



J Ramsay
Executive Commissioner
Tasmanian Planning Commission
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19 April 2024

Dear Mr Ramsay

KING ISLAND DRAFT LOCAL PROVISION SCHEDULES – s34F REPORT

I advise that Council, at its meeting 16 April 2024 endorsed the s.35F report responding to representations received during the exhibition of the King Island draft Local Provision Schedule.

The following documents are now provided:

- Agenda report with minutes.
- Attachment 1 King Island draft LPS S.35 Report April 2024
 - Attachment A - Merit of Representations Received.
 - Attachment B - draft King Island Local Provision Schedule – Written Document (Word & PDF).
 - Attachment C – C16 Airport Overlay Maps.
- Attachment 2 – Representations – a copy of the representations received has already been provided.
- A copy of the King Island draft LPS with tracked changes.

Should you have any queries regarding this matter please do not hesitate to contact me on 6462 9000 or rbarwick@kingisland.tas.gov.au or Planning Consultant, Heidi Goess, on 0438 155 035 or heidi@planplace.com.au

Yours sincerely

Robyn Barwick
Development Services Coordinator





Tasmanian Planning Scheme

King Island Council draft Local Provisions Schedule

Section 35F Report

April 2024

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Abbreviations	
Commission	Tasmanian Planning Commission
Council	King Island Council in its role as a Planning Authority under the <i>Land Use Planning and Approvals Act 1993</i>
CCRLUS	Cradle Coast Regional Land Use Strategy 2010-2030
Guideline 1	Guideline 1 – Local Provisions Schedule Zone and Code Application ¹
KIIPS 2013	King Island Interim Planning Scheme 2013
KILPS	King Island draft Local Provisions Schedule
Land Use Plan	King Island Land Use Plan 2018
LUPAA	Land Use Planning and Approvals act 1993
LIST	Land Information System Tasmania
KIIPS 2013	King Island Local Government Area
PPZ	Particular Purpose Zone
SAP	Specific Area Plan
SSQ	Site-specific Qualification
SPPs	State Planning Provisions
TPS	Tasmanian Planning Scheme
TSCP	Tasmanian State Coastal Policy
Abbreviations - Zone	
AZ	Agriculture Zone
CZ	Commercial Zone
CPZ	Community Purpose Zone
EMZ	Environmental Management Zone
FUZ	Future Urban Zone
GBZ	General Business Zone
GIZ	General Industrial Zone

¹ [Section 8A Guideline No. 1 - Local Provisions Schedule \(LPS\): zone and code application \(version 2.0\), June 2018 \(planning.tas.gov.au\)](#)

GRZ	General Residential Zone
IRZ	Inner Residential Zone
LBZ	Local Business Zone
LCZ	Landscape Conservation Zone
LDRZ	Low Density Residential Zone
LIZ	Light Industrial Zone
MTZ	Major Tourism Zone
OSZ	Open Space Zone
PMZ	Port and Marine Zone
PPZ- CWOD	KIC-P3.0-Particular Purpose Zone – Cape Wickham and Ocean Dunes
PPZ KIRA	KIC-P4.0-Particular Purpose Zone – King Island Rural Area
RecZ	Recreation Zone
RLZ	Rural Living Zone
RZ	Rural Zone
UMUZ	Urban Mixed Use Zone
UZ	Utilities Zone
VZ	Village Zone

1.0 Introduction

The Council has prepared the King Island draft Local Provisions Schedule (KILPS) and endorsed it at its special meeting of 4 October 2023.

Following confirmation from the Tasmanian Planning Commission, the KILPS was publicly exhibited in accordance with the requirements of the Act.

The public exhibition period ended in January 2024, and 27 representations were received. The report considers the representations and the merit of each matter raised.

The report is prepared in accordance with the requirements of section 35F of Act and recommends that the KILPS ought to be modified to take account the representations received.

1.1 Background

The Tasmanian Parliament legislated in December 2015 that there is to be a Tasmanian Planning Scheme (TPS), replacing all interim planning schemes covering each municipality. The TPS comprises the State Planning Provisions (SPPs) and Local Provisions Schedule (LPS). As the planning authority, the Council has prepared the LPS component as part of the TPS.

The current planning scheme is the King Island Interim Planning Scheme 2013 (KIIPS 2013). The KIIPS 2013 was part of the earlier state-wide planning reform process.

The State Government passed the former *Land Use Planning and Approvals (Tasmanian Planning Scheme) Act 2015* to establish the legal requirement for a TPS.

The TPS will replace the traditional arrangement of a separate planning scheme for each municipality.

The Tasmanian Planning Scheme will contain two parts:

- a) The State Planning Provisions (SPPs).

The SPPs provide the following:

- (i) common definitions;
- (ii) when a permit is required;
- (iii) 23 generic zones that may be spatially applied to land, and their application, standards and criteria that apply to use or development;
- (iv) the 16 codes that may be applied to land or development; and
- (v) the format and structure for the Local Provisions Schedule.

- b) The Local Provisions Schedule (LPS)

The LPS must include:

- (i) the maps to demonstrate the spatial application of the zones and code provisions;
- (ii) any additional maps required to demonstrate the spatial application of any overriding or modifying provision (e.g. a SAP, PPZ); and
- (iii) any list or table required to assist in the application of the SPPs.

1.1.1 Exhibited King Island Draft Local Provisions Schedule (KILPS)

The exhibited KILPS includes maps demonstrating the spatial application of the zones, and codes of the SPPS and how these are applied to land areas in the municipality.

It also includes overriding provisions intended to build flexibility for use and development in the rural area of the island. The overriding provisions that relate to the rural area are:

- KIC- P3.0 Particular Purpose Zone – Cape Wickham and Ocean Dunes;
- KIC-P4.0 Particular Purpose Zone – King Island Rural Area; and
- KIC-S1.0 Fences in the King Island Rural Area Specific Area Plan.

The KILPS also proposes a Site-specific Qualification for the property at 15 George Street.

The transitional arrangements of the KILPS are:

- Currie Harbour Tourist Facilities Particular Purpose Zone
- Rocky Glen Particular Purpose Zone and
- Site Specific Qualifications for the Low Density Residential Zone.

