

27 November 2023

Our ref.: LPS2023002

Tasmanian Planning Commission  
GPO Box 1691  
HOBART TAS 7001  
via email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

Dear Sir/Madam

LPS2023002 – DRAFT AMENDMENT TO THE CENTRAL COAST LOCAL PROVISIONS  
SCHEDULE TO AMEND THE TURNERS BEACH SPECIFIC AREA PLAN

Council, acting in its capacity as a planning authority, determined to initiate the above draft amendment at its meeting held Monday, 20 November 2023.

Please find enclosed the following:

- (a) Copy of the planning authority minutes, including reasons to initiate.
- (b) Copy of the unsigned certified amendment without the seal. I will provide a endorsed copy as soon as possible.
- (c) Copy of the planner's report to the planning authority and all annexures.
- (d) Copy of the newspaper notices will be forwarded to you accordingly. The draft amendment will be placed in the Advocate on Saturday, 2 December 2023 and Wednesday, 20 December 2023.
- (e) Council will also provide a copy of the letters to all properties within the specified Turners Beach Specific Area Plan on Friday this week.
- (f) Copy of the referral to TasWater.

If you have any queries or require additional information, please contact me, Carolyn Harris on 6429 8954.

Yours sincerely



Carolyn Harris  
MANAGER LAND USE PLANNING (ACTING)

Encl.

The Executive Services Officer reported as follows:

“A copy of the Central Coast Council Homelessness Strategy 2023–2025 has been circulated to all Councillors”.

- Cr Diprose moved and Cr Viney seconded, “That the Council adopt the Central Coast Council Homelessness Strategy 2023–2025 (a copy being appended to and forming part of the minutes).”

Carried unanimously

### **337/2023      Development application determinations**

The Director Community Services reported as follows:

“A Schedule of Development Application Determinations made during the month of October 2023 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors”.

- Cr Beswick moved and Cr Smith seconded, “That the Schedule of Development Application Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

### **338/2023      Council acting as a planning authority**

The Mayor reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide that if a council intends to act at a meeting as a planning authority under the *Land Use Planning and Approvals Act 1993*, the chairperson is to advise the meeting accordingly.

The General Manager has submitted the following report:

‘If any such actions arise out of Minute Item 339/2023, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reported as follows:

“Councillors are reminded that the *Local Government (Meeting Procedures) Regulations 2015* provide that the general manager is to ensure that the reasons for a decision by a council acting as a planning authority are recorded in the minutes”.

- Cr Hiscutt moved and Cr Wylie seconded, “That the Mayor’s report be received.”

Carried unanimously

**339/2023 LPS2023002 – Draft Amendment to the *Central Coast Local Provisions Schedule* (LPS) – to amend the Turners Beach Specific Area Plan**

The Director Community Services reported as follows:

“The Manager Land Use Planning (Acting) has prepared the following report:

<i>DRAFT AMENDMENT NUMBER:</i>	LPS2023002
<i>PROPOSED AMENDMENT:</i>	Amend the Turners Beach Specific Area Plan (the TBSAP)
<i>PLANNING INSTRUMENTS:</i>	<i>Land Use Planning and Approvals Act 1993</i> (the Act) and <i>Tasmanian Planning Scheme – Central Coast</i> (the planning scheme) and <i>Central Coast Local Provisions Schedule</i> (the LPS)
<i>APPLICANT</i>	Central Coast Council
<i>LOCATION:</i>	Northern side of Turners Beach within the Central Coast Local Government Area, Tasmania
<i>ANNEXURE 1</i>	Turners Beach Specific Area Plan overlay
<i>ANNEXURE 2</i>	Current Turners Beach Specific Area Plan
<i>ANNEXURE 3</i>	Draft amended Turners Beach Specific Area Plan (showing tracked changes)
<i>ANNEXURE 4</i>	Draft amended Turners Beach Specific Area Plan (without tracked changes)
<i>ANNEXURE 5</i>	Location Map, aerial images and maps of Turners Beach (north of the Western Rail Line), comprising Coastal Erosion Hazard map, Coastal Inundation Hazard map, Priority Vegetation, and the Waterway Coastal Protection Area.
<i>ANNEXURE 6</i>	Instrument of Certification

*PURPOSE*

The purpose of this report (section 40F report) is for the planning authority to consider an amendment to the Central Coast Local Provisions Schedule (the LPS) under section 40D of the Act.

Any person may request the planning authority to amend an LPS (section 37 of the Act) or the planning authority, of its own motion, may decide to amend its LPS (section 40D of the Act).

The planning authority, when amending an LPS, must satisfy itself that the draft amendment will meet the LPS criteria in accordance with section 38 of the Act.

A draft amendment that meets the LPS criteria would achieve the following:

- . Contains all the provisions the SPP's specify must be in an LPS.
- . Is in accordance with section 32 which specifies what may be contained in an LPS.
- . Furthers the Objectives in Schedule 1 of the Act.
- . Is consistent with each State Policy.
- . As far as practicable, is consistent with the Regional Land Use Strategy.
- . Has regard to the strategic plan prepared under section 66 of the *Local Government Act 1993*.
- . As far as practicable, is consistent with and coordinated with any LPS applying to adjacent municipal areas.
- . Has regard to the safety requirements in standards prescribed by the *Gas Safety Act 2000*.

*PROPOSED DRAFT AMENDMENT TO THE CENTRAL COAST LOCAL PROVISIONS SCHEDULE*

The amendment relates to the TBSAP. The amendment includes the following:

- . Expand the Plan Purpose.
- . Delete and revise some of the Local Area Objectives.
- . Amend the SAP Use Class Table.

- . Amend the provisions within the Acceptable Solutions and Performance Criteria under CCO-S5.7 Development Standards for Buildings and Works.

By amending the above, the draft amendment would:

- . Create more consistency with the established built area.
- . Create more consistency with the General Residential Zone, while still providing for local character.
- . Provide greater clarity for several matters.

*LOCATION*

The land subject to the amendment comprises the Turners Beach urban residential area, north of the Western Rail Line.

The “old service station” site that is vacant and Local Business Zone is not subject to the TBSAP.



*BACKGROUND*

Generally, a Specific Area Plan (SAP) consists of:

- . a map or overlay that spatially delineates a particular area of land; and
- . provisions that are applied in addition to, in modification of, or in substitution for, a provision, or provisions, of the relevant planning scheme.

The *Tasmanian Planning Scheme – Central Coast* came into effect on 27 October 2021. Existing provisions that were in effect under the prior, *Central Coast Interim Planning Scheme 2013*, such as a Specific Area Plan,

were to be transitioned to the LPS with no amendment, unless a particular provision was inconsistent within the State Planning Provisions.

The LPS included, without amendments or assessment of relevance against Zone standards and Codes of the planning scheme, the transition of 4 Specific Area Plans that were part of the previous *Central Coast Interim Planning Scheme 2013*.

The SAPs that transitioned to the Central Coast LPS were:

- . Forth Specific Area Plan;
- . Penguin Specific Area Plan;
- . Revell Lane Specific Area Plan; and
- . Turners Beach Specific Area Plan.

The Leith SAP was also included in the LPS. However, the Leith SAP was permitted to be amended so as to only apply to the subdivision of land. This was because the zoning of the Leith area changed under the LPS, from Rural Living to Low Density Residential, and an amended SAP was required to regulate subdivision in an area that cannot connect to reticulated sewer and stormwater services.

The TBSAP was noted to have been amended by the Commission when the planning scheme came into effect on 27 October 2021. The amended TBSAP included an additional Clause in the Performance Criteria for “Setbacks and building envelope for all buildings”. Refer to Clause CCO-S5.7.1-(P1.2(g)).

*PROCESS UNDER THE ACT TO AMEND AN LPS*

The Act requires that a planning authority must be satisfied that the draft Amendment to the LPS will further the objectives of the Resource Management and Planning System, is in accordance with applicable State Policies and satisfies the Act’s LPS criteria.

The key steps in approval of an amendment under the *Land Use Planning and Approvals Act 1993* are:

- . Under s.40D(b) of the Act, the planning authority can decide, of its own motion, to initiate a draft amend to the LPS and certify that the draft

LPS amendment meets the requirements of s.32 and s.34 of the Act's "LPS criteria".

- . Within 7 days of a decision, the planning authority must forward to the Tasmanian Planning Commission (the Commission) a copy of the application and any relevant documentation, the Instrument of Certification and a copy of the planning authority's decision.
- . The planning authority must send notice to all agencies and State authorities and publicly exhibit the draft LPS Amendment and application documentation for a period of not less than 28 days, including a minimum of 2 notices in the local newspaper.
- . In this case, letters advising of initiation of the draft amendment would also be sent to all property owners and occupiers at Turners Beach (north of the Western Rail Line), although this is not a legislative requirement.
- . Under s.40K of the Act, any public representations received in response to the public exhibition are reported back to the planning authority. The planning authority then reports to the Commission on any representations made, making comment as to the merit of each representation, and may include recommendations on modifications to the draft LPS Amendment.
- . The Commission may conduct a hearing to consider issues raised through representation on the draft LPS Amendment.
- . Within 3 months of receiving the report on representations under s.40K, the Commission will make the final determination of the application for the draft LPS Amendment, unless a later date is approved by the Minister.
- . The Commission's decision is final and cannot be appealed to Tasmanian Civil and Administrative Tribunal (TASCAT).

*ASSESSMENT OF PROPOSED LPS AMENDMENT AGAINST THE LEGISLATIVE REQUIREMENTS*

When considering a draft amendment, assessment must be undertaken under s.32 and s.34 of the Act to determine whether the requirements of the Act have been met. This includes:

- . avoiding potential land use conflict with use and development permissible under the planning scheme;



- . being, where practicable, consistent with the State Planning Policies and the relevant regional land use strategy; and
- . having regard to the impact on the region in terms of environmental, economic and social outcomes.

***Content of LPS's***

Section 32 of the Act sets out the content and form of any amendment that may apply to an LPS.

The proposed draft amendment satisfies the requirements set out under s.32(2) and s.32(4) and is in accordance with the LPS structure.

***Schedule 1, Part 1 of the Act (objectives of the Resource Management and Planning System of Tasmania)***

- (a) *“to promote the sustainable development of natural and physical resources and the maintenance of the ecological processes and genetic diversity”*

Comments: The planning scheme incorporates Zone standards and Codes that seek to promote the sustainable development of natural and physical resources.

The TBSAP sees to augment these standards in requiring the maintenance and enhancement of native coastal vegetation endemic to the area, on private and public land. The LPS amendment process is consistent with this Objective.

- (b) *“to provide for the fair, orderly and sustainable use and development of air land and water”*

Comments: Draft amendment LPS2023002 is not considered likely to lead to any issues relating to the fair, orderly or sustainable use or development of air, land or water.

- (c) *“encourage public involvement in resource management and planning”*

Comments: Council undertook 2 public consultation sessions at Turners Beach, and Planning staff discussed the review at a Turners Beach Community Representatives Committee meeting. An electronic survey was developed, and Turners Beach community members were encouraged to complete it. Council wrote to all landowners within the

area covered by the TBSAP, advising them of the consultation opportunities, and promoted the review of the TBSAP via our social media channels and our e-newsletter.

Public involvement would be further achieved through the statutory public notification process of the draft LPS amendment. The public notification process gives opportunity for the community and agencies to make formal submissions of representation under the Act and present at a public hearing. This process is consistent with this Objective.

- (d) *“to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)”*

Comments: The draft LPS amendment, in relation to the TBSAP, recognises the new zoning of the area under the LPS that came into effect on 27 October 2021. Under the LPS, the zoning changed from Low Density Residential to General Residential.

The amended TBSAP would allow for a greater range of Use Classes to be permissible at Turners Beach that are otherwise prohibited under the current SAP, and would encourage, on public and private land, greater enhancement of coastal native vegetation requirements.

- (e) *“to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State”*

Comments: This Objective can be achieved through Local Government involvement, in its role as the planning authority, through consideration and the certification of the draft LPS Amendment, public notification of the proposal, consideration of community feedback and the State Government’s responsibility for the examination of the proposal through the Tasmanian Planning Commission.

***Schedule 1, Part 2 (objectives of the planning process established by the Act)***

- (a) *“to require sound strategic planning and co-ordinated action by State and local government”*

Comments: The draft LPS Amendment process is coordinated through local and state government. The amendment is in response to the introduction of the planning scheme (rezone of area to General Residential) in Central Coast and community feedback.

- (b) *“to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land”*

Comments: The draft LPS amendment seeks to amend the TBSAP.

- (c) *“to ensure that the effects on the environment are considered and provide for the explicit consideration of social and economic effects when decisions are made about the use and development of land”*

Comments: The draft LPS amendment has been initiated by the planning authority following consultation with the Turners Beach community, which on balance indicated that the Specific Area Plan should remain in place, landscaping standards should be improved and a broader range of Use Classes should be included in the SAP Use Class Table.

- (d) *“to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management polices at State, regional and municipal levels”*

Comments: The draft LPS amendment and the planning scheme provisions and Codes are considered to be consistent with State Policies and, as much as is practicable, with the *Cradle Coast Regional Land Use Strategy 2010–2030*. The proposal to increase native vegetation is consistent with Council’s objective of improving our municipality’s natural resources. The proposal to increase the allowable Use Classes, is consistent with Council’s objective of attracting investment and encouraging economic growth.

- (e) *“to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals”*

Comments: The draft LPS amendment would allow for broader consideration of land use classes and development applications against Zone and Code standards.

- (f) *“to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania”*

Comments: The draft LPS amendment would provide for greater land use opportunity and enhancement of the coastal environment in Turners Beach.

- (g) *“to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”*

Comments: Not applicable to this amendment.

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

Comments: The draft LPS amendment is not considered to have a negative impact on public infrastructure and other assets.

- (i) *“to provide a planning framework which fully considers land capability”*

Comments: The draft LPS amendment and the planning scheme Zone provisions and Codes consider land capability.

***Section 32(1)(f) of the Act***

Issues regarding s.32 of the Act are addressed in this report under Schedule 1, Part 1, objective (d) above.

