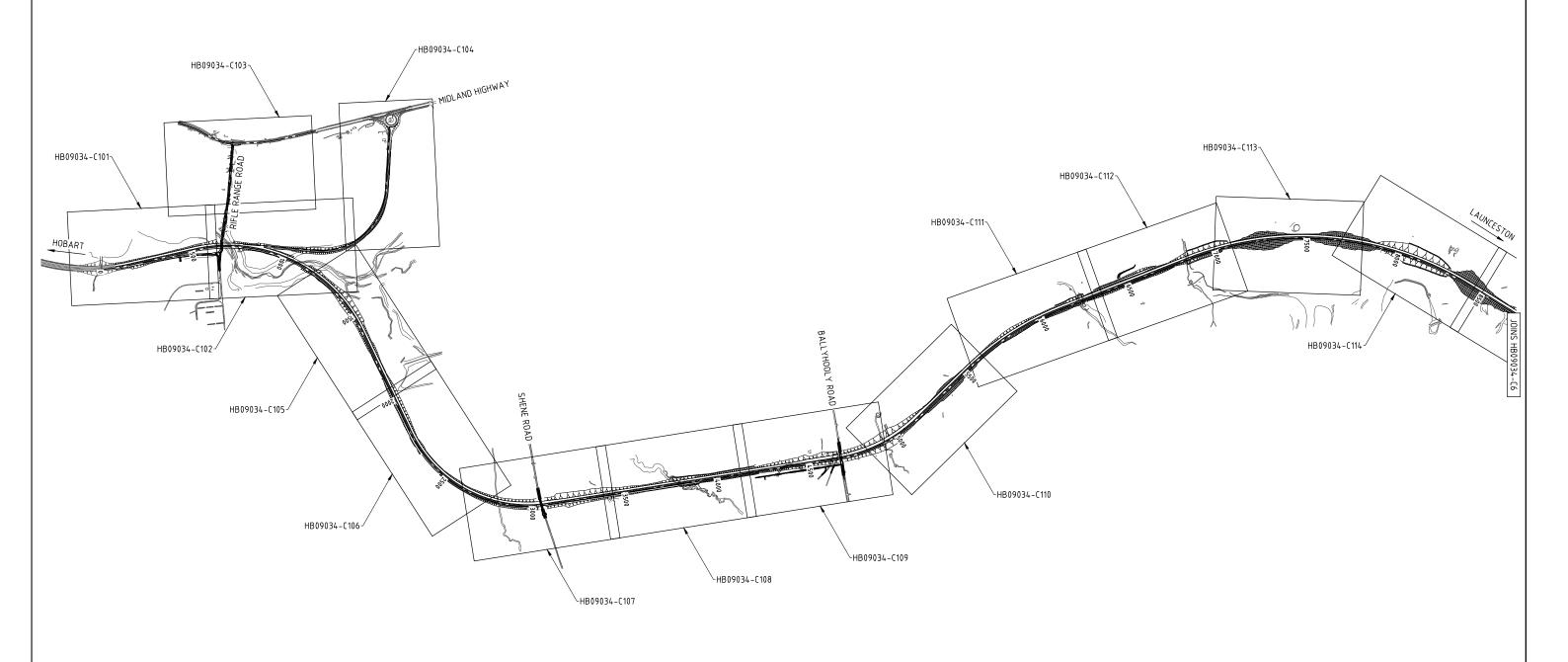
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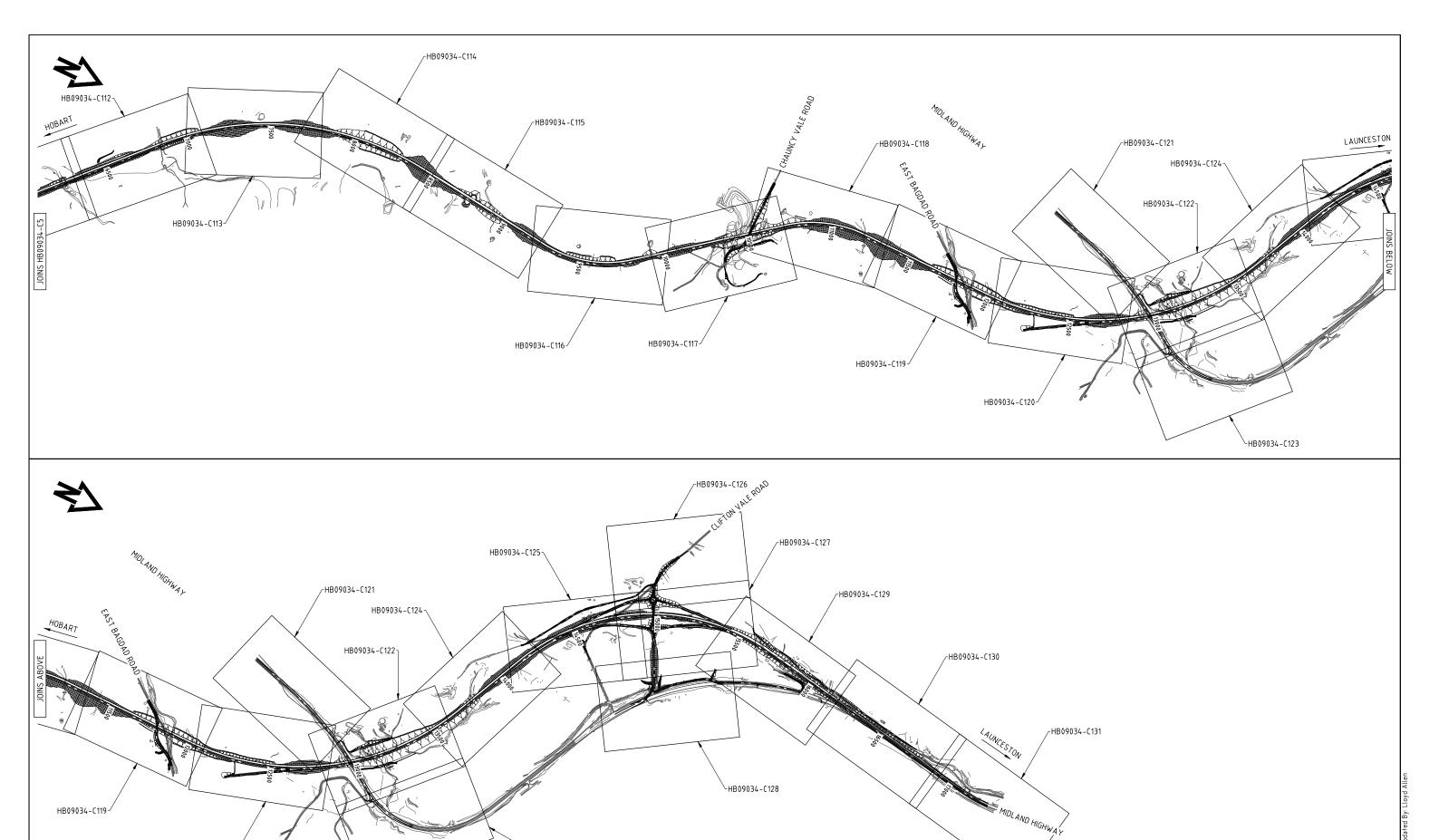






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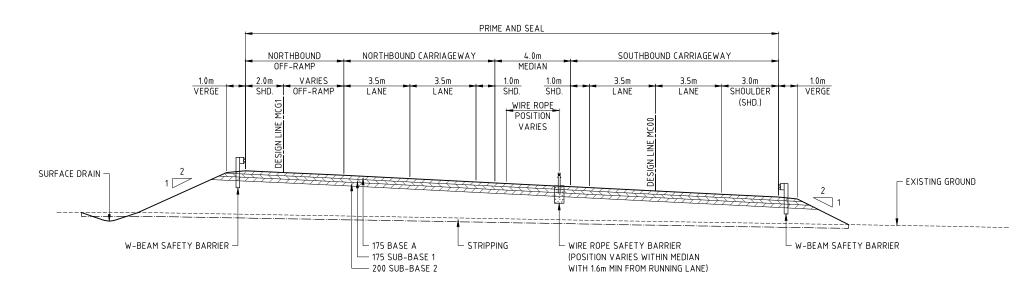
DEPARTMENT OF INFRASTRUCTURE, ENERGY AND RESOURCES

MIDLAND HIGHWAY BAGDAD BYPASS KEY PLAN - SHEET 2 OF 2

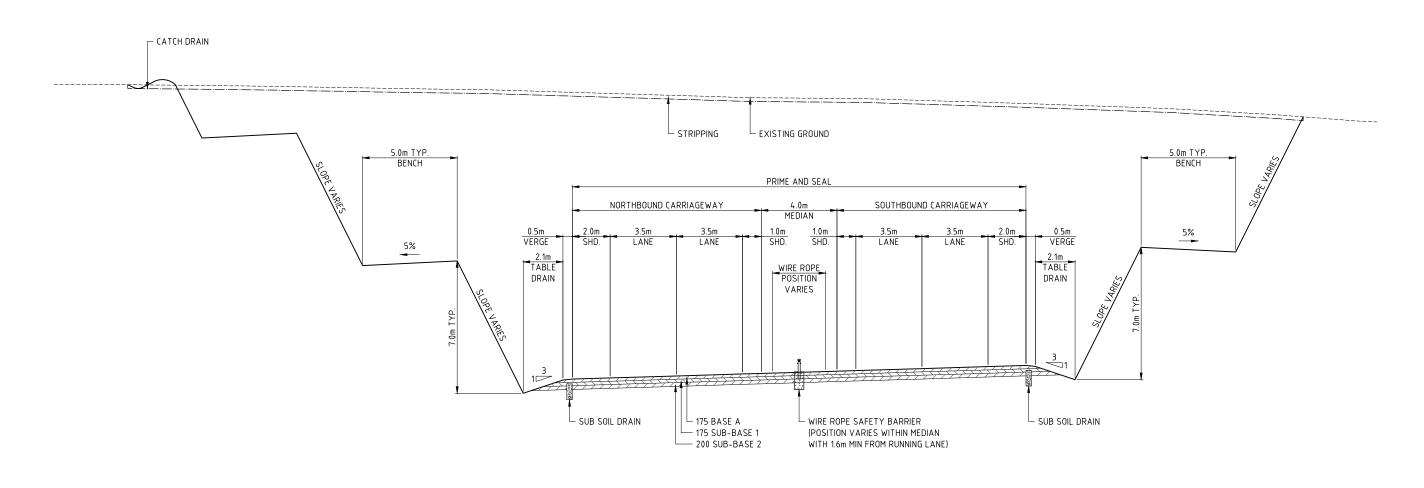
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BAGDAD BYPASS TYPICAL 2+2 FILL CONFIGURATION WITH OFF-RAMP



BAGDAD BYPASS TYPICAL 2+2 CUT CONFIGURATION

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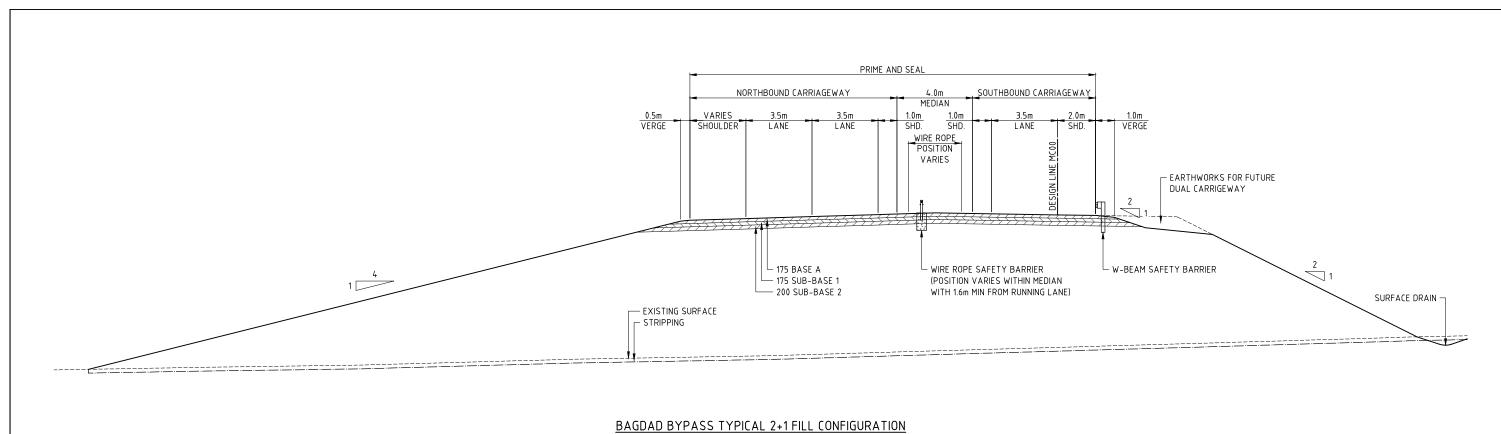
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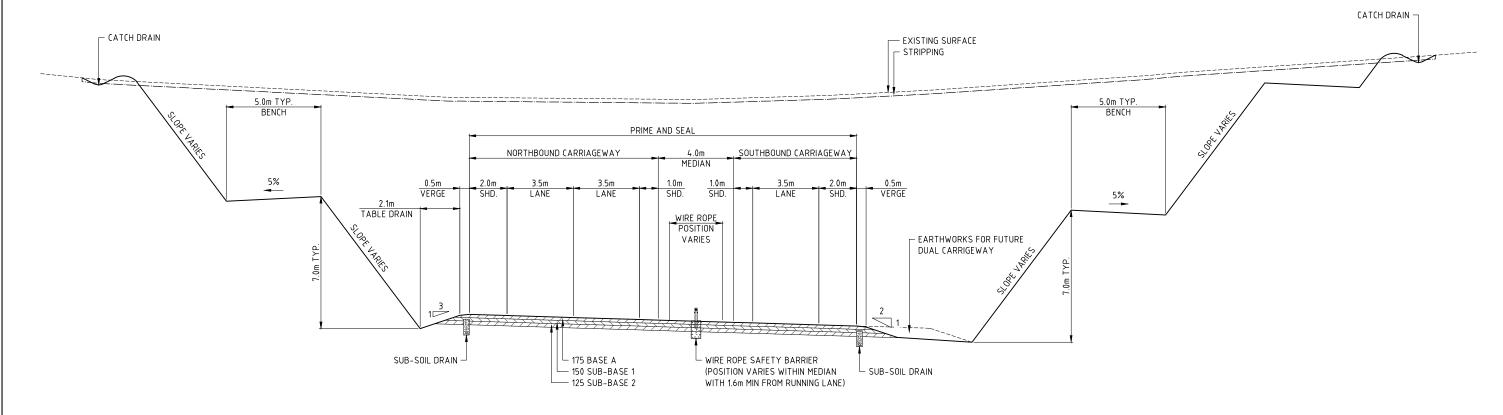
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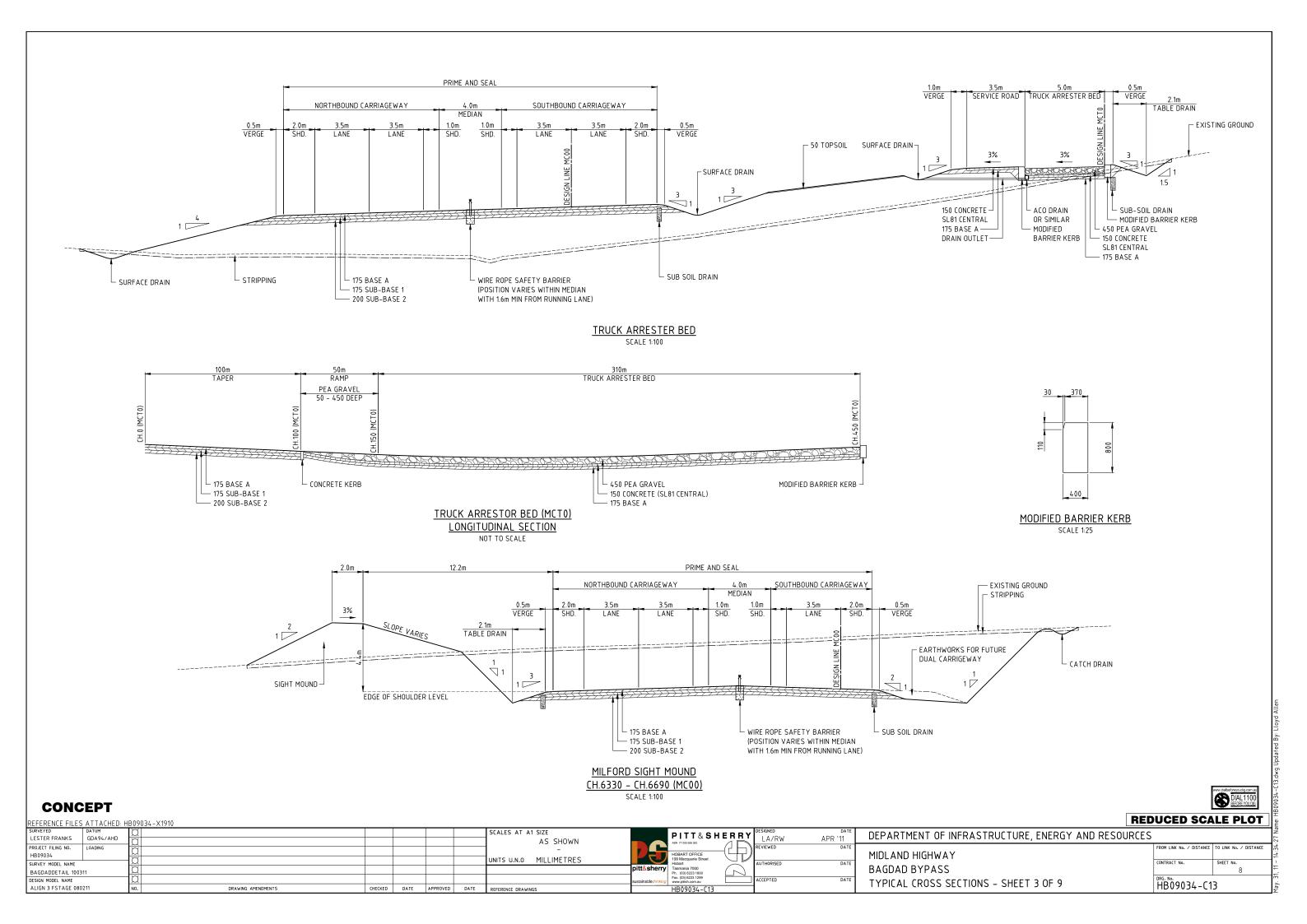
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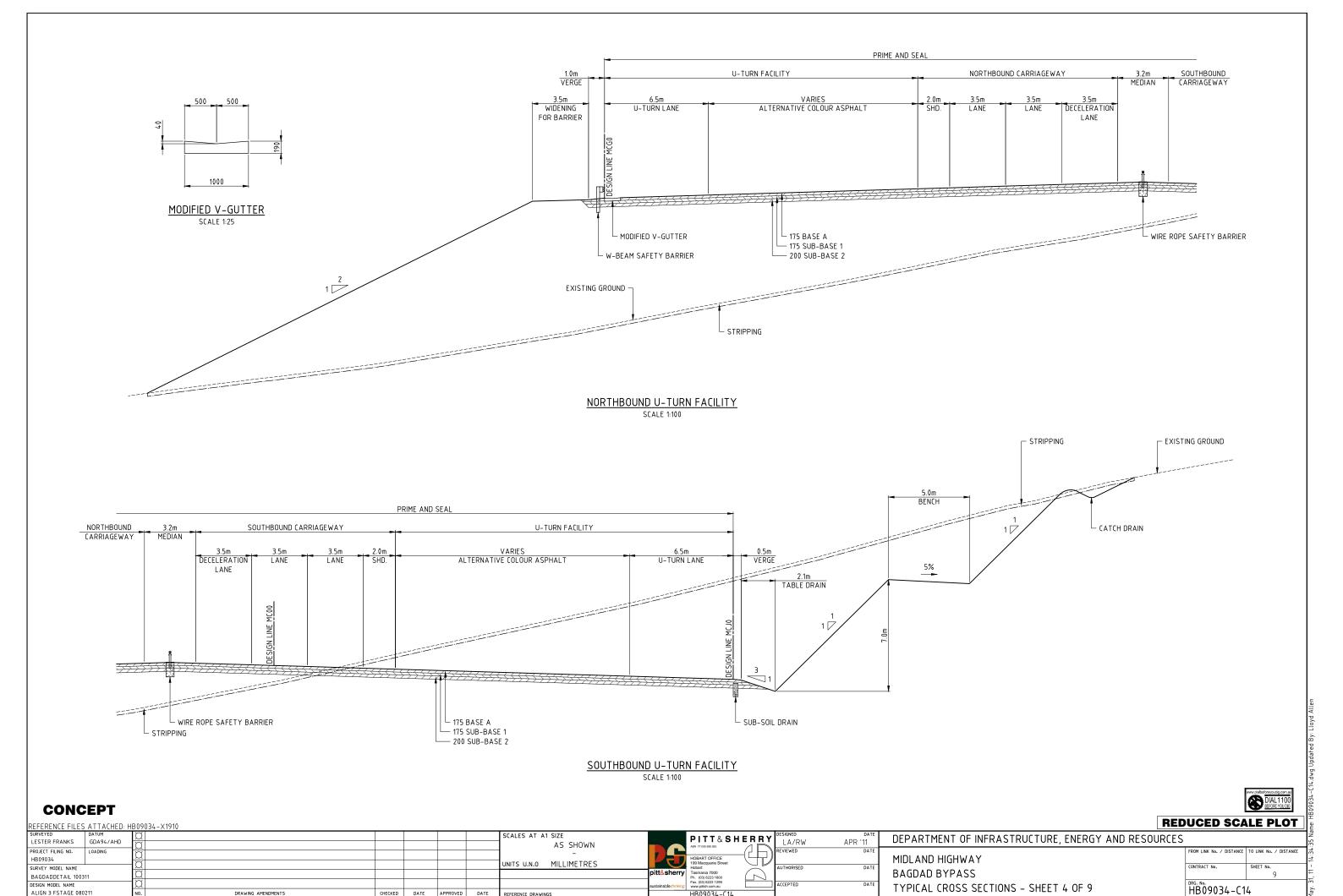
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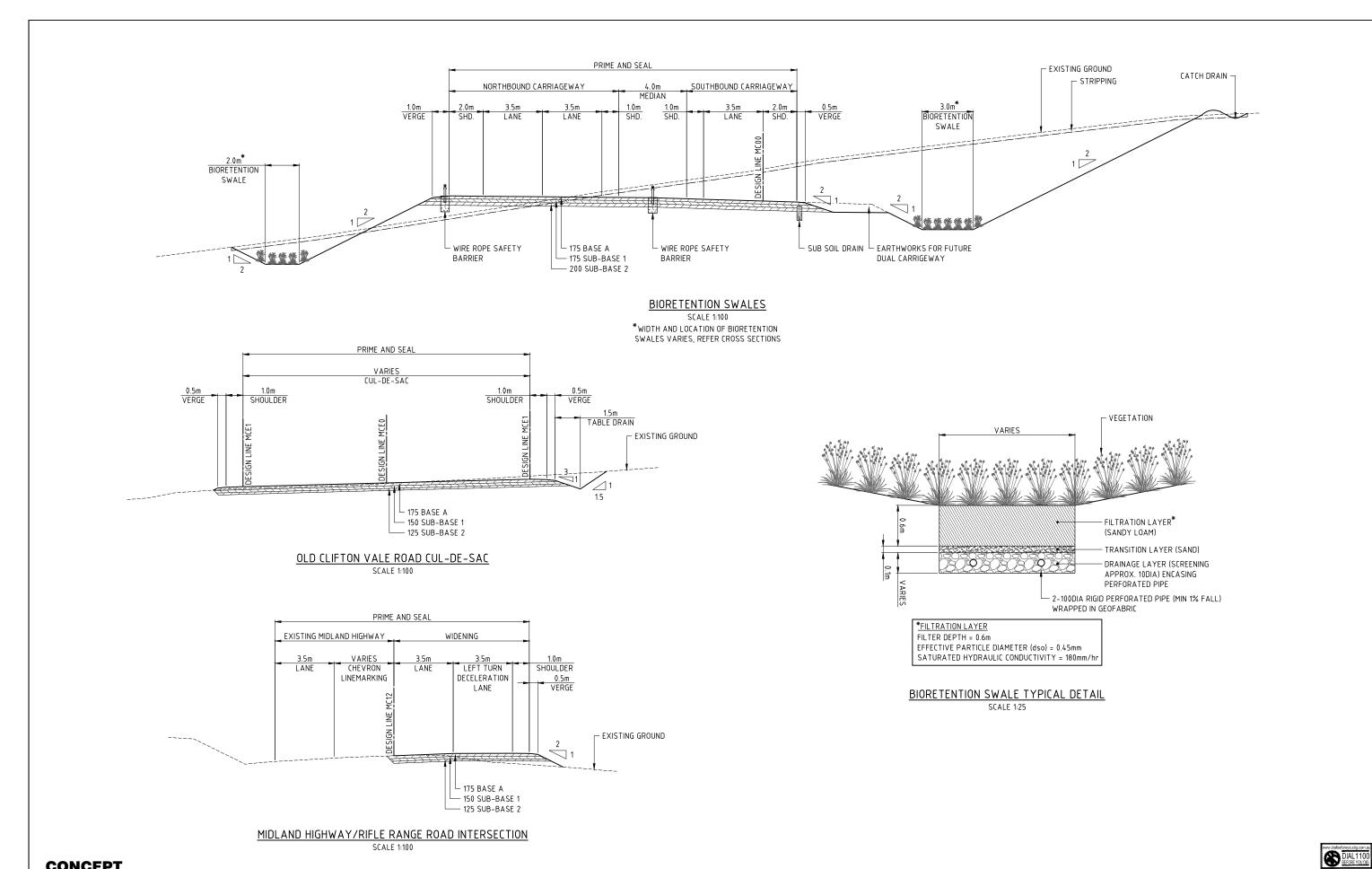


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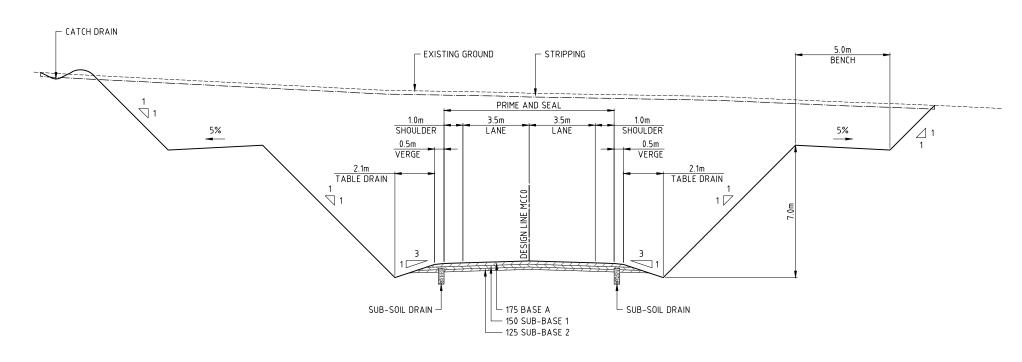
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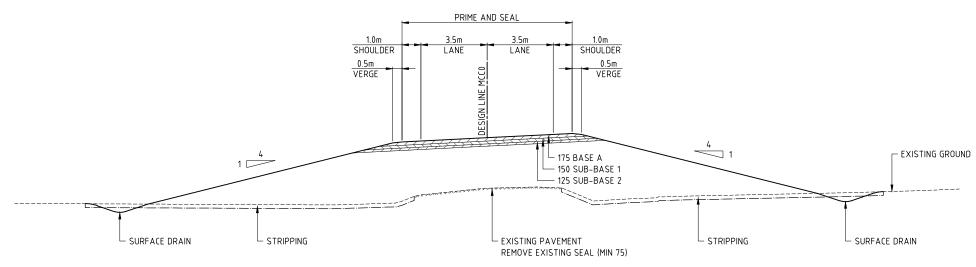