These provisions are directly translated from the King Island Interim Planning Scheme 2013. Permitted alterations in accordance with Schedule 6 of the Act have been made to each of these provisions.

1.2 Statutory Requirements – Section 35F of the Act

The report has been prepared to address the statutory requirements of section 35F of the Act, which are reproduced below.

1. *A planning authority, within 60 days after the end of the exhibition period in relation to a draft LPS in relation to the municipal area of the planning authority or a longer period allowed by the Commission, must provide to the Commission a report in relation to the draft LPS.*
2. *The report by the planning authority in relation to the draft LPS is to contain –*
 - (a) a copy of each representation made under section 35E(1) in relation to the relevant exhibition documents in relation to the draft LPS before the end of the exhibition period in relation to the draft LPS, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and*
 - (b) a copy of each representation, made under section 35E(1) about the relevant exhibition documents in relation to the draft LPS after the end of the exhibition period in relation to the draft LPS, that the planning authority, in its discretion, includes in the report; and*
 - ba) a statement containing the planning authority's response to the matters referred to in an LPS criteria outstanding issues notice, if any, in relation to the draft LPS; and*
 - (c) a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or f.!*2.Lin the report, including, in particular, as to-
 - (i) whether the planning authority is of the opinion that the draft LPS ought to be modified to take into account the representation; and*
 - (ii) the effect on the draft LPS as a whole of implementing the recommendation; and*
 - (iii)*
 - (d) a statement as to whether it is satisfied that the draft LPS meets the LPS criteria; and*
 - (e) the recommendations of the planning authority in relation to the draft LPS.*
3. Without limiting the generality of subsection (2)(e) the recommendations in relation to a draft LPS may include recommendations as to whether-

- (a) a provision of the draft LPS is inconsistent with a provision of the SPPs; or
- (b) the draft LPS should, or should not, apply a provision of the SPPs to an area of land; or
- (c) the draft LPS should, or should not, contain a provision that an LPS is permitted under section 32 to contain.

1.3 Outstanding issues notice

There are no outstanding issues notice issued by the delegates of the Commission pursuant to section 35(F)(ba).

2.0 Public Exhibition of the KILPS

In accordance with the requirements of the Act, the draft LPS was made available for public exhibition for a period of 60 days. The public or interested persons could inspect all documentation, written instrument, zone and overlay maps and priority vegetation data. Any interested person could make a representation concerning the content of the draft LPS. Representations were invited from 28 October 2023 until the close of business on 12 January 2024.

Representations received after 12 January 2023 were accepted by the planning authority.

Under sections 35C and 35D of the Act, the Council informed the public of the exhibition of the draft LPS. The notifications included:

- (a) Newspaper notifications published in the Advocate Newspaper on 28 October 2023 and 30 November 2023;
- (b) Newspaper notification published in the King Island Courier on 2 November 2023 and 30 November 2023;
- (c) the relevant documents were available for inspection at:
 - a. the Council office, in Currie; and
 - b. Via the Council's website.

An interactive map tool prepared by Insight GIS was made available for viewing via the Council's website. The interactive map tool enabled a user to identify the applicable zones and codes applying to a property of interest.

During the public exhibition period, the Council planning staff were made available to respond to queries and provide further advice to any interested person. Assistance was available via email, phone, or appointments.

Additionally, during November 2023, Council staff held two separate information sessions at the Council chambers in Currie and a drop-in session in the centre of Currie at a community hall. The sessions were advertised. The sessions held had limited attendance.

3.0 Representations

The Council received 27 representations during the statutory public exhibition period. Table 1 summarizes the representations and recommended changes. The summary in Table 1 is derived from the comprehensive analysis undertaken for each representation in Attachment A.

Table 1: Summary of Representations.				
	Representor	Location	Matters Raised	Modification to LPS
1	TasWater	Currie	Request an alternative zone to two properties zoned Utilities.	Change zone from Utilities to Recreation for a single property.
2.	TasWater	Grassy	Request Utilities Zone to TasWater assets.	Apply the Utilities Zone instead of the Village Zone Village and PPZ-KIRA.
3	Alan Fulong	Island	Support for PPZ-KIRA	No action are recommended.
4	Tasmanian Land Conservancy	Sea Elephant	Request Landscape Conservation Zone	The requested zone change is not supported. However, amend the PPZ-KIRA written document to include controls to improve landscape value outcomes in the rural area.
5	Conservation Landholders Tasmania	Yambacoona, Reekara Road, Sea Elephant	Request Landscape Conservation Zone	The requested zone change is not supported. However, amend the PPZ-KIRA written document to include controls to improve landscape value outcomes in the rural area.
6	State Emergency Service	Island	Further flood-prone area mapping. Support for the PPZ-KIRA. Table C11.1 Coastal Inundation Hazard Bands.	No change to the zone or overlay maps. Amend KILPS written document to update Table C11.1.
7	Arthur Heynemann	Lymwood	Request Landscape Conservation Zone	The requested zone change is not supported. However, amend the PPZ-KIRA written document to include controls to improve landscape value outcomes in the rural area.

8	Ballarat Clarendon College	Wickham	Clarify use classes Passive Recreation and Natural and Cultural Values Management. Prohibited uses.	Amend the KIC-P4.4 Use Table, PPZ-KIRA written document to remove qualification. Amend the KIC-P4.4 Use Table, PPZ-KIRA written document to include an additional Discretionary use.
9	Andrew Morris	Yarra Creek	Waterway and coastal protection area – inclusion of waterway	Amend the coastal protection and waterway area overlay in the KILPS.
10	Jim McKenzie	Island	Support PPZ-KIRA. Concerned with the introduction of SAP – Fences	No actions are recommended.
11	D. Delaney & B. Youd	West coast of island	PPZ-KIRA opportunity for non-agricultural use and coastal living opportunities.	Minor modifications to the PPZ-KIRA written document to capture a broader range of non-agricultural use and development. The relaxation of subdivision controls for rural residential development not supported. No other changes.
12	David Bowling, Surprise Bay Pastoral Co.	Surprise Bay	PPZ-KIRA, request application to PPZ-CWOD.	No actions are recommended.. Insufficient strategic rationale to meet s34 of the Act.
13	Graeme Grant, Golf Course Designer	Surprise Bay	PPZ-KIRA, request application to PPZ-CWOD.	No actions are recommended.. Insufficient strategic rationale to meet s34 of the Act.
14	Russell Masters, Track Building Design	PPZ-KIRA	PPZ-KIRA various.	Various, some minor changes to the KILPS written document.
15	Jenny Clemons	PPZ-KIRA	PPZ-KIRA setbacks. SAP – Fences	No changes recommended other than site coverage.