***ASSESSMENT AGAINST STATE POLICIES***

***State Coastal Policy 1996***

The *State Coastal Policy 1996* applies to land located within 1km of the Bass Strait foreshore and/or tidal waters.

The area to which the TBSAP applies, is located on the foreshore of Bass Strait, north of the Western Rail Line, and bound by Forth River to the east. The *State Coastal Policy 1996* applies to the land.

The area covers approximately 57.3ha and is located approximately 5m above sea level. Foreshore areas of the TBSAP are subject to the planning scheme’s *C10.0 Coastal Erosion Hazard Code* and *C11.0 Coastal Inundation Hazard Code*.

The three main principles that guide Tasmania's *State Coastal Policy 1996* are addressed below:

1 *Natural and cultural values of the coast shall be protected.*

Comments: The area known as Turners Beach (north of the Western Rail Line) was once a coastal refugia area comprising of tea-tree wetland. However, the development of the Turners Beach area created a coastal settlement, now considered to be an urban zone comprised of dwellings, recreational areas and buildings, roadways and service infrastructure, meaning that there is little remnant coastal vegetation in this area, except for the vegetated dune system fronting Bass Strait, street trees on Esplanade and river embankment areas adjoining the Forth River.

The purpose of the draft amendment to the TBSAP seeks to enhance the coastal character and streetscape of the area through the retention and expansion of native vegetation on private and public land and to restrict pedestrian access to the beach and the Forth River to designated walkways.

With the SAP amendment, the planning scheme's *C10.0 Coastal Erosion Hazard Code*, *C11.0 Coastal Inundation Hazard Code* and in some areas, *C12.0 Flood-Prone Areas Hazard Code*, would still apply to the use and development of land in Turners Beach.

2 *The coast shall be used and developed in a sustainable manner.*

Comments: As detailed above, the area known as Turners Beach (north of the Western Rail Line) was once a coastal refugia area comprising of tea-tree wetland and several 'shacks'. However, over time, Turners Beach has developed to become a popular coastal settlement, and is now an urban zone comprised of dwellings, recreational areas and buildings, roadways and water, sewer and stormwater infrastructure. This means there is little remnant coastal vegetation in this area, other than for the vegetated dune system fronting Bass Strait, street trees along Esplanade and river embankment areas adjoining the Forth River.

The draft amendment to the TBSAP seeks to enhance the coastal character and streetscape of the area through the retention and expansion of native vegetation on private and public land and to restrict pedestrian access to the beach and the Forth River to designated walkways.

With the SAP amendment, the planning scheme's *C10.0 Coastal Erosion Hazard Code*, *C11.0 Coastal Inundation Hazard Code* and in some areas, *C12.0 Flood-Prone Areas Hazard Code*, would still apply to the land in Turners Beach.

3 *Integrated management and protection of the coastal zone is a shared responsibility.*

Comments: The State Government has primary responsibility for management of the Bass Strait foreshore protection area and the Forth River waterway protection area, in association with land management agreements with the Council, and the Council's responsibly in its role as the planning authority.

The process of initiating a draft amendment under the Act ensures there is opportunity for public participation in the management of the land.

Conclusion: When considering the *State Coastal Policy 1996* in relation to the draft LPS amendment, the following is noted:

- . a portion of Turners Beach foreshore land and land adjoining the Forth River, to the east, is subject to the planning scheme's *C10.0 Coastal Erosion Hazard Code*, *C11.0 Coastal Inundation Hazard Code* and *C12.0 Flood-Prone Areas Hazard Code*.  
The beach/foreshore area of Turners Beach (that is outside the SAP boundary) is within a coastal protection area and the Forth River riparian land is within a waterway protection area. Both areas are subject to the planning scheme's *C7.0 Natural Assets Code*.
- . a portion of the land is susceptible to natural, coastal events, such tidal surges and sea level rise;
- . the Bass Strait foreshore is a mobile landform, supporting littoral vegetation; and
- . the Forth River is subject to tidal flows, flooding and is also within a waterway protection area.

In 2023, the Turners Beach area is a highly modified, urban residential area fronting Bass Strait. The draft amendment to the TBSAP seeks to enhance the coastal character and streetscapes of the area through the retention and expansion of native vegetation on private and public land, and to restrict pedestrian access to the beach and Forth River

riparian land to designated walkways. The relevant Codes that apply to the land would remain applicable to use and development in Turners Beach.

***State Policy on Water Quality Management 1997***

The *State Policy on Water Quality Management 1997* aims to achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities, whilst allowing for sustainable development in accordance with the objectives of the Resource Management Planning System.

The *State Policy on Water Quality Management 1997* has little to no effect in determining the draft amendment.

***State Policy on the Protection of Agricultural Land 2009***

This Policy does not apply to the draft LPS Amendment.

***National Environment Protection Measures***

In Tasmania, all listed National Environment Protection Measures (NEPMs) are taken to be State Policies, given effect under the *State Policies and Projects Act 1992*. The current NEPMs are:

- . Air Toxins;
- . Ambient Air Quality;
- . Assessment of Site Contamination;
- . Diesel Vehicle Emissions;
- . Movement of Controlled Waste;
- . National Pollutant Inventory; and
- . Used Packaging.

The planning scheme's *C9.0 Attenuation Code* takes these matters into consideration, where identified as relating to a specific site.

*CRADLE COAST REGIONAL LAND USE STRATEGY 2010–2030*

The Cradle Coast Regional Land Use Strategy (CCRLUS) promotes the wise use of resources, the distribution and development of urban centres and residential settlements, the management of rural land and coastal environments and support for economic activity in the North–West Region.

The Strategy identifies that “land is to be used in the manner best matched to its highest capability to support social, cultural and economic endeavour while always protecting the health of the environment”.

It is contended the draft amendment would not change the primary land use that is established on the lands in question, primarily being Residential Use.

The draft amendment would support opportunity for some social and economic development in Turners Beach, where impacts on residential use would be limited.



*ASSESSMENT OF THE PROPOSED DRAFT LPS AMENDMENT*

The TBSAP is proposed to be amended as follows:

- 1 Expand on CCO-S5.1 Plan Purpose.

EXISTING	PROPOSED	OUTCOME
CCO-S5.1.1 To provide a framework to guide the future development of Turners Beach.	CCO-S5.1.1 To provide a framework for use and development in Turners Beach.	Revised.
	CCO-S5.1.2 To maintain and enhance the coastal character and streetscape of Turners Beach through the retention and expansion of native vegetation on private and public land.	New.
	CCO-S5.1.3 To provide for a limited range of uses that complement a coastal residential area.	New.

Comments: The inclusion of more Plan Purposes would facilitate the intent of the TBSAP and ensure future growth of this area can maintain its existing characteristics.

- 2 Delete and revise some of the Local Area Objectives listed in CCO-S5.2 of the TBSAP.

EXISTING	PROPOSED	OUTCOME
(a) protect and conserve existing native flora and fauna in a natural state;	Protect and conserve existing native flora and fauna in a natural state;	No changes. Will be Objective (a).
(b) identify areas vulnerable to coastal inundation by the sea;		Removed. Sites vulnerable to coastal inundation are identified on Council GIS system and would be subject to the planning scheme's <i>C11.0 Coastal Inundation Hazard Code</i> .
(c) retain access to the foreshore in a manner that is not disruptive to natural processes;	Retain access to the foreshore in a manner that is not disruptive to natural processes;	No changes. Will be Objective (b).
(d) maintain and enhance opportunity for visual outlook to the sea and coastal landmarks;		Removed. In conflict with the TBSAP setback and height standards (existing and proposed).
(e) retain an eclectic mix of housing styles at suburban density and with characteristic building setbacks to the street;		Removed. An "eclectic mix of housing" styles is a subjective judgement and not a matter for

		the planning authority. Building setback to the street is addressed under the TBSAP development standards.
(f) provide for new residential development in waterfront locations of a scale and appearance to nestle within the landscape;		Removed. In conflict with TBSAP setback and height standards (existing and proposed).
(g) provide for buildings that are typically one or two storeys high, oriented to the frontage, and separated from the frontage and internal site boundaries;		Removed. TBSAP development standards addresses these matters.
(h) allow commercial buildings to the frontage;		Removed. Commercial buildings are not defined. Allows the SAP setback standards to prevail.
(i) employ low, transparent fencing and vegetation to define the frontage; and side and rear		Removed. Not able to be supported though development standards as there are

	boundary fencing that is unobtrusive in terms of colour and material;		exemptions for front fences under the planning scheme.
(j)	typically treat the frontage setback for garden and landscape purposes;	Treat the area between the frontage and the dwelling (front yard) for landscape and garden purposes;	Revised. Will be Objective (c).
(k)	use measures such as split-level building design or broken form to minimise the scale and bulk of new buildings and additions to existing buildings;		Removed. Architectural style is a subjective judgement and not a matter for the planning authority.
(l)	use increased setback distances to minimise any potential privacy loss from buildings that are higher than neighbouring dwellings;		Removed. In conflict with the TBSAP development standards (both existing and proposed amended).
(m)	manage street trees and remnant vegetation to complement and create view corridors in residential areas;	Manage street trees and remnant vegetation to complement and create view corridors in residential areas;	No changes. Will be Objective (d).

<p>(n) retain the generally informal character of the residential area north of the Bass Highway through appropriate street planting, narrowing of streets, and use of swale drains;</p>		<p>Removed. The is outside the scope of the planning authority and can be managed by Council's Infrastructure Services department through Planning Permit conditions and other work.</p>
<p>(o) limit commercial activity to home occupation and local convenience retail;</p>		<p>Removed. It is proposed the TBSAP Use Class Table be expanded.</p>
<p>(p) retain sand dunes at the natural beach profile; and provide access through the dunes only at specific and formalised locations;</p>	<p>Retain sand dunes at the natural beach profile; and provide access through the dunes only at specific and formalised locations;</p>	<p>No changes. Will be Objective (e).</p>
<p>(q) manage the environmental significance of the River Forth estuary area to retain the Eucalypt forest and under-storey; and</p>	<p>Manage the environmental significance of the Forth River estuary area to retain the Eucalyptus viminalis – Eucalyptus globulus coastal forest woodland threatened native vegetation community and under-storey; and</p>	<p>Revised. Will be Objective (f).  Including the specific name clearly outlines the native vegetation to be protected.</p>

(r) restrict new development on sand dunes and the Forth River estuary to minor low impact facilities such as toilets and change rooms, and car parking of a size to minimise loss of vegetation and visual quality.	Restrict new development on sand dunes and the Forth River estuary to minor low impact facilities such as toilets and change rooms, and car parking of a size to minimise loss of vegetation and loss of visual quality.	Revised. Will be Objective (g).
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Comments: Proposed to remove some Local Area Objectives, as many of these matters are addressed in the planning scheme and applicable overlays. Some matters such as current Objective (n) are managed under separate areas within Council (e.g. Infrastructure Services).

3 Amend the SAP Use Class Table – blue represents amendments.

Use Class	Qualification	OUTCOME
<b>No Permit Required</b>		
Natural and Cultural Values Management	If for conservation, rehabilitation, or protect against degradation and not involving a building or outdoor area for information, interpretation or display of items.	No changes.
Passive Recreation	If not Exempt	Revised Qualification.
Residential	If for a single dwelling	New Use Class and Qualification.

<b>Permitted</b>		
Natural and Cultural Values Management	If not listed as No Permit Required	New Use Class and Qualification. Previously was Discretionary.
Residential	If not listed as No Permit Required.	Revised Qualification.
Resource Development	If for a community garden for production or ornamental purposes to service, the local community and not involve the keeping of animals.	No changes.
Utilities	If for minor utilities	No changes.
Visitor Accommodation		No changes.
<b>Discretionary</b>		
Business and Professional Services	If for: (a) consulting rooms; or (b) a medical centre.	New Use Class and Qualification.
Community Meeting and Entertainment		New Use Class.
Natural and Cultural Values Management	If not listed as No Permit Required	To be removed. Now Permitted.
Educational and occasional Care	If for –	No changes.

	<ul style="list-style-type: none"> <li>(a) all day, before and after school;</li> <li>(b) pre-school; or</li> <li>(c) primary school</li> </ul>	
Emergency Services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration.	No changes.
Food Services	If not a takeaway with a drive-through facility	New Qualification.
General Retail and Hire	If for: <ul style="list-style-type: none"> <li>(a) a hairdresser;</li> <li>(b) a beauty salon; or</li> <li>(c) a local shop</li> </ul>	New Use Class and Qualification.
Passive Recreation	If not listed No Permit Required.	To be removed.
Utilities	If not listed as No Permit Required or Permitted	No changes.



Visitor Accommodation	If not listed as Permitted	New Use Class and Qualification.
<b>Prohibited</b>		
All other uses		No changes.

Comments: Changes to Use Class Table and qualifications follows public consultation with the Turners Beach community and stakeholders and a Survey Monkey survey conducted. Council believes it would reflect the general aspirations of the Turners Beach community as well as what is already established within the TBSAP. The amended TBSAP would allow for a greater range of Use Classes to be permissible at Turners Beach that are otherwise prohibited under the current TBSAP, and would encourage, on public and private land, greater enhancement of coastal native vegetation requirements.

4 Amend CCO-S5.7 Development Standards for Building Works.

(i) Objective to CCO-S5.7.1. Objective: That building height:

	EXISTING	PROPOSED	OUTCOME
(a)	minimises over-shadowing of adjoining sites.	Minimises over-shadowing of adjoining sites.	No changes.
(b)	protects privacy of adjoining dwellings.	Protects privacy of adjoining dwellings.	No changes.
(c)	protects view lines.		Removed.

		<p>This Objective has caused confusion within the community, internally within Council and among other stakeholders.</p> <p>The intention of this Objective was related directly to the limitation for height, which is to remain the same under the Acceptable Solution and to be changed slightly under the Performance Criteria. Refer to relevant comment below regarding height.</p> <p>Furthermore, it is considered that P1.2 of this Clause is a sufficient test to ensure height does not have an adverse impact on the surrounding area.</p>
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(ii) Performance Criteria for Clause CCO-S5.7.1-(P1) and (P2). Note – sections to be amended have been listed.