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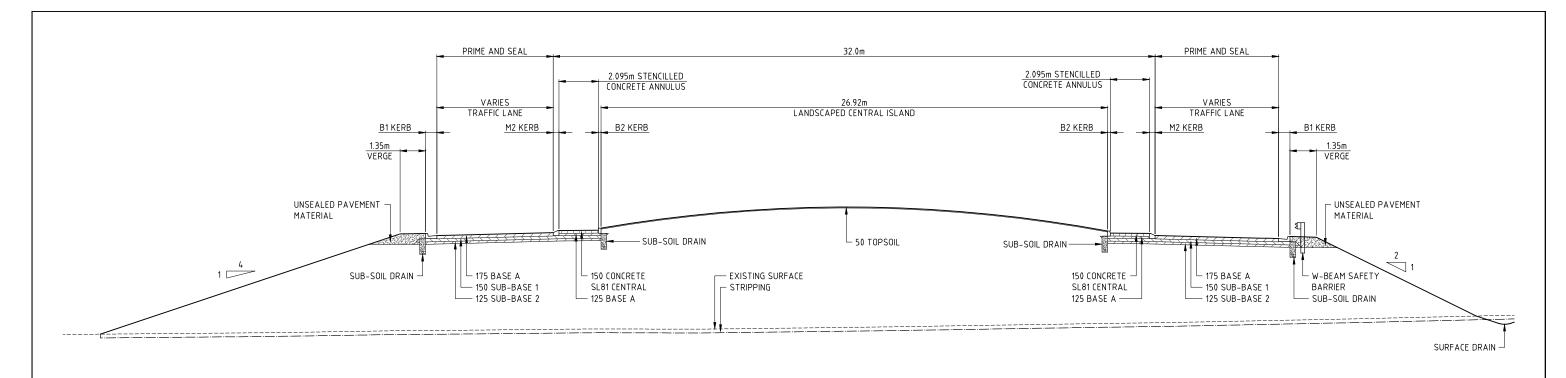
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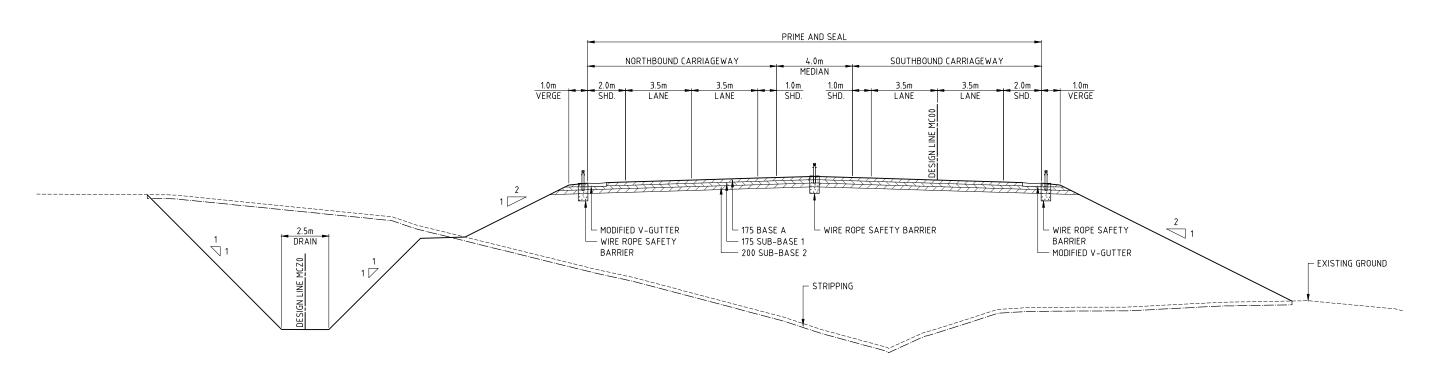
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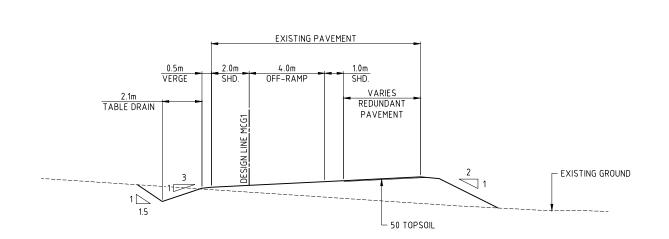
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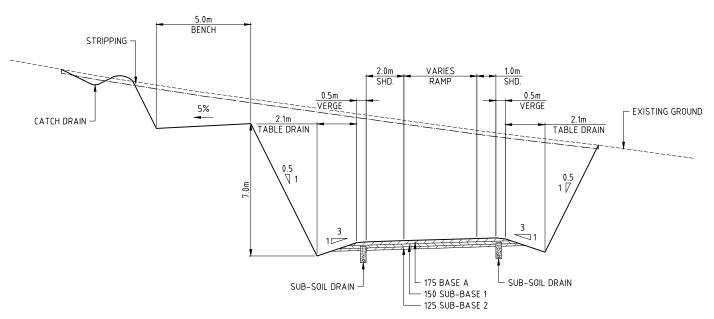
MIDLAND HIGHWAY
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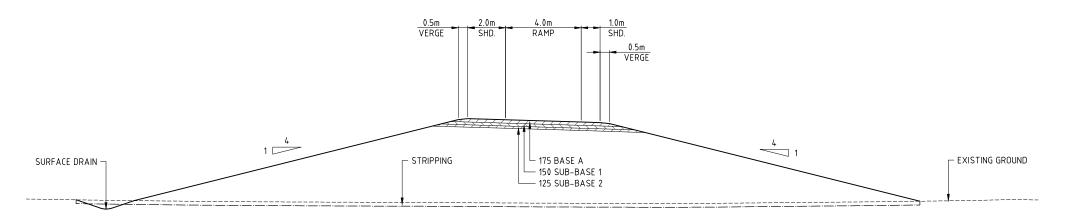
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CLIFTON VALE ROAD INTERCHANGE RAMPS
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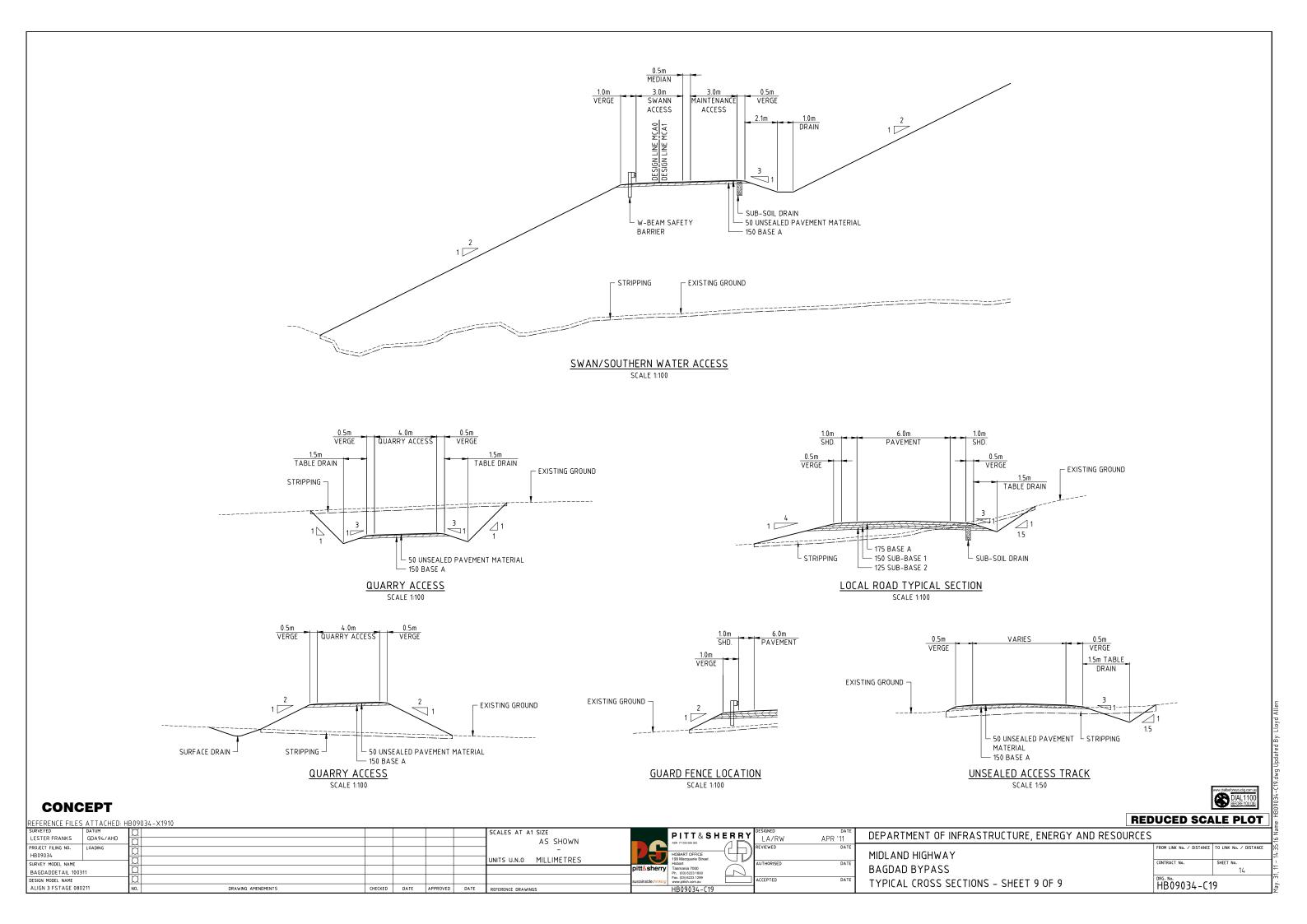


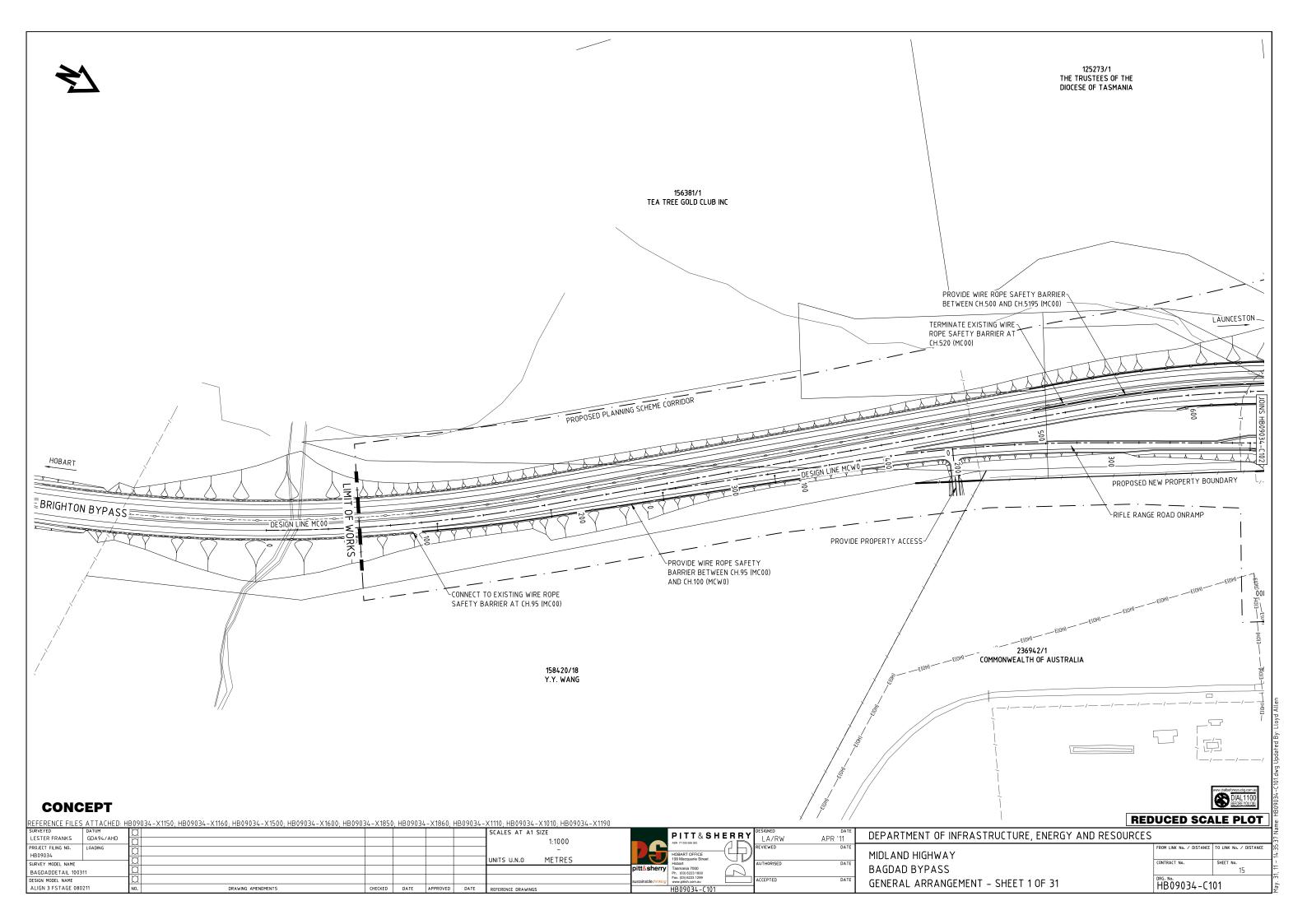
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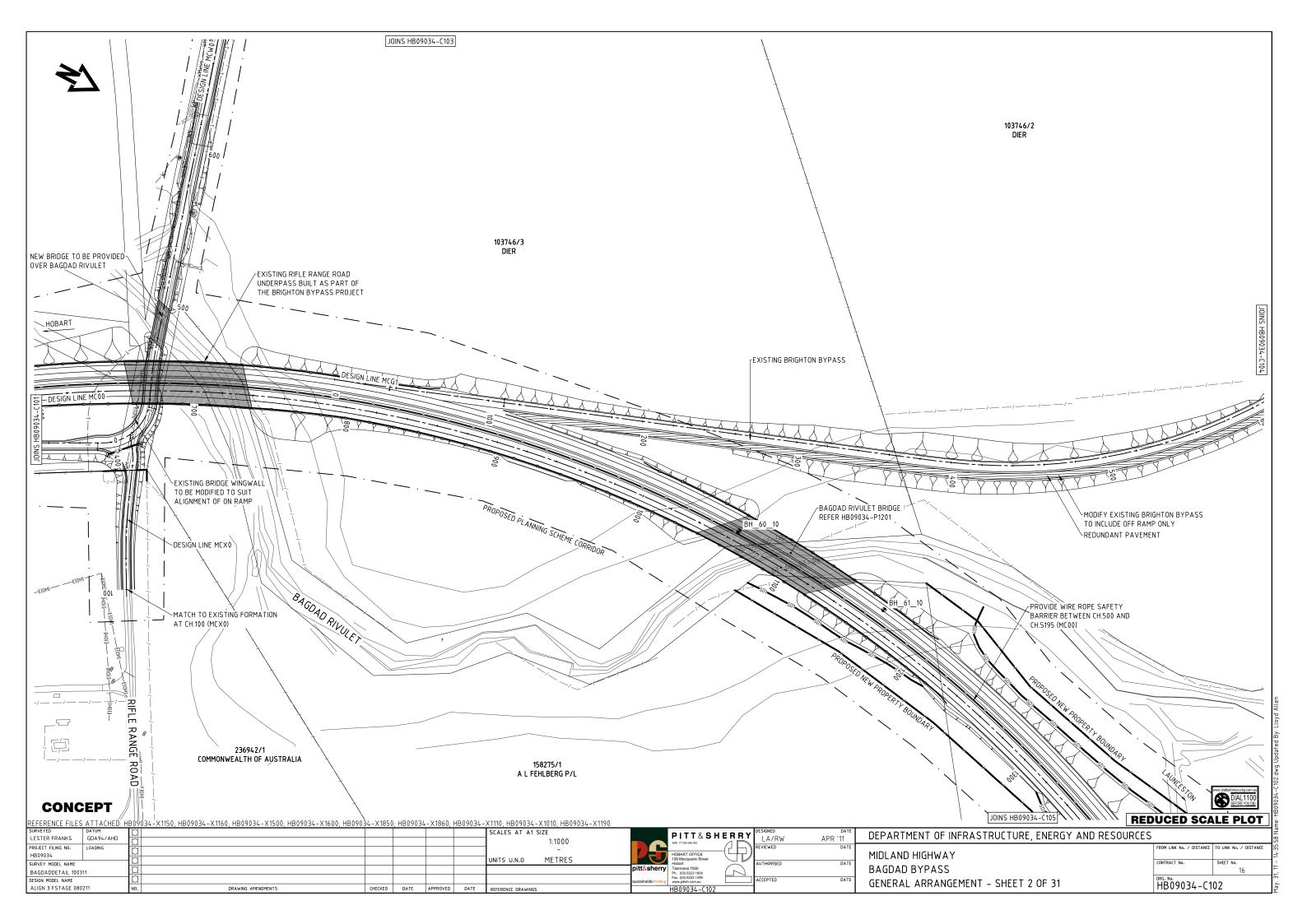
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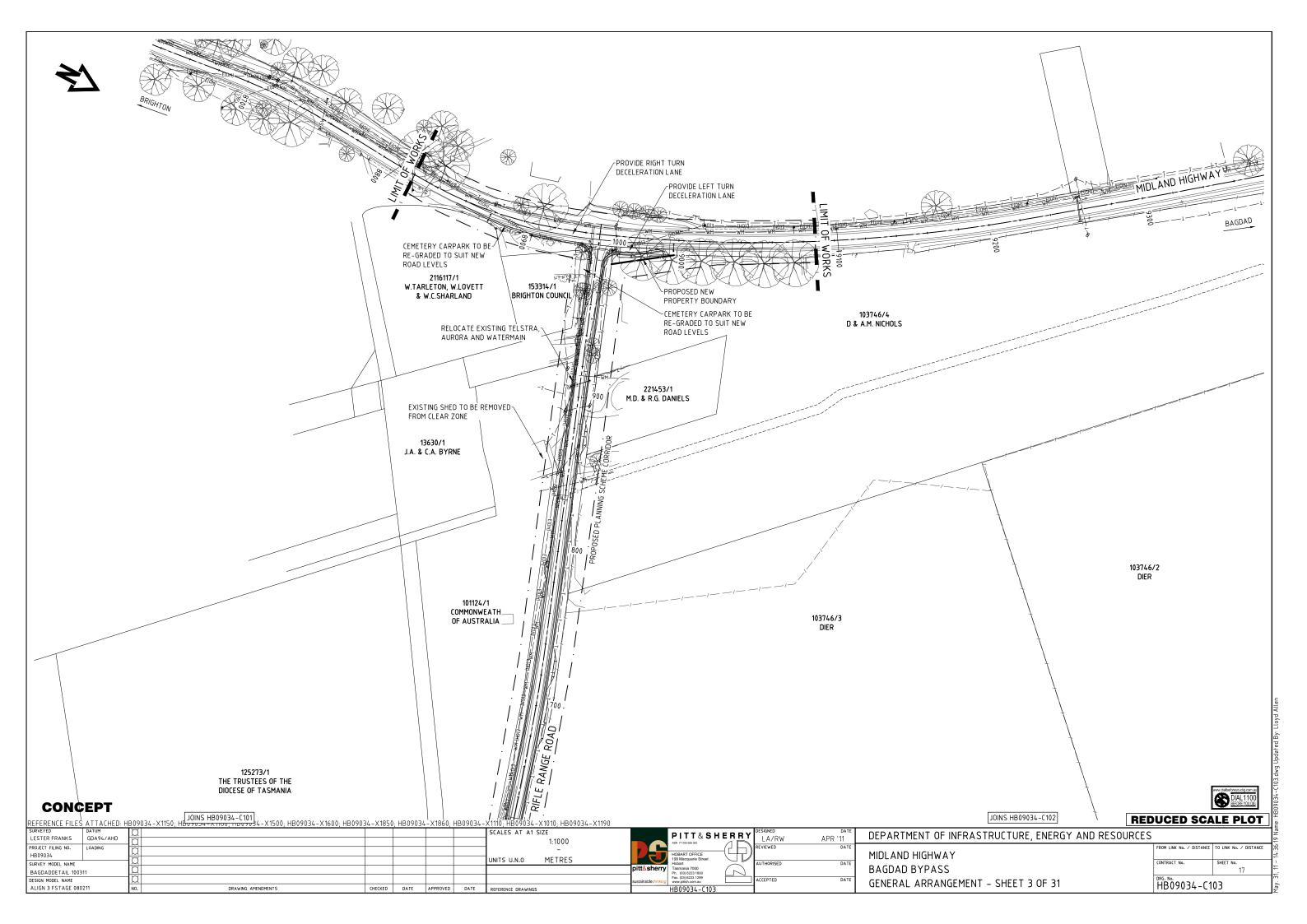
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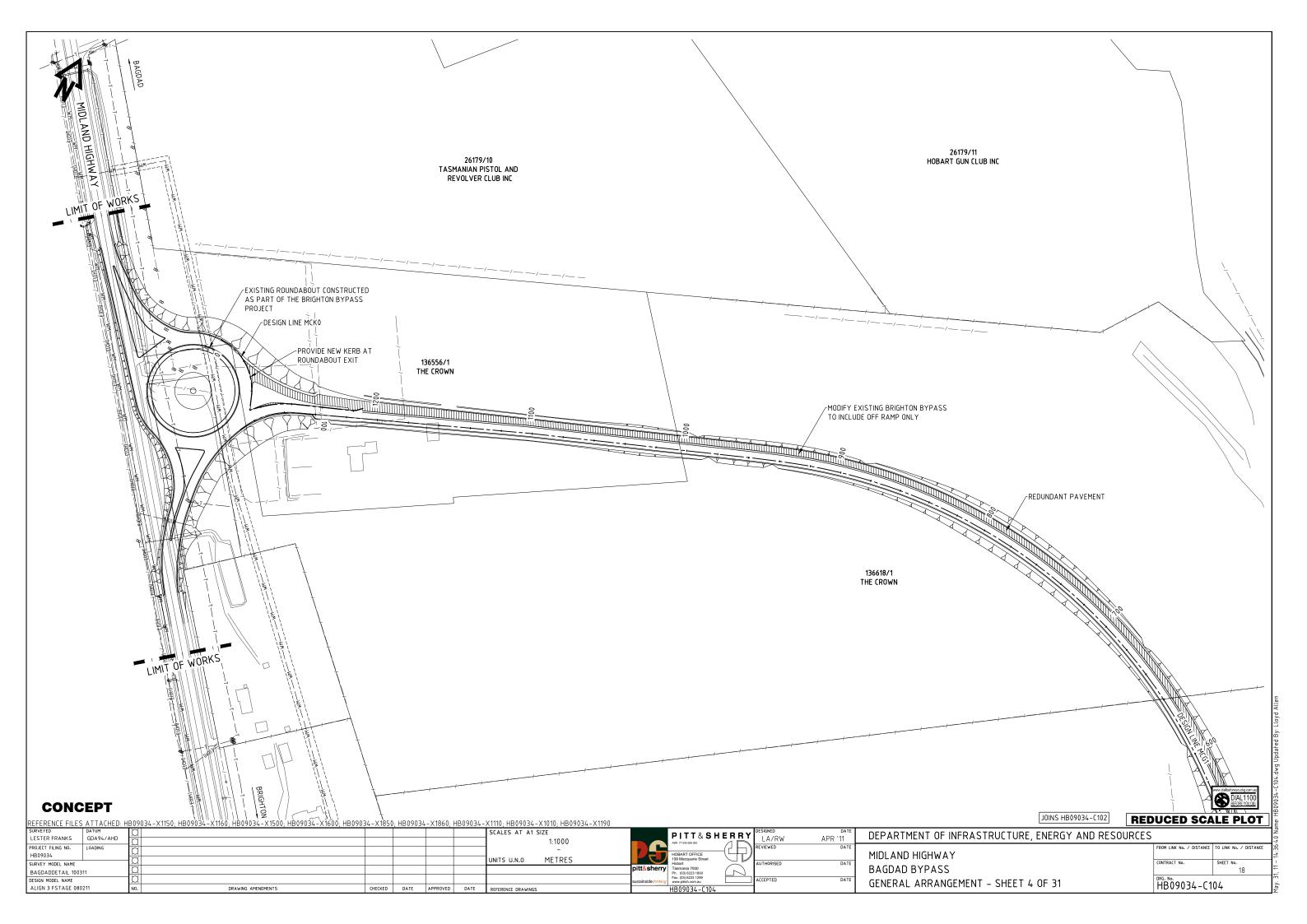
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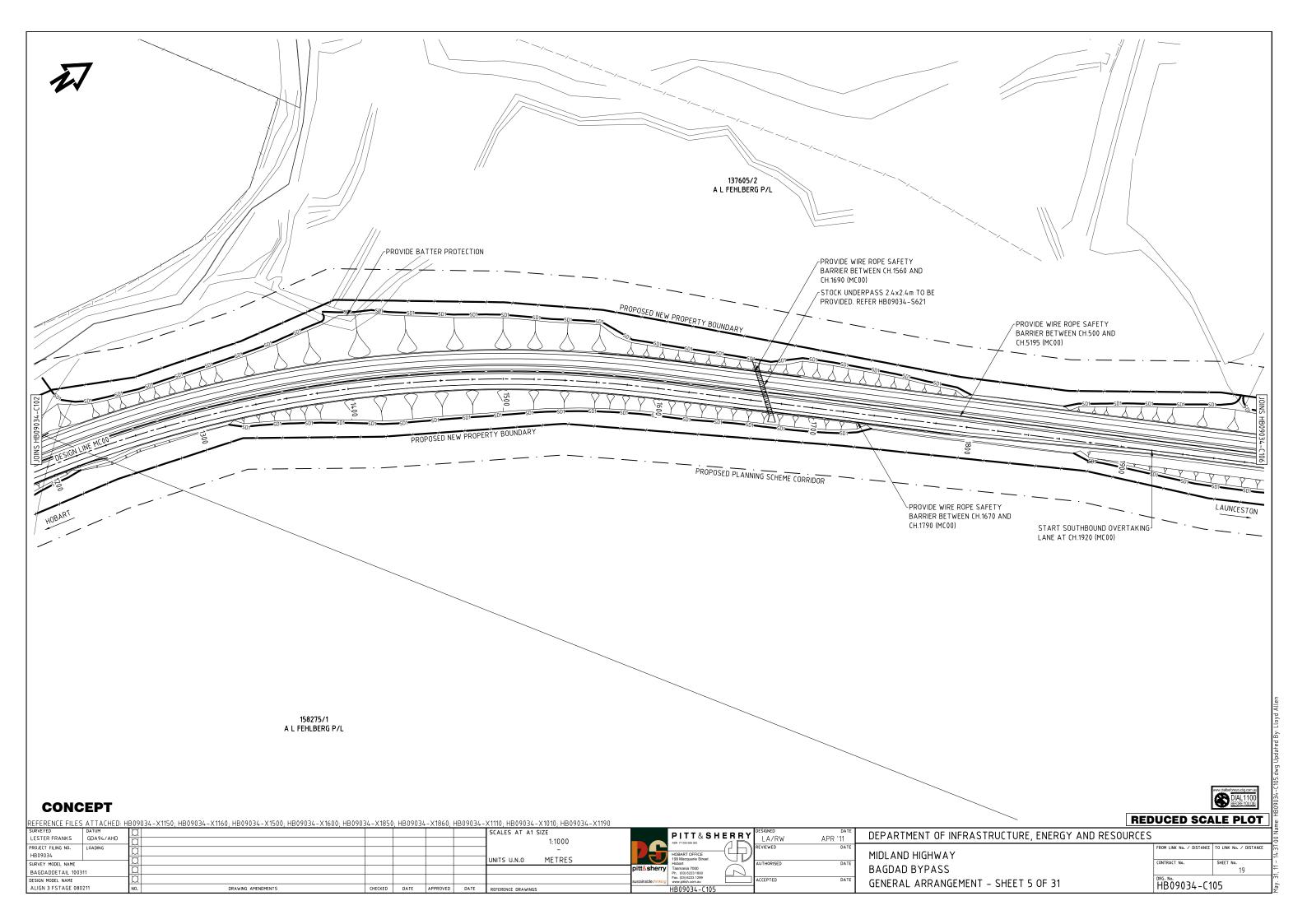