16	Arthur Winton Company	Cape Wickham	PPZ-KIRA, request application to PPZ-CWOD.	No actions recommended. Insufficient strategic rationale to demonstrate compliance with s34 of the Act.
17	Kim George and Guy Barnes	Island rural area and Currie	PPZ-KIRA opportunity for non-agricultural use and coastal living opportunities. Objects to the Utilities Zone of Council's land in Charles Street. Concerned that the Attenuation Code will apply to adjacent residential land.	Amend the PPZ-KIRA written document to provide for non-agricultural use and development. No relaxation of subdivision controls is recommended. No other changes.
18	King Island Council	Island	Airport overlay proposed for inclusion. Modification to the KILPS written document. Errors in priority vegetation area overlay.	Amend the LPS mapping to include the Airport overlay. Amend the PPZ-CWOD for written document. Support all recommended changes.
19	Evan Broadman, e3 Planning Pty Ltd	Island rural area	PPZ-KIRA opportunity for non-agricultural use and coastal living opportunities. Concerned that the Attenuation Code will apply to adjacent residential land.	Amend the PPZ-KIRA written document to provide for non-agricultural use and development. No relaxation of subdivision controls recommended. No other changes.
20	Lead Light Investments, Kim George	Island rural area and Currie	Objects to the Utilities Zone of Council's land in Charles Street.	No actions are recommended.
21	Grant Hirst, Ocean Dunes Holdings Pty Ltd	Ocean Dunes	PPZ-KIRA, request application of PPZ-CWOD to an additional single title.	No actions are recommended. Insufficient strategic rationale to demonstrate compliance with s34 of the Act.

22	Grant Hirst, Wickham Views Pty Ltd	Cape Wickham	Requests relaxation of the use class Residential in the PPZ-CWOD.	No actions are recommended. Insufficient strategic rationale to demonstrate compliance with s34 of the Act.
23	Anne Chuter, Chief Forest Practices Officer	SAP-Fences Priority Vegetation Area	Notes the SAP- Fences. Notes that some vegetated areas outside of the priority vegetation area.	No actions are recommended. Issues are of a technical nature and must be resolved with Tasmanian Planning Commission.
24	Infrastructure Tasmania, Department of State Growth	Island	Raises concern with the application of zones to the road asset and mining leases.	
25	Kate Armstrong	Sea Elephant	Requests Landscape Conservation Zone.	The requested zone change is not supported. Amend PPZ-KIRA written document to include controls to improve landscape value outcomes in the rural area.
26	Department of Natural Resources and Environment	Island	Requests Environmental Management Zone to identified properties. Concerned that the PPZ-KIRA does not integrate the principles of the State Policy on the Protection of Agricultural Land 2009. Queries the waterway and coastal protection area.	Apply the Environmental Management Zone instead of PPZ-KIRA to identified properties. Amend the waterway and coastal protection area of overlay in conjunction with the Department of Natural Resources and Environment.
27	Angela Sommerville	Sea Elephant	Requests Landscape Conservation Zone.	The requested zone change is not supported. Amend the PPZ-KIRA written document to include controls to improve landscape value outcomes in rural areas.

4.0 Discussion

The KILPS has been prepared in accordance with the requirements of the Act. The KILPS including the written document, the application of zones and overlays must satisfy the criteria set out in section 34 (2) of the Act.

The LPS criteria in section 34(2) are reproduced below.

- (2) The LPS criteria to be met by a relevant planning instrument are that the instrument -
- (a) contains all the provisions that the SPPs specify must be contained in an LPS; and*
 - (b) is in accordance with [section 32](#) ; and*
 - (c) furthers the objectives set out in [Schedule 1](#) ; and*
 - (d) is consistent with each State policy; and*
 - (da) satisfies the relevant criteria in relation to the TPPs; and*
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
 - (f) has regard to the strategic plan, prepared under [section 66 of the Local Government Act 1993](#) , that applies in relation to the land to which the relevant planning instrument relates; and*
 - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
 - (h) has regard to the safety requirements set out in the standards prescribed under the [Gas Safety Act 2019](#).*

If the Council, as the planning authority endorses the changes to the KILPS, it must be satisfied that the recommended changes meet the above criteria.

Attachment A contains a statement concerning the effect of the recommended modifications to the KILPS as set out in section 5.0 of this report and if these meet the LPS criteria.

4.1 Strategic considerations and Modifications to the draft LPS following public exhibition

Many of the representations received are strategic and concern the overriding provisions in the PPZ-KIRA. The PPZ-KIRA provides tailored use and development controls, seeks a balanced approach to implementing the State Policy on the Protection of Agricultural Land, and provides opportunities for non-agricultural uses within this land unit. The critical challenge in preparing these overriding provisions is striking the balance of competing demands in the rural area of the island whilst protecting the land resource.

The representations have provided valuable feedback and have promoted Council to re-analyse the overriding provisions to determine if the controls achieve the desired outcomes.

Modifications to the KILPS in response to the representations are recommended where there is an apparent and compelling justification for changes to the zones or the written document.

A summary of the recommended modifications to the KILPS are provided at section 5.0 of this report.

Following the endorsement of Council's 35F report, the Commission will assess the representations and facilitate public hearings at a later date to be advised.

4.2 Representations concerning the SPPs

The Council pursuant to section 35G, may notify the Minister as to whether an amendment of SPPs is required. The representations do not raise any matters concerning the SPPs.

No of the representations raise issues to warrant Council to submit a section 35G report. A specific recommendation is, therefore, not included for Council's determination.

5.0 Recommendation

In accordance with Section 35F (2)(c) and 35F(2)(e) of the Act, the Council acting as the Planning Authority recommends the following modifications to the KILPS.