EXISTING	PROPOSED	OUTCOME
<p>Clause CCO-S5.7.1-(P1.2) Building height of a dwelling must minimise over-shadowing, protect of privacy in adjoining dwellings and protect view lines, having regard to:</p>	<p>Building height of a dwelling must minimise over-shadowing and protect privacy in adjoining dwellings, having regard to:</p>	<p>Revised. Refer to comments above regarding the removal of Objective (c).</p>

<p>Clause CCO-S5.7.1-(P1.2) (g) the protection of view lines enjoyed by existing dwellings.</p>		<p>Removed.</p> <p>This Clause was included with the transition under the planning scheme with no consultation with the Council. It is a standard that is hard to satisfy and being a mandatory standard makes applications difficult to assess if relying on this Clause for height.</p> <p>The existing established pattern of development in TBSAP results in many buildings built to boundaries which means this standard is null and void.</p>
<p>Clause CCO-S5.7.1-(P1.2) and is not more than 7.5m.</p>	<p>and is not more than 8.5m.</p>	<p>Revised.</p> <p>The height is proposed to be changed to 8.5m (1 m increase) under the Performance Criteria, which would be the mandatory allowable height.</p> <p>This increase would make the potential final height of buildings more in line with the Acceptable Solution height under the General Residential Zone and in line with</p>

		existing heights of several other properties built prior to the introduction of the TBSAP.
Clause CCO-S5.7.1-(P2.2) Building height of a dwelling must minimise over-shadowing, protect of privacy in adjoining dwellings and protect view lines, having regard to:	Building height of a dwelling must minimise over-shadowing and protect privacy in adjoining dwellings, having regard to:	Revised. Refer to comments above regarding the removal of Objective (c).
Clause CCO-S5.7.1-(P2.2) (g) the protection of view lines enjoyed by existing dwellings.		Removed.  This Clause was included with the transition under the planning scheme with no consultation with the Council. It is a standard that is hard to satisfy and being a mandatory standard makes applications difficult to assess if relying on this Clause for height.  The existing established pattern of development in TBSPA results with many buildings built to boundaries which means this standard is null and void.

<p>Clause CCO-S5.7.1-(P1.2) and is not more than 7.5m.</p>	<p>and is not more than 8.5m.</p>	<p>Revised.</p> <p>The height is proposed to be changed to 8.5m (1 m increase) under the Performance Criteria, which would be the mandatory allowable height.</p> <p>This increase would make the potential final height of buildings more in line with the Acceptable Solution height under the General Residential Zone and in line with existing heights of several other properties within the TBSPA.</p>
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Comments: Whilst retaining an Acceptable Solution Clause CCO-S5.7.1-(A1)((a)(ii) for a building height of 5.5m above existing ground level, the amendment of the Performance Criteria allows for a Discretionary application to be assessed where a mandatory building height of 8.5m above existing ground level is proposed. It is proposed that Clause CCO-S5.7.1-(P1.2)(g) and (P2.2)(g) be removed as they are in conflict with TBSAP setback and height standards (existing and proposed). Further, the planning authority cannot protect view lines that rely on views and/or vistas over other private property.

(iii) Performance Criteria for Clause CCO-S5.7.2-(P1)

EXISTING	PROPOSED	OUTCOME
<p>Clause CCO-S5.7.2-(P1)</p> <p>Clearing and conversion of vegetation within a littoral, riparian or road reserve must:</p> <p>(a) not adversely impact on the dune and ecosystem;</p> <p>(b) form part of approved works under a permit for the site;</p> <p>(c) be required to provide access to a beach or river; or</p> <p>(d) be for rehabilitation works</p>	<p>Clearing and conversion of vegetation within a littoral, riparian or road reserve must:</p> <p>(a) not adversely impact on the dune and ecosystem;</p> <p>(b) form part of approved works under a permit for the site;</p> <p>(c) be required to provide access authorised by the Road Authority (if within the road reserve) to a beach or river and forming part of a planning application; or</p> <p>(d) be for rehabilitation works.</p>	<p>Revised.</p> <p>To include authorisation by the Road Authority (if within the road reserve).</p>

Comments: The inclusion of the approval by the Road Authority allows greater ability for assessment, conditions and/or specific requirements for ongoing maintenance regarding accesses within the TBSAP.

(iv) Performance Criteria for Clause CCO-S5.7.3-(A1) and (P1)

EXISTING	PROPOSED	OUTCOME
<p>Clause CCO-S5.7.3-(A1) On a site, excluding an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with not less than grass.</p>	<p>Clause CCO-S5.7.3-(A1) On a site, excluding an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with native vegetation with a final growth height of not less than 500m.</p>	<p>Revised. Inclusion of specific vegetation results with greater consistency with the established vegetation and the overall vision regarding vegetation within the TBSAP.</p>
<p>No Performance Criteria.</p>	<p>Clause CCO-S5.7.3-(P1) On site, excluding an internal lot, not less than 50% of the site area between the site frontage and a building containing a dwelling, must be landscaped with grass and/or other vegetation.</p>	<p>New Performance Criteria. Inclusion of a Performance Criteria pathway allows greater flexibility for the community when it comes to design of vegetation within the frontage of their properties.</p>

Comments: Proposed amendments enhance the requirement for front garden landscaping to be more than “just grass” and encourages the use of native species which would be more consistent with some of the established areas within TBSAP and the overall objective for the area regarding landscaping.

(v) Performance Criteria for Clause CCO-S5.7.4-(P1)

EXISTING	PROPOSED	OUTCOME
<p>Clause CCO-S5.7.4-(P1)</p> <p>Vehicular or pedestrian accesses to the beach or Forth River must:</p> <p>(a) be required to rationalise and reduce the number of existing accesses; and</p> <p>(b) not adversely impact on the coastal dune or river bank ecosystem.</p>	<p>Clause CCO-S5.7.4-(P1)</p> <p>Vehicular or pedestrian accesses to the beach or Forth River must:</p> <p>(a) be required to rationalise and reduce the number of existing accesses; and</p> <p>(b) not adversely impact on the coastal dune or river bank ecosystem; and</p> <p>(c) be authorised by the relevant land manager land owner.</p>	<p>Revised.</p>

Comments: The inclusion of the approval by the relevant land manager or owner allows greater capability for assessment, conditions and or specific requirements for ongoing maintenance for accesses.



*REFERRALS OF DRAFT LPS AMENDMENT*

<i>REFERRALS</i>	<i>COMMENTS</i>
<i>INTERNAL</i>	
Director Infrastructure Services	Clause CCO-S5.7.2-(P1) must be clear regarding when works are required to be authorised by the Road Authority. To specify <i>if within a road reserve</i> .
Manager Assets Services	To include specific wording for Objective (f) to state <i>Eucalyptus viminalis - Eucalyptus globulus coastal forest woodland threatened native vegetation community</i> .
Manager Regulatory Services	No issues.
<i>EXTERNAL</i>	
TasWater	To be referred when on public exhibition.
Department of State Growth	To be referred when on public exhibition.
Environment Protection Authority	Referral not required.
TasRail	To be referred when on public exhibition.
Heritage Tasmania	Referral not required.
Crown Land Services	To be referred when on public exhibition.
Other	Referral not required.

*CONSULTATION*

In accordance with s.40G and s.40H of the Act, the draft LPS amendment is to be placed on public exhibition for a period not less than 28 days by way of 2 advertisements in the Public Notices section of The Advocate newspaper; one of which is to be a Saturday.

A copy of the draft LPS amendment and all associated documents are to be available for viewing by the public at the Council offices and be available for viewing and downloading by the public at the electronic address specified in the exhibition notice.

*RESOURCE, FINANCIAL AND RISK IMPACTS*

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting, as well as costs associated with a Tasmanian Planning Commission hearing on the matter.

*CORPORATE COMPLIANCE*

The Central Coast Strategic Plan 2014–2024 (reviewed 2019) includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- . Contribute to a safe and healthy environment; and
- . Develop and manage sustainable built infrastructure.

*CONCLUSION*

This report contains planning considerations relevant to an amendment to the Central Coast's LPS that must be addressed in any submission to the Commission.

*Recommendation –*

It is recommended that the Planning Authority:

- 1 Agree to initiate the process for a draft amendment to the *Central Coast Local Provisions Schedule* to amend the Turners Beach Specific Area Plan.
- 2 Certify that the draft amendment meets the requirements of s.32 and s.34 of the *Land Use Planning and Approvals Act 1993*.

- 3 Forward a copy of this report, the Instrument of Certification and documents supporting the application to the Tasmanian Planning Commission.
- 4 Proceed to public exhibition of the draft LPS amendment in accordance with s.40G and 40H of the *Land Use Planning and Approvals Act 1993* for a period of 28 days.
- 5 Authorise the Director Community Services to act on behalf of the planning authority during the draft amendment process with the Tasmanian Planning Commission.'

The report is supported.”

The Executive Services Officer reported as follows:

“A copy of the Annexures referred to in the Manager Land Use Planning (Acting) report has been circulated to all Councillors”

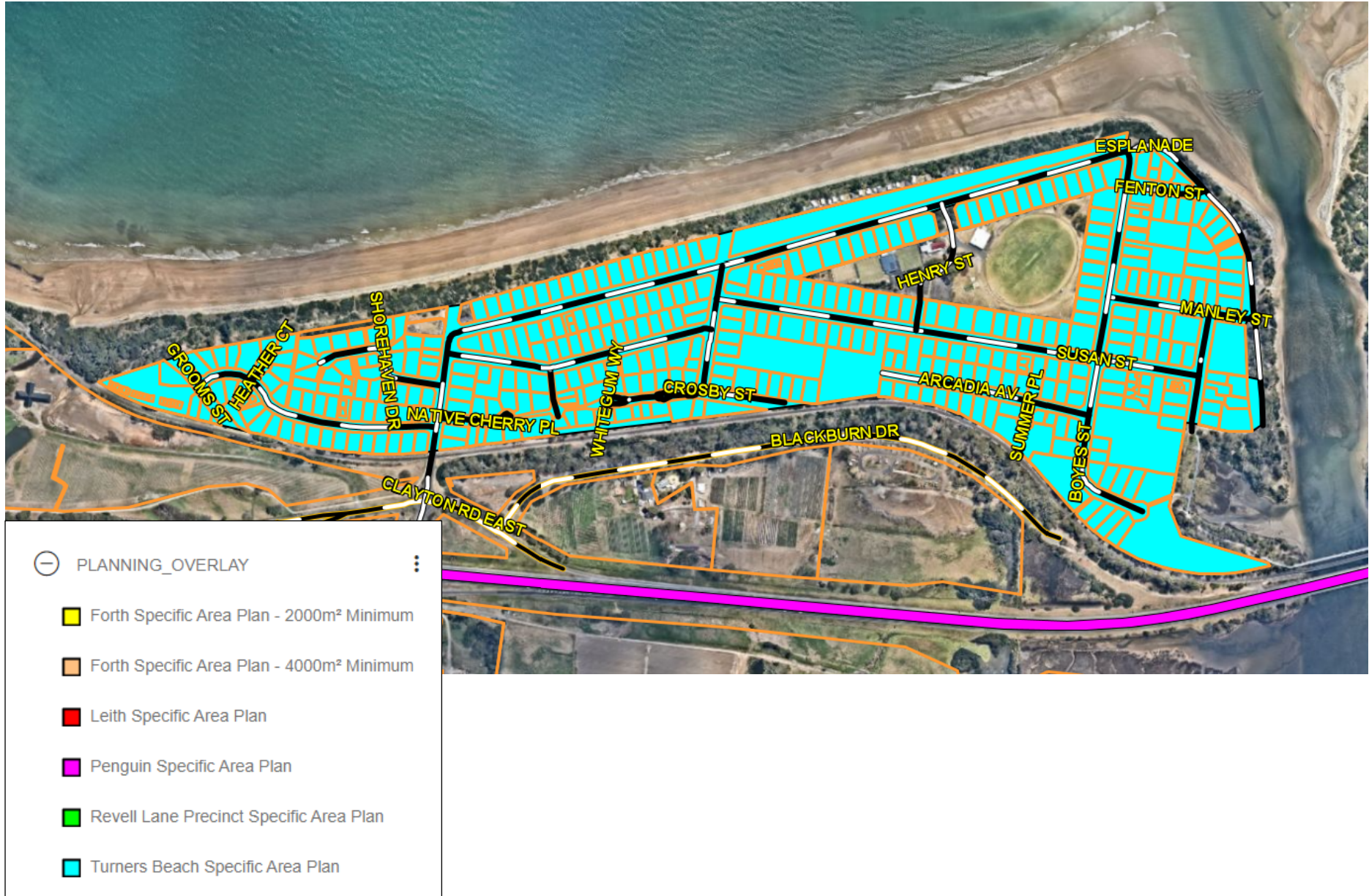
■ Cr Beswick moved and Cr Diprose seconded, “That the Planning Authority:

- 1 Agree to initiate the process for a draft amendment to the *Central Coast Local Provisions Schedule* to amend the Turners Beach Specific Area Plan.
- 2 Certify that the draft amendment meets the requirements of s.32 and s.34 of the *Land Use Planning and Approvals Act 1993*.
- 3 Forward a copy of this report, the Instrument of Certification and documents supporting the application to the Tasmanian Planning Commission.
- 4 Proceed to public exhibition of the draft LPS amendment in accordance with s.40G and 40H of the *Land Use Planning and Approvals Act 1993* for a period of 28 days.
- 5 Authorise the Director Community Services to act on behalf of the planning authority during the draft amendment process with the Tasmanian Planning Commission.”

Carried unanimously

# Annexure 1

## TURNERS BEACH SPECIFIC AREA PLAN OVERLAY



## CCO-S5.0 Turners Beach Specific Area Plan

### CCO-S5.1 Plan Purpose

The purpose of the Turners Beach Specific Area Plan is:

CCO-S5.1.1 To provide a framework to guide the future development of Turners Beach.