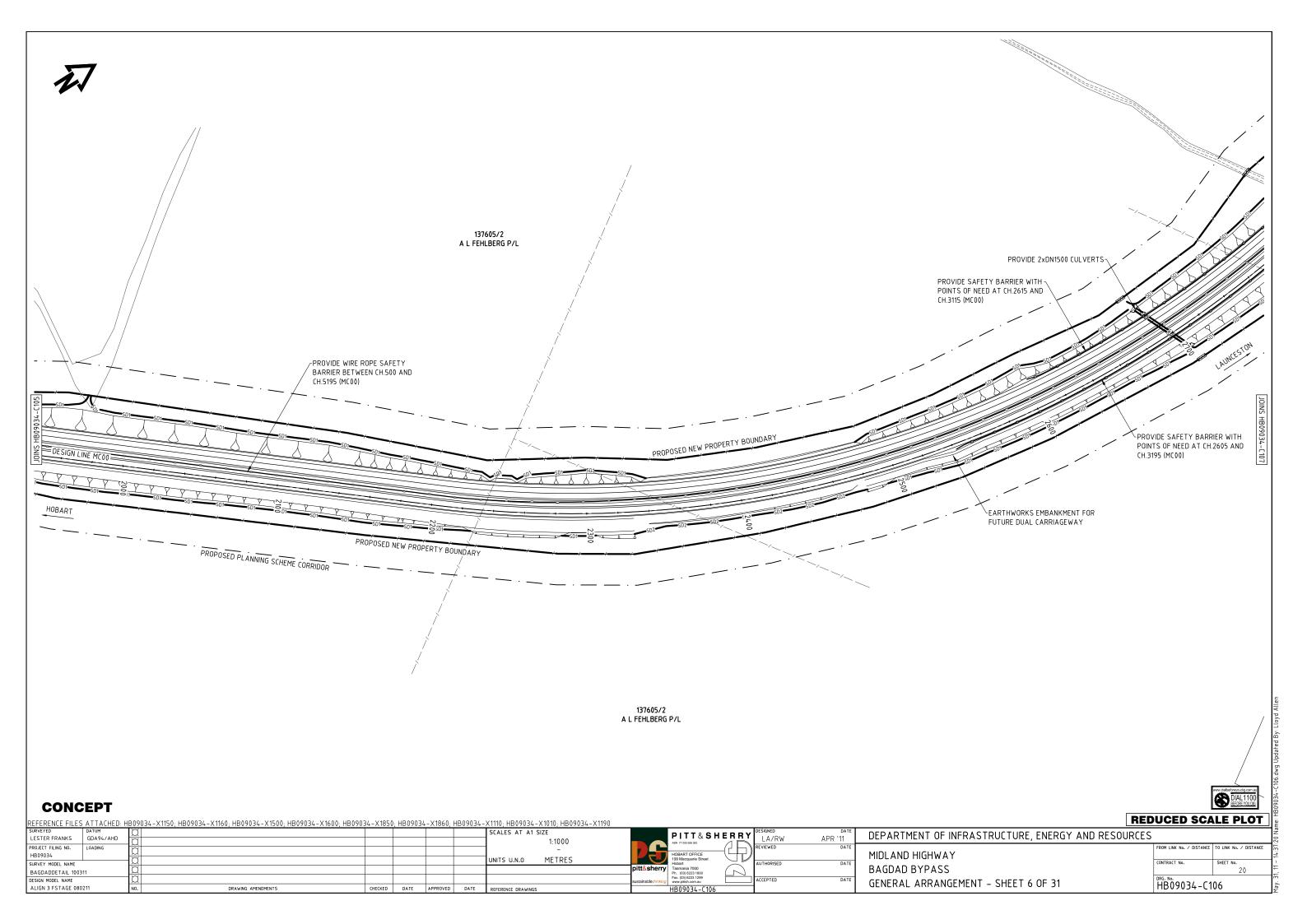


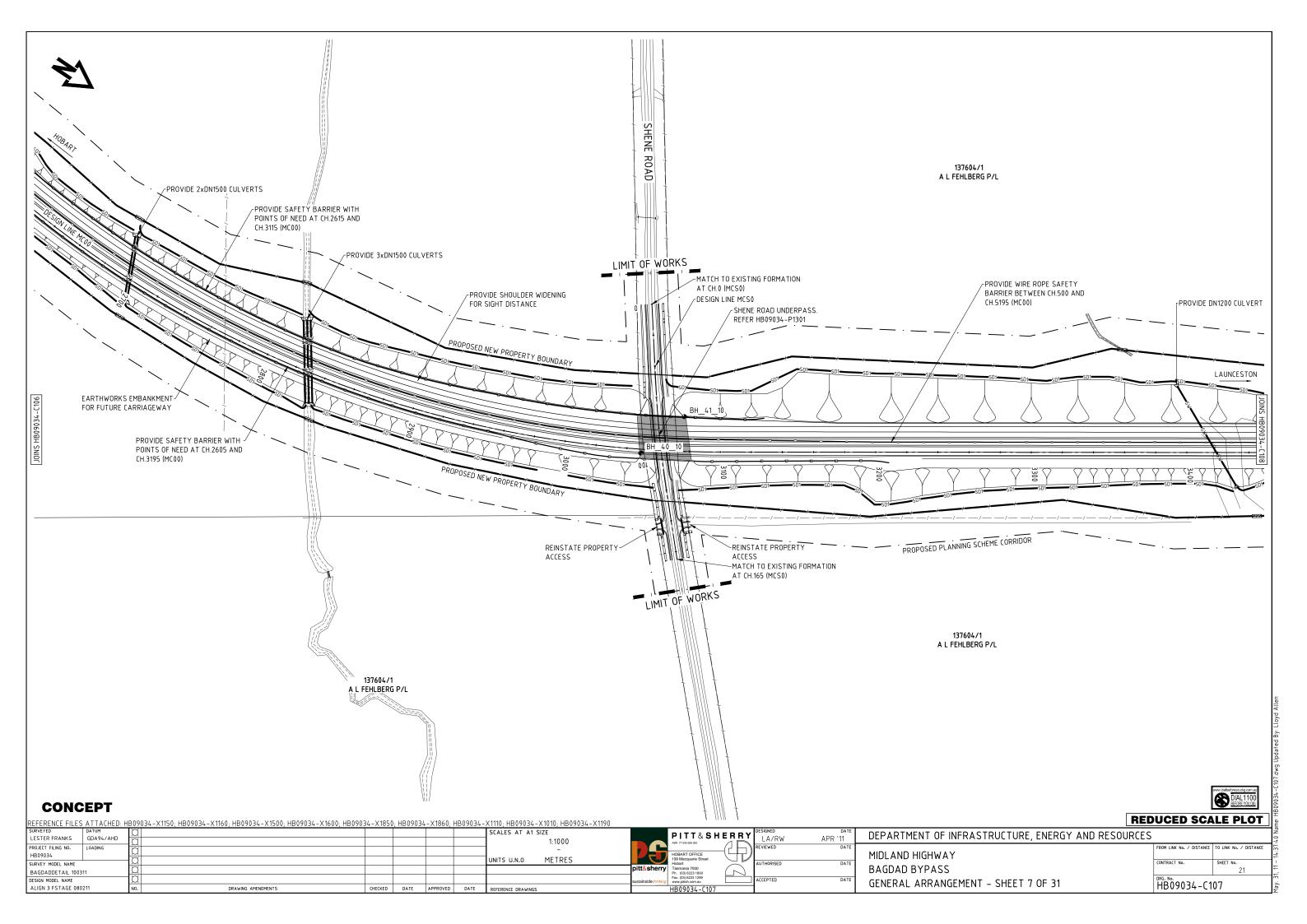


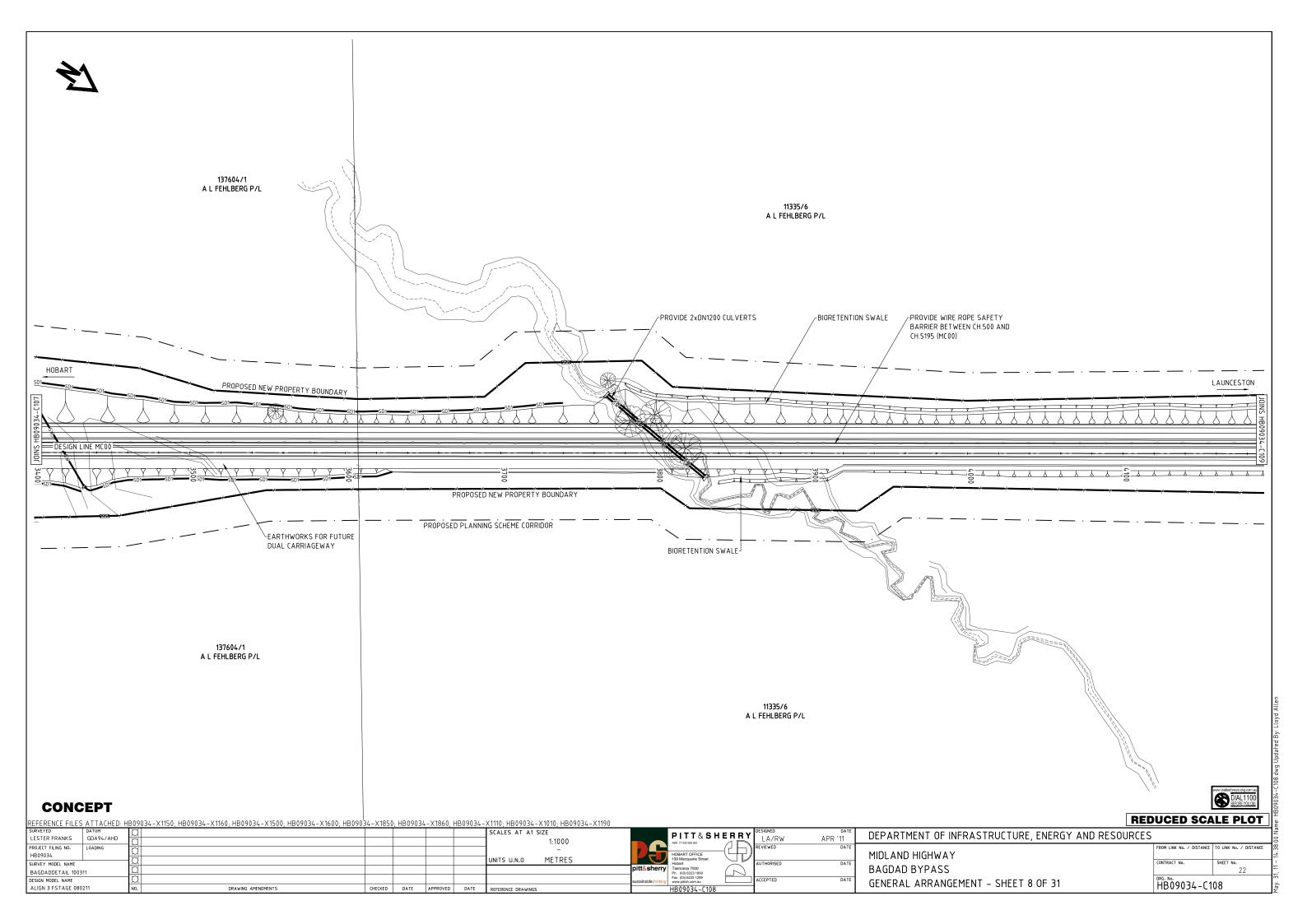


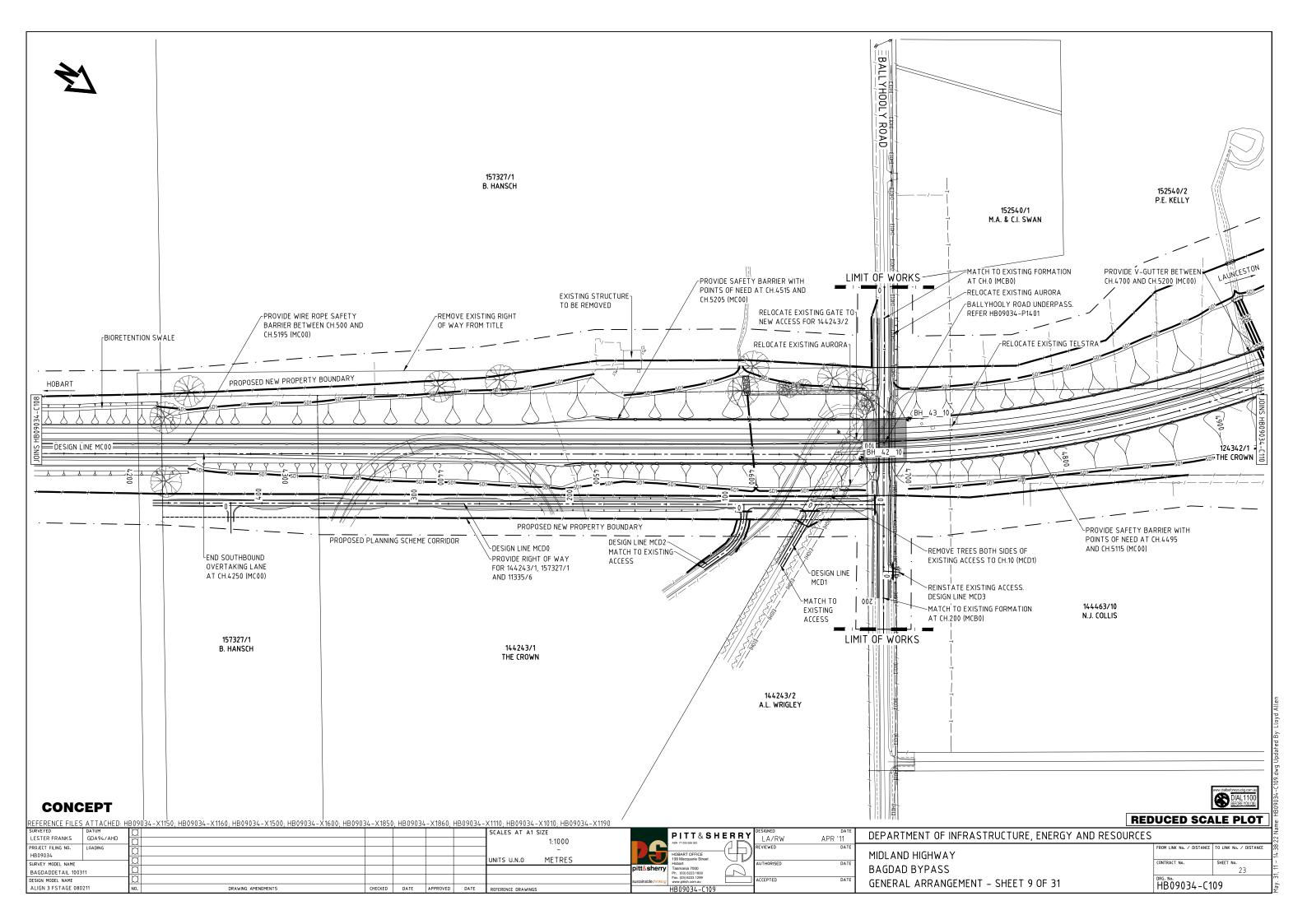


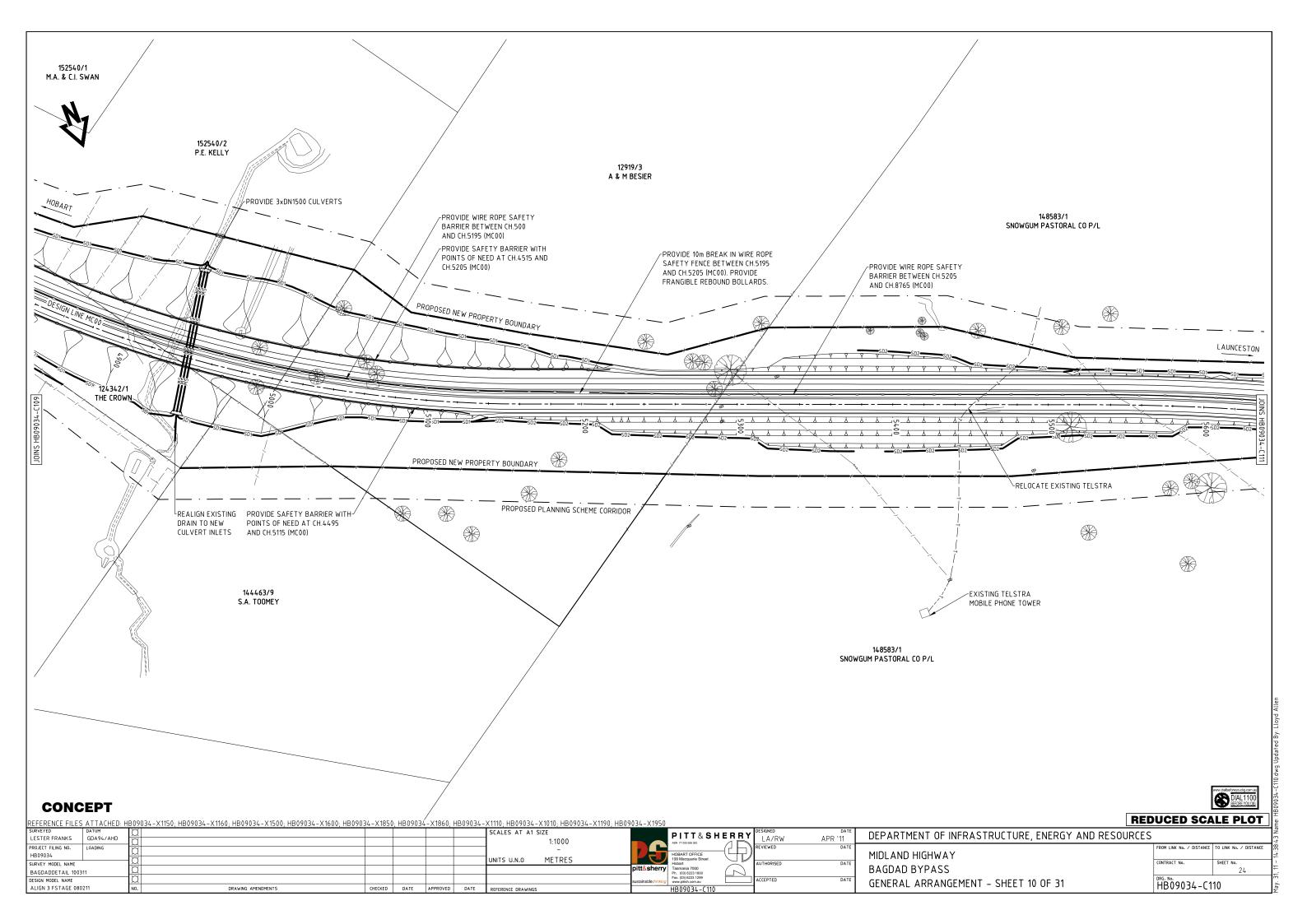


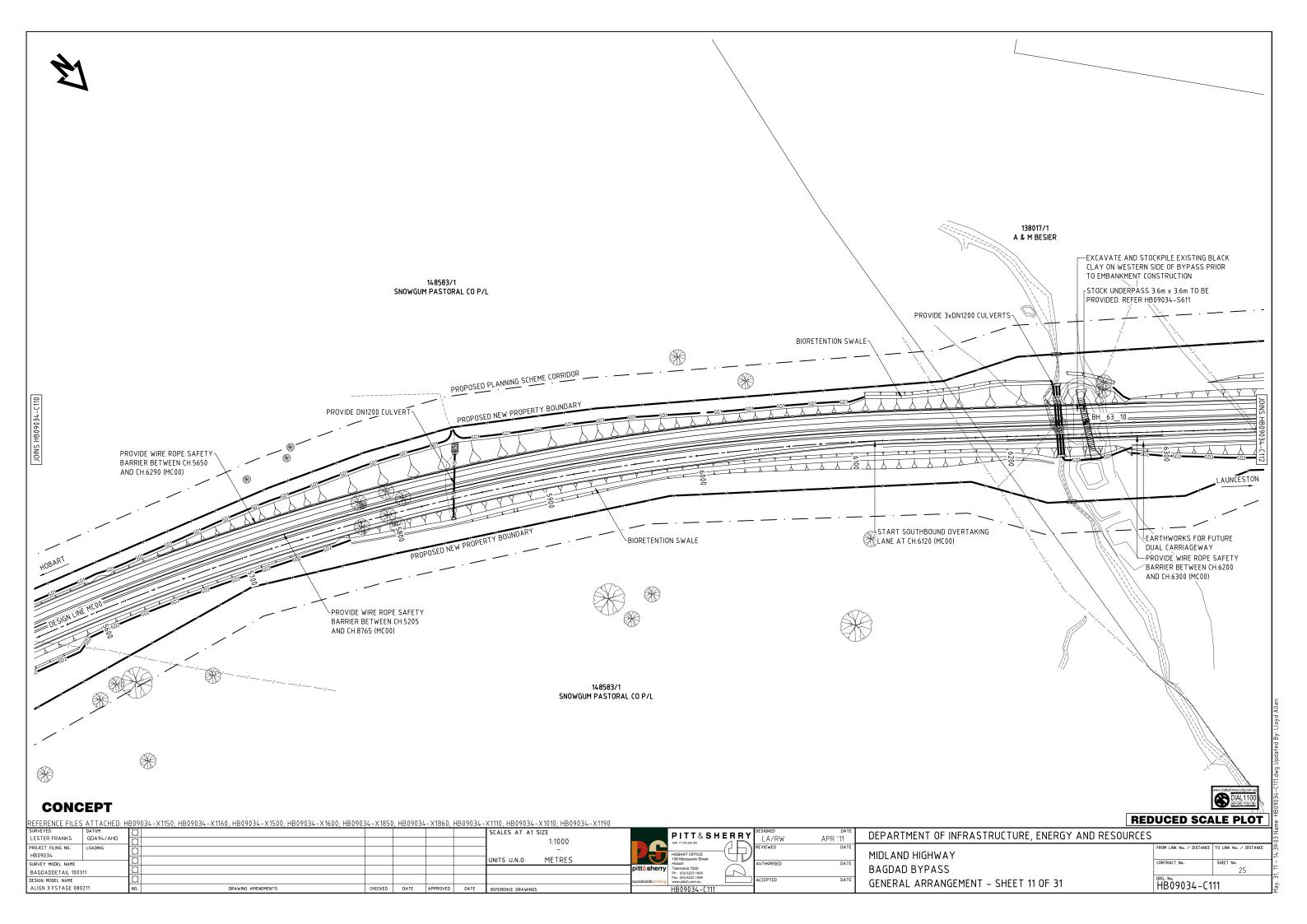


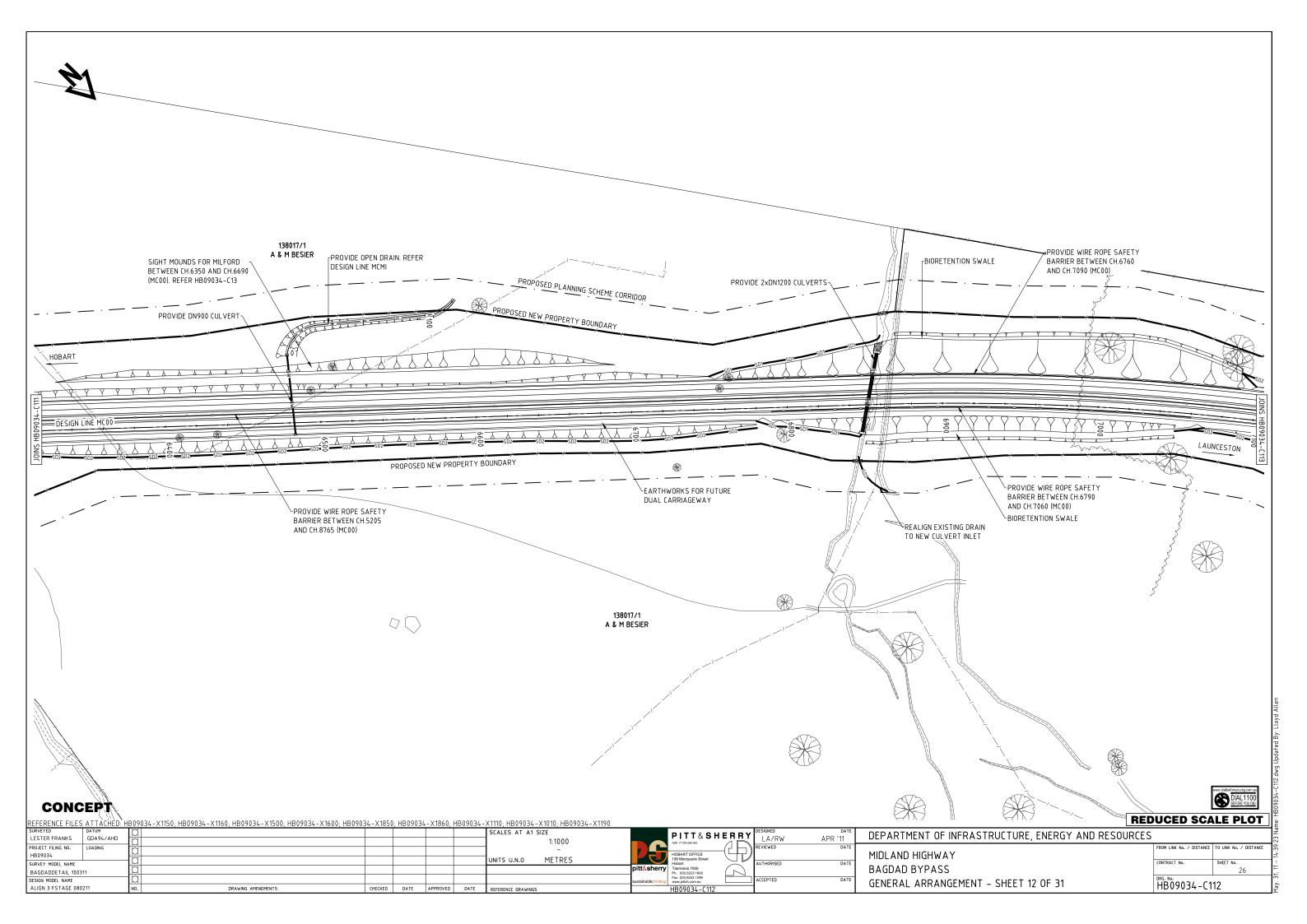


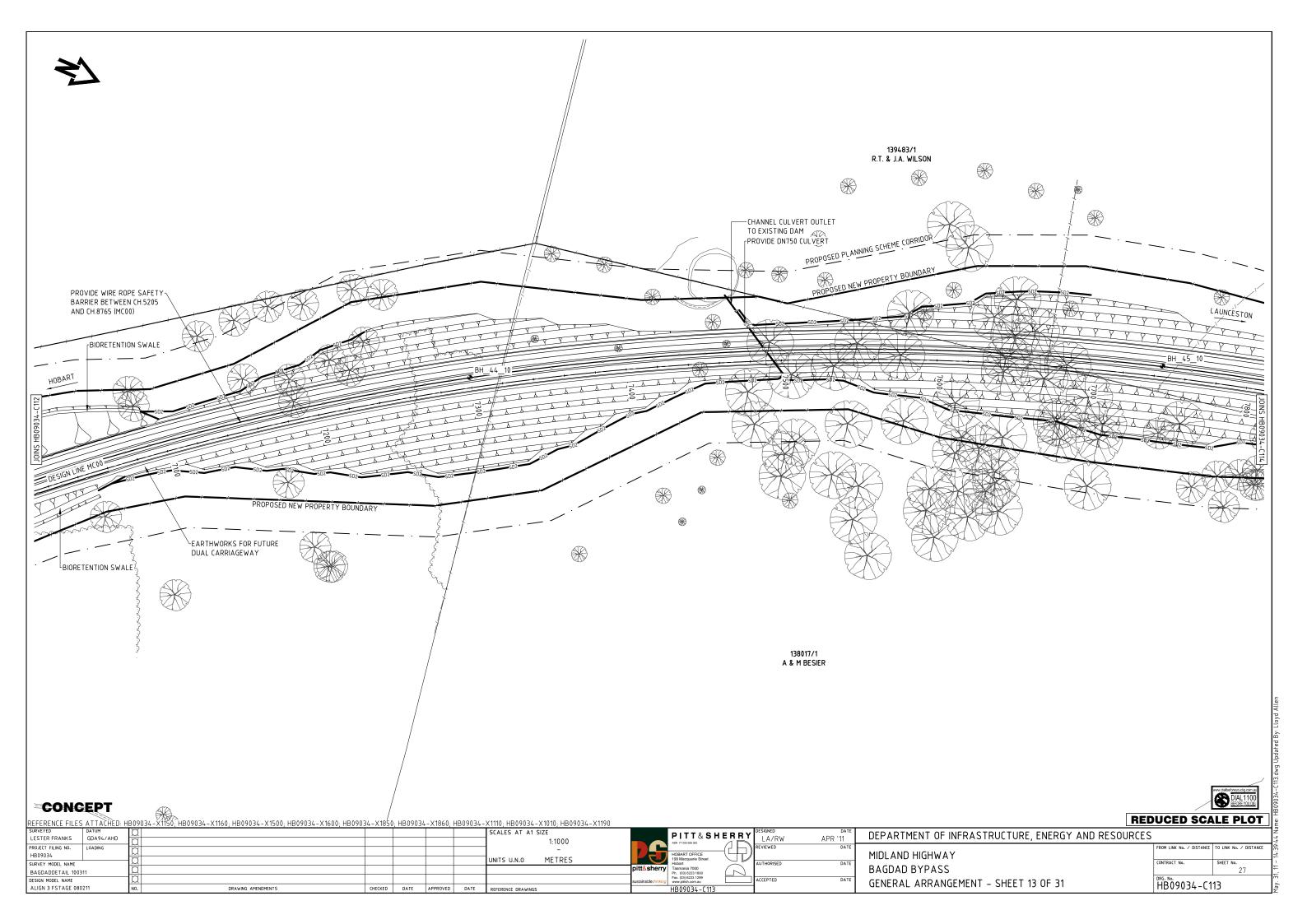


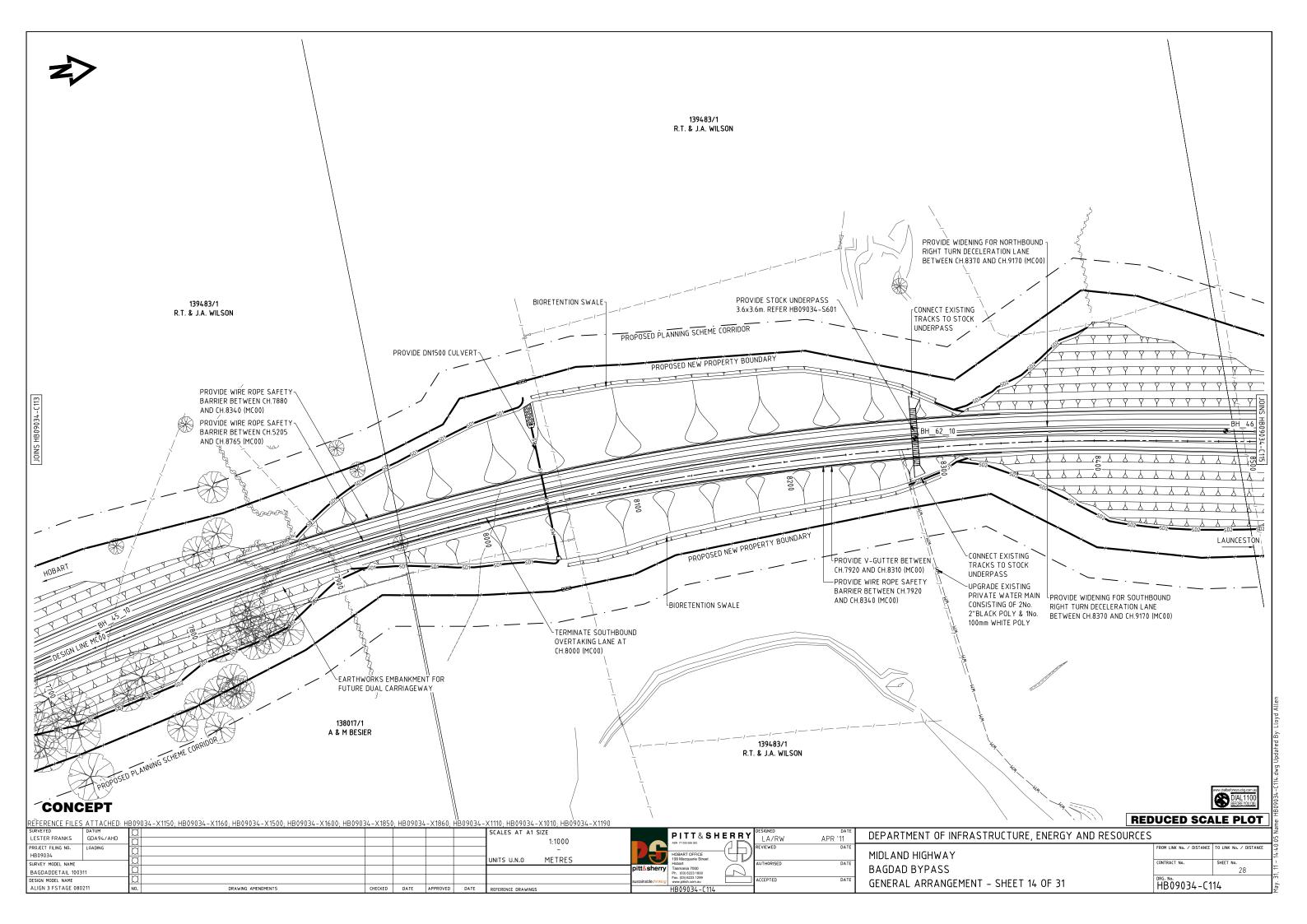


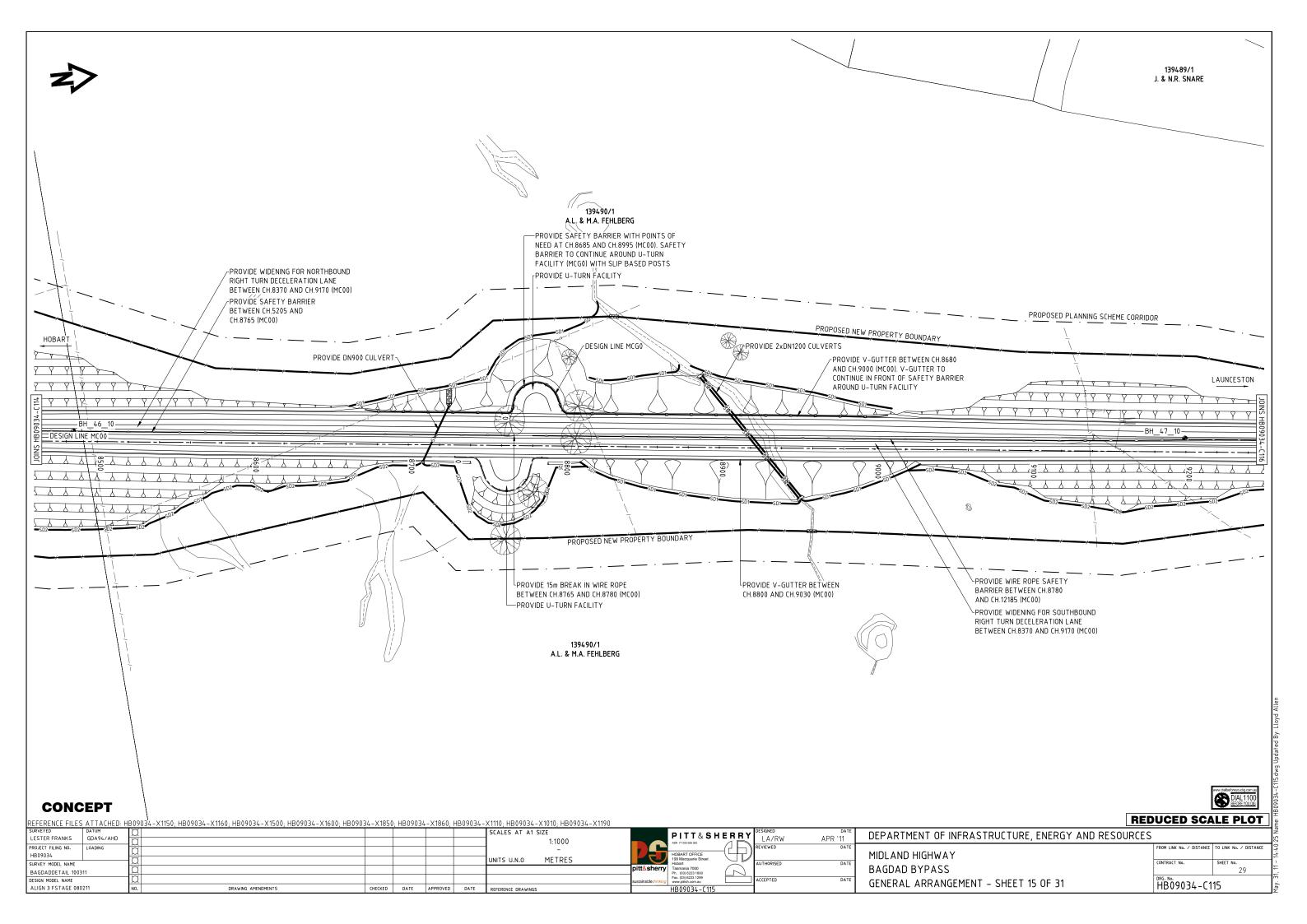


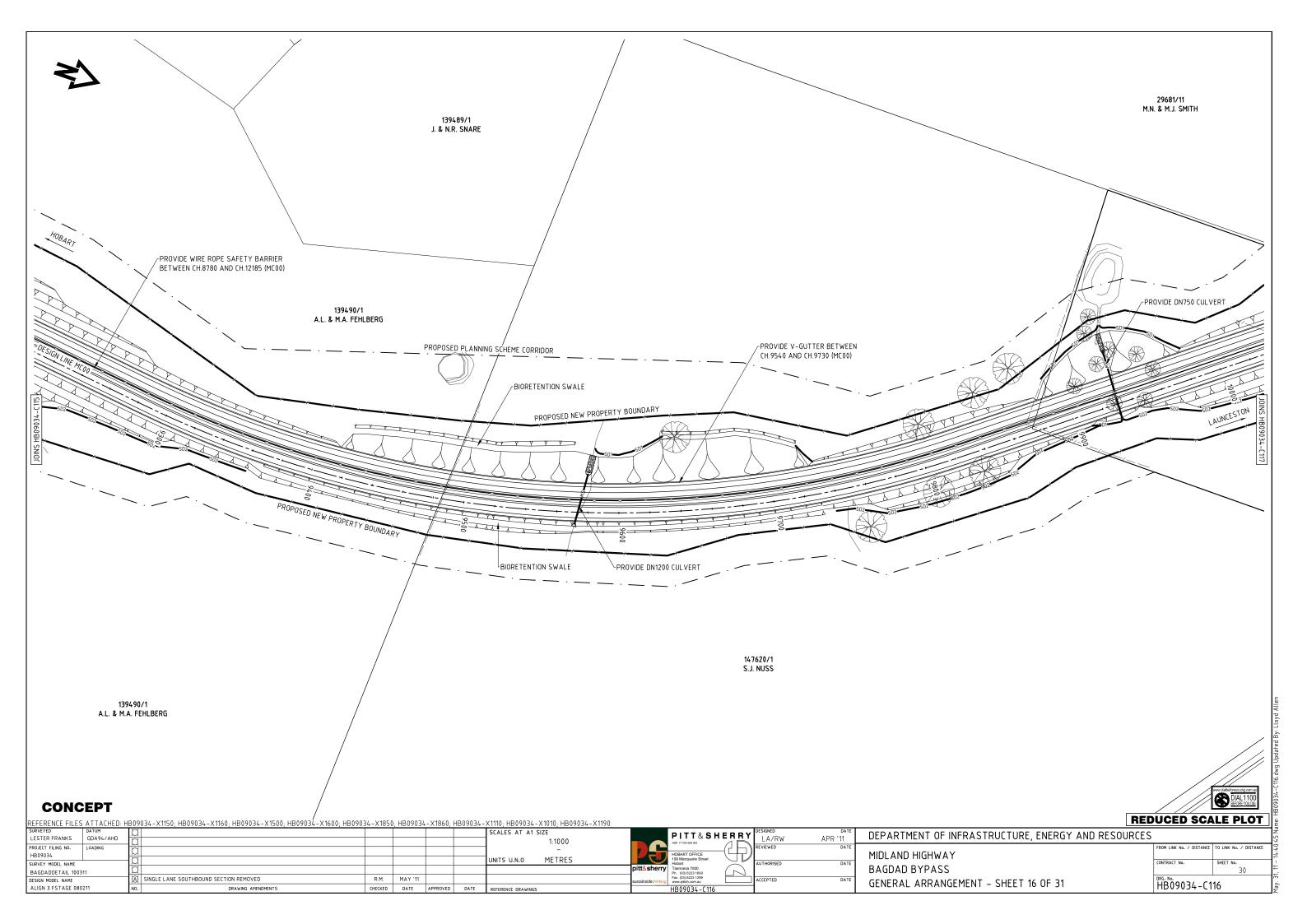