Representation	Recommendation to the KILPS
1	Modify the zoning maps to apply the Recreation Zone to land at CT:157421/1
2	Modify the zoning maps to apply the Utilities Zone to the following properties: <ul style="list-style-type: none"> • 8 Banksia Street, Grassy (CT: 175265/1); • 2 Acacia Street, Grassy (CT:112916/91); and • Upper Grassy Dam, Grassy Harbour Road, Grassy (CT:109240/1).
4, 5, 7, 15 (site coverage), 27	Modify the written document 4.0 PPZ-KIRA in accordance with Attachment B as follows - <ol style="list-style-type: none"> 1. Delete KIC-P4.6.1 A1 (a) and replace with the following: <ul style="list-style-type: none"> (a) <i>12m if for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities; and</i> 2. Delete KIC-P4.6.1 P1(b) and replace (b) with the following words <ul style="list-style-type: none"> a) not unreasonably impact on the coastal or rural landscape, having regard to: <ul style="list-style-type: none"> (i) <i>the proposed height of the building;</i> (ii) <i>the topography of the site;</i> (iii) <i>the visual impact on the skyline;</i> (iv) <i>the location of development in relation to cleared areas;</i> (v) <i>the need to remove vegetation;</i> (vi) <i>any screening of the proposed building when viewed from roads and public areas including the foreshore; and</i> (vii) <i>the scenic coastal and rural landscape values of the surrounding area.</i> 3. Modify KIC-P4.6.4, A1:

	<p>(a) delete the words 'Residential and Visitor Accommodation' after 'site coverage'; and</p> <p>(b) insert 'excluding buildings for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities' after the words 'site coverage'; and</p> <p>(c) change 250m² to 400m².</p> <p>4. Modify KIC-P4.6.4, P1:</p> <p>(a) delete the words 'Residential and Visitor Accommodation' after 'site coverage'; and</p> <p>(b) insert 'excluding buildings for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities' after the words 'site coverage'.</p> <p>5. Modify KIC-P4.6.4, A2:</p> <p>(a) delete the words 'Residential and Visitor Accommodation' after 'Buildings'; and</p> <p>(b) insert 'excluding those for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities' after the words 'Buildings'.</p> <p>6. Modify KIC-P4.6.4, P2:</p> <p>(c) delete the words 'for Residential and Visitor Accommodation' after 'Exterior building finishes'; and</p> <p>(d) insert 'excluding those for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities' after the words 'Exterior building finishes'.</p> <p>7. Modify KIC-P4.6.4 by inserting after A1 and P1 the following:</p> <table border="1" data-bbox="528 1290 1321 1760"> <tr> <td data-bbox="528 1290 919 1760"> <p>A2</p> <p>Buildings and works, excluding Extractive Industries, Recycling and Waste Disposal, Resource Development, must:</p> <p>(a) → be located within a building area, if shown on a sealed plan;</p> <p>(b) → be an alteration or extension to an existing building providing it is not more than the existing building height; or</p> <p>(c) → be located on the site that does not require the removal of native vegetation.</p> </td> <td data-bbox="919 1290 1321 1760"> <p>P2</p> <p>Buildings and works must be located to minimise native vegetation removal and the impact on coastal and rural landscape values, having regard to:</p> <p>(a) → the extent of the area from which vegetation has been removed;</p> <p>(b) → the extent of native vegetation to be removed;</p> <p>(c) → any remedial or mitigation measures or revegetation requirements;</p> <p>(d) → provision for native habitat for native fauna;</p> <p>(e) → the management and treatment of the balance of the site or native vegetation areas;</p> <p>(f) → the type, size, and design of development; and</p> <p>(g) → the landscape values of the site and surrounding area.</p> </td> </tr> </table> <p>Renumber KIC-P4.6.4 A2 and P2 to KIC-P4.6.4 A3 and P3.</p>	<p>A2</p> <p>Buildings and works, excluding Extractive Industries, Recycling and Waste Disposal, Resource Development, must:</p> <p>(a) → be located within a building area, if shown on a sealed plan;</p> <p>(b) → be an alteration or extension to an existing building providing it is not more than the existing building height; or</p> <p>(c) → be located on the site that does not require the removal of native vegetation.</p>	<p>P2</p> <p>Buildings and works must be located to minimise native vegetation removal and the impact on coastal and rural landscape values, having regard to:</p> <p>(a) → the extent of the area from which vegetation has been removed;</p> <p>(b) → the extent of native vegetation to be removed;</p> <p>(c) → any remedial or mitigation measures or revegetation requirements;</p> <p>(d) → provision for native habitat for native fauna;</p> <p>(e) → the management and treatment of the balance of the site or native vegetation areas;</p> <p>(f) → the type, size, and design of development; and</p> <p>(g) → the landscape values of the site and surrounding area.</p>
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4,5, 7, 15 (site coverage), 27,	Insert an additional clause after KIC-P4.6.4 A1/P1 in the written document to address vegetation removal in accordance with Attachment B.		