### CCO-S5.2 Application of this Plan

CCO-S5.2.1 This Specific Area Plan applies to the area of land designated as Turners Beach Specific Area Plan on the overlay maps.

CCO-S5.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of the General Residential Zone, as specified in the relevant provision.

### CCO-S5.3 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives
CCO-S5.3.1.1	Turners Beach Specific Area Plan shown on an overlay map as CCO-S5.3.1.1.	<p>The local area objectives of the Turners Beach Specific Area Plan are to:</p> <ul style="list-style-type: none"> <li>(a) protect and conserve existing native flora and fauna in a natural state;</li> <li>(b) identify areas vulnerable to coastal inundation by the sea;</li> <li>(c) retain access to the foreshore in a manner that is not disruptive to natural processes;</li> <li>(d) maintain and enhance opportunity for visual outlook to the sea and coastal landmarks;</li> <li>(e) retain an eclectic mix of housing styles at suburban density and with characteristic building setbacks to the street;</li> <li>(f) provide for new residential development in waterfront locations of a scale and appearance to nestle within the landscape;</li> <li>(g) provide for buildings that are typically one or two storeys high, oriented to the frontage, and separated from the frontage and internal site boundaries;</li> <li>(h) allow commercial buildings to the frontage;</li> <li>(i) employ low, transparent fencing and vegetation to define the frontage; and side</li> </ul>

		<p>and rear boundary fencing that is unobtrusive in terms of colour and material;</p> <p>(j) typically treat the frontage setback for garden and landscape purposes;</p> <p>(k) use measures such as split-level building design or broken form to minimise the scale and bulk of new buildings and additions to existing buildings;</p> <p>(l) use increased setback distances to minimise any potential privacy loss from buildings that are higher than neighbouring dwellings;</p> <p>(m) manage street trees and remnant vegetation to complement and create view corridors in residential areas;</p> <p>(n) retain the generally informal character of the residential area north of the Bass Highway through appropriate street planting, narrowing of streets, and use of swale drains;</p> <p>(o) limit commercial activity to home occupation and local convenience retail;</p> <p>(p) retain sand dunes at the natural beach profile; and provide access through the dunes only at specific and formalised locations;</p> <p>(q) manage the environmental significance of the River Forth estuary area to retain the Eucalypt forest and under-storey; and</p> <p>(r) restrict new development on sand dunes and the River Forth estuary to minor low impact facilities such as toilets and change rooms, and car parking of a size to minimise loss of vegetation and visual quality.</p>
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**CCO-S5.4 Definition of Terms**

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

## CCO-S5.5 Use Table

This clause is in substitution for General Residential Zone – clause 8.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	If for conservation, rehabilitation, or protect against degradation, not involving a building or outdoor area for information, interpretation or display of items.
Passive Recreation	If for a public park or reserve for the local community.
<b>Permitted</b>	
Residential	If for a: <ul style="list-style-type: none"> <li>(a) home based business;</li> <li>(b) boarding house in which rooms are wholly or partly let in lodgings as a principal place of residence;</li> <li>(c) multiple dwelling, each in a separate dwellings; or</li> <li>(d) a single dwelling.</li> </ul>
Resource Development	If for a community garden for production or ornamental purposes to service the local community and not involve the keeping of animals.
Utilities	If for minor utilities.
Visitor Accommodation	
<b>Discretionary</b>	
Natural and Cultural Values Management	If not listed as No Permit Required.
Education and Occasional Care	If for: <ul style="list-style-type: none"> <li>(a) all day, before or after school, occasional or out of school hours care;</li> <li>(b) pre-school; or</li> <li>(c) primary school.</li> </ul>
Emergency Services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration.

Food Services	
Passive Recreation	If not listed as No Permit Required.
Utilities	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

### CCO-S5.6 Use Standards

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

### CCO-S5.7 Development Standards for Buildings and Works

#### CCO-S5.7.1 Setbacks and building envelope for all buildings

The Acceptable Solution in this clause is in substitution for General Residential Zone – clause 8.4.2 Setback and building envelope for all dwellings A3 and P3 and clause 8.5.1 Non Dwelling Development A2 and P2.

Objective:	That building height: (a) minimises over-shadowing of adjoining sites; (b) protects privacy of adjoining dwellings; and (c) protects view lines.
Acceptable Solutions	Performance Criteria
<p><b>A1</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 CCO-S5.1, CCO-S5.2 and CCO-S5.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 5.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a</p>	<p><b>P1.1</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area;</p>



<p>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>and</p> <ul style="list-style-type: none"> <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> <p><b>P1.2</b></p> <p>Building height of a dwelling must minimise overshadowing, protect of privacy in adjoining dwellings and protect view lines, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;</li> <li>(b) the likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;</li> <li>(c) the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</li> <li>(d) the apparent building height when viewed from a frontage road and adjacent land in another zone;</li> <li>(e) the effect of the slope and orientation of the site and adjacent land on apparent building height;</li> <li>(f) the effect and durability of screening to attenuate impact of the building to view from a frontage road or from adjacent land in another zone; and</li> <li>(g) the protection of view lines enjoyed by existing dwellings,</li> </ul> <p>and is not more than 7.5m.</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> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures CCO-S5.1, CCO-S5.2 and CCO-S5.3) 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</li> </ul> </li> </ul>	<p><b>P2.1</b></p> <p>The siting and scale of a building that is not a dwelling must:</p> <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity, having regard to: <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</li> </ul> </li> </ul>

<p>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 or rear boundaries to a building height of not more than 5.5m above existing ground level; and</p> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</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 of the length of the side or rear boundary (whichever is lesser).</p>	<p>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 building when viewed from an adjoining property; and</p> <p>(b) provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.</p> <p><b>P2.2</b></p> <p>Building height of a building that is not a dwelling must minimise over-shadowing, protect of privacy in adjoining dwellings and protect view lines, having regard to:</p> <p>(a) the likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;</p> <p>(b) the likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;</p> <p>(c) the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</p> <p>(d) the apparent building height when viewed from a frontage road and adjacent land in another zone;</p> <p>(e) the effect of the slope and orientation of the site and adjacent land on apparent building height;</p> <p>(f) the effect and durability of screening to attenuate impact of the building to view from a frontage road or from adjacent land in another zone; and</p> <p>(g) the protection of view lines enjoyed by existing dwellings,</p> <p>and is not more than 7.5m.</p>
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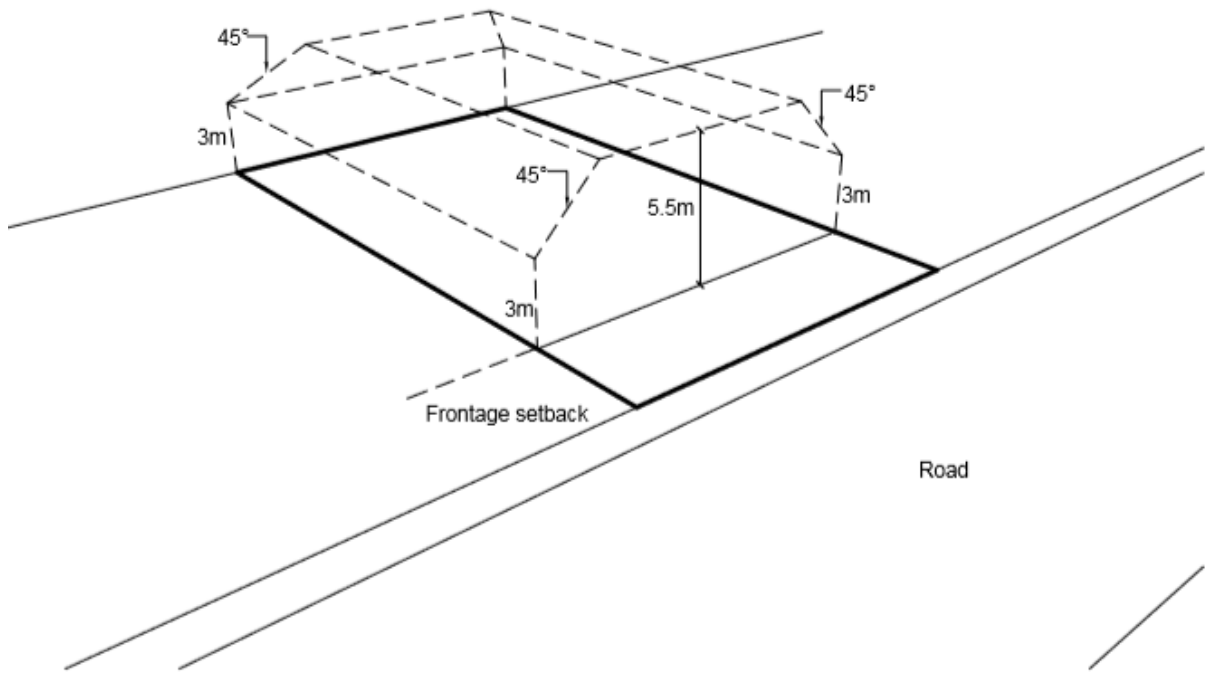


Figure CCO-S5.1 Building envelope as required by clause CCO-S5.7.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2

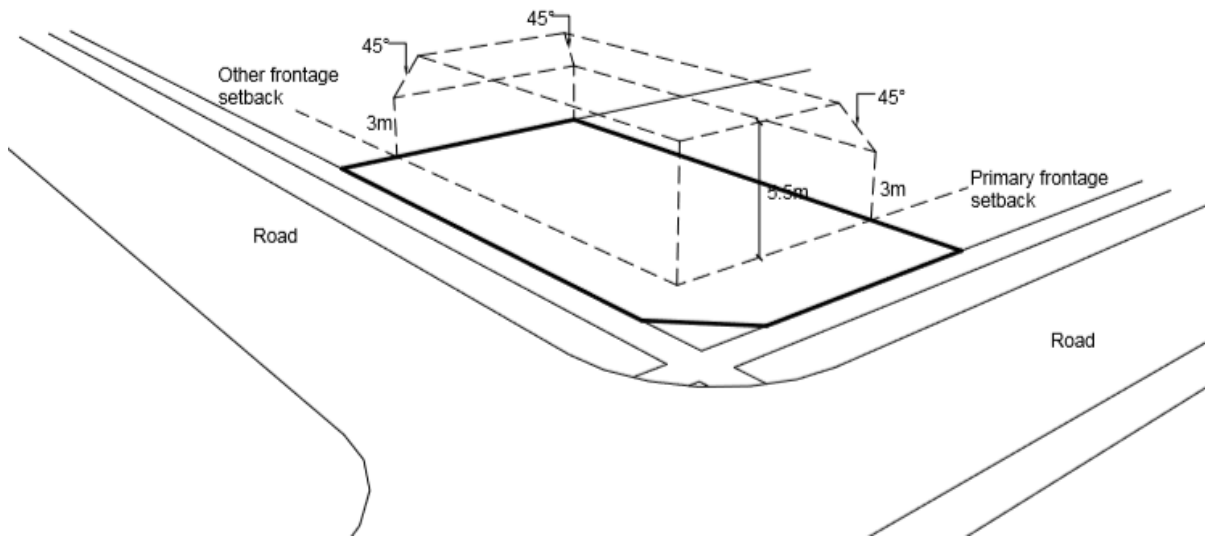


Figure CCO-S5.2 Building envelope for corner lots as required by clause CCO-S5.7.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2)

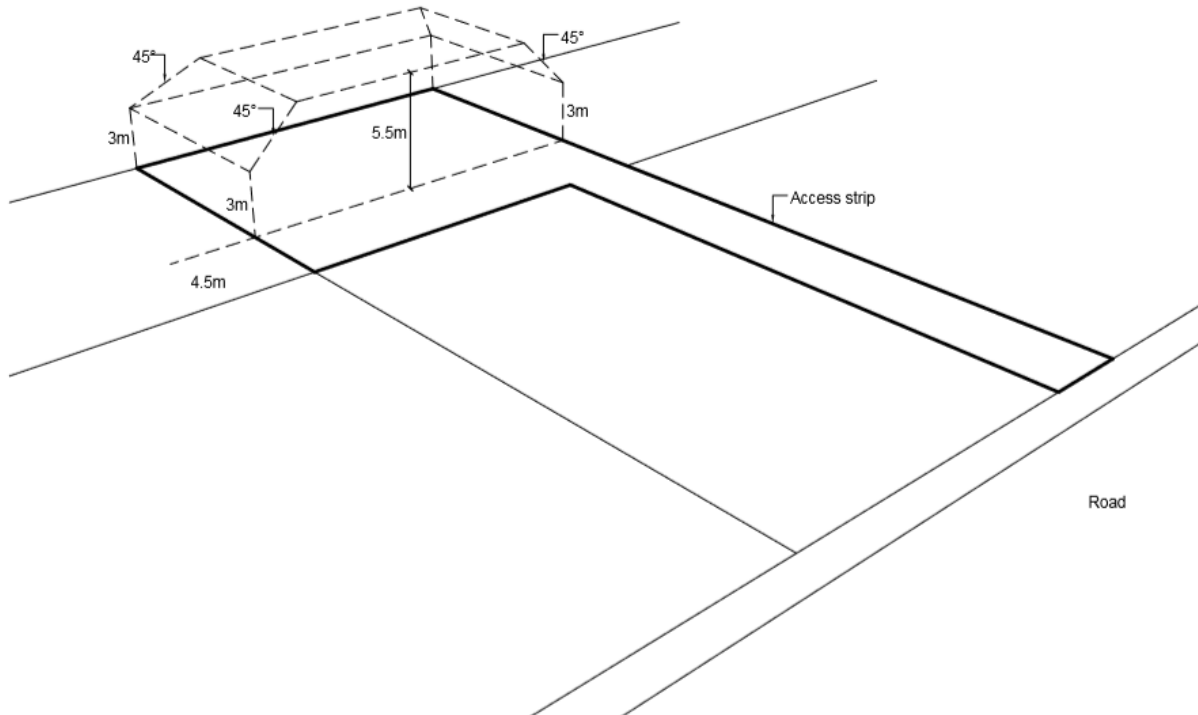


Figure CCO-S5.3 Building envelope for internal lots as required by clause CCO-S5.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2

CCO-S5.7.2 Vegetation management

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5. Development Standards for Non-dwellings.