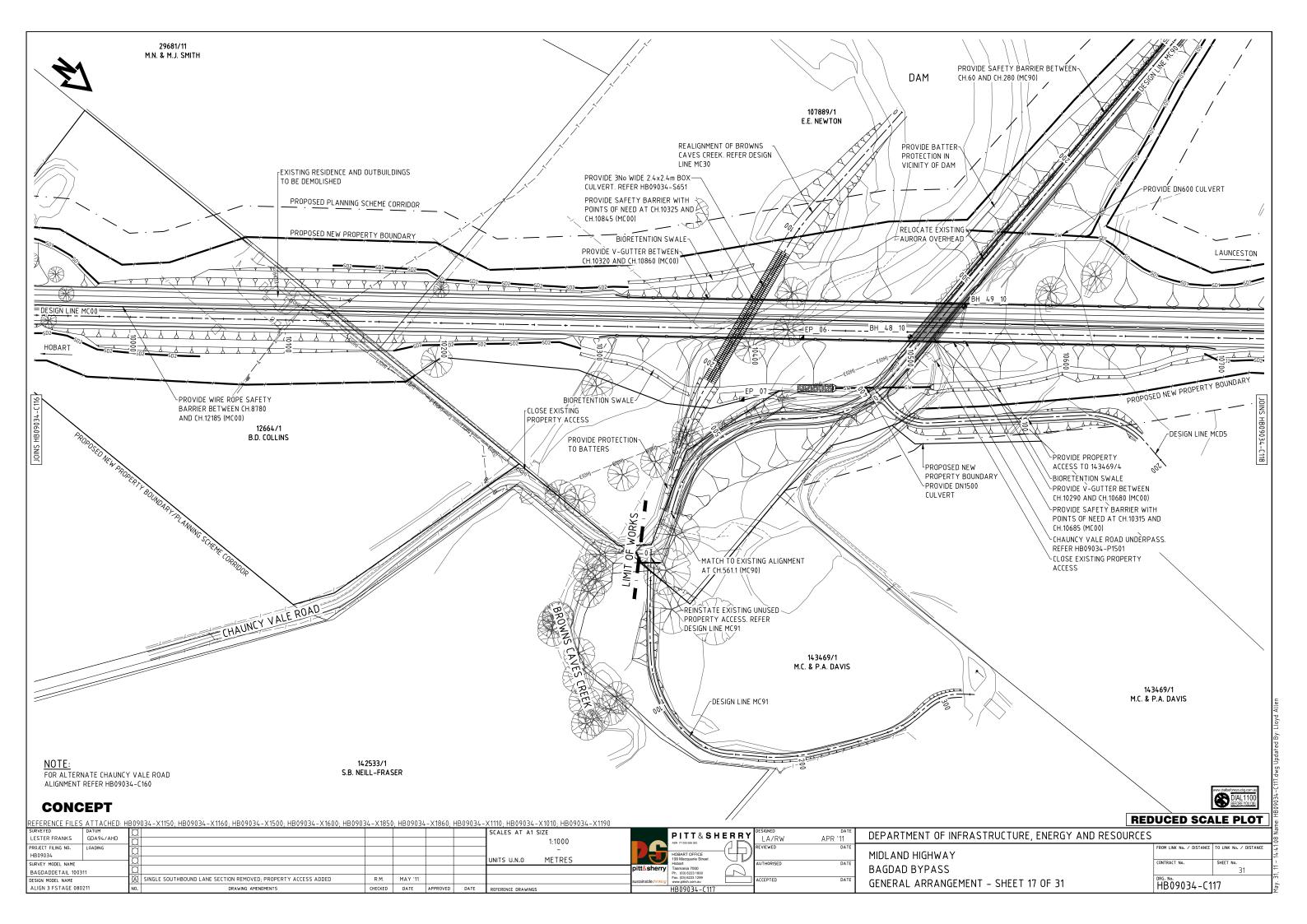


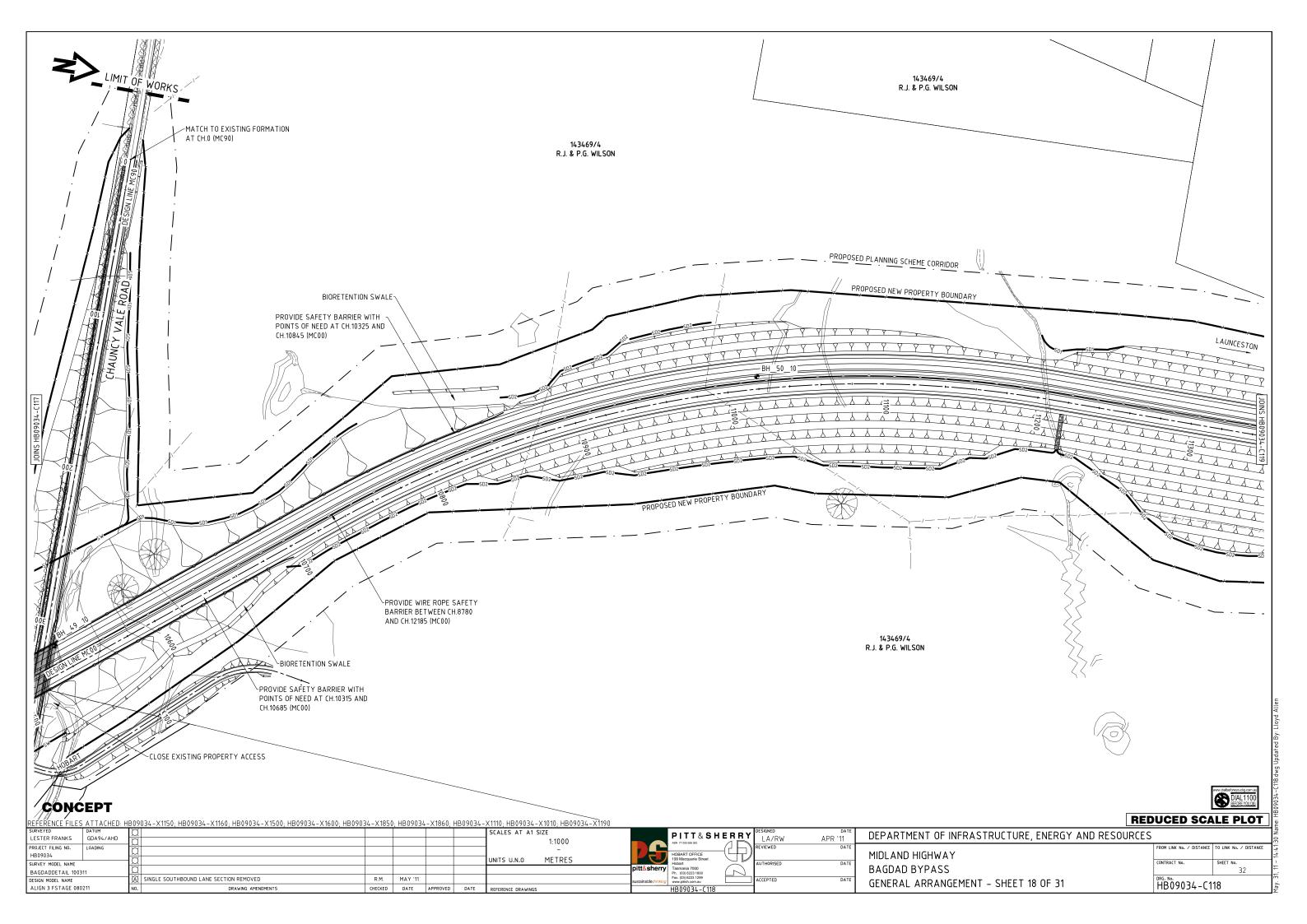


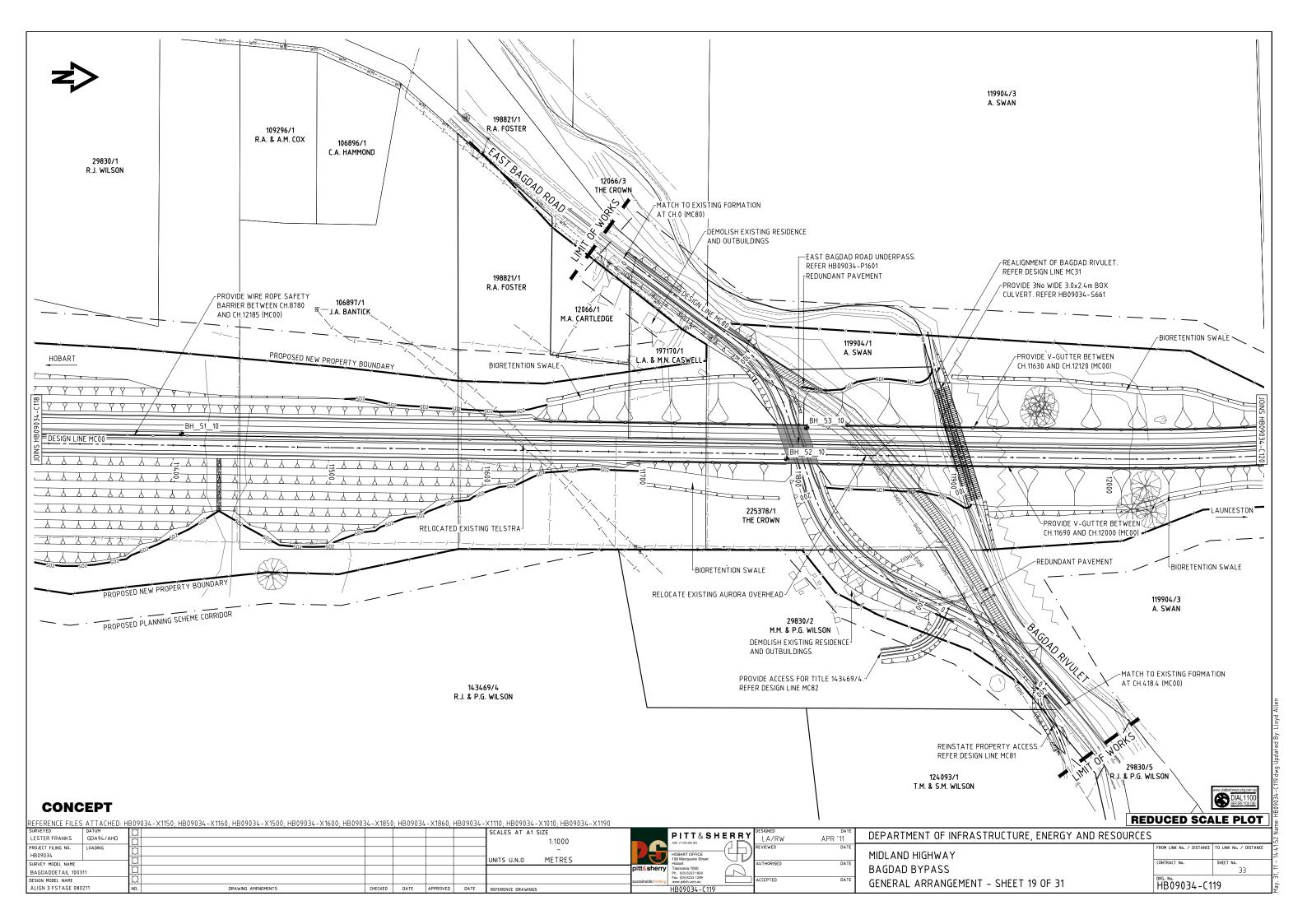


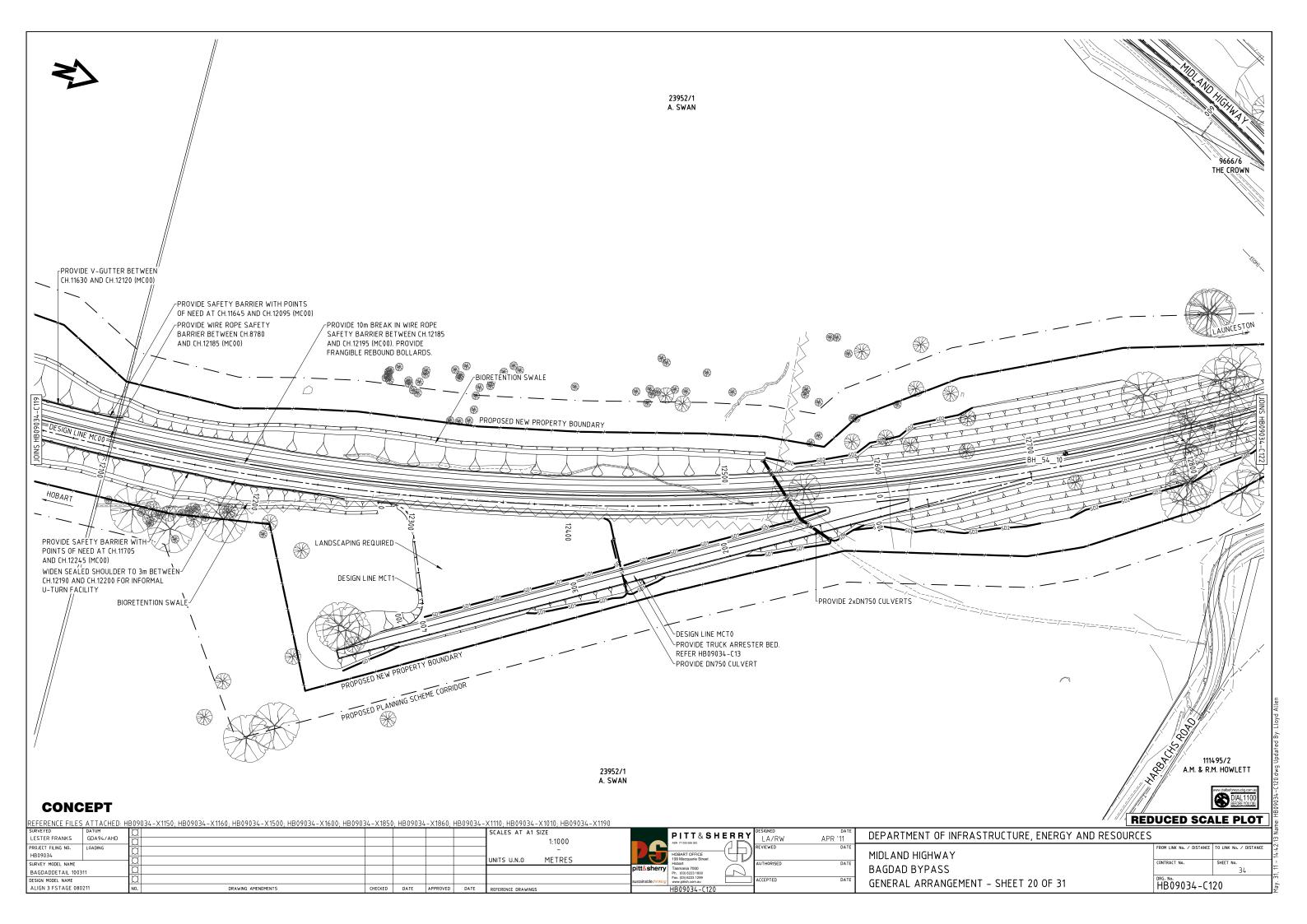


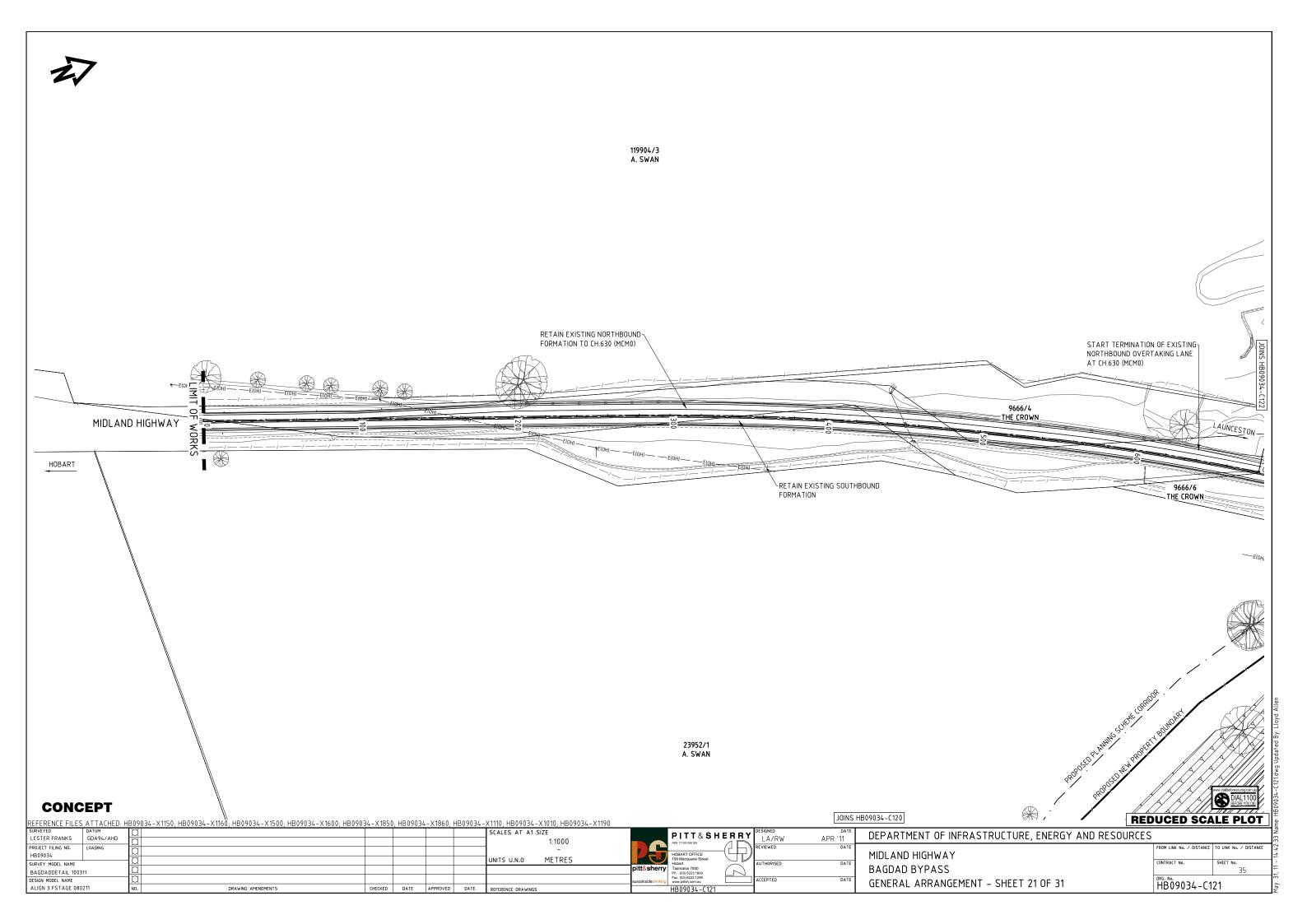


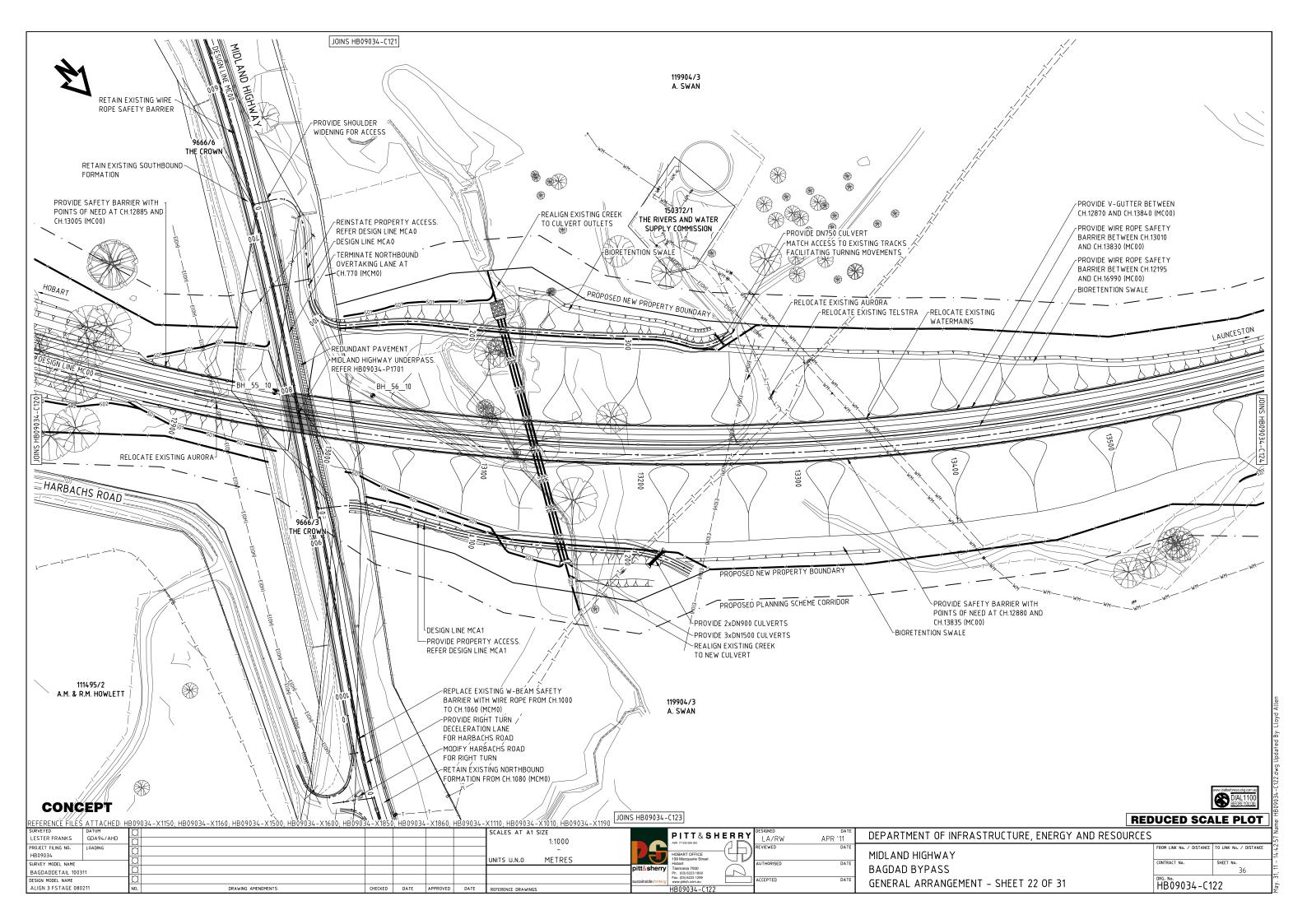


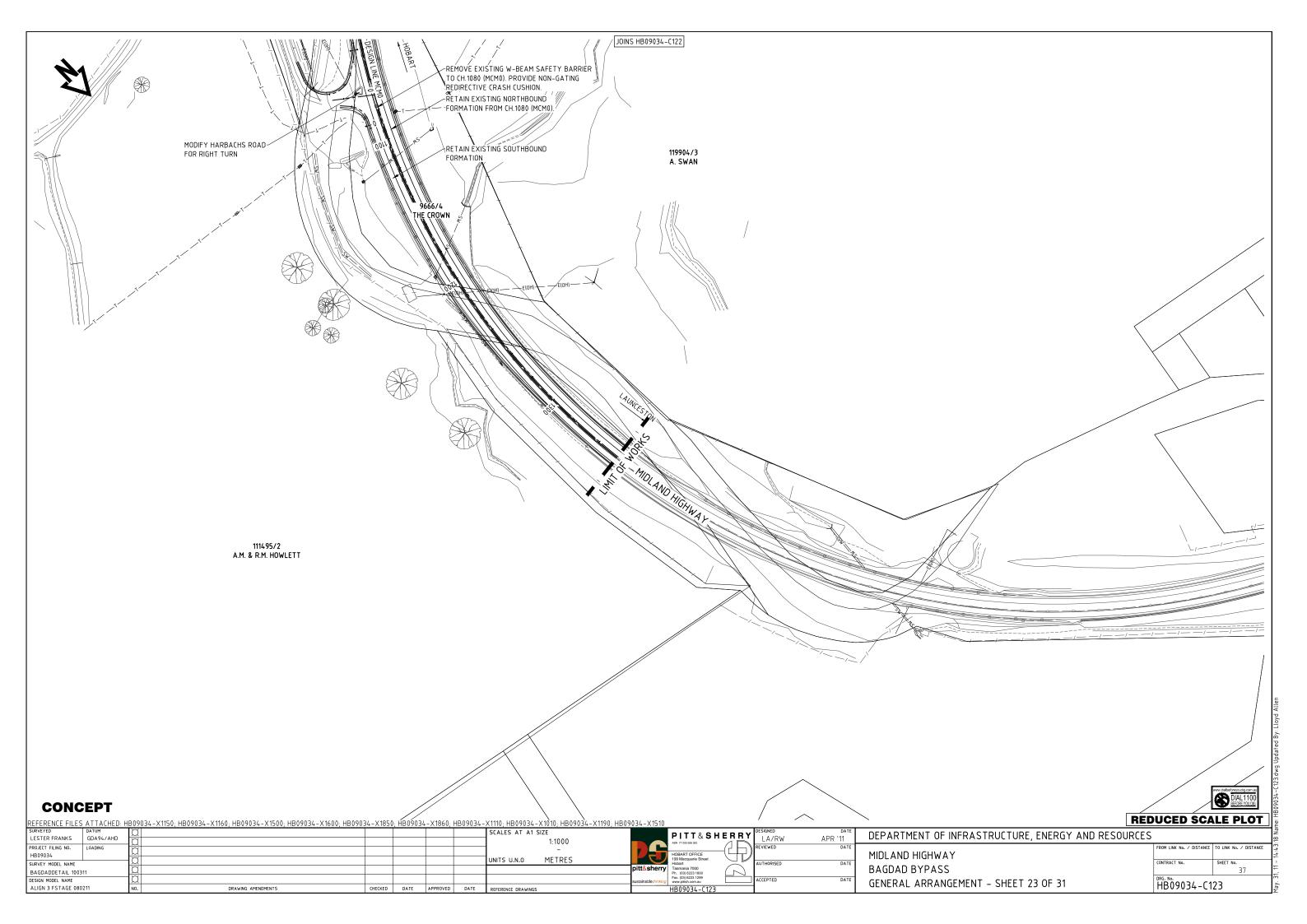


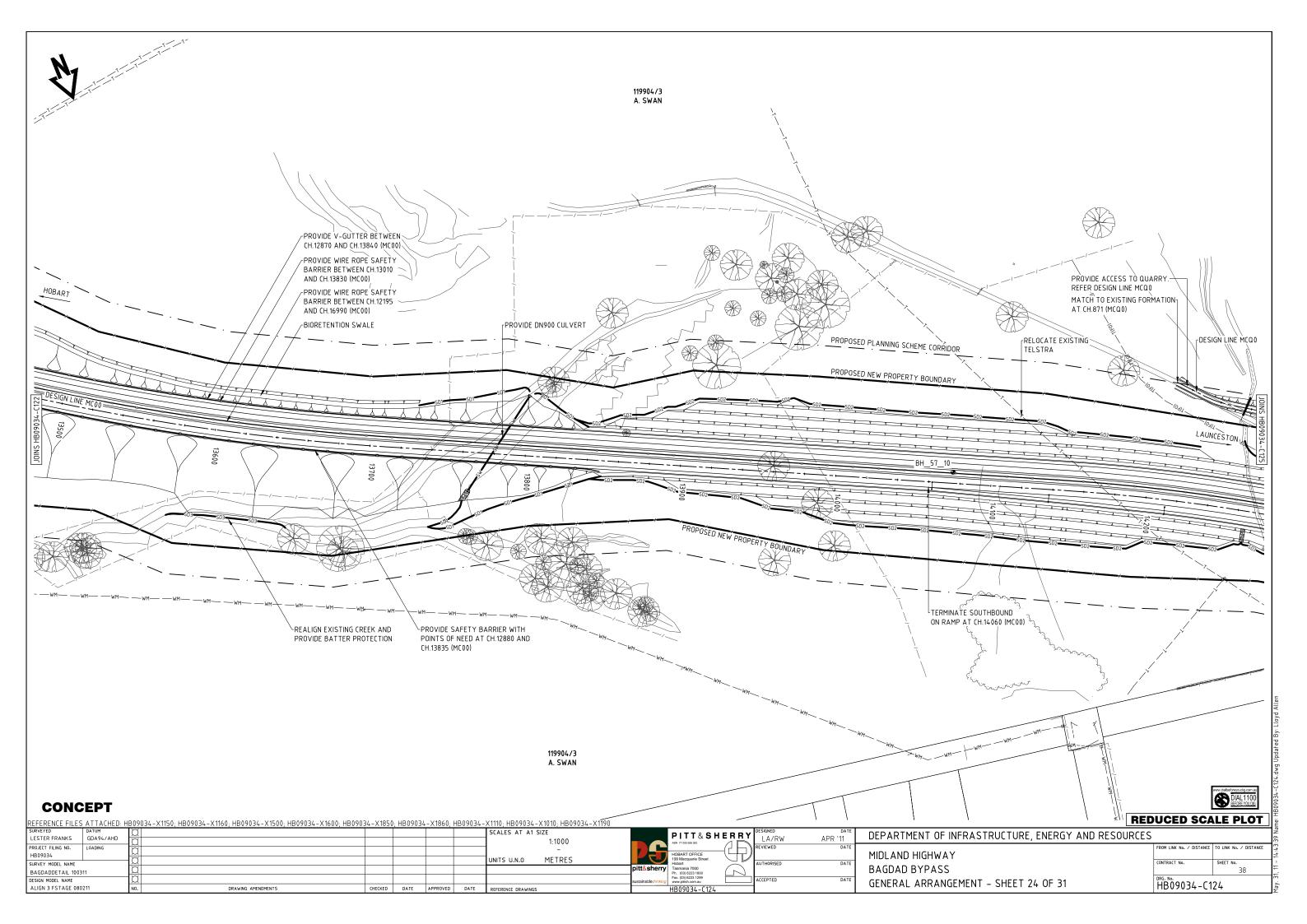


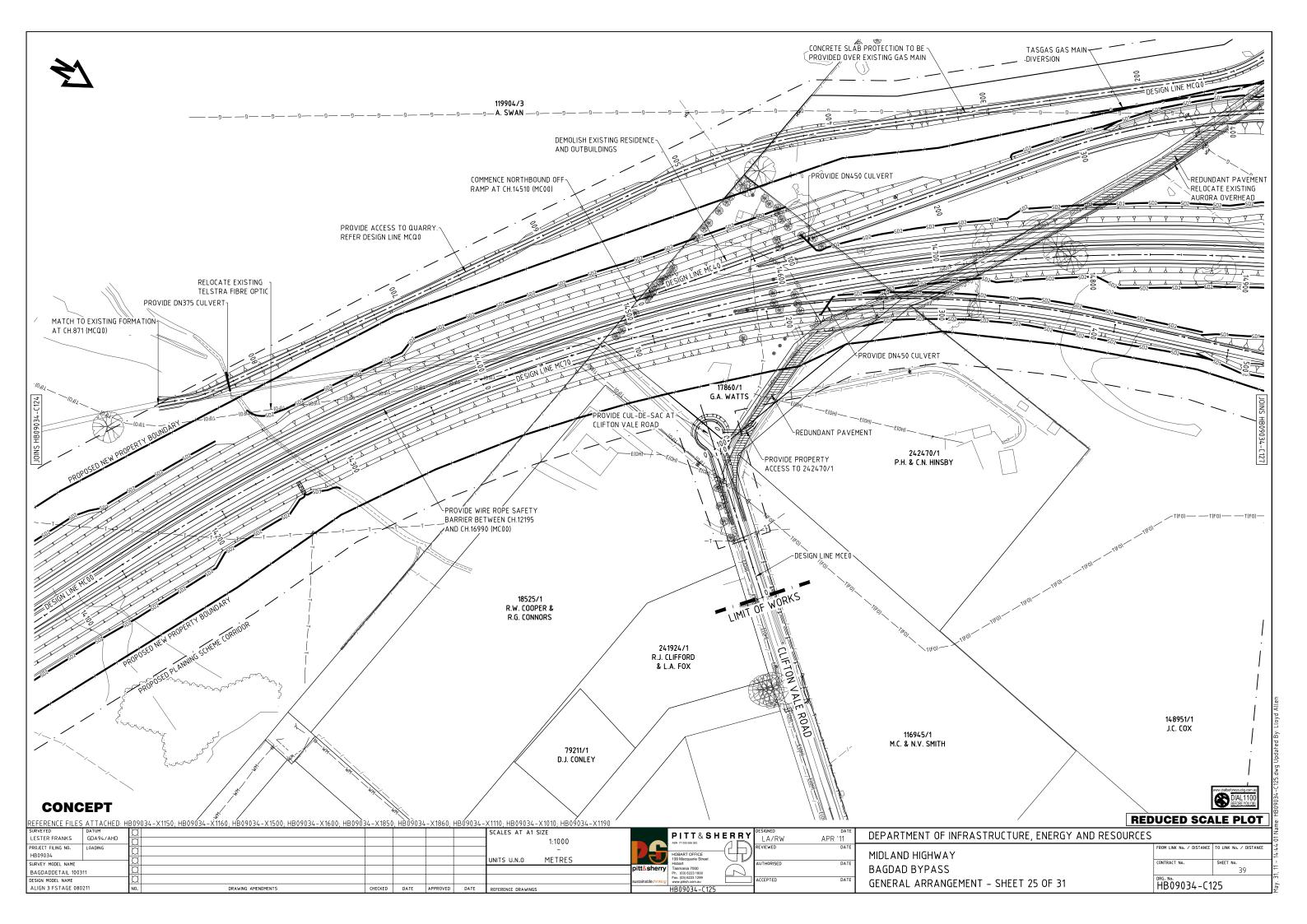


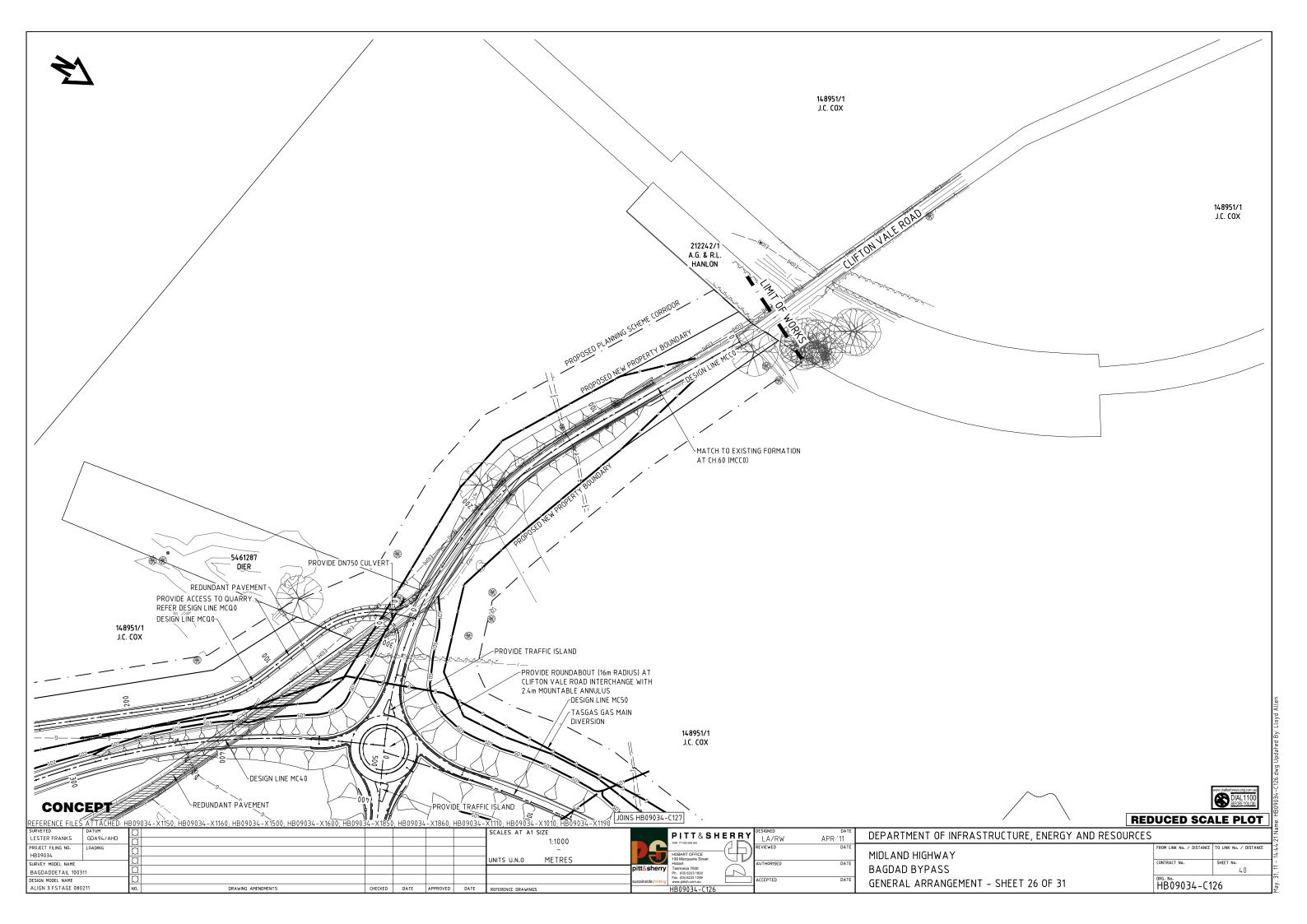