	<p>Renumber KIC-P4.6.4 A2 and P2 to KIC-P4.6.4 A3 and P3 in accordance with Response 4, Attachment A.</p> <p>The modified written document of the KILPS is contained in Attachment B.</p>																																			
6	<p>Modify the written document of the KILPS in accordance with Attachment B by replacing Table C11.1 with the following:</p> <table border="1"> <thead> <tr> <th>Locality</th> <th>High Hazard Band (m AHD)</th> <th>Medium Hazard Band (m AHD)</th> <th>Low Hazard Band (m AHD)</th> <th>Defined Flood Level (m AHD)</th> </tr> </thead> <tbody> <tr> <td></td> <td>Sea Level Rise 2050</td> <td>1% annual exceedance probability 2050 with freeboard</td> <td>1% annual exceedance probability 2100 (design flood level) with freeboard</td> <td>1% annual exceedance probability 2100</td> </tr> <tr> <td>Currie</td> <td>0.8</td> <td>1.8</td> <td>2.1</td> <td>2.4</td> </tr> <tr> <td>Grassy</td> <td>01.2</td> <td>2.2</td> <td>2.6</td> <td>2.9</td> </tr> <tr> <td>Loorana</td> <td>0.8</td> <td>1.8</td> <td>2.1</td> <td>2.4</td> </tr> <tr> <td>Naracoopa</td> <td>1.3</td> <td>2.2</td> <td>2.8</td> <td>2.5</td> </tr> <tr> <td>All other localities</td> <td>1.3</td> <td>2.2</td> <td>2.9</td> <td>2.6</td> </tr> </tbody> </table> <p>The modified written document is contained in Attachment B.</p>	Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)		Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100	Currie	0.8	1.8	2.1	2.4	Grassy	01.2	2.2	2.6	2.9	Loorana	0.8	1.8	2.1	2.4	Naracoopa	1.3	2.2	2.8	2.5	All other localities	1.3	2.2	2.9	2.6
Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)																																
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100																																
Currie	0.8	1.8	2.1	2.4																																
Grassy	01.2	2.2	2.6	2.9																																
Loorana	0.8	1.8	2.1	2.4																																
Naracoopa	1.3	2.2	2.8	2.5																																
All other localities	1.3	2.2	2.9	2.6																																
8	<p>Modify the written document of the KILPS in accordance with Attachment B to modify the Use Table KIC-P4.4:</p> <ul style="list-style-type: none"> • remove the qualification for the following No Permit Required use classes: <ul style="list-style-type: none"> ○ Natural and Cultural Values Management; ○ Passive Recreation; and • Insert 'Motor Racing Facility' as an additional Discretionary use class. 																																			
9	<p>Modify the 'waterway and coastal protection area' in the overlay maps, to reinstate a section of Yarra Creek concerning the following properties in accordance with Response 9, Attachment A:</p> <ul style="list-style-type: none"> • Yarra Creek Road, Lymwood (CT: 122930/2, CT:85495/5); and • 233 Yarra Creek Road, Lymwood (CT: 72771/7, CT:71810/6). 																																			
11, 14, 15 (site coverage) 17, 21	<p>Modify the written document at KIC-P4.0 PPZ – KIRA in accordance with Attachment B, amending the drafting of clause KIC-P4.5.1, P1 by inserting the following criteria after sub-clause (iii):</p>																																			

	<p>(iv) whether the proposed use services and supports the operation of primary industries on the island; and</p> <p>(i) (v) whether the use requires separation from other uses to minimise impacts.</p>		
18	<p>Insert an additional Acceptable Solution and Performance Criteria below into the 3.0 PPZ-CWOD in accordance with Attachment B to allow consideration of exterior materials and cladding of the building form.</p> <p>KIC-P3.6.3 Landscape values</p> <p><i>Objective:</i></p> <p><i>That development is compatible with the coastal and rural landscapes when viewed from roads and public places adjoining the site</i></p> <table border="0"> <tr> <td style="vertical-align: top;"> <p><i>A1</i></p> <p><i>Buildings must have exterior finishes, with a light reflectance value not more than 20%, and be in dark natural tones of black, grey, green or brown.</i></p> </td> <td style="vertical-align: top;"> <p><i>P1</i></p> <p><i>Exterior building finishes must be designed to minimise impact on the scenic values</i></p> <p><i>and rural and coastal landscape of the site and surrounding area, having regard to:</i></p> <p><i>(a) the local area objectives;</i></p> <p><i>(b) any screening provided by the topography;</i></p> <p><i>(c) the impact of the development on the natural and cultural values of the site and surrounding land;</i></p> <p><i>(d) the design, scale, siting, materials and type of building proposed;</i></p> <p><i>(e) the visual prominence of buildings when viewed from public areas including roads and foreshores; and</i></p> <p><i>(f) any screening proposed.</i></p> </td> </tr> </table> <p>The modified written document of the KILPS is contained in Attachment B.</p>	<p><i>A1</i></p> <p><i>Buildings must have exterior finishes, with a light reflectance value not more than 20%, and be in dark natural tones of black, grey, green or brown.</i></p>	<p><i>P1</i></p> <p><i>Exterior building finishes must be designed to minimise impact on the scenic values</i></p> <p><i>and rural and coastal landscape of the site and surrounding area, having regard to:</i></p> <p><i>(a) the local area objectives;</i></p> <p><i>(b) any screening provided by the topography;</i></p> <p><i>(c) the impact of the development on the natural and cultural values of the site and surrounding land;</i></p> <p><i>(d) the design, scale, siting, materials and type of building proposed;</i></p> <p><i>(e) the visual prominence of buildings when viewed from public areas including roads and foreshores; and</i></p> <p><i>(f) any screening proposed.</i></p>
<p><i>A1</i></p> <p><i>Buildings must have exterior finishes, with a light reflectance value not more than 20%, and be in dark natural tones of black, grey, green or brown.</i></p>	<p><i>P1</i></p> <p><i>Exterior building finishes must be designed to minimise impact on the scenic values</i></p> <p><i>and rural and coastal landscape of the site and surrounding area, having regard to:</i></p> <p><i>(a) the local area objectives;</i></p> <p><i>(b) any screening provided by the topography;</i></p> <p><i>(c) the impact of the development on the natural and cultural values of the site and surrounding land;</i></p> <p><i>(d) the design, scale, siting, materials and type of building proposed;</i></p> <p><i>(e) the visual prominence of buildings when viewed from public areas including roads and foreshores; and</i></p> <p><i>(f) any screening proposed.</i></p>		
18	<p>Delete the KILPS Safeguarding Airports Overlay and replace with the KILPS – Safeguarding Airports Overlay in Attachment C.</p>		
18	<p>Modify the zoning maps to apply the 4.0 PPZ-KIRA to the following properties:</p> <ul style="list-style-type: none"> • 253B Buttons Road, Bungaree (CT: 140285/1); • 253 Buttons Road, Bungaree (CT: 140285/2); and • Bungaree Road, Bungaree (CT:130531/5). 		