Objective:	Vegetation is managed in a sustainable manner.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> There must be no clearing or conversion of vegetation within the littoral, riparian and road reserves.	<b>P1</b> Clearing and conversion of vegetation within a littoral, riparian or road reserve must:  (a) not adversely impact on the dune and ecosystem;  (b) form part of approved works under a permit for the site;  (c) be required to provide access to a beach or river; or  (d) be for rehabilitation works.	

CCO-S5.7.3 Landscaping

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

Objective:	The front of the dwelling is landscaped.
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Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>On a site, excluding an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with not less than grass.</p>	<p><b>P1</b></p> <p>No Performance Criterion.</p>

CCO-S5.7.4 Beach access

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5. Development Standards for Non-dwellings.

Objective:	Access to the beach or the River Forth is controlled to minimise damage to the ecosystem.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New vehicular or pedestrian accesses to the beach or River Forth must not be created.</p>	<p><b>P1</b></p> <p>Vehicular or pedestrian accesses to the beach or River Forth must:</p> <ul style="list-style-type: none"> <li>(a) be required to rationalise and reduce the number of existing access; and</li> <li>(b) not adversely impact on the coastal dune or river bank ecosystem.</li> </ul>

**CCO-S5.8 Development Standards for Subdivision**

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

**CCO-S5.9 Tables**

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

# Annexure 3

## CCO–S5.0 Turners Beach Specific Area Plan

### CCO-S5.1 Plan Purpose

The purpose of the Turners Beach Specific Area Plan is:

CCO-S5.1.1 To provide a framework ~~to guide the future development of Turners Beach for use and development in Turners Beach.~~

~~CCO-S5.1.2 To maintain and enhance the coastal character and streetscape of Turners Beach through the retention and expansion of native vegetation on private and public land.~~

~~CCO-S5.1.3 To provide for a limited range of uses that complement a coastal residential area.~~

### CCO-S5.2 Application of this Plan

CCO-S5.2.1 This Specific Area Plan applies to the area of land designated as Turners Beach Specific Area Plan on the overlay maps.

CCO-S5.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for and are in addition to the provisions of the General Residential Zone, as specified in the relevant provision.

### CCO-S5.3 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives
CCO-S5.3.1.1	Turners Beach Specific Area Plan shown on an overlay map as CCO- S5.3.1.1	<p>The local area objectives of the Turners Beach Specific Area Plan are to:</p> <ul style="list-style-type: none"><li>(a) protect and conserve existing native flora and fauna in a natural state;</li><li><del>(b) identify areas vulnerable to coastal inundation by the sea;</del></li><li><del>(c)</del>(b) retain access to the foreshore in a manner that is not disruptive to natural processes;</li><li><del>(d) maintain and enhance opportunity for visual outlook to the sea and coastal landmarks;</del></li><li><del>(e) retain an eclectic mix of housing styles at suburban density and with characteristic building setbacks to the street;</del></li><li><del>(f) provide for new residential development in waterfront locations of a scale and appearance to nestle within the landscape;</del></li><li><del>(g) provide for buildings that are typically one or two storeys high, oriented to the frontage, and separated from the frontage and internal site boundaries;</del></li></ul>

		<p><del>(h)</del> — allow commercial buildings to the frontage;</p> <p><del>(i)</del> — employ low, transparent fencing and vegetation to define the frontage; and side and rear boundary fencing that is unobtrusive in terms of colour and material;</p> <p><del>(j)</del><del>(c)</del> — typically treat the frontage setback for garden and landscape purposes typically treat the area between the frontage and the dwelling (front yard) for landscape and garden purposes;</p> <p><del>(k)</del> — use measures such as split level building design or broken form to minimise the scale and bulk of new buildings and additions to existing buildings;</p> <p><del>(l)</del> — use increased setback distances to minimise any potential privacy loss from buildings that are higher than neighbouring dwellings;</p> <p><del>(m)</del><del>(d)</del> — manage street trees and remnant vegetation to complement and create view corridors in residential areas;</p> <p><del>(n)</del> — retain the generally informal character of the residential area north of the Bass Highway through appropriate street planting, narrowing of streets, and use of swale drains;</p> <p><del>(o)</del> — limit commercial activity to home occupation and local convenience retail;</p> <p><del>(p)</del><del>(e)</del> — retain sand dunes at the natural beach profile; and provide access through the dunes only at specific and formalised locations;</p> <p><del>(q)</del><del>(f)</del> — manage the environmental significance of the River Forth estuary area to retain the Eucalypt forest and under-storey; and</p> <p><del>(r)</del><del>(g)</del> — restrict new development on sand dunes and the River Forth estuary to minor low impact facilities such as toilets and change rooms, and car parking of a size to minimise loss of vegetation and <u>loss of</u> visual quality.</p>
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### CCO-S5.4 Definition of Terms

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

### CCO-S5.5 Use Table

This clause is in substitution for General Residential Zone – clause 8.2 Use Table.

Use Class	Qualification
<b>No Permit required</b>	
Natural and Cultural Values Management	If for conservation, rehabilitation, or protect against degradation, not involving a building or outdoor area for information, interpretation or display of items.
Passive Recreation	<del>If for a public park or reserve for the local community, not Exempt.</del>
<u>Residential</u>	<del>If for a single dwelling.</del>
<b>Permitted</b>	
<u>Natural and Cultural Values Management</u>	<del>If not listed as No Permit Required.</del>
Residential	<del>If for a:</del> <del>(a) home based business;</del> <del>(b) boarding house in which rooms are wholly or partly let in lodgings as a principal place of residence;</del> <del>(c) multiple dwelling, each in a separate dwelling; or</del> <del>(d)(a) a single dwelling, not listed as No Permit Required.</del>
Resource Development	If for a community garden for production or ornamental purposes to service the local community and not involve the keeping of animals.
Utilities	If for minor utilities.
Visitor Accommodation	<del>If within an existing habitable building with a gross floor area of not more than 200m<sup>2</sup> per lot.</del>
<b>Discretionary</b>	
<u>Business and Professional Services</u>	<del>If for:</del> <del>(a) consulting rooms; or</del> <del>(b) a medical centre.</del>
<u>Community Meeting and Entertainment</u>	
Education and Occasional Care	If for: (a) all day, before or after school, occasional or out of school hours care; (b) pre-school; or (c) primary school.



Emergency Services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration.
Food Services	<u>If not a take-away with a drive-through facility</u>
<u>General Retail and Hire</u>	If for: (a) <u>a hairdresser;</u> (b) <u>a beauty salon; or</u> (c) <u>local shop</u>
<del>Passive Recreation</del>	<del>If not listed as No Permit Required.</del>
Utilities	If not listed as Permitted.
<u>Visitor Accommodation</u>	<u>If not listed as Permitted.</u>
<b>Prohibited</b>	
All other uses	

## CCO-S5.6 Use Standards

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

## CCO-S5.7 Development Standards for Buildings and Works

CCO-S5.7.1 Setbacks and building envelope for all buildings

The Acceptable Solution in this clause is in substitution for General Residential Zone – clause 8.4.2 Setback and building envelope for all dwellings A3 and P3 and clause 8.5.1 Non Dwelling Development A2 and P2.

Objective:	That building height: (a) minimises over-shadowing of adjoining sites; <u>and</u> (b) protects privacy of adjoining dwellings; <del>and</del> (c) <del>protects view lines.</del>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> 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: (a) be contained within a building envelope (refer to Figures CCO-S5.1, CCO-S5.2 and CCO-S5.3) determined by:	<b>P1.1</b> The siting and scale of a dwelling must: (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property	

<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 5.5m 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>	<ul style="list-style-type: none"> <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> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <ul style="list-style-type: none"> <li>(i) an adjoining property; or</li> <li>(ii) another dwelling on the same site.</li> </ul> <p><b>P1.2</b></p> <p>Building height of a dwelling must minimise overshadowing, <u>and</u> protect <del>of</del> privacy in adjoining dwellings <del>and protect view lines</del>, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;</li> <li>(b) the likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;</li> <li>(c) the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</li> <li>(d) the apparent building height when viewed from a frontage road and adjacent land in another zone;</li> <li>(e) the effect of the slope and orientation of the site and adjacent land on apparent building height;</li> </ul>
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	<p>(f) the effect and durability of screening to attenuate impact of the building to view from a frontage road or from adjacent land in another zone; and</p> <p><del>(g) the protection of view lines enjoyed by existing dwellings.</del></p> <p>and is not more than <del>7.5m-8.5.</del></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 CCO-S5.1, CCO-S5.2 and CCO-S5.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 5.5m above existing ground level; and</p> <p>(b) only have a setback less than 1.5m from a side or rear boundary if the building:</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 of the length of the side or rear boundary (whichever is lesser).</p>	<p><b>P2.2</b></p> <p>Building height of a building that is not a dwelling must minimise over-shadowing, <u>and</u> protect <del>of</del> privacy in adjoining dwellings <del>and protect view lines,</del> having regard to:</p> <p>(a) the likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;</p> <p>(b) the likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;</p> <p>(c) the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</p> <p>(d) the apparent building height when viewed from a frontage road and adjacent land in another zone;</p> <p>(e) the effect of the slope and orientation of the site and adjacent land on apparent building height;</p> <p>(f) the effect and durability of screening to attenuate impact of the building to view from a frontage road or from adjacent land in another zone; and</p> <p>(g) the protection of view lines enjoyed by existing dwellings,</p> <p>and is not more than <del>7.5m-8.5m.</del></p>

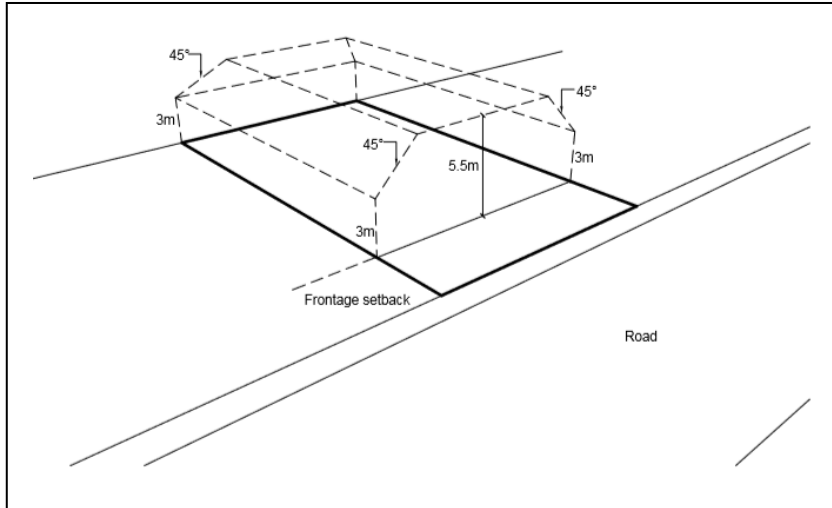


Figure CCO-S5.1 Building envelope as required by clause CCO-S5.7.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2

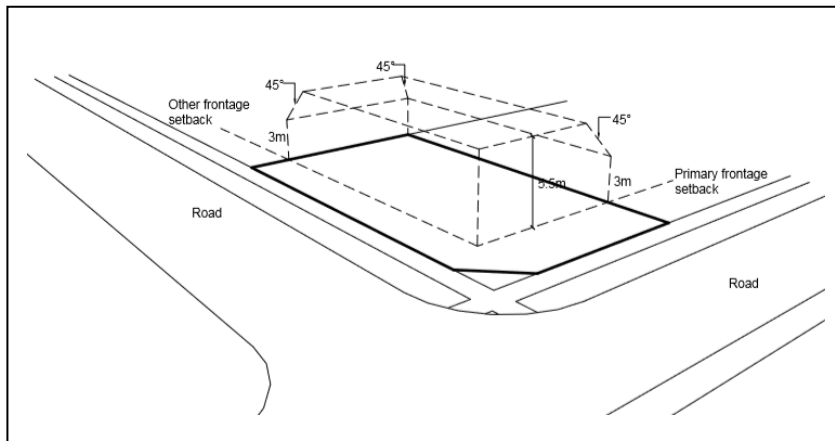


Figure CCO-S5.2 Building envelope for corner lots as required by clause CCO-S5.7.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2)

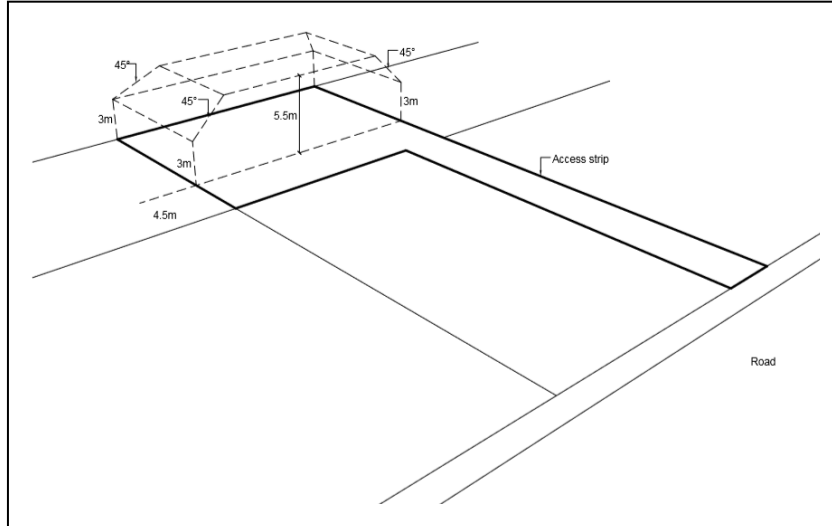


Figure CCO-S5.3 Building envelope for internal lots as required by clause CCO-S5.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2

CCO-S5.7.2 Vegetation management

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5. Development Standards for Non-dwellings.