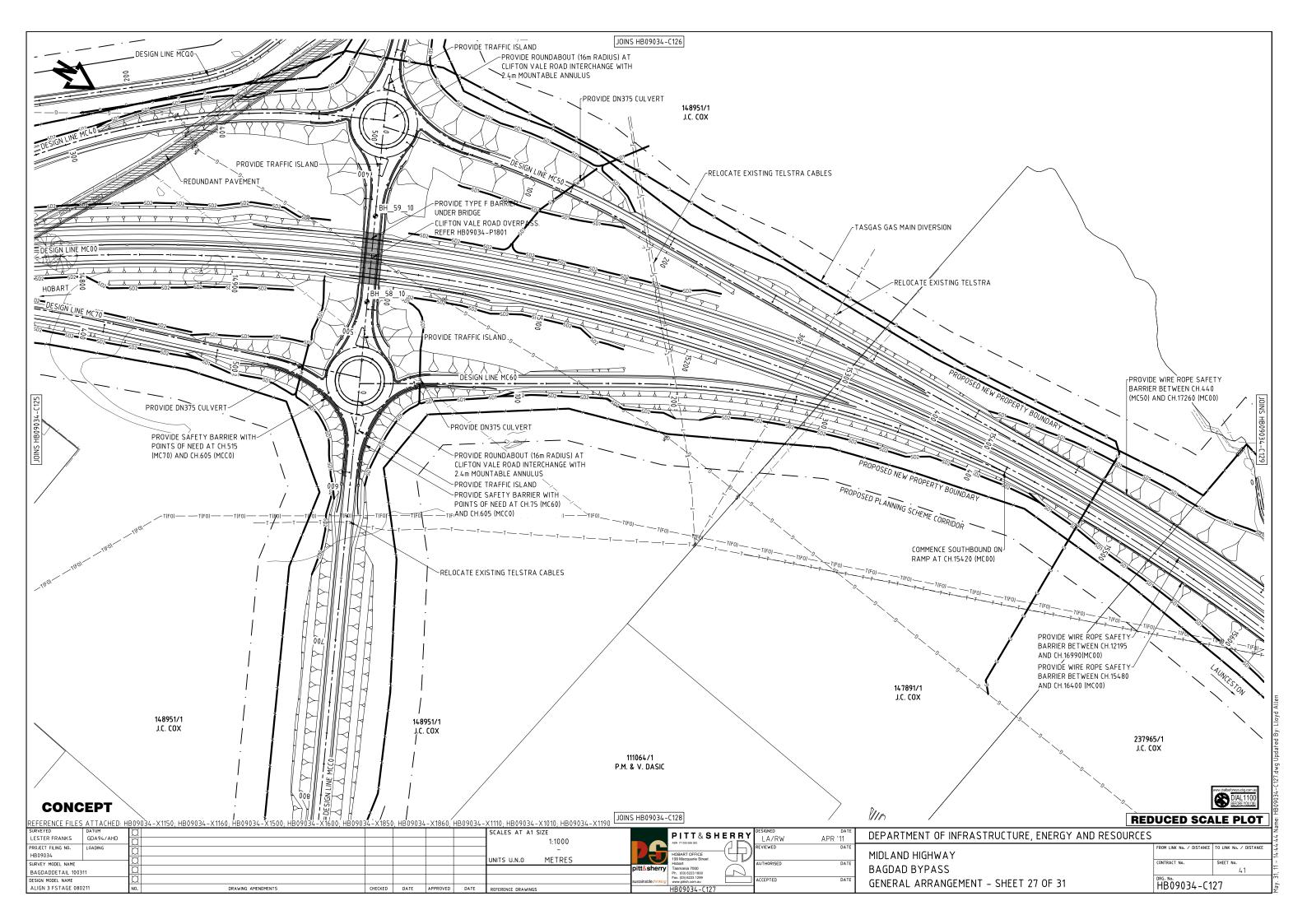


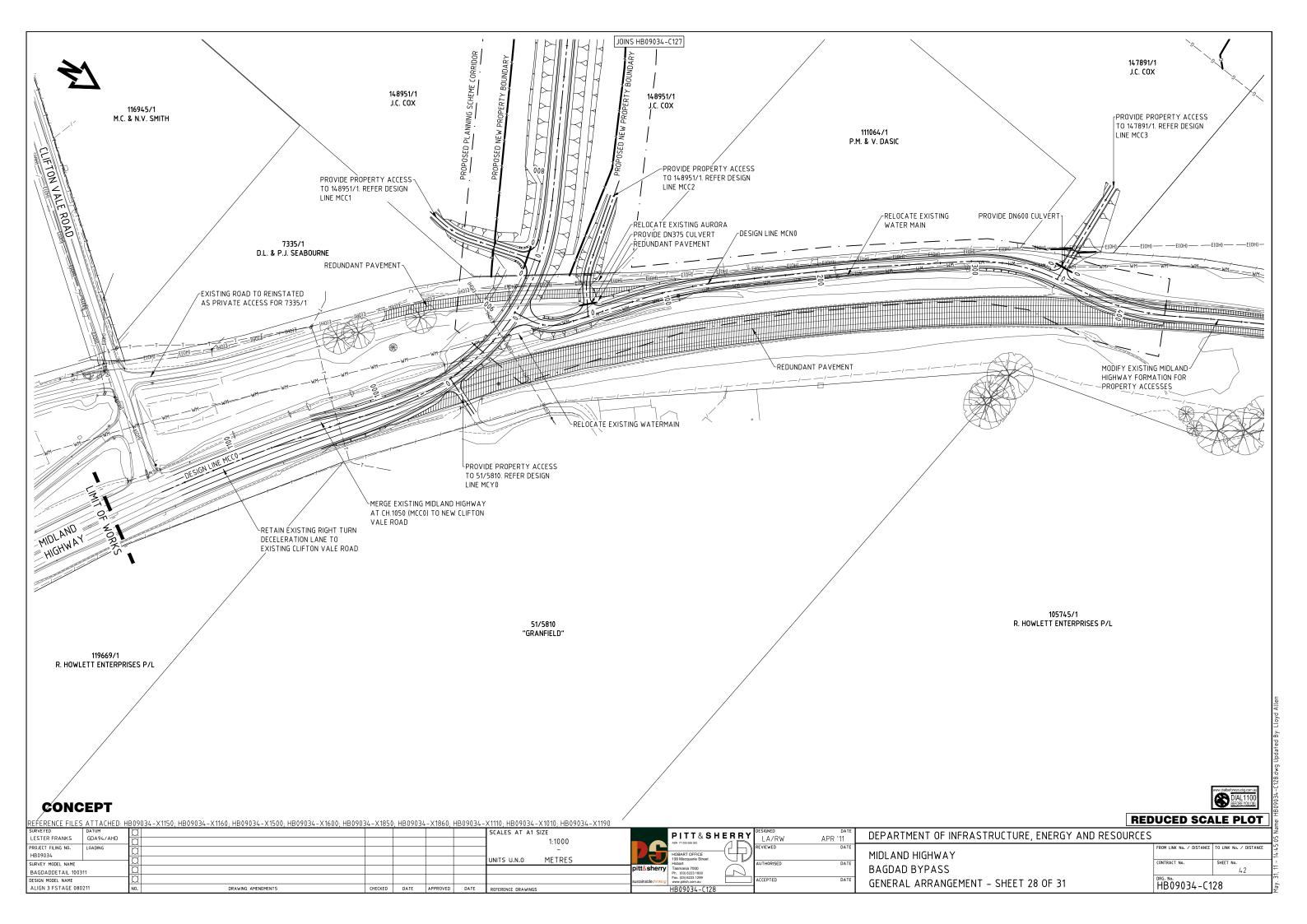


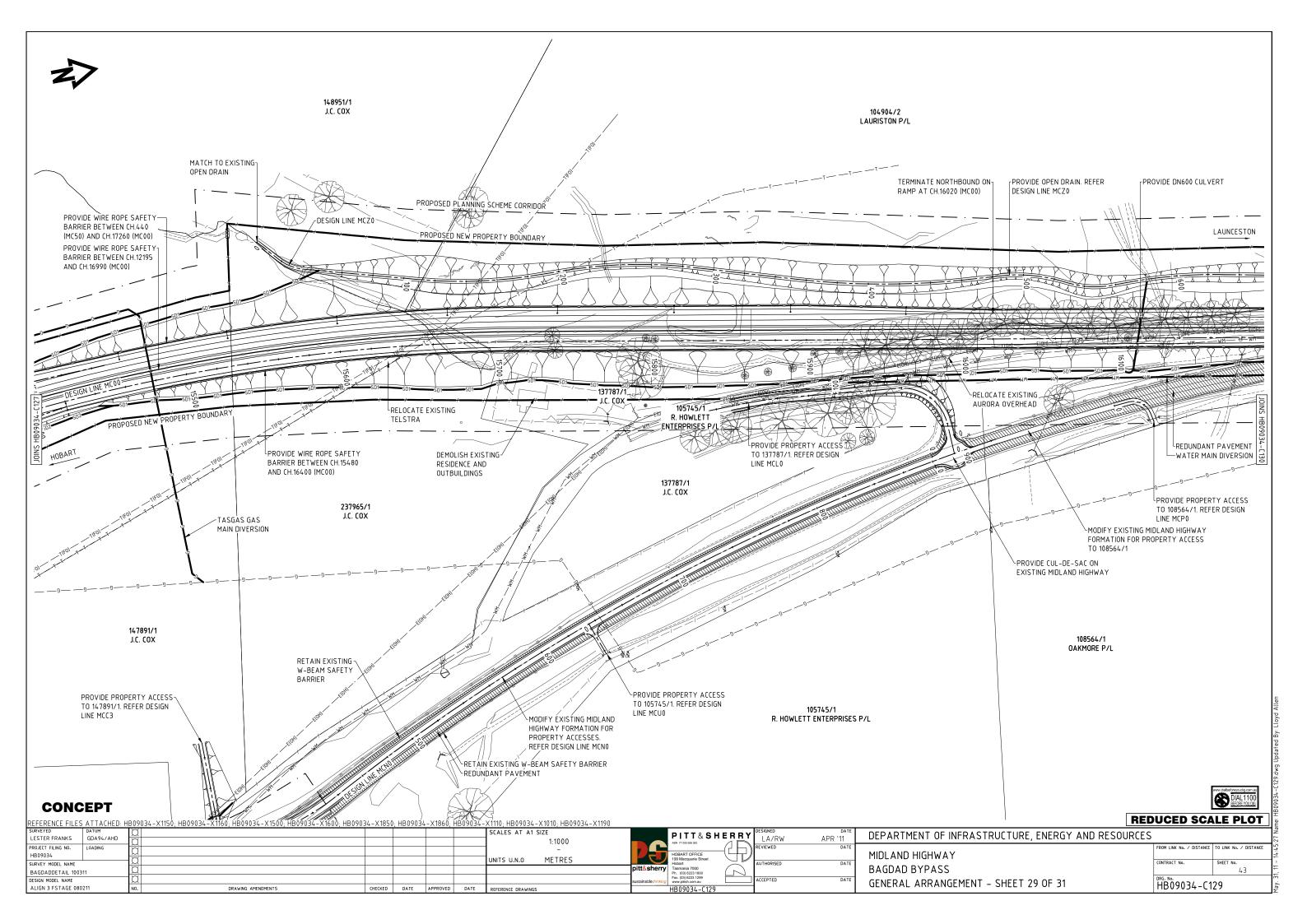


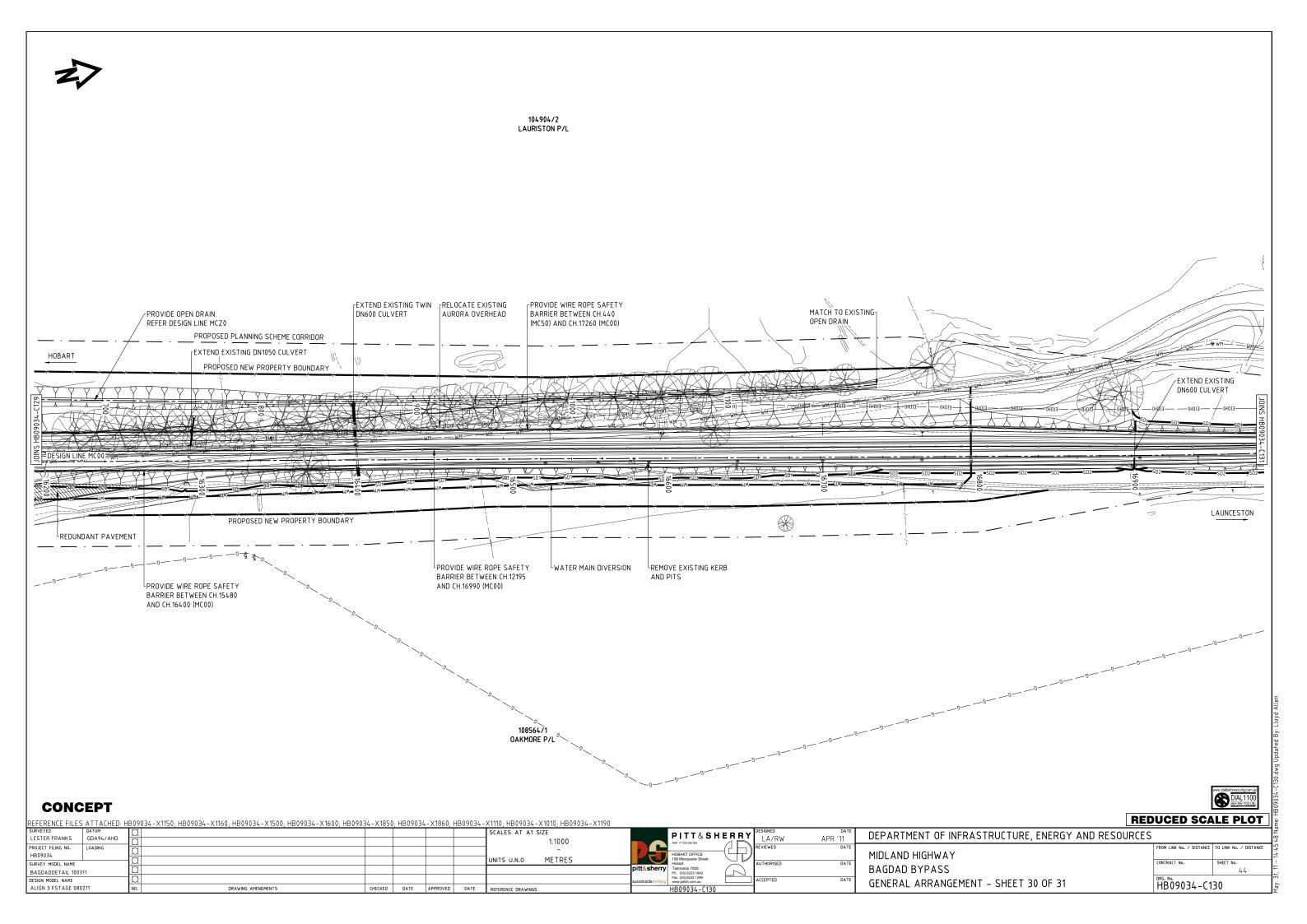


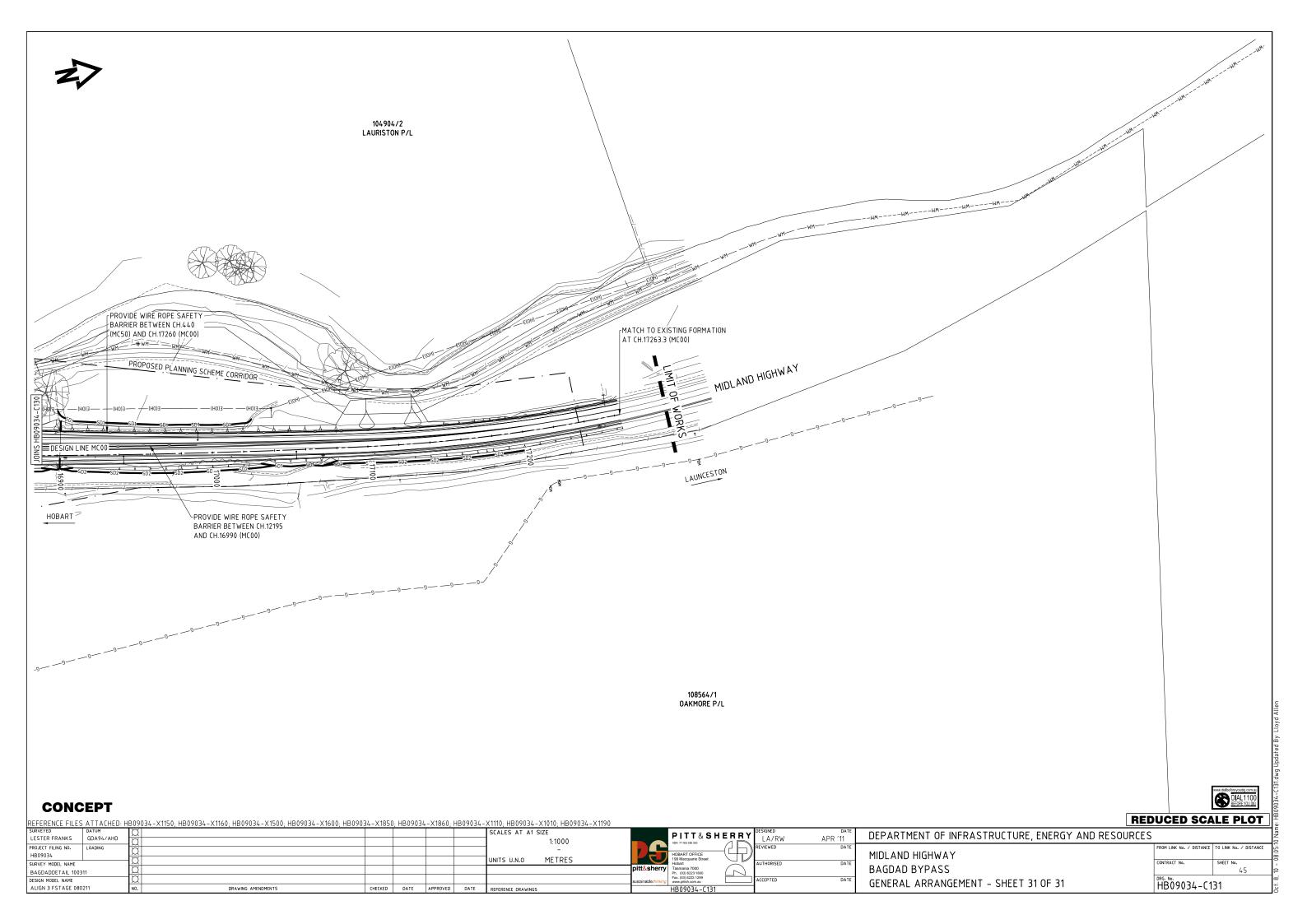


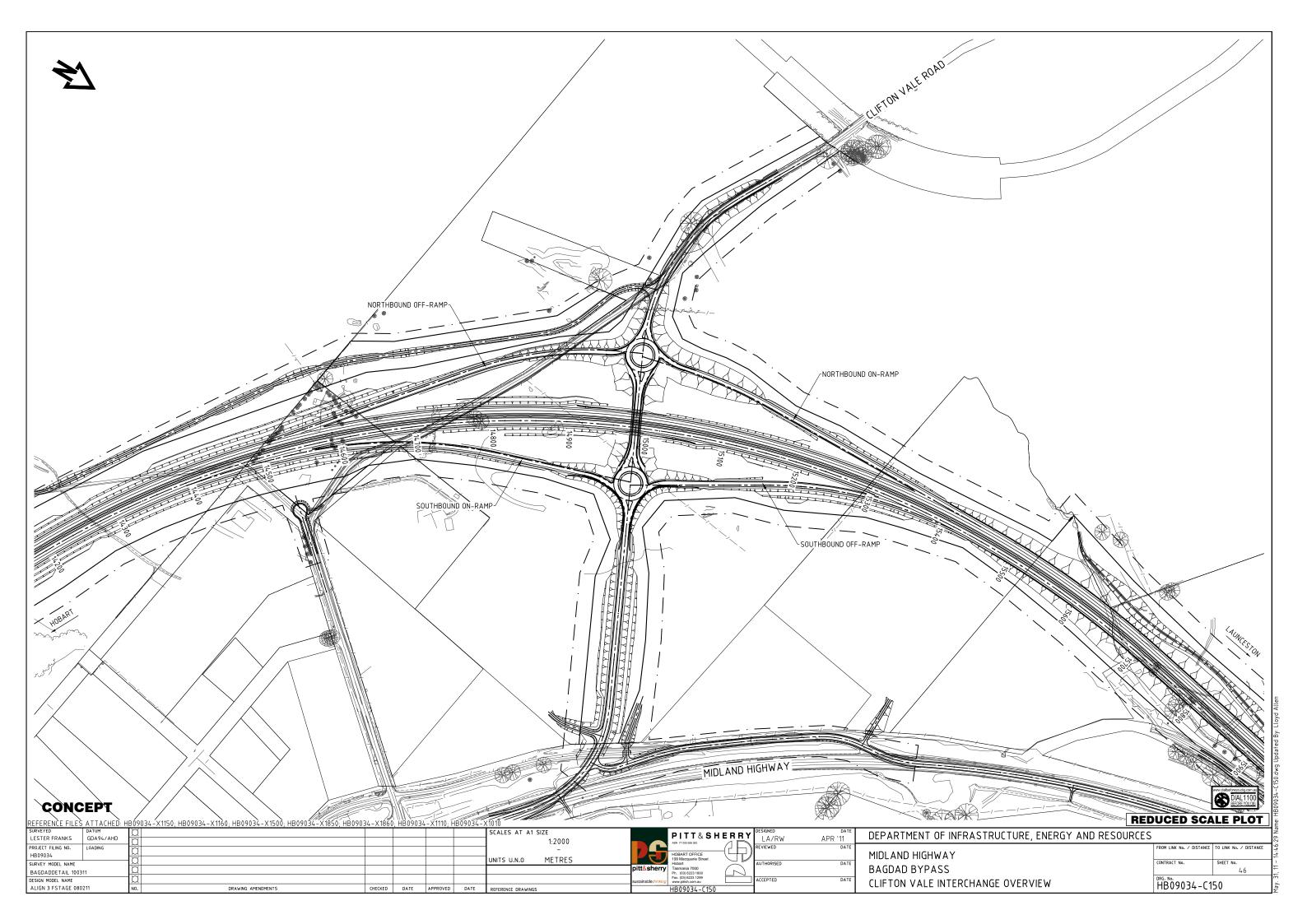


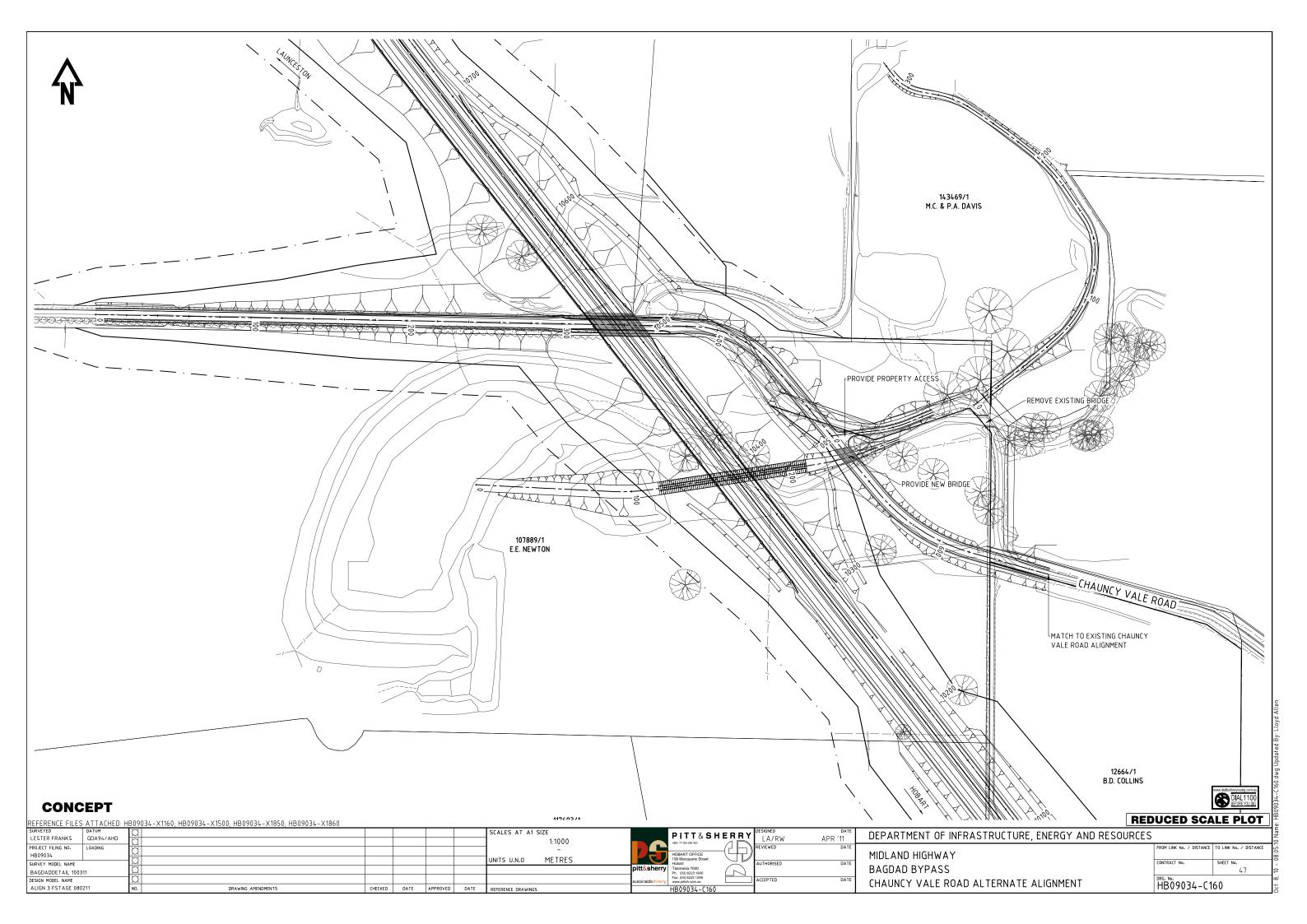


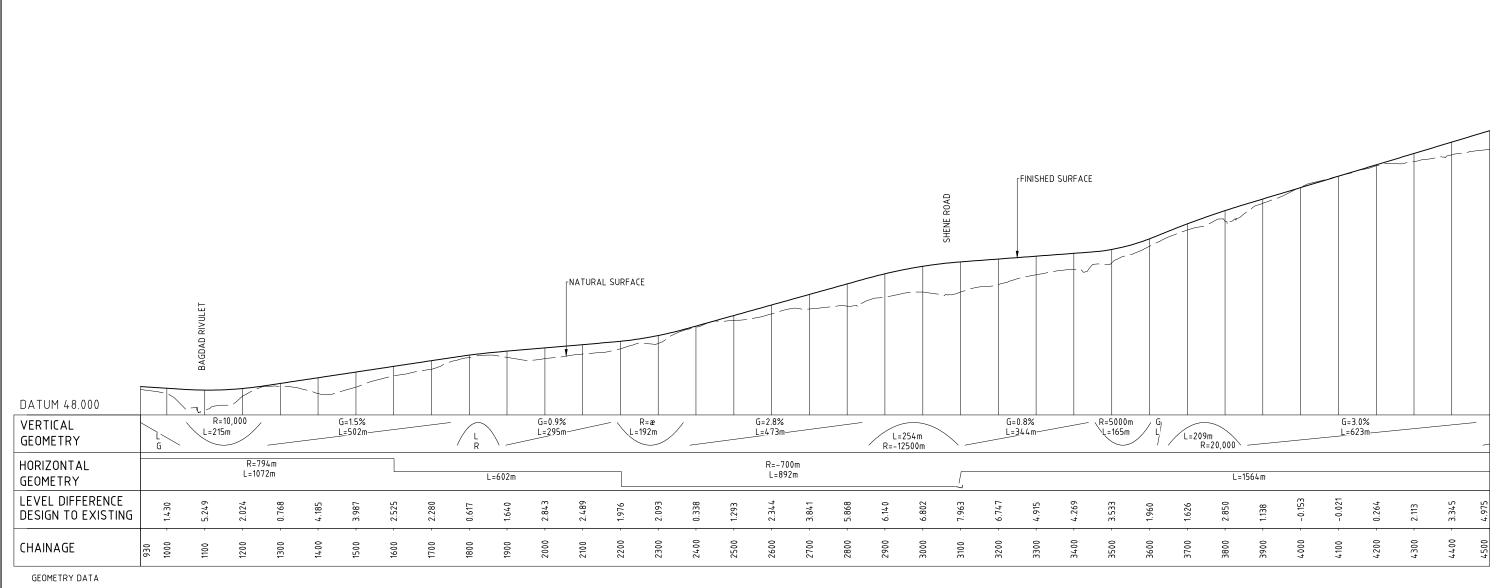












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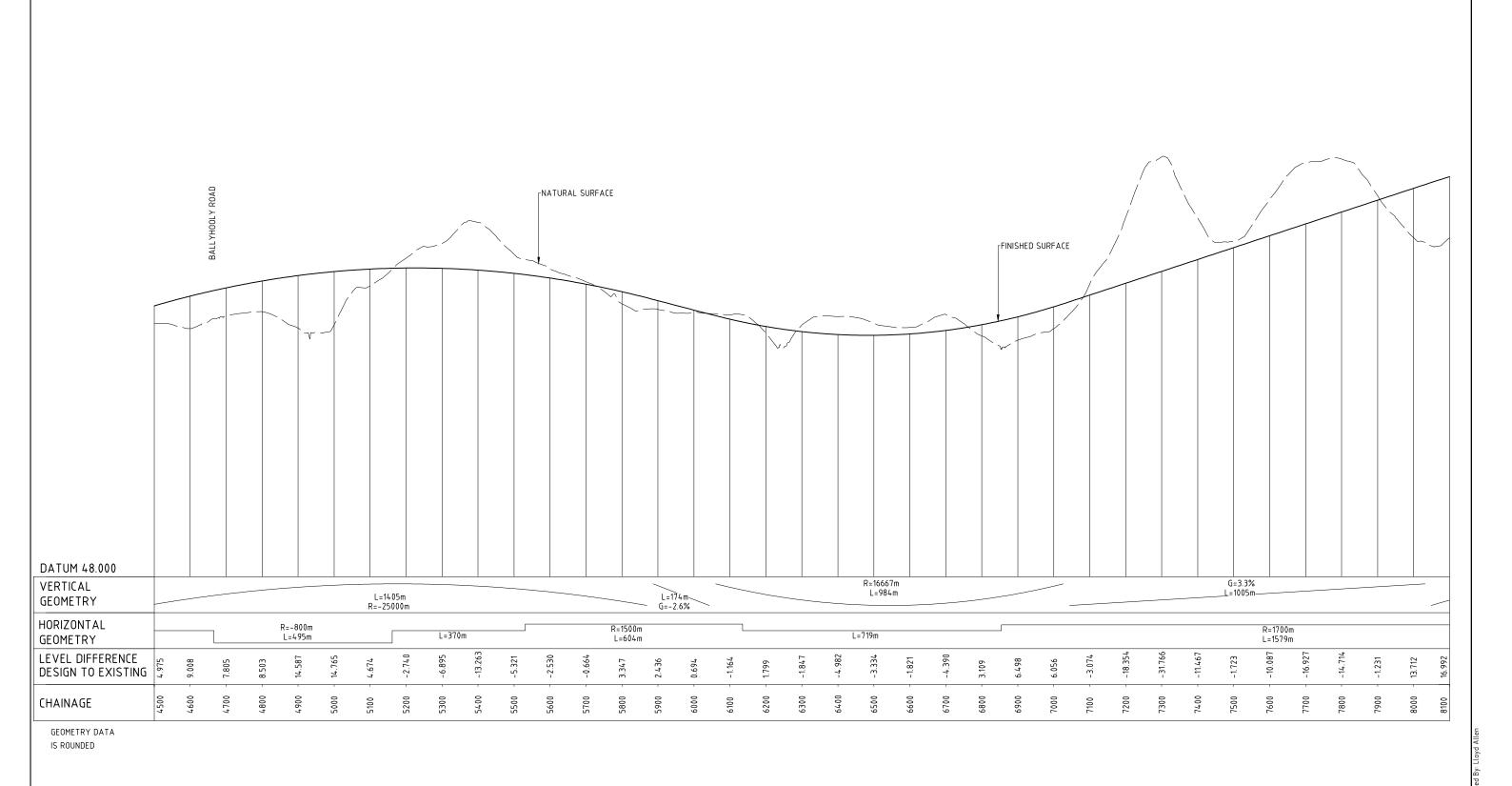