18	<p>Modify the zoning maps to apply the UZ to the following property:</p> <ul style="list-style-type: none"> • 22 South Road, Nugara (CT:108400/8).
18, 23, 26	<p>Delete the priority vegetation area overlay in the KILPS and replace with an amended priority vegetation overlay area based on the data from the Department of Natural Resources and Environment.</p> <p><i>Note: the recommended modification cannot be implemented until data becomes available from the Department of Natural Resources and Environment becomes available and an amended priority vegetation area overlay can be prepared.</i></p>
26	<p>Modify the zoning maps to apply the Environmental Management Zone to the following properties:</p> <ul style="list-style-type: none"> • Seal Rocks Road, Surprise Bay (CID 627100); • Seal Rocks Road, Surprise Bay (CID 627102); and • Etterick River, South Road, Nugara (CID 1386792)

6.0 Conclusion

The report, including Attachments 1 and Attachment 2, is in response to the representations made during the public exhibition to the KILPS. The report has assessed each representation and accordingly has recommended modifications to the draft LPS. The report is prepared in response to the requirements of section 35(F) and is suitable for submission to the Tasmanian Planning Commission.

Attachment A – Merit of the Representations Received

The planning authority has conducted an analysis of all of the representations received as required by section 35F of the *Land Use Planning and Approvals Act 1993*.

The following pages has considered each representation and addresses:

- *Merit of the matters raised;*
- *Recommended modifications to the KILPS;*
- *Effect on the KILPS as a whole of implementing the recommendation; and*
- *A statement as to whether it is satisfied that the draft LPS meets the criteria.*

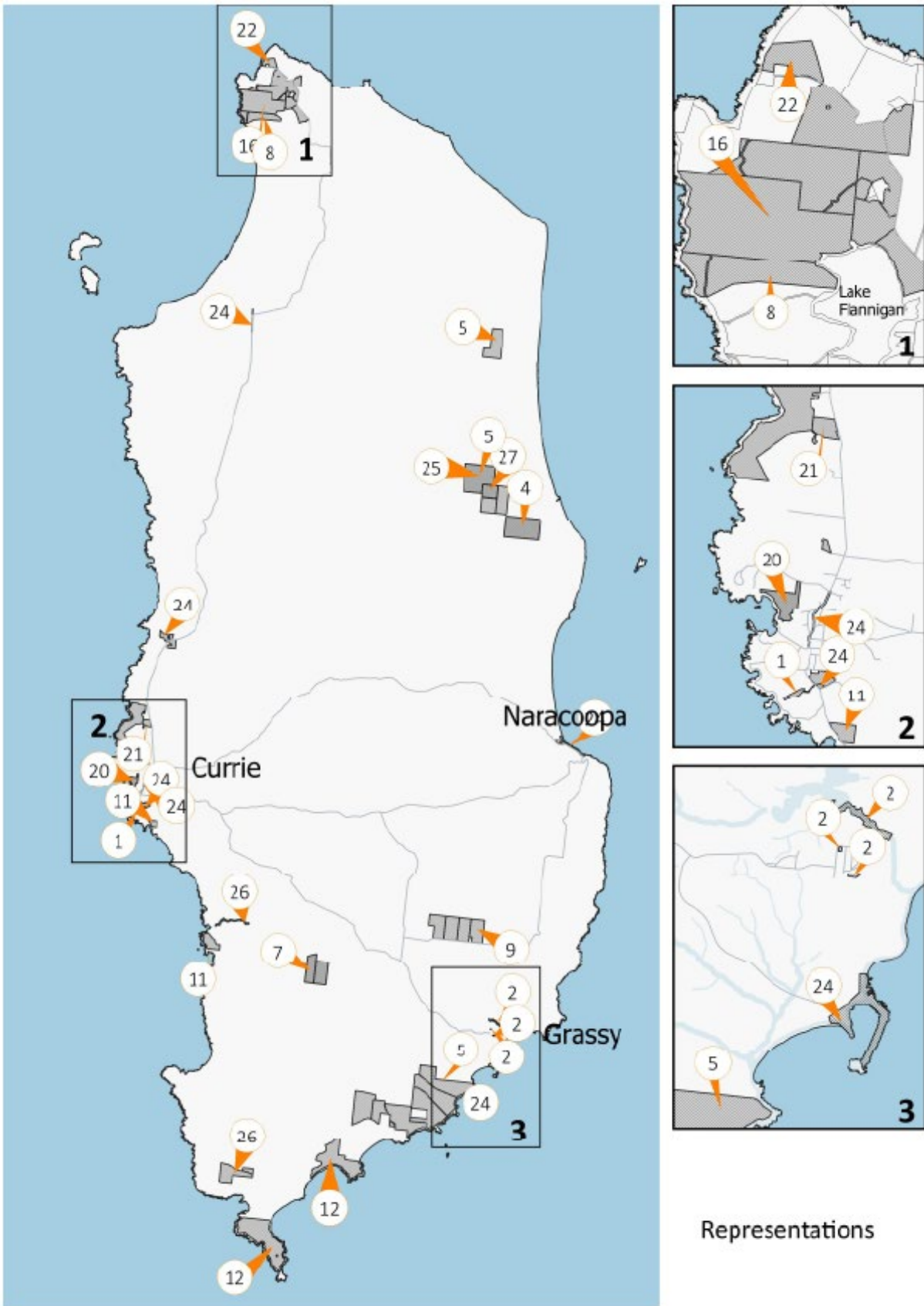
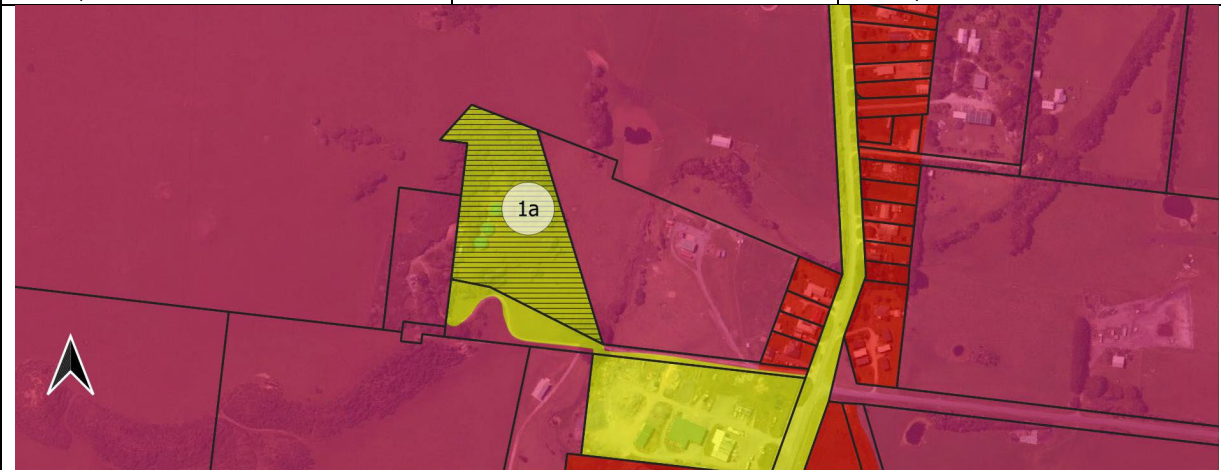


Figure 1: Overview of the properties referred to in the representations.