Objective:	Vegetation is managed in a sustainable manner.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> There must be no clearing or conversion of vegetation within the littoral, riparian and road reserves.	<b>P1</b> Clearing and conversion of vegetation within a littoral, riparian or road reserve must:  (a) not adversely impact on the dune and ecosystem;  (b) form part of approved works under a permit for the site;  (c) be required to provide access <del>to a beach or river; or</del> <u>authorised by the Road Authority to a beach or river and forming part of a planning application; or</u>  (d) be for rehabilitation works.	

CCO-S5.7.3 Landscaping

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

Objective:	The front of the dwelling is landscaped.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	

<p><b>A1</b></p> <p>On a site, excluding an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with <del>not less than grass;</del> <u>native vegetation with a final growth height of not less than 500mm.</u></p>	<p><b>P1</b></p> <p><del>No Performance Criteria</del> <u>On site, excluding an internal lot, not less than 50% of the site area between the site frontage boundary and a building containing a dwelling, must be landscaped with grass and/or other vegetation.</u></p>
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CCO-S5.7.3 Beach access

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings.

Objective:	Access to the beach or the River Forth is controlled to minimise damage to the ecosystem.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New vehicular or pedestrian accesses to the beach or River Forth must not be created.</p>	<p><b>P1</b></p> <p>Vehicular or pedestrian accesses to the beach or River Forth must:</p> <p>(a) be required to rationalise and reduce the number of existing accesses; <del>and</del></p> <p><u>(b) not adversely impact on the coastal dune or river bank ecosystem; and</u></p> <p><del>(b)(c)</del> <u>be authorised by the relevant land manager and/or land owner. -</u></p>

**CCO-S5.8 Development Standards for Subdivision**

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

**CCO-S5.9 Tables**

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

# Annexure 4

## CCO–S5.0 Turners Beach Specific Area Plan

### CCO-S5.1 Plan Purpose

The purpose of the Turners Beach Specific Area Plan is:

- CCO-S5.1.1 To provide a framework for use and development in Turners Beach.
- CCO-S5.1.2 To maintain and enhance the coastal character and streetscape of Turners Beach through the retention and expansion of native vegetation on private and public land.
- CCO-S5.1.3 To provide for a limited range of uses that complement a coastal residential area.

### CCO-S5.2 Application of this Plan

- CCO-S5.2.1 This Specific Area Plan applies to the area of land designated as Turners Beach Specific Area Plan on the overlay maps.
- CCO-S5.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for and are in addition to the provisions of the General Residential Zone, as specified in the relevant provision.

### CCO-S5.3 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives
CCO-S5.3.1.1	Turners Beach Specific Area Plan shown on an overlay map as CCO-S5.3.1.1	<p>The local area objectives of the Turners Beach Specific Area Plan are to:</p> <ul style="list-style-type: none"><li>(a) protect and conserve existing native flora and fauna in a natural state;</li><li>(b) retain access to the foreshore in a manner that is not disruptive to natural processes;</li><li>(c) treat the area between the frontage and the dwelling (front yard) for landscape and garden purposes;</li><li>(d) manage street trees and remnant vegetation to complement and create view corridors in residential areas;</li><li>(e) retain sand dunes at the natural beach profile; and provide access through the dunes only at specific and formalised locations;</li><li>(f) manage the environmental significance of the River Forth estuary area to retain the Eucalyptus viminalis - Eucalyptus globulus coastal forest woodland threatened native vegetation community and under-storey; and</li></ul>

		(g) restrict new development on sand dunes and the River Forth estuary to minor low impact facilities such as toilets and change rooms, and car parking of a size to minimise loss of vegetation and loss of visual quality.
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### CCO-S5.4 Definition of Terms

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

### CCO-S5.5 Use Table

This clause is in substitution for General Residential Zone – clause 8.2 Use Table.

Use Class	Qualification
<b>No Permit required</b>	
Natural and Cultural Values Management	If for conservation, rehabilitation, or protect against degradation, not involving a building or outdoor area for information, interpretation or display of items.
Passive Recreation	If not Exempt.
Residential	If for a single dwelling.
<b>Permitted</b>	
Natural and Cultural Values Management	If not listed as No Permit Required.
Residential	If not listed as No Permit required.
Resource Development	If for a community garden for production or ornamental purposes to service the local community and not involve the keeping of animals.
Utilities	If for minor utilities.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for: (a) consulting rooms; or (b) a medical centre.



Community Meeting and Entertainment	
Natural and Cultural Values Management	If not listed as No Permit Required
Education and Occasional Care	If for: (a) all day, before or after school, occasional or out of school hours care; (b) pre-school; or (c) primary school.
Emergency Services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration.
Food Services	If not a take-away with a drive-through facility
General Retail and Hire	If for: (a) a hairdresser; (b) a beauty salon; or (c) local shop
Utilities	If not listed as Permitted.
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## CCO-S5.6 Use Standards

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

## CCO-S5.7 Development Standards for Buildings and Works

CCO-S5.7.1 Setbacks and building envelope for all buildings

The Acceptable Solution in this clause is in substitution for General Residential Zone – clause 8.4.2 Setback and building envelope for all dwellings A3 and P3 and clause 8.5.1 Non Dwelling Development A2 and P2.

Objective:	That building height: (a) minimises over-shadowing of adjoining sites; and (b) protects privacy of adjoining dwellings.
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Acceptable Solutions	Performance Criteria
<p><b>A1</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 CCO-S5.1, CCO-S5.2 and CCO-S5.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 5.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p><b>P1.1</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; OR</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p> <p><b>P1.2</b></p> <p>Building height of a dwelling must minimise overshadowing, and protect privacy in adjoining dwellings, having regard to:</p> <p>(a) the likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;</p> <p>(b) the likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;</p>

	<ul style="list-style-type: none"> <li>(c) the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</li> <li>(d) the apparent building height when viewed from a frontage road and adjacent land in another zone;</li> <li>(e) the effect of the slope and orientation of the site and adjacent land on apparent building height;</li> <li>(f) the effect and durability of screening to attenuate impact of the building to view from a frontage road or from adjacent land in another zone; and</li> </ul> <p>and is not more than 8.5m.</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> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures CCO-S5.1, CCO-S5.2 and CCO-S5.3) 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 or rear boundaries to a building height of not more than 5.5m above existing ground level; and</li> </ul> </li> <li>(b) only have a setback less than 1.5m from a side or rear boundary if the building: <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> </li> </ul>	<p><b>P2.2</b></p> <p>Building height of a building that is not a dwelling must minimise over-shadowing, and protect privacy in adjoining dwellings having regard to:</p> <ul style="list-style-type: none"> <li>(a) the likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;</li> <li>(b) the likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;</li> <li>(c) the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</li> <li>(d) the apparent building height when viewed from a frontage road and adjacent land in another zone;</li> <li>(e) the effect of the slope and orientation of the site and adjacent land on apparent building height;</li> <li>(f) the effect and durability of screening to attenuate impact of the building to view from a frontage road or from adjacent land in another zone; and</li> </ul> <p>and is not more than 8.5m.</p>

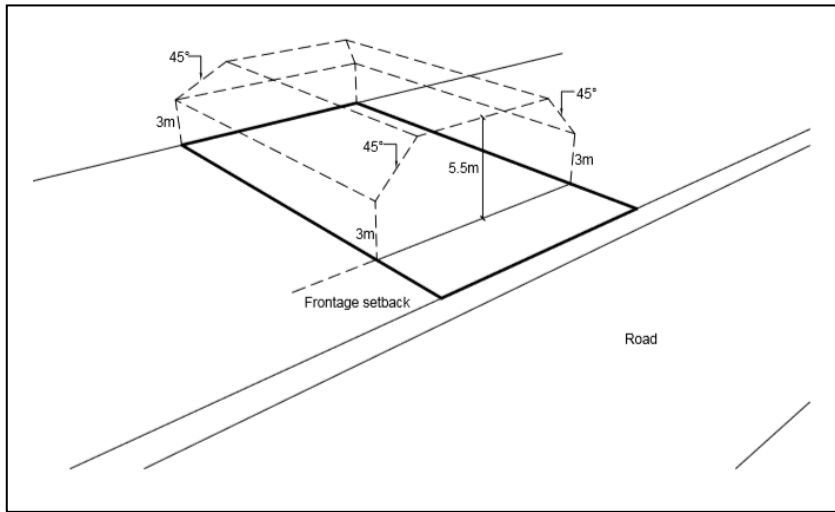


Figure CCO-S5.1 Building envelope as required by clause CCO-S5.7.1-A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2-A3 and clause 8.5.1-A2

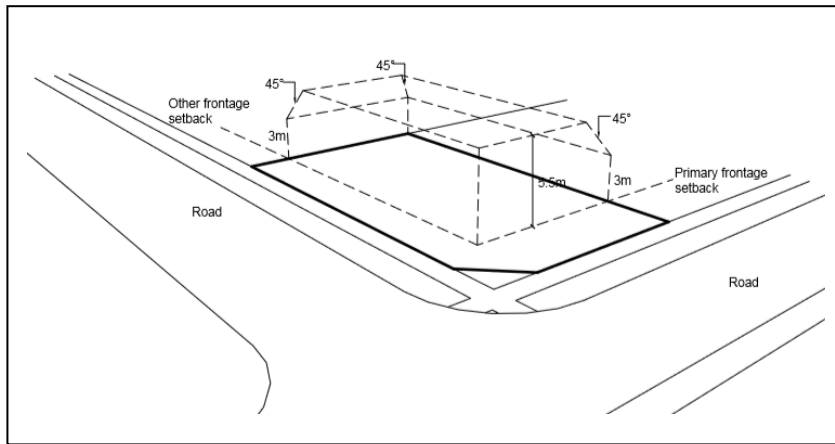


Figure CCO-S5.2 Building envelope for corner lots as required by clause CCO-S5.7.1-A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2-A3 and clause 8.5.1-A2

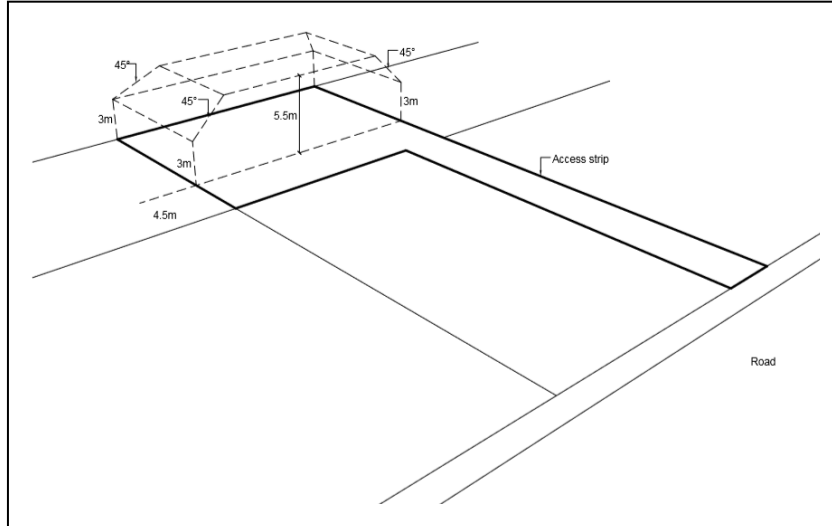


Figure CCO-S5.3 Building envelope for internal lots as required by clause CCO-S5.1-A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2-A3 and clause 8.5.1-A2

CCO-S5.7.2 Vegetation management

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5. Development Standards for Non-dwellings.

Objective:	Vegetation is managed in a sustainable manner.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> There must be no clearing or conversion of vegetation within the littoral, riparian and road reserves.	<b>P1</b> Clearing and conversion of vegetation within a littoral, riparian or road reserve must:  (a) not adversely impact on the dune and ecosystem;  (b) form part of approved works under a permit for the site;  (c) be required to provide access authorised by the Road Authority (if within the road reserve) to a beach or river and forming part of a planning application; or  (d) be for rehabilitation works.	

CCO-S5.7.3 Landscaping

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

Objective:	The front of the dwelling is landscaped.
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Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>On a site, excluding an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with native vegetation with a final growth height of not less than 500mm.</p>	<p><b>P1</b></p> <p>On site, excluding an internal lot, not less than 50% of the site area between the site frontage and a building containing a dwelling, must be landscaped with grass and/or other vegetation.</p>

CCO-S5.7.4 Beach access

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings.

Objective:	Access to the beach or the River Forth is controlled to minimise damage to the ecosystem.	
Acceptable Solutions	Performance Criteria	
<p><b>A1</b></p> <p>New vehicular or pedestrian accesses to the beach or River Forth must not be created.</p>	<p><b>P1</b></p> <p>Vehicular or pedestrian accesses to the beach or River Forth must:</p> <ul style="list-style-type: none"> <li>(a) be required to rationalise and reduce the number of existing accesses; and</li> <li>(b) not adversely impact on the coastal dune or river bank ecosystem; and</li> <li>(c) be authorised by the relevant land manager and/or land owner.</li> </ul>	

**CCO-S5.8 Development Standards for Subdivision**

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

**CCO-S5.9 Tables**

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

# Annexure □



Image No. 1: Turners Beach Specific Area Plan – area outlined above. Refer to image No. 2 for closer aerial view.



Image No. 2: Turners Beach Specific Area Plan – area outlined above.