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MIDLAND HIGHWAY
BAGDAD BYPASS
LONGITUDINAL SECTION - SHEET 1 OF 5

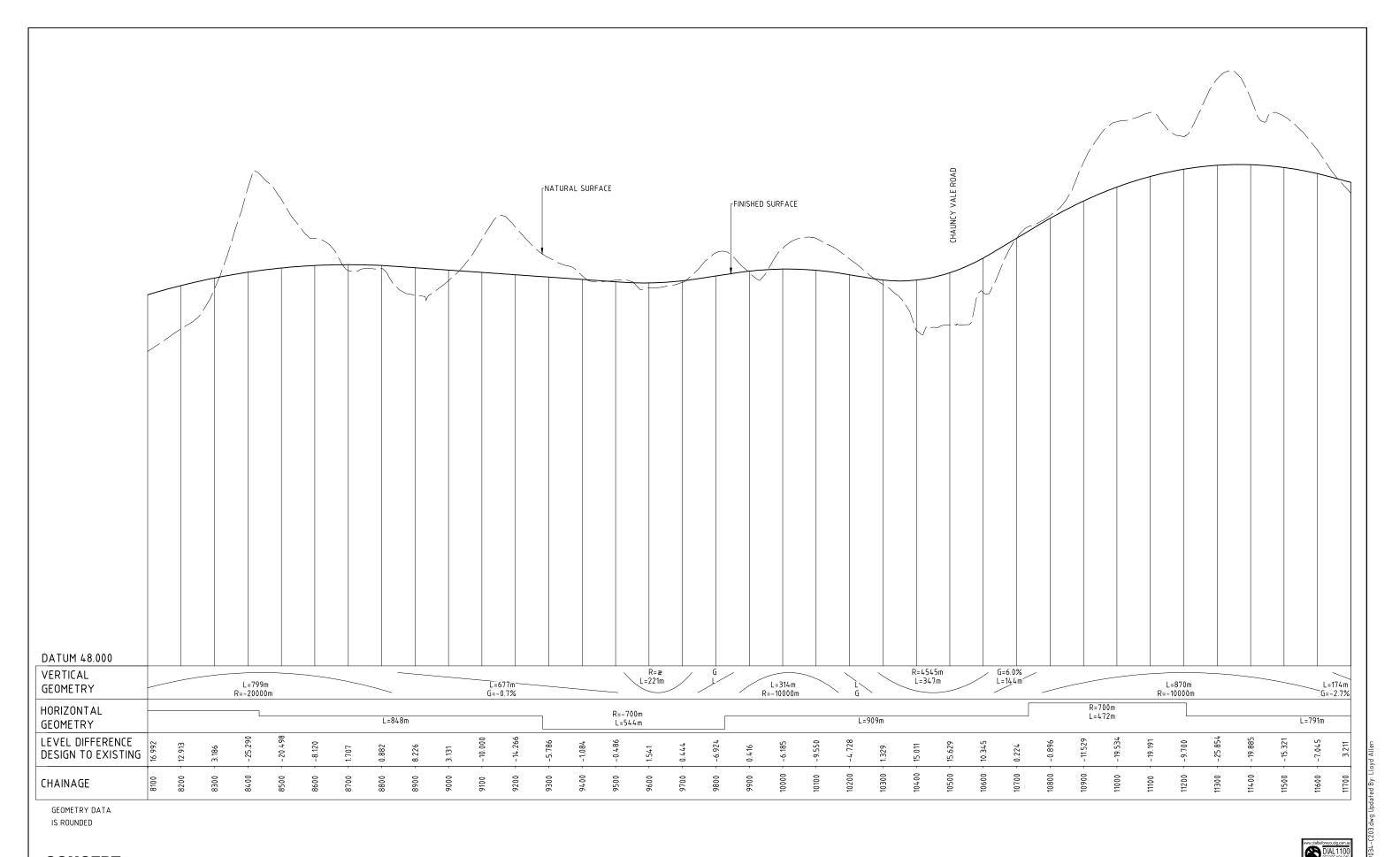
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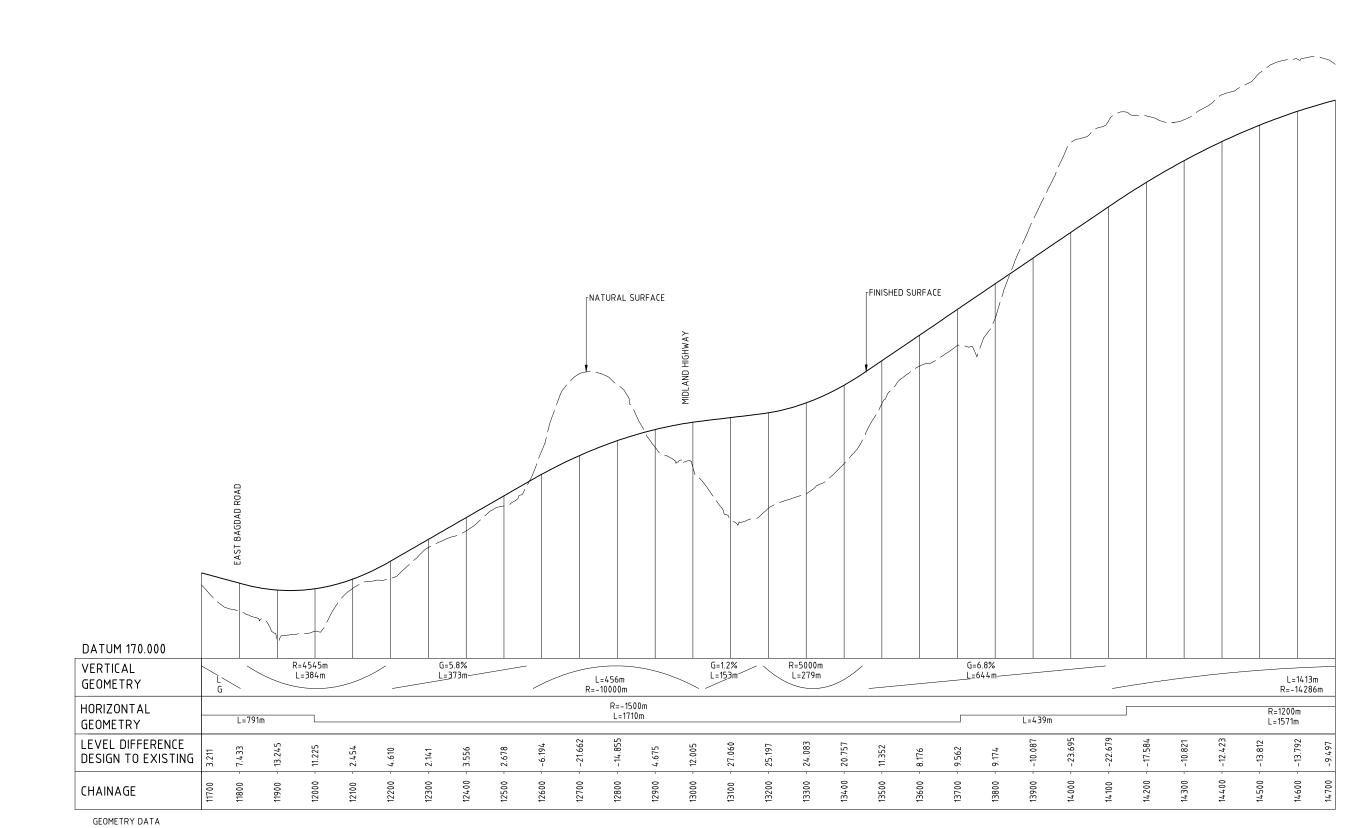
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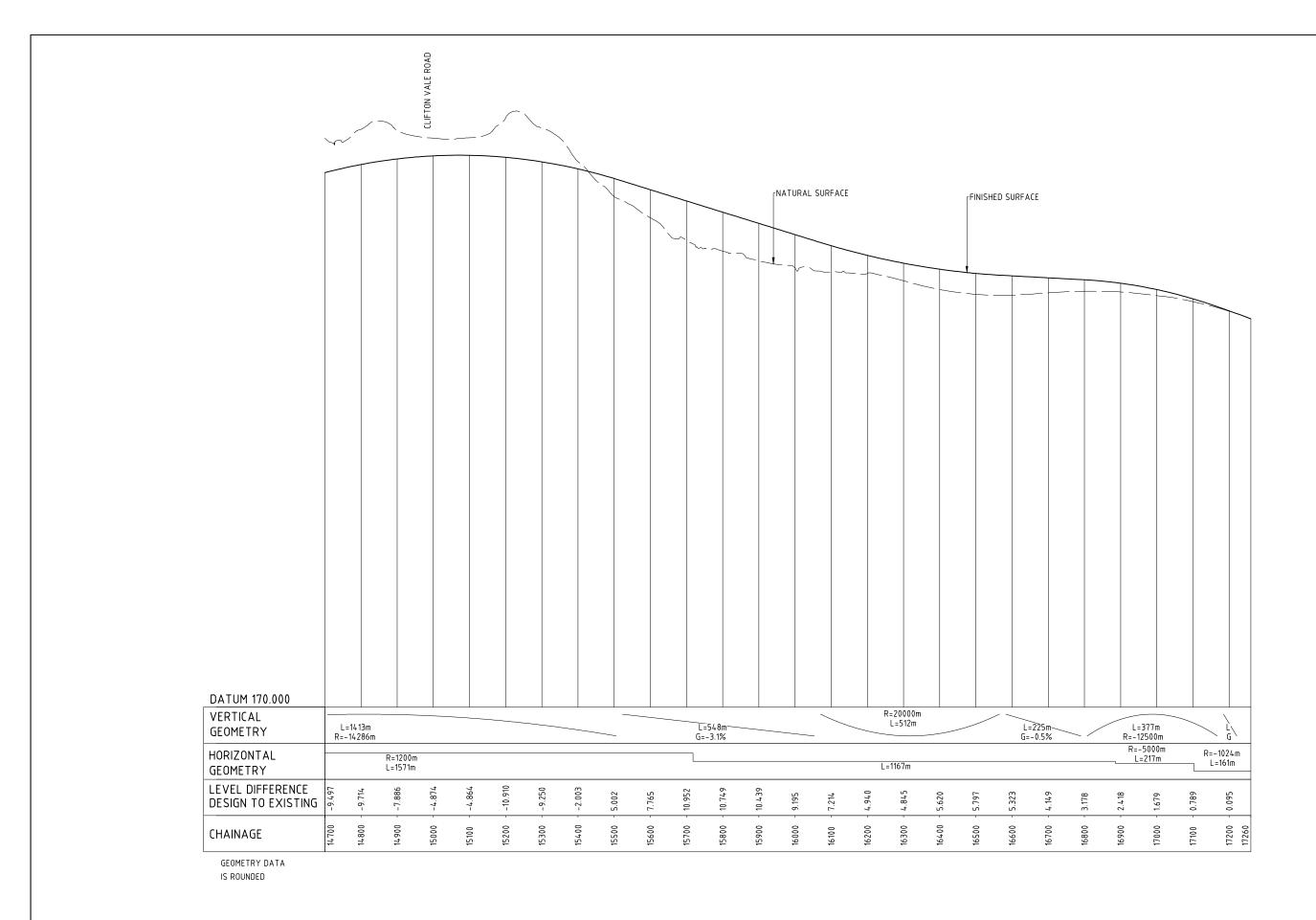
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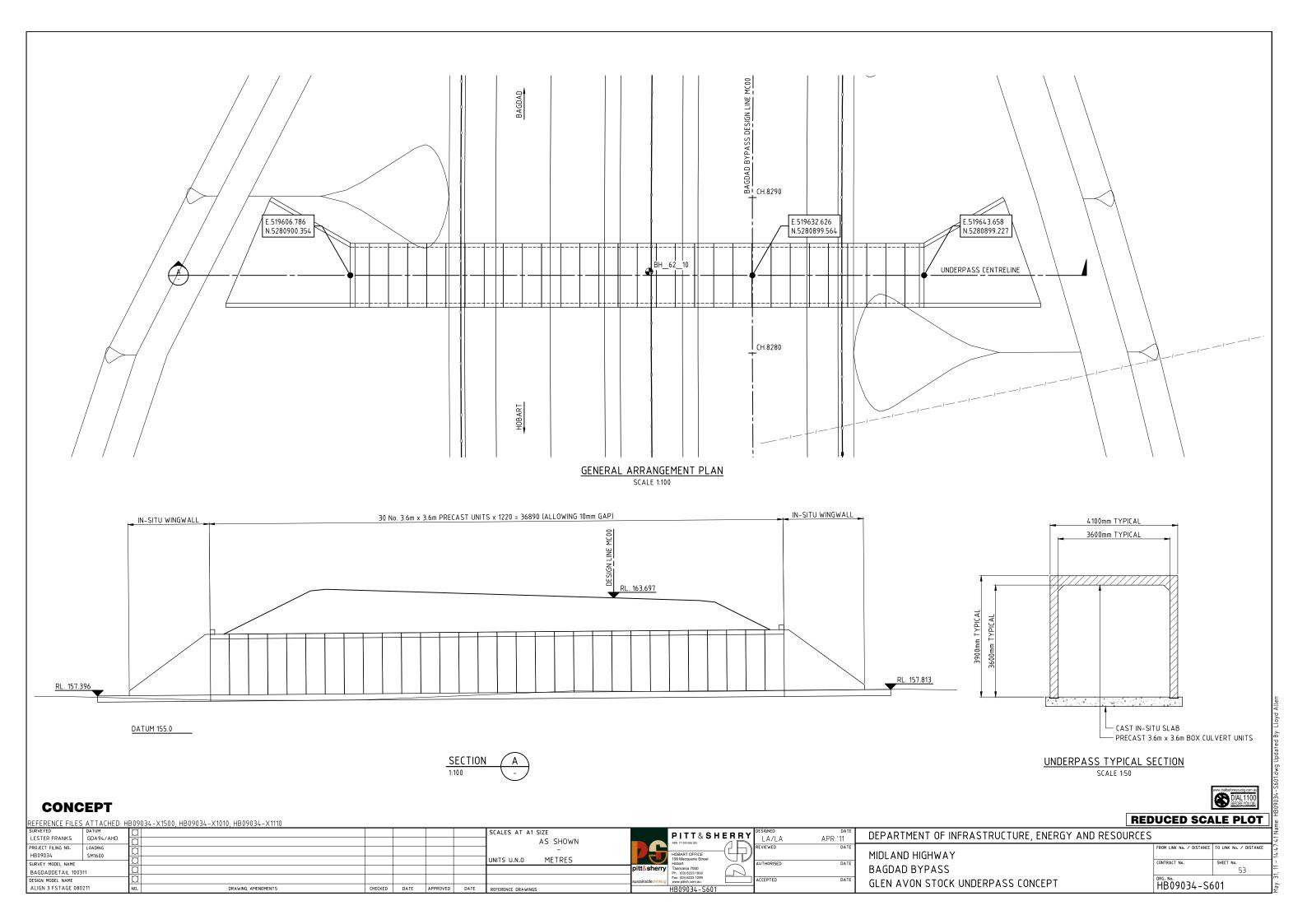
DEPARTMENT OF INFRASTRUCTURE, ENERGY AND RESOURCES