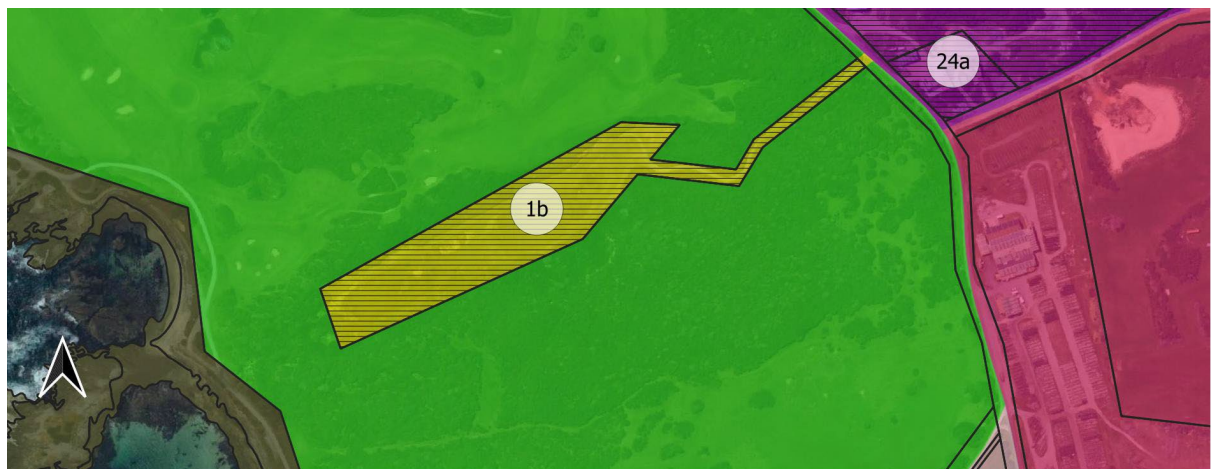
Representation 1: TasWater

- a) Currie Reservoirs Main Street, Currie
- b) 'Currie Water Field' Netherby Road, Currie

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 14044/1 b) 157421/1	Utilities Recreation	Not specified. Not specified.



- Representation
- Village Zone
- Recreation Zone
- General Residential Zone
- Utilities Zone
- Particular Purpose Zone



- Representation
- Village Zone
- Environmental Management Zone
- Recreation Zone
- Rural Living Zone
- Light Industrial Zone
- Utilities Zone
- Particular Purpose Zone

Relevant Matters Raised

The properties are for sale as TasWater no longer requires these assets. The UZ is inappropriate and should apply a rural-type zone as the properties will move into private ownership.

Authority Response

The intended change of ownership of the land is acknowledged. The properties identified in the representation contain assets and infrastructure surplus to TasWater requirements.





Property a)	Contains the unused water storage tanks and Council owned television and radio towers
Property b)	Contains infrastructure, which was the reticulated water supply point for Currie.
<p>a) The request is to apply a rural-type zone to the property. The KILPS does not propose to use either the RZ or AZ of the SPPs. Applying the PPZ-KIRA will enable consideration of the property in the broader context (water tower). However, the property also contains Council utilities. An alternative zone to the property is not supported. The retention of the UZ is recommended in accordance with Guideline No. 1.</p> <p>b) The title is located within the bounds of the Currie Golf Club. While the asset is surplus to requirements, long-term implications exist if the property changes into private ownership. The site provides a water supply for the Currie golf course and firefighting as it is a convenient location for TasFire to take water. The property is recommended for inclusion in the RecZ.</p>	
Recommended Modification to KILPS	
<ol style="list-style-type: none"> No action is recommended. Amend the zone maps to apply the Recreation Zone to CT:157421/1. 	
Effect of the recommendation on the KILPS	
<ol style="list-style-type: none"> No impact on the KILPS. Aligns with the spatial application of the RecZ consistent with Guideline No. 1. <p>There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria as addressed in the Supporting Report is maintained.</p>	
Meets section 34 LPS criteria	
The Planning Authority recommendation meets the LPS criteria.	

Representation 2 - TasWater





- 4 Banksia Street, Grassy
- 1 Acacia Street, Grassy
- Upper Grassy Dam, Grassy Harbour Road, Grassy

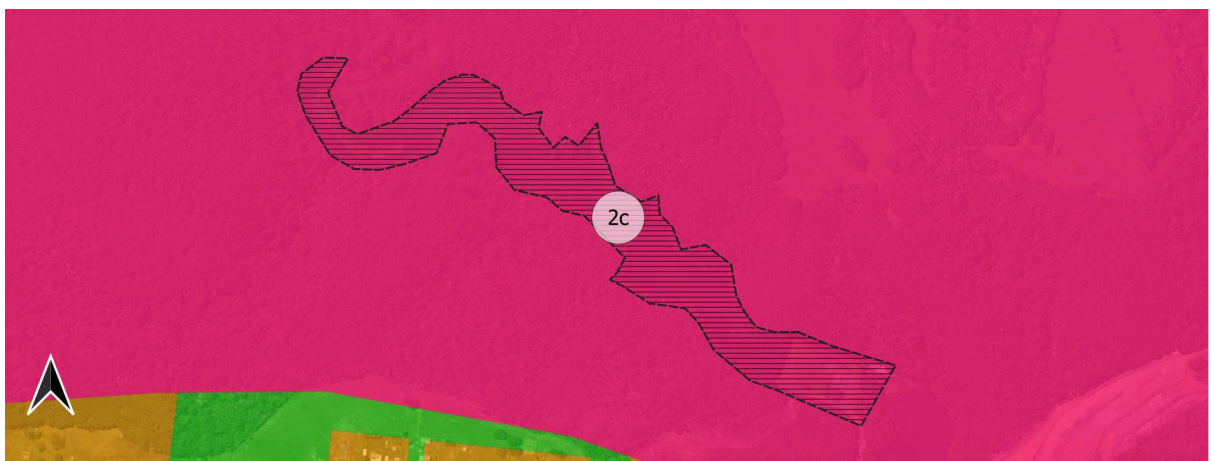
Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 175265/1	a) Village	a) Utilities
b) 112916/91	b) Village	b) Utilities
c) 109240/1	c) PPZ-KIRA	c) Utilities