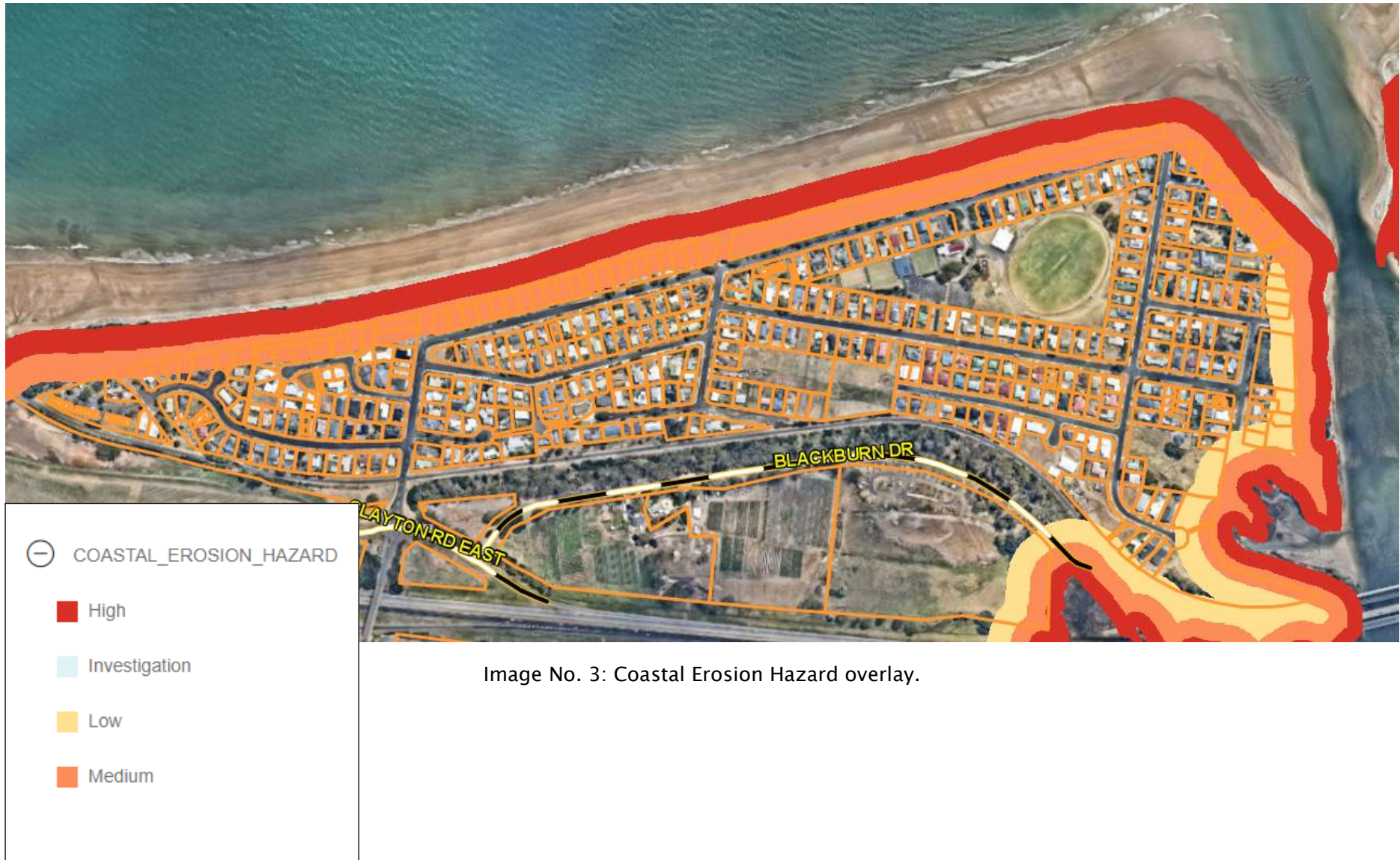


Image No. 3: Coastal Erosion Hazard overlay.

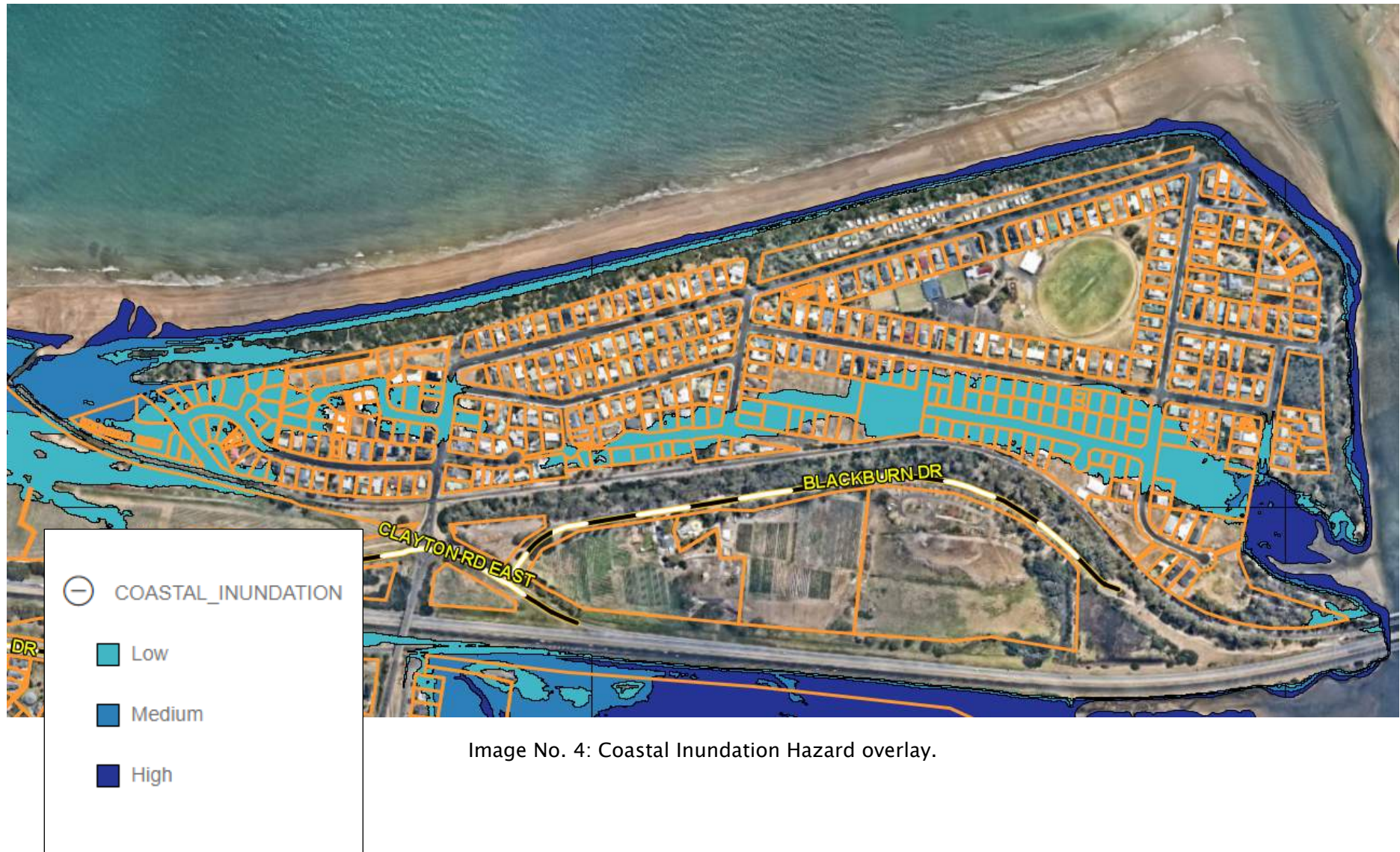


Image No. 4: Coastal Inundation Hazard overlay.

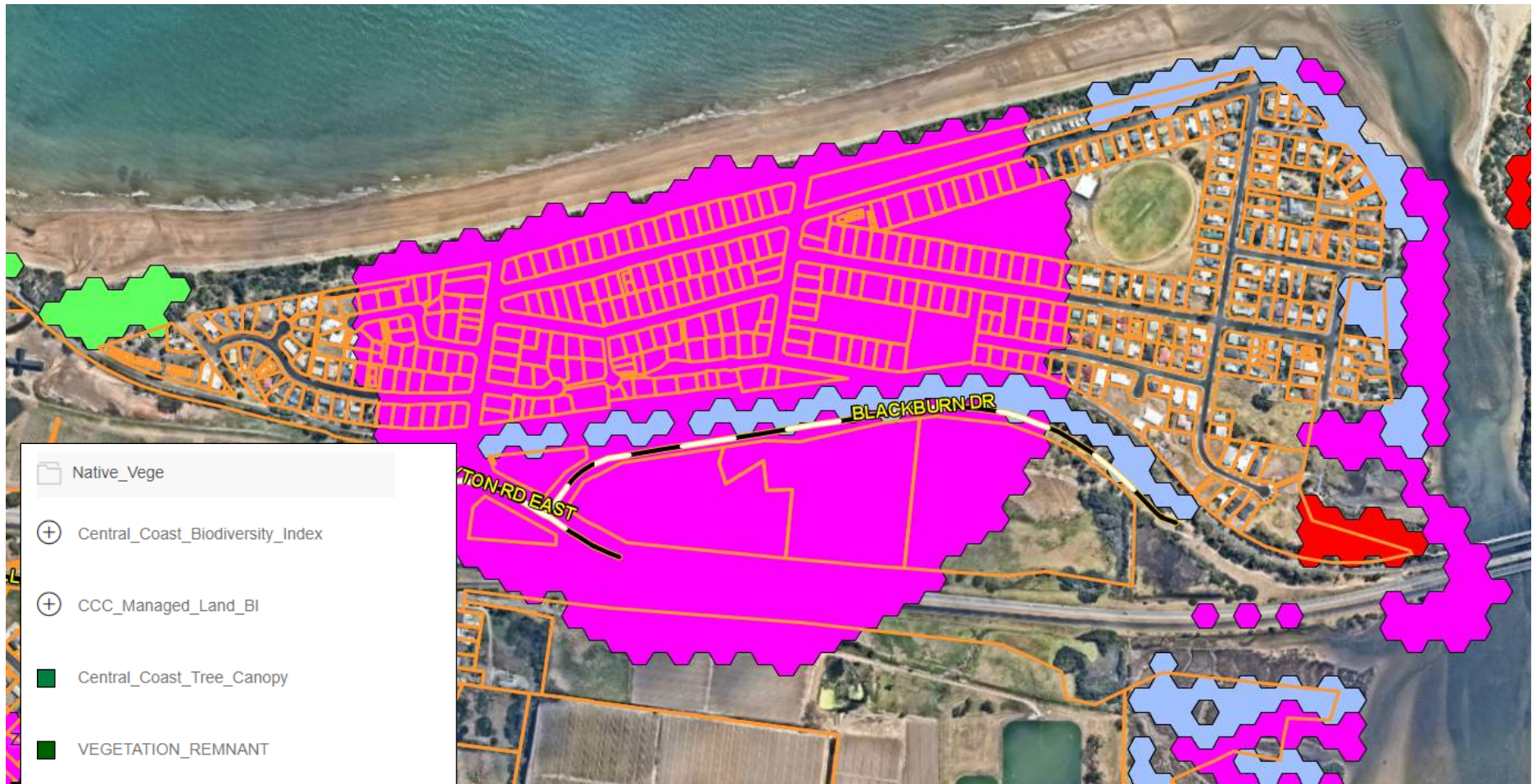


Image No. 5: Priority Vegetation overlay.

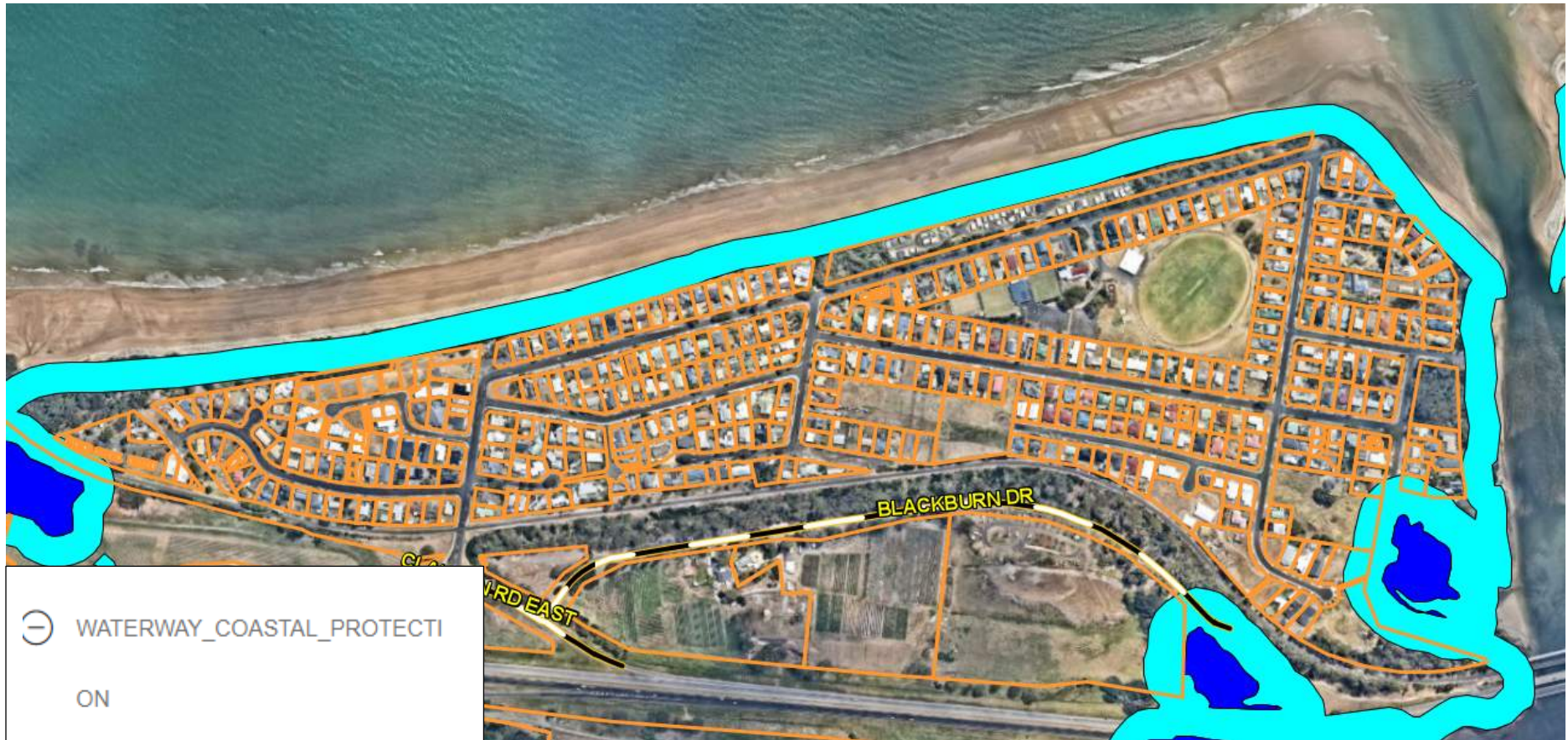


Image No. 6: Waterway Coastal Protection area.