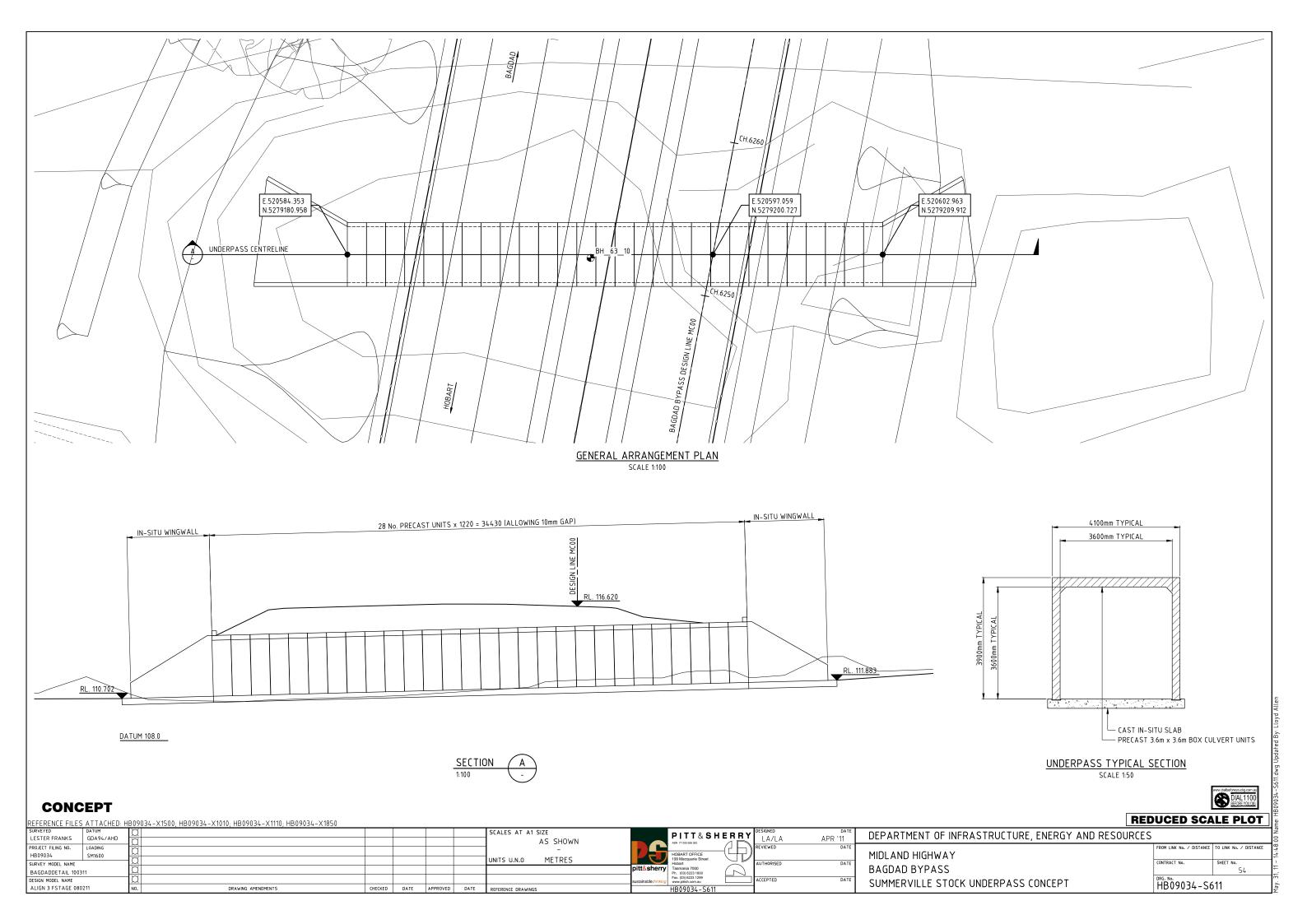
MIDLAND HIGHWAY
BAGDAD BYPASS
LONGITUDINAL SECTION – SHEET 5 OF 5

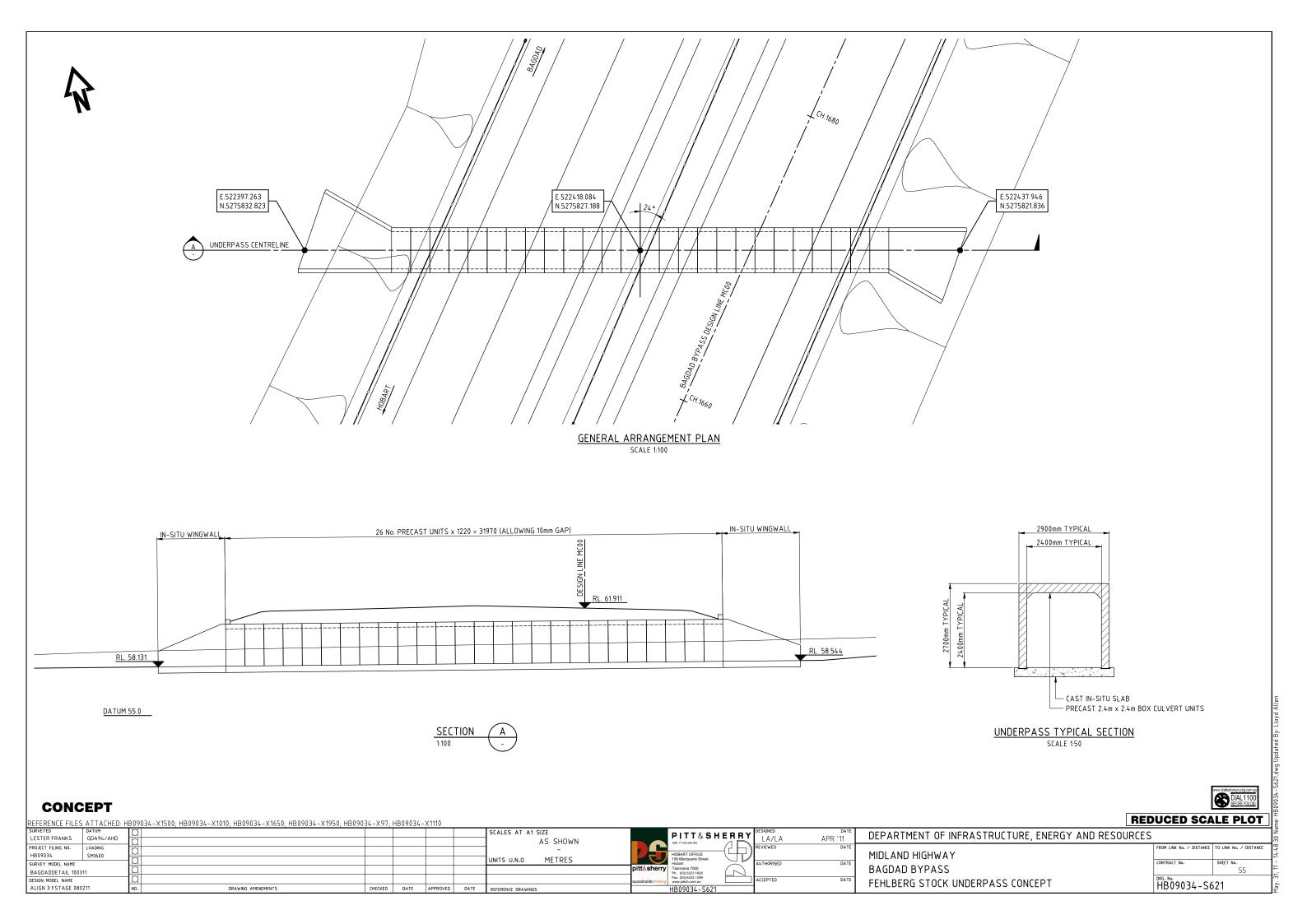
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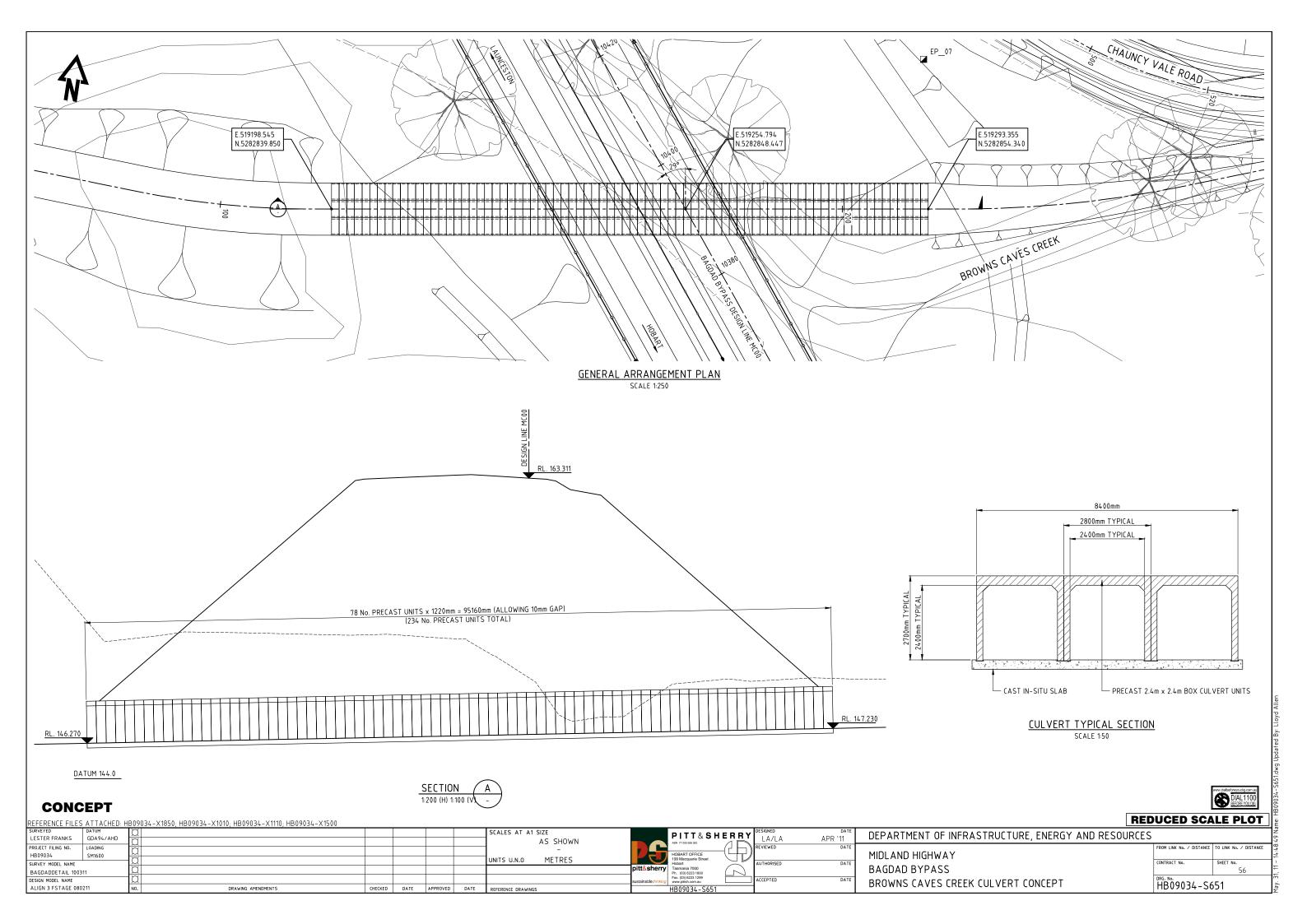
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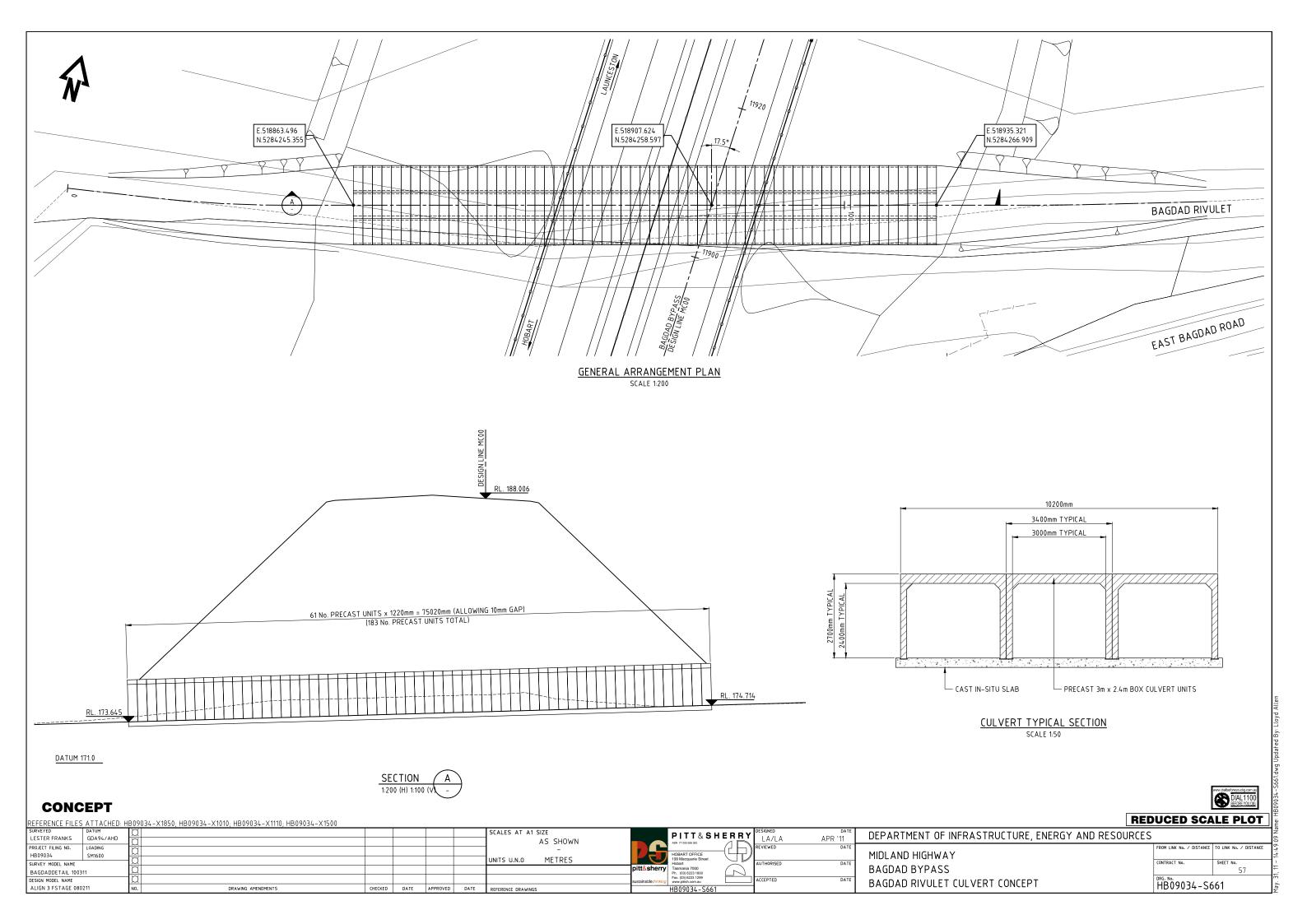
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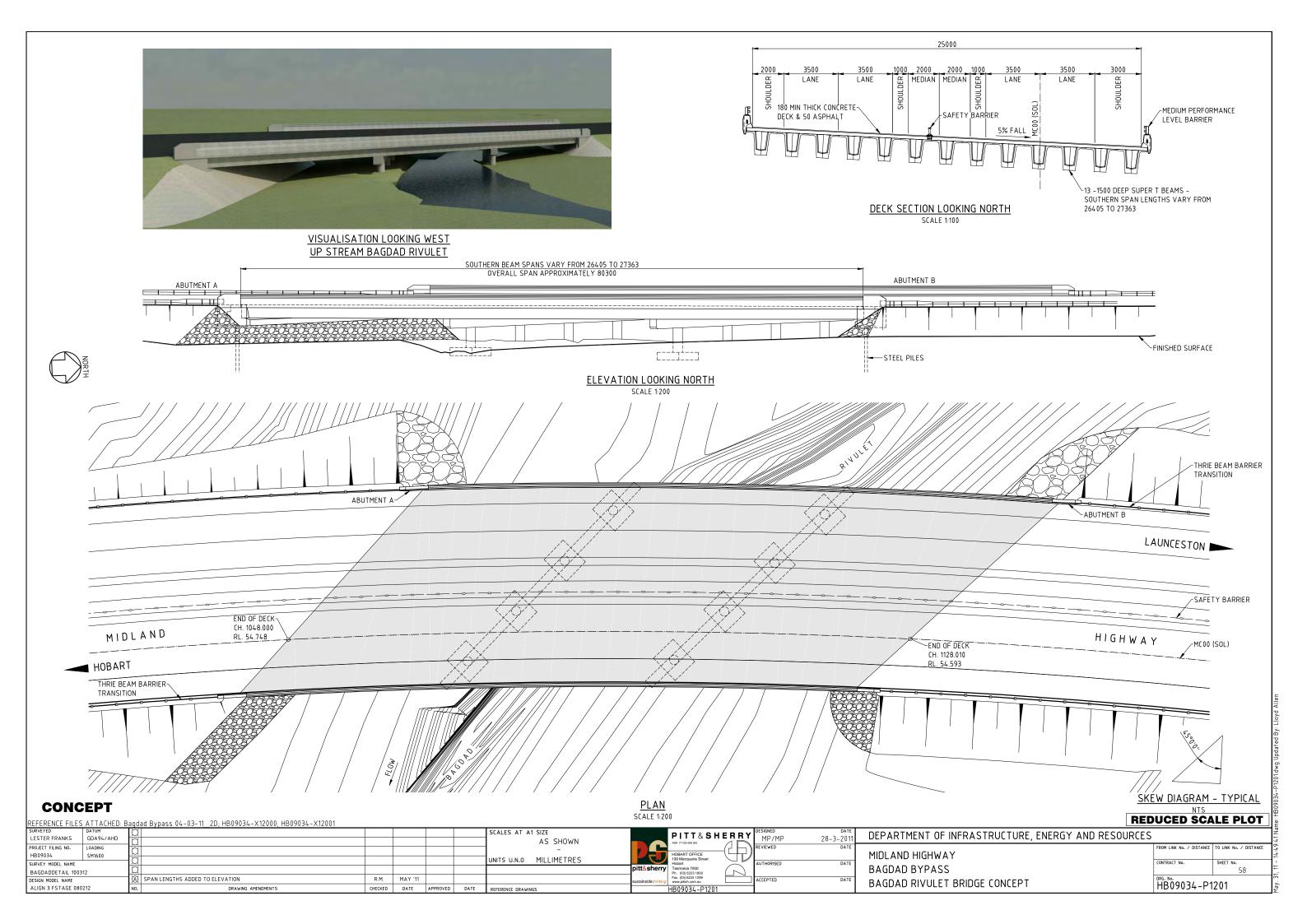