# Annexure 6

## INSTRUMENT OF CERTIFICATION

Draft Amendment LPS2023002

*Tasmanian Planning Scheme – Central Coast*

**Certification of draft amendment to *Central Coast Local Provisions Schedule*  
(s.40F *Land Use Planning and Approvals Act 1993*)**

The Central Coast Council resolved at its meeting of 20 November 2023, that the draft amendment LPS2023002 of the *Central Coast Local Provisions Schedule* meets the requirements specified in s.32 and s.34 of the *Land Use Planning and Approvals Act 1993*. The draft amendment is to amend the Turners Beach Specific Area Plan, as set out in **Attachment 1**.



Turners Beach Specific Area Plan overlay.

THE COMMON SEAL of the Central Coast Council, Tasmania has been hereunto affixed pursuant to a resolution of the Council passed on the 20<sup>th</sup> day of **November 2023** in the presence of:

.....  
Barry Omundson  
GENERAL MANAGER

**Attachment 1**

CCO-S5.0 Turners Beach Specific Area Plan.

THE COMMON SEAL of the Central Coast Council, Tasmania has been hereunto affixed pursuant to a resolution of the Council passed on the 20<sup>th</sup> day of **November 2023** in the presence of:

.....

Barry Omundson  
GENERAL MANAGER

## CCO–S5.0 Turners Beach Specific Area Plan

### CCO-S5.1 Plan Purpose

The purpose of the Turners Beach Specific Area Plan is:

- CCO-S5.1.1 To provide a framework for use and development in Turners Beach.
- CCO-S5.1.2 To maintain and enhance the coastal character and streetscape of Turners Beach through the retention and expansion of native vegetation on private and public land.
- CCO-S5.1.3 To provide for a limited range of uses that complement a coastal residential area.

### CCO-S5.2 Application of this Plan

- CCO-S5.2.1 This Specific Area Plan applies to the area of land designated as Turners Beach Specific Area Plan on the overlay maps.
- CCO-S5.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for and are in addition to the provisions of the General Residential Zone, as specified in the relevant provision.

### CCO-S5.3 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives
CCO-S5.3.1.1	Turners Beach Specific Area Plan shown on an overlay map as CCO- S5.3.1.1	<p>The local area objectives of the Turners Beach Specific Area Plan are to:</p> <ul style="list-style-type: none"> <li>(a) protect and conserve existing native flora and fauna in a natural state;</li> <li>(b) retain access to the foreshore in a manner that is not disruptive to natural processes;</li> <li>(c) treat the area between the frontage and the dwelling (front yard) for landscape and garden purposes;</li> <li>(d) manage street trees and remnant vegetation to complement and create view corridors in residential areas;</li> <li>(e) retain sand dunes at the natural beach profile; and provide access through the dunes only at specific and formalised locations;</li> <li>(f) manage the environmental significance of the River Forth estuary area to retain the <i>Eucalyptus viminalis</i> - <i>Eucalyptus globulus</i> coastal forest woodland threatened native vegetation community and under-storey; and</li> <li>(g) restrict new development on sand dunes and the River Forth estuary to minor low impact facilities</li> </ul>

		such as toilets and change rooms, and car parking of a size to minimise loss of vegetation and loss of visual quality.
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### CCO-S5.4 Definition of Terms

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

### CCO-S5.5 Use Table

This clause is in substitution for General Residential Zone – clause 8.2 Use Table.

Use Class	Qualification
<b>No Permit required</b>	
Natural and Cultural Values Management	If for conservation, rehabilitation, or protect against degradation, not involving a building or outdoor area for information, interpretation or display of items.
Passive Recreation	If not Exempt.
Residential	If for a single dwelling.
<b>Permitted</b>	
Natural and Cultural Values Management	If not listed as No Permit Required.
Residential	If not listed as No Permit required.
Resource Development	If for a community garden for production or ornamental purposes to service the local community and not involve the keeping of animals.
Utilities	If for minor utilities.
Visitor Accommodation	
<b>Discretionary</b>	
Business and Professional Services	If for: (a) consulting rooms; or (b) a medical centre.
Community Meeting and Entertainment	
Natural and Cultural Values Management	If not listed as No Permit Required



Education and Occasional Care	If for:  (a) all day, before or after school, occasional or out of school hours care;  (b) pre-school; or  (c) primary school.
Emergency Services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration.
Food Services	If not a take-away with a drive-through facility
General Retail and Hire	If for:  (a) a hairdresser;  (b) a beauty salon; or  (c) local shop
Utilities	If not listed as Permitted.
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## CCO-S5.6 Use Standards

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

## CCO-S5.7 Development Standards for Buildings and Works

CCO-S5.7.1 Setbacks and building envelope for all buildings

The Acceptable Solution in this clause is in substitution for General Residential Zone – clause 8.4.2 Setback and building envelope for all dwellings A3 and P3 and clause 8.5.1 Non Dwelling Development A2 and P2.

Objective:	That building height:  (a) minimises over-shadowing of adjoining sites; and  (b) protects privacy of adjoining dwellings.  (c)	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that	<b>P1.1</b> The siting and scale of a dwelling must:  (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:	

extend not more than 0.9m horizontally beyond the building envelope, must:

- (a) be contained within a building envelope (refer to Figures CCO-S5.1, CCO-S5.2 and CCO-S5.3) determined by:
  - (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
  - (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 5.5m above existing ground level; and
- (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:
  - (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or
  - (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).

- (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property
  - (ii) overshadowing the private open space of a dwelling on an adjoining property;
  - (iii) overshadowing of an adjoining vacant property; OR
  - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
- (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
  - (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
    - (i) an adjoining property; or
    - (ii) another dwelling on the same site.

**P1.2**

Building height of a dwelling must minimise overshadowing, and protect privacy in adjoining dwellings, having regard to:

- (a) the likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;
- (b) the likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;
- (c) the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;
- (d) the apparent building height when viewed from a frontage road and adjacent land in another zone;

	<ul style="list-style-type: none"> <li>(e) the effect of the slope and orientation of the site and adjacent land on apparent building height;</li> <li>(f) the effect and durability of screening to attenuate impact of the building to view from a frontage road or from adjacent land in another zone; and</li> </ul> <p>and is not more than 8.5m.</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> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures CCO-S5.1, CCO-S5.2 and CCO-S5.3) 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 or rear boundaries to a building height of not more than 5.5m above existing ground level; and</li> </ul> </li> <li>(b) only have a setback less than 1.5m from a side or rear boundary if the building: <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> </li> </ul>	<p><b>P2.2</b></p> <p>Building height of a building that is not a dwelling must minimise over-shadowing, and protect privacy in adjoining dwellings having regard to:</p> <ul style="list-style-type: none"> <li>(a) the likelihood for overshadowing of a habitable room or an area of private open space in a dwelling on the site or adjacent land if the resultant period of sunlight is less than 3 hours between 9.00am and 5.00pm on 21st June;</li> <li>(b) the likelihood for direct overlooking from a window in a building with a finished floor level more than 1.0m above natural ground level to a habitable room or private open space area in a dwelling on the site or on adjacent land;</li> <li>(c) the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land;</li> <li>(d) the apparent building height when viewed from a frontage road and adjacent land in another zone;</li> <li>(e) the effect of the slope and orientation of the site and adjacent land on apparent building height;</li> <li>(f) the effect and durability of screening to attenuate impact of the building to view from a frontage road or from adjacent land in another zone; and</li> </ul> <p>and is not more than 8.5m.</p>

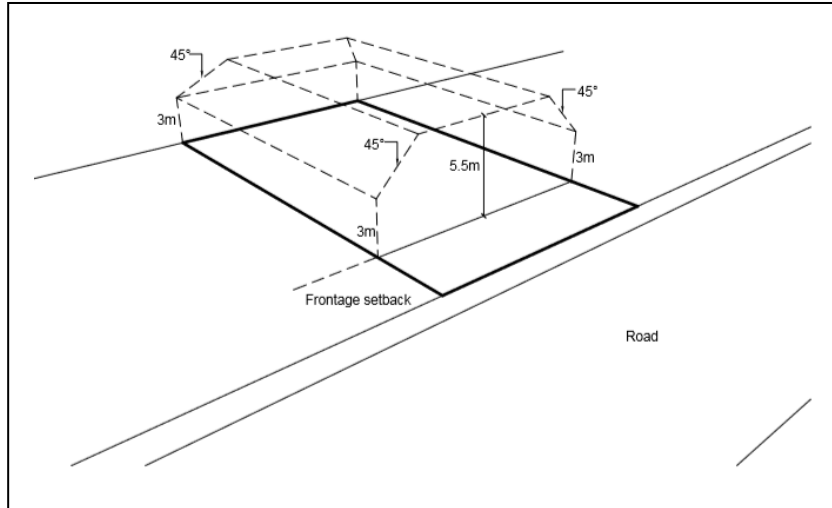


Figure CCO-S5.1 Building envelope as required by clause CCO-S5.7.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2

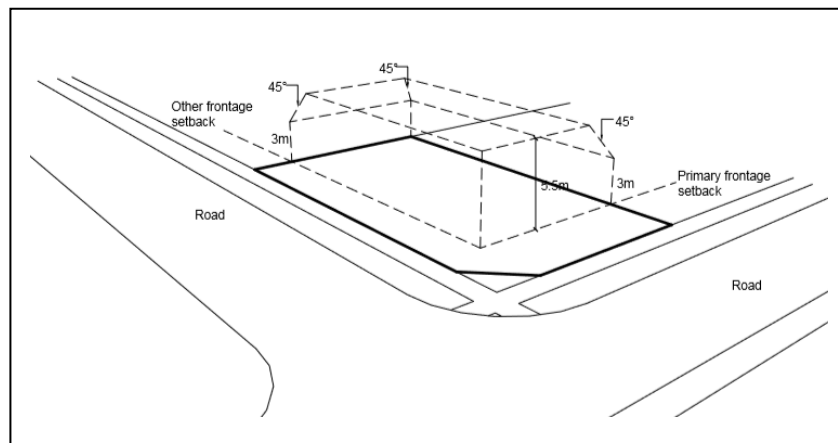


Figure CCO-S5.2 Building envelope for corner lots as required by clause CCO-S5.7.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2)

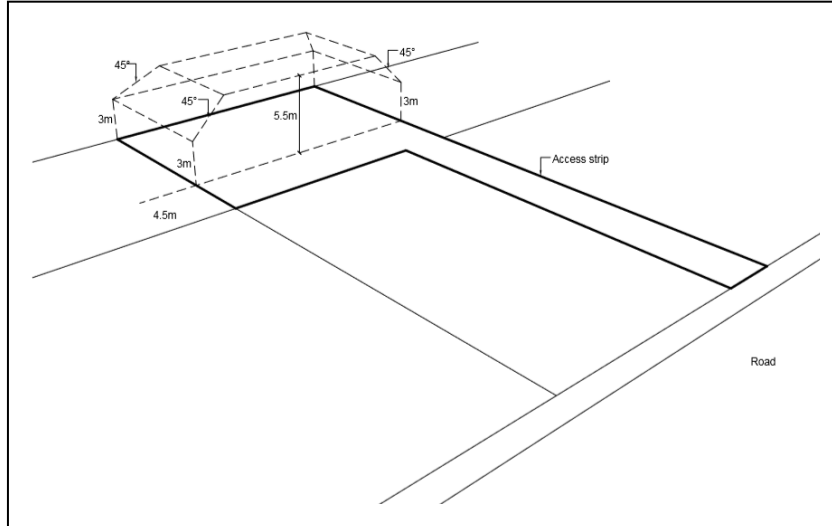


Figure CCO-S5.3 Building envelope for internal lots as required by clause CCO-S5.1 A1 and A2 that is in substitution for General Residential Zone – clause 8.4.2 A3 and clause 8.5.1 A2

CCO-S5.7.2 Vegetation management

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5. Development Standards for Non-dwellings.

Objective:	Vegetation is managed in a sustainable manner.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> There must be no clearing or conversion of vegetation within the littoral, riparian and road reserves.	<b>P1</b> Clearing and conversion of vegetation within a littoral, riparian or road reserve must:  (a) not adversely impact on the dune and ecosystem;  (b) form part of approved works under a permit for the site;  (c) be required to provide access authorised by the Road Authority (if within the road reserve) to a beach or river and forming part of a planning application; or  (d) be for rehabilitation works.	

CCO-S5.7.3 Landscaping

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

Objective:	The front of the dwelling is landscaped.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	

<p><b>A1</b></p> <p>On a site, excluding an internal lot, not less than 50% of the site area between the frontage and a building containing a dwelling must be landscaped with native vegetation with a final growth height of not less than 500mm.</p>	<p><b>P1</b></p> <p>On site, excluding an internal lot, not less than 50% of the site area between the site frontage and a building containing a dwelling, must be landscaped with grass and/or other vegetation.</p>
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CCO-S5.7.4 Beach access

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-dwellings.

Objective:	Access to the beach or the River Forth is controlled to minimise damage to the ecosystem.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>New vehicular or pedestrian accesses to the beach or River Forth must not be created.</p>	<p><b>P1</b></p> <p>Vehicular or pedestrian accesses to the beach or River Forth must:</p> <ul style="list-style-type: none"> <li>(a) be required to rationalise and reduce the number of existing accesses; and</li> <li>(b) not adversely impact on the coastal dune or river bank ecosystem; and</li> <li>(c) be authorised by the relevant land manager and/or land owner.</li> </ul>

**CCO-S5.8 Development Standards for Subdivision**

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

**CCO-S5.9 Tables**

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