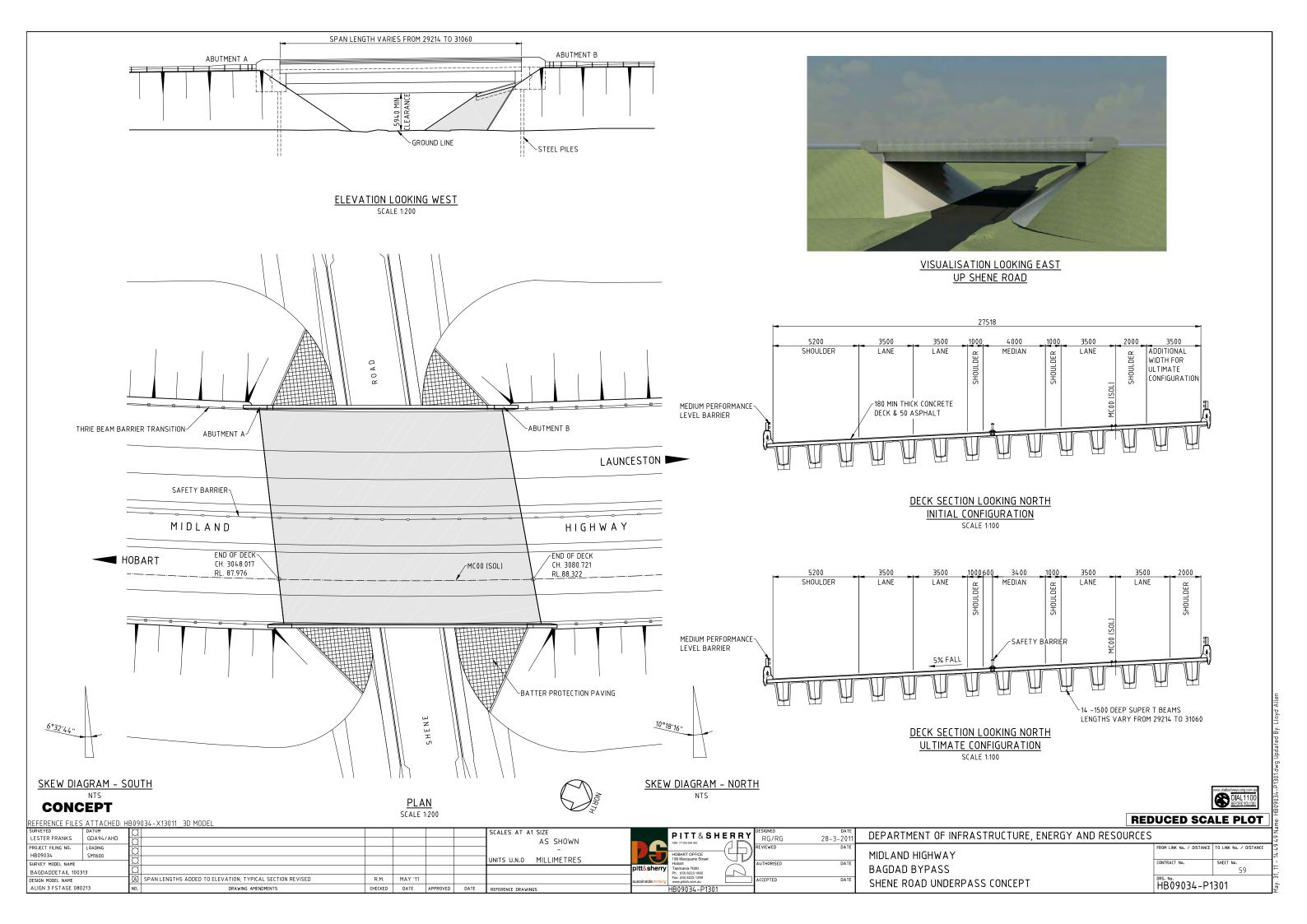


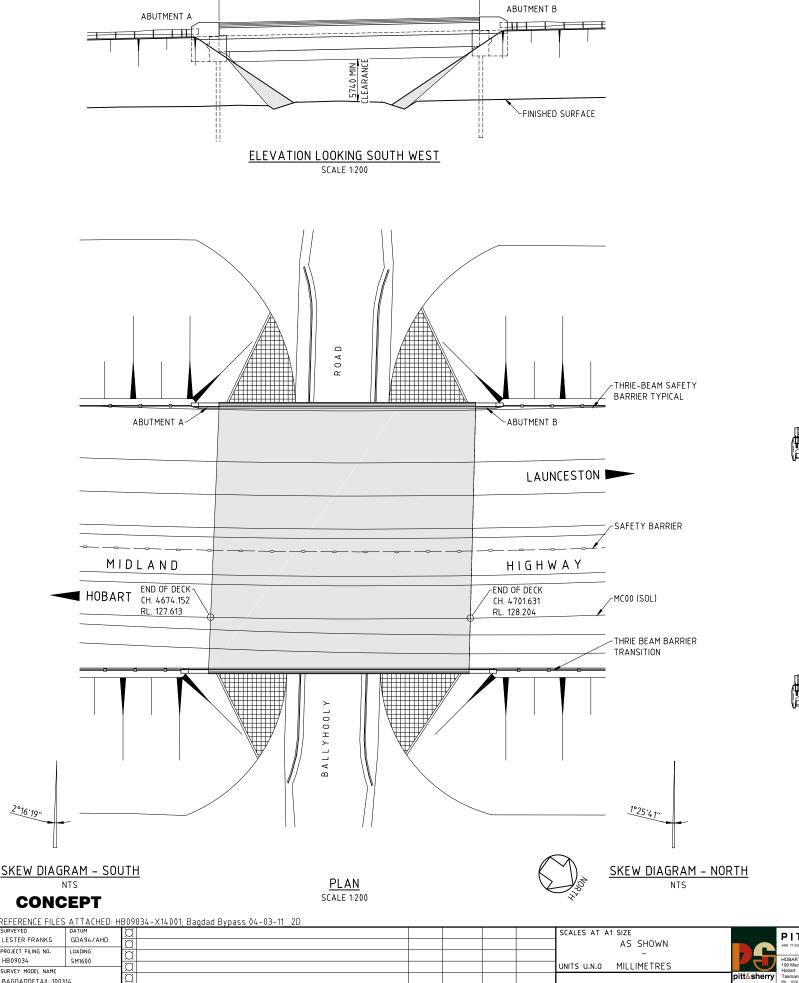








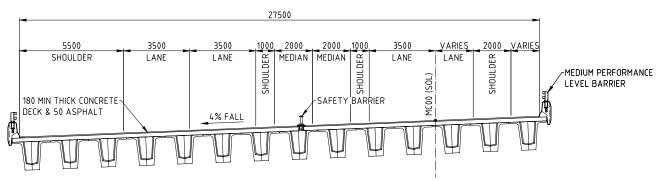




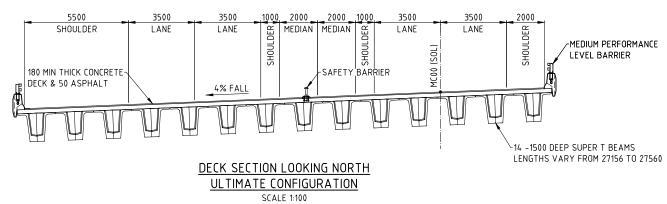
SPAN LENGTH VARIES FROM 27156 TO 27560



VISUALISATION LOOKING SOUTH WEST ALONG BALLYHOOLY ROAD



DECK SECTION LOOKING NORTH INITIAL CONFIGURATION SCALE 1:100



REDUCED SCALE PLOT

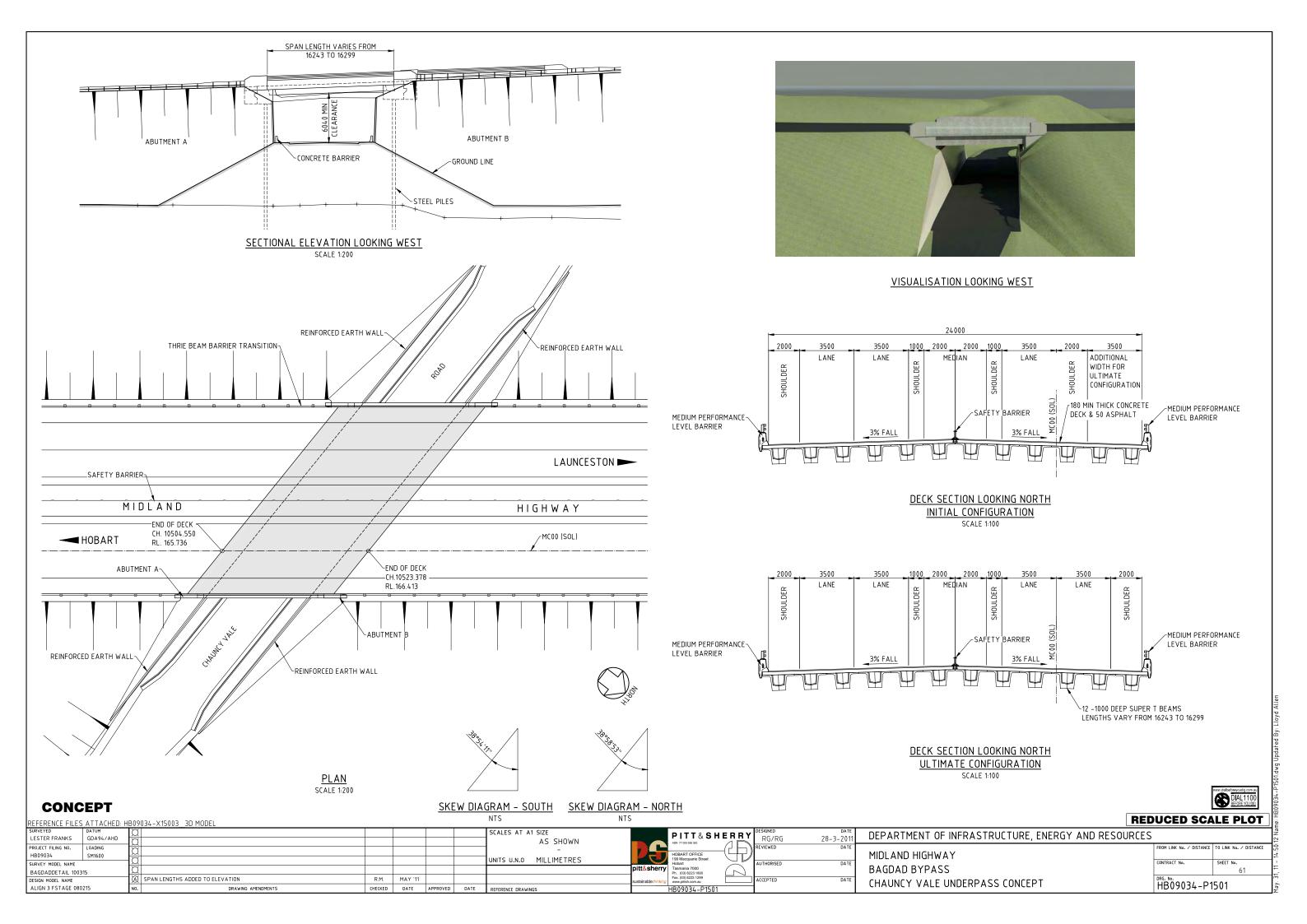
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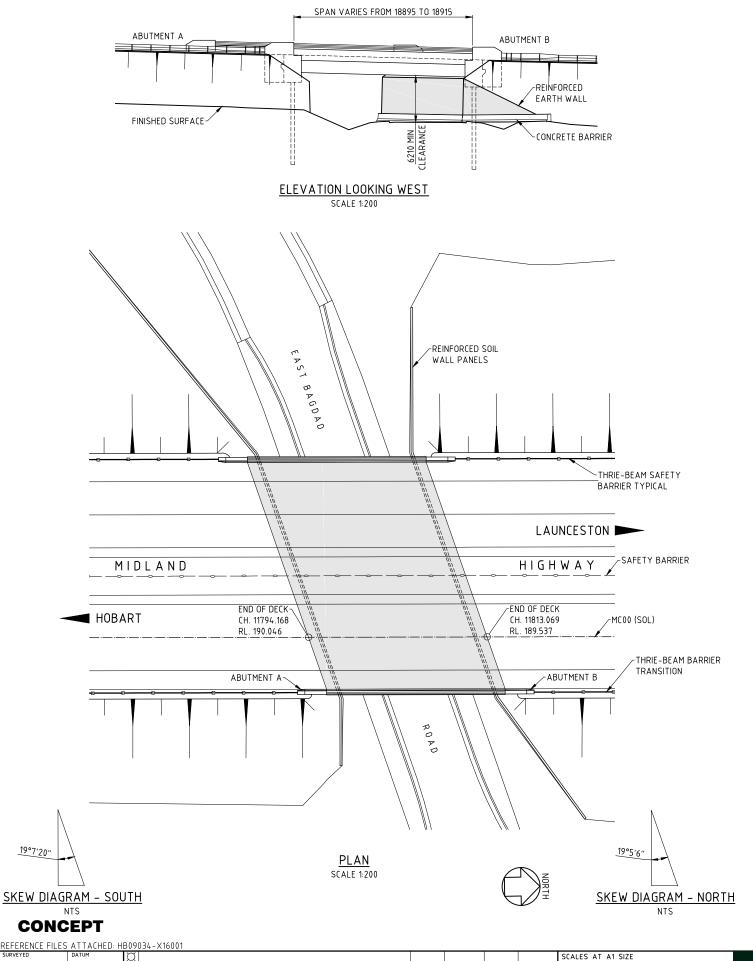
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DEPARTMENT OF INFRASTRUCTURE, ENERGY AND RESOURCES

MIDLAND HIGHWAY BAGDAD BYPASS BALLYHOOLY ROAD UNDERPASS CONCEPT

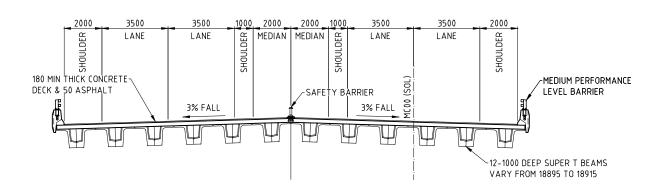
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VISUALISATION LOOKING EAST ALONG EAST BAGDAD ROAD



DECK SECTION LOOKING NORTH
SCALE 1:100



REDUCED SCALE PLOT

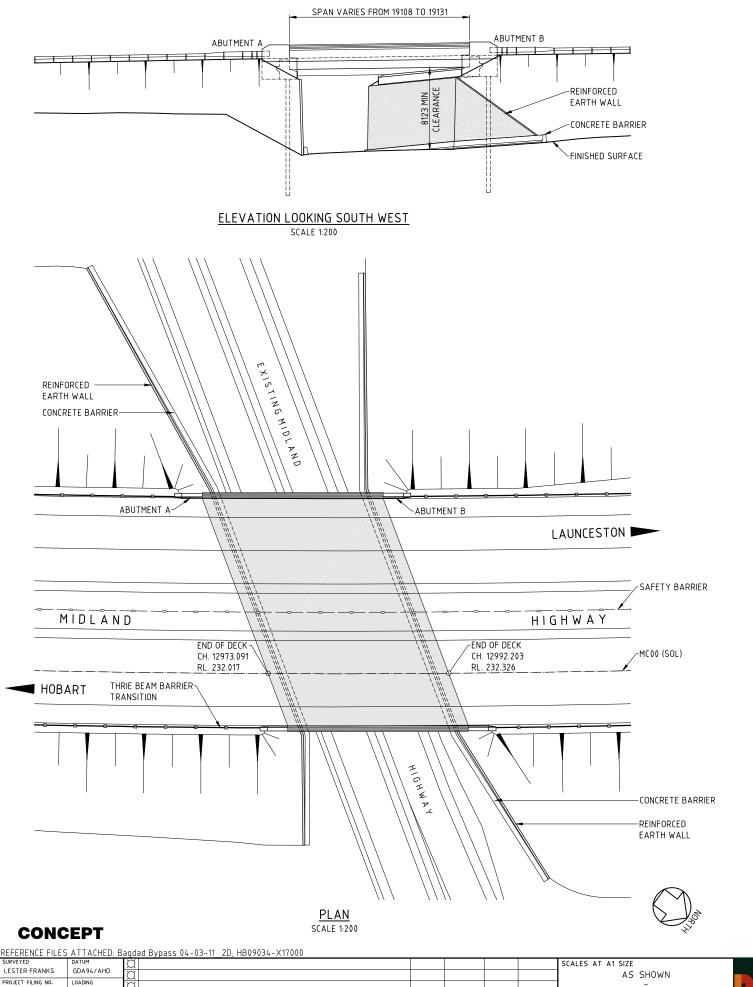
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DEPARTMENT OF INFRASTRUCTURE, ENERGY AND RESOURCES

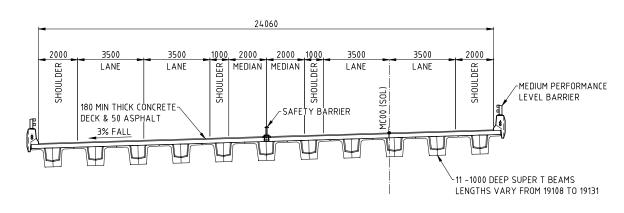
MIDLAND HIGHWAY
BAGDAD BYPASS
EAST BAGDAD ROAD UNDERPASS CONCEPT

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VISUALISATION LOOKING NORTH EAST ALONG EXISTING MIDLAND HIGHWAY



DECK SECTION LOOKING NORTH WEST
SCALE 1:100

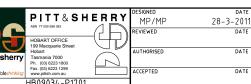


SKEW DIAGRAM - SOUTH

SKEW DIAGRAM - NORTH

REDUCED SCALE PLOT

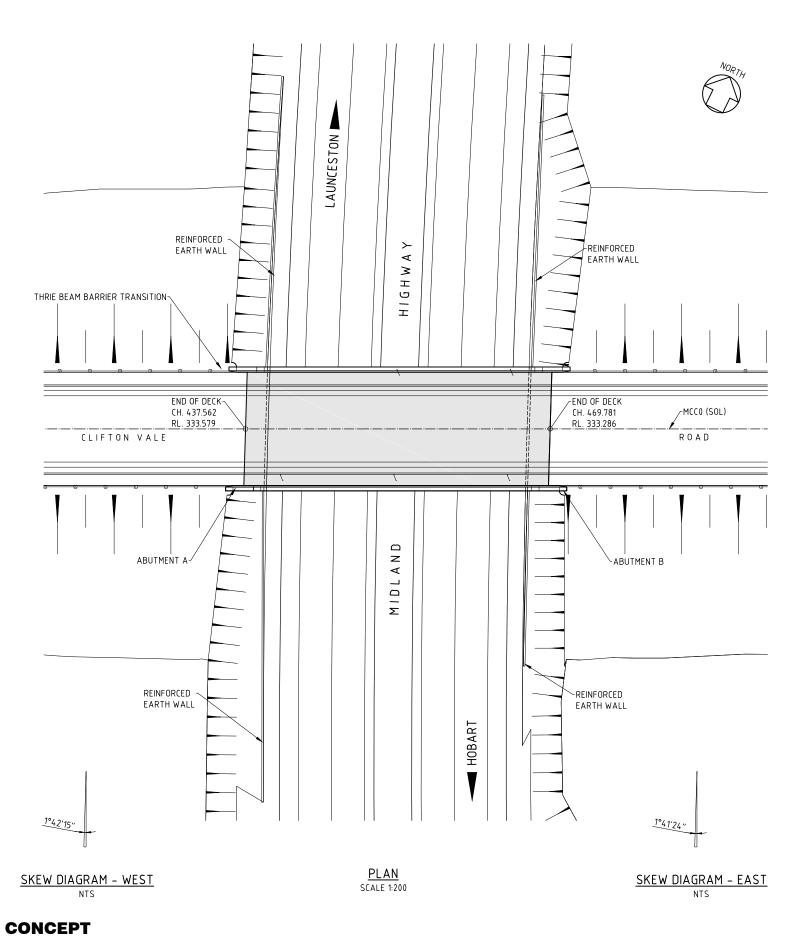
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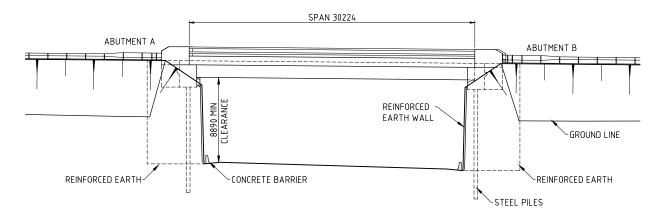
MIDLAND HIGHWAY
BAGDAD BYPASS
MIDLAND HIGHWAY UNDERPASS CONCEPT

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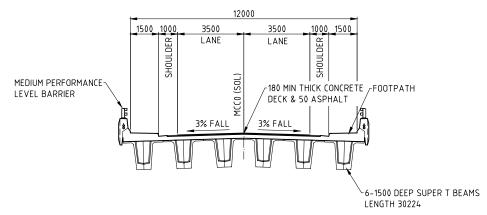




VISUALISATION LOOKING NORTH UP THE MIDLAND HIGHWAY



ELEVATION LOOKING NORTH SCALE 1:200



DECK SECTION LOOKING EAST SCALE 1:100



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Department of Infrastructure, Energy and Resources

OFFICE OF THE SECRETARY

Enquiries Danielle Hofman
Ph (03) 6216 4349 Fax (03) 6233 3937
Email Danielle.Hofman@dier.tas.gov.au Web www.dier.tas.gov.au
Your Ref Our Ref



Mr Tim Kirkwood General Manager Southern Midlands Council PO Box 21 OATLANDS TAS 7120 By Email: mail@southernmidlands.tas.gov.au

Dear Mr Kirkwood

Please find enclosed the Department of Infrastructure, Energy and Resources' (DIER) comments on the Draft Southern Midlands Interim Planning Scheme 2013. I congratulate your Council on development of the Scheme, as it represents an important step towards improving Tasmania's planning system.

DIER is generally supportive of the overall intent and direction of the Interim Scheme. Specific comments related to DIER's portfolio interests, including roads, public transport and forest policy, are attached in the supporting document.

My department would be happy to discuss any of our comments in further detail. If you have any questions on DIER's comments, please contact Danielle Hofman on 6216 4349.

Yours sincerely

Norm McIlfatrick SECRETARY

11 July 2013

General Comments

The Draft Interim Planning Scheme adopts a logical, strategic outlook on development within the Municipality. DIER generally supports the range of objectives for planning which underpin the Scheme, and commends the Council on their long-term vision for the region.

Although the *Utilities* zoning reflects existing road infrastructure, over the next 12 months DIER will commence on a number of Nation Building 2 projects which will ultimately result in the need to extend the *Utilities Zone*. The inclusion of 'qualified departures' for several properties in the *Rural Zone* will have an impact on the existing and future strategic transport corridor. Therefore, DIER asks that the Southern Midlands Council retain some flexibility in its zoning decisions to allow for an expansion of the *Utilities Zone* where additional road infrastructure will be constructed.

DIER will continue to engage with Council in relation to the Nation Building projects so that new planning schemes reflect new and pending road infrastructure.

DIER also notes that no future road corridor zones have been identified within the map sheets, and requests flexibility in the consideration of further upgrades and extension of the Midlands Highway.

With respect to forestry, the Southern Tasmanian Regional Land Use Strategy appears to have been applied with reasonable consistency across the Southern Councils. From DIER's perspective, forestry appears to be relatively unencumbered where it is expected to be a key activity (i.e. within the Rural Resource Zone). DIER commends the Council on the exemption for Forestry of the application of relevant Codes (in particular, the Biodiversity, Water and Scenic Codes) where a Forest Practices Plan is in place.

DIER notes that all Southern Region Schemes appear to ignore the existence of Private Timber Reserves, which are exempt from Planning Schemes (s20(7)(a) of the Land Use Planning and Approvals Act 1993 provides that nothing in any planning scheme or interim order affects the management of land declared as a private timber reserve under the Forest Practices Act 1985). The schemes should be annotated to alert planners, applicants and approving bodies of this fact.

While TasRail is responsible for planning the rail network, DIER notes that the existing rail network has not been included in the Utility zone on Planning Scheme maps. DIER would be happy to provide updated map layers, and recommends that these be included in the Scheme's maps. Please contact DIER and we will send through the information relevant to your Council.

Detailed comments on areas of particular interest or concern to DIER are provided below. Please note that a number of DIER's comments are of relevance to the Southern Region generally, and it may be beneficial to review some provisions on this basis.

Part B: Administration

5.0 General Exemptions

DIER is supportive of general exemption 5.4, which exempts the maintenance and repair of roads and bridges from planning approval.

6.0 Limited Exemptions

It is noted that part 6.3 allows partial exemption for vegetation clearance associated with minor road upgrades; however 6.3.1(g) requires a planning permit for the clearing of land located within 30m of a

wetland or watercourse. DIER is concerned for the implications this may have in undertaking vegetation management within the road reservation under the maintenance program.

A welcome inclusion is the exemption for minor upgrades of the State road network under 6.2.4.

Part D: Zones

DIER has no issue with the construction of roads being 'discretionary' in a number of zones on the basis that the *Exemptions* under Part B allow for minor upgrades of roads, including widening of the existing carriageway, to be exempt from planning approval.

10.0 General Residential Zone

To facilitate better connectivity for public transport, walking and cycling for new residential subdivisions, DIER submits that additional provisions should be added, or existing provisions (10.6.2) strengthened. The intent should be that new residential development is based on an interconnected street network that:

- minimises the travel distance between two points, especially key destinations, such as shops,
 and
- in its design, facilitates walking, cycling and the efficient movement of public transport.

To facilitate walking, cycling and public transport use, road infrastructure (i.e. roads, cycle ways, and footpaths) should be designed so that it is attractive, safe and secure for the user. Public transport facilities, such as bus stops, should be provided where appropriate (i.e. in convenient locations which serve attractors). Where a subdivision is not located on a bus route or able to be serviced by a future bus route, direct and safe pedestrian access should be provided to a bus route/bus stop.

The design of roads also needs to ensure the effective manoeuvrability of larger vehicles (e.g. buses).

27.0 Significant Agricultural Zone

Forestry in the *Significant Agricultural Zone* is discretionary, but in describing what is allowable, native forest operations appear to be excluded. DIER recommends the amendment of the Use Table at 27.2 to read 'Only if for *forest operations*, tree farming and plantation forestry in accordance with a Forest Practices Plan and not located on prime agricultural land'.

28.0 Utility Zone

DIER is supportive of the provisions in parts 5 and 6, which allow DIER to undertake repair and maintenance and minor road upgrades (e.g. shoulder sealing) without requiring a planning permit.

The impact of Use Standards for External Lighting at 28.3.3 is of concern to DIER, in regard to providing appropriate lighting on major highways and intersections. DIER proposes that an exemption for street lighting be included.

Although the review of the *Road and Rail Assets Code* is expected to deal with rail issues, DIER recommends that the protection of rail corridors be included for consideration, and areas for maintenance and repair be incorporated within the *Utility Zone*. It should be noted that residential property in close proximity to rail corridors can be adversely affected by rail noise and vibration. DIER recommends consideration be given to adequate buffer zones (minimum 50m) to ensure future residential development is not impacted. It is also recommended that line of sight distances are

maintained at level crossings and are not impacted by future. These provisions could then be reviewed once the *Road and Rail Assets Code* is finalised, to ensure there is no duplication or inconsistencies.

29.0 Environmental Management Zone

The new *Environmental Management Zones* appear to prohibit forest operations, and DIER submits that forest operations should be allowed as a regional discretionary activity. DIER suggests the Use Table at 29.2 be amended to include wording such as 'for forest operations on existing forested land in accordance with an approved Forest Practices Plan'.

33.0 Particular Use Zone 2 - Future Road Corridor

Utilities are a discretionary use in the *Future Road Corridor Zone*. DIER undertakes extensive planning and consultation in developing new road corridors and contends that utilities should be a permitted use, rather than discretionary.

Part E: Codes

DIER is supportive of the *Potentially Contaminated Land Code, Landslip Code*, and *Flood Prone Areas Code* being incorporated within the Scheme when drafting is finalised by the Planning Commission.

6.0 Parking and Access Code (also relates to D17.0 Community Purpose Zone & D23.0 Commercial Zone)

Regional or local provisions appear to be limited in regard to 'end of trip facilities'. End of trip facilities are designated places that support cyclists and walkers in using active transport. They also support people undertaking exercise at work, which has health and well being benefits.

Although the Scheme refers to bicycle parking, DIER proposes that the Scheme is extended to include facilities such as lockers and male and female change rooms with showers. *Austroads – Cycling Aspects of Austroads Guides 2011* provides details of appropriate facilities. DIER suggests that provisions be drafted either within the Parking and Access Code or within the development standards for Commercial and Community Purpose Zones.

End of trip facilities should be installed for all new major developments and major additions to major developments, such as office buildings, shopping centers, tertiary education facilities and hospitals. They should be easily accessible to users and located within the building. The facilities should also be provided in accordance with prescribed workforce or occupant ratios.

6.0 Parking and Access Code

There is a typographical error at 6.0. The first sentence of the second paragraph should read 'along with facilities *for* cyclists.'

DIER contends that provision 6.7.10, which relates to bicycle storage, should refer to the contemporary guidelines: *Austroads – Cycling Aspects of Austroads Guides 2011*.

DIER is highly supportive of the approach taken by the Hobart City Council in the Central Business Zone (see 6.6.5), in applying maximum standards for car parking to activity centres with good access to high frequency public transport corridors (i.e. the closer to the public transport corridors the lower the maximum level of parking). This approach is in line with the *Tasmanian Urban Passenger*

Transport Framework. The Framework contains strategies designed to reduce the reliance on private vehicles for travel by developing appropriate car parking policies and pricing mechanisms. Work underpinning the framework recommended that minimum parking standards for new developments are eliminated and replaced with maximum standards. The minimum car parking standards formula yields a surplus of car parking that is costly for developers to provide, and encourages greater car based travel even in areas where effective public transport choices exist.

DIER contends that a similar approach be considered for major and minor activity centres with access to high frequency public transport.

7.0 Infrastructure Code

The approach taken under 7.7.3 in relation to Stormwater Drainage and Disposal appears to be reasonable, and is acceptable to DIER.

8.0 Construction Management Code

DIER is concerned that a discretionary planning permit is required for road construction for works involving a development area more than 500m². This will invoke the need to obtain a permit for minor works, with is a significant burden.

9.0 Attenuation Code

DIER is supportive of this code as it does not appear to have any negative implications for roads.

10.0 Biodiversity Code

DIER notes that a GIS based exercise is used to identify the Biodiversity Protection Area, as an alternative to adopting Table E10.1 which lists impacted values or species. DIER contends that Table E10.1 provides a more flexible and sensible approach, as GIS rule based hard lines on maps do not always accurately describe natural or environmental features.

Upgrading and maintenance within a 2 metre boundary of existing infrastructure appears to be exempt under 10.4 (h). However given the general exemption under Part B at 5.4.1 (b), which appears to provide a general exemption for activities such as maintenance, repairing and minor upgrades, this exemption may be unnecessary for inclusion.

The allowance for works to be exempt within 2 metres of a 'road' is somewhat confusing when a 'road' is defined as "...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".

A valid interpretation of this provision is that the exemption applies throughout the road reserve to the abutting property boundaries and to 2 metres beyond the abutting property boundaries.

It is standard practice for DIER to investigate potential impacts on threatened flora and fauna, and to undertake field surveys as necessary. Based on the above interpretations, DIER supports an exemption for roads from the Biodiversity Code. DIER already addresses impacts to threatened species under existing state and federal legislation, and this exemption reduces unnecessary duplication.

11.0 Waterway and Costal Protection Code

DIER submits that at 11.1, the term 'minimise the impact of development on' should be replaced with the word 'protect'.

In regard to 11.4 (Development Exempt from this Code), it is noted that the provision to exempt works within 2 metres of existing infrastructure for purposes of maintenance, repair, upgrading or replacement (E11.4.1 (i)) is inconsistent with general exemptions (5.4.1 (b)) where activities such as maintenance, repairing and minor upgrades are exempt or subject to the limited exemption provisions.

Further, the allowance for works to be exempt within 2 metres of a 'road' is somewhat confusing when a 'road' is defined as "...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".

A valid interpretation of this provision is that the exemption applies throughout the road reserve to the abutting property boundaries and to 2 metres beyond the abutting property boundaries.

Given it is standard practice for DIER to undertake detailed flora and fauna surveys and respond to recommendations accordingly, an exemption for roads from this *Waterway and Coastal Protection Code* is supported on the basis that threatened species and communities at both the state and federal level will be addressed under the relevant legislation.

An alternative to an exemption for roads is for the 2 metre boundary in clause 11.4 (i) to be changed to allow for maintenance, repairs and minor upgrading of the road to be undertaken within the existing road reservation.

DIER notes that the *Waterway and Costal Protection Code* appears to be in line with the *Forest Practices Code* method of stream classification by catchment size.

14.0 Scenic Landscape Code

Given the Scenic Landscape Corridor is determined to be on either side of a major road (E14.3), exemptions relating to works within road reserves appear to have no relevance (E14.4 (j)), unless road works extend outside of the corridor.

Given the intent of this code, DIER contends that it would be appropriate to exempt all roadwork within a current or future road reserve.

Alternatively, a more simplistic approach would be for the *Utilities Zone* in its entirety to be exempt from the *Scenic Landscape Code*.

The Scenic Corridor overlay is not relevant to the proposed Bagdad Bypass route. DIER contends that the logical approach is to apply this to either side of the existing Midland Highway.

16.0 Costal Erosion Hazard Code

DIER has no issue with the *Costal Erosion Hazard Code* on the basis that provision 5.4.1 of Part B enables repair and maintenance to be undertaken without invoking the Code, including raising the level of road within the *Utilities Zone*.

17.0 Signage Cod	anade Cod	ae	na	a	Si	0	7.	1
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DIER is supportive of Table 17.1 which appears to exempt road signs from requiring approval.