 Representation
  Recreation Zone
  Particular Purpose Zone
 Village Zone



 Representation
  Recreation
  PPZ- KIRA
 Village Zone



 Representation
  Recreation Zone
  Particular Purpose Zone
 Village Zone

Relevant Matters Raised	
The titles contain current TasWater assets and requests that the UZ be applied.	
Authority Response	
The three properties are in the ownership of TasWater. The KILPS has not applied the Utilities Zone to these properties containing TasWater assets. These are detailed to be as follows -	
Property a)	Contains the TasWater treatment plant within the residential area of Grassy and is for the potable drinking water supply for the island.
Property b)	Contains the wastewater treatment plant for Grassy.
Property c)	Contains the upper grassy dam, which is the water storage for the island.
The request to apply the Utilities Zone to the identified properties is supported as it is consistent with UZ1 and UZ4 of Guideline No. 1.	
Recommended Modification to KILPS	
Amend the KILPS Zone maps to apply the Utilities Zone to the properties a), b) and c).	
Effect of the recommendation on the KILPS	
The recommended application of the UZ aligns with Guideline 1 No.1	
There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria as addressed in the Supporting Report is maintained.	
Meets section 34 LPS criteria	
The Planning Authority recommendation meets the LPS criteria.	

Representation 3: Alan Furlong

Certificates of Title	Proposed KILPS Zone	Requested Zone
N/A	N/A	N/A
Relevant Matters Raised		
<ul style="list-style-type: none"> • Supports the proposed PPZ-KIRA. • Does identify any specific property and discusses the island's rural area generally. 		
Authority Response		
The representation is noted.		

Recommended Modification to KILPS
No action is recommended.
Effect of the recommendation on the KILPS
There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria as addressed in the Supporting Report is maintained.
Meets section 34 LPS criteria
There are no modifications recommended. There is no on the section 34 LPS criteria.

Representation 4: Tasmanian Land Conservancy

a) Ridges Road, Sea Elephant

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 208064/1	PPZ-KIRA	Landscape Conservation
<p> Representation Environmental Management Zone Particular Purpose Zone Village Zone Recreation Zone Priority vegetation area </p>		
Relevant Matters Raised		
<ul style="list-style-type: none"> • In process of securing a conservation covenant over property a). • Guidance from the Planner's Portal accessible from the Tasmanian Planning Commission website recommends spatial application of the LCZ to properties with conservation covenants. • All land covered by a conservation covenant should be zoned LCZ as it better suits the conservation purpose of the land. • Seeks application of LCZ to property a). 		

Authority Response

The PPZ-KIRA aims to balance the important function and role of the rural area while seeking to minimise the impact of the island's native vegetation cover from development to protect the landscape values.

Initially, the KILPS was drafted to apply the LCZ to properties with conservation covenants under the *Nature Conservation Act 2002*. The spatial application of the LCZ on the island was to protect the important scenic and landscape values, reinforcing the intent of existing covenants as these aligned with the LCZ purpose statements. However, the decision to apply the LCZ with conservation covenants versus spatially applying the AZ to properties without covenants would result in an inconsistent policy approach to managing the rural area's native vegetation cover as large, vegetated areas (not within the EMZ) are outside of any conservation covenants.

Conversely, some farming properties have conservation covenants, but these often only apply to a partial area of properties and are not neatly contained within a single title. The spatial application of the LCZ to these properties requires a split zoning approach. The latter would then defy the desired zoning regime for the rural area of the island.

The policy framework set by PPZ-KIRA seeks to treat the rural area as a single land unit. As expressed by KIC-P4.1.1, KIC-P4.1.2, and KIC-P4.1.3, the zone purpose statements seek the sustainable use of the land resource. KIC-P4.1.4 specifically addresses the natural, scenic and landscape values of the island, intending to facilitate compatible use and development. These purpose statements are consistent with the Objectives of Schedule 1.

The PPZ-KIRA manages scenic and landscape values, which indirectly benefits the biodiversity values of native vegetation cover resulting from use and development. However, the PPZ-KIRA does not specifically manage biodiversity values, as this is the role of C7.0 Natural Assets Code (NAC). The policy approach adopted by the PPZ-KIRA aligns with the LCZ, where the priority is for the protection of landscape values and complementary use or development.

If the AZ is applied instead of the PPZ-KIRA, the NAC would not be applicable in assessing use and development in the rural area. The direction of Guideline No. 1 recommends that the AZ be applied per 'Land Potentially Suitable for Agriculture Zone' to the equivalent land area currently zoned Rural Resource under the KIIPS. The AZ does not provide a policy setting to recognise the complexity of the island's rural area, its function to the local economy or community, the importance of native vegetation cover, or the inclusion of the coastal landscape within this zone.

Applying the PPZ-KIRA will provide a policy setting that can regulate natural, scenic and landscape values and manage the island's priority vegetation area. The planning authority knows that the priority vegetation area, as represented on the exhibited overlay maps, contains errors. The intention is to seek an amendment to the overlay through a substantial modification to KILPS, allowing the integration of new data to create an amended overlay map.

The use and development controls to protect the scenic and landscape values within the PPZ-KIRA were re-examined in response to the representations received concerning the LCZ to determine if these are adequate or require further modification to the written document.

The LCZ provides four standards that specifically regulate the development's use, size and scale, and the impact this will have on the landscape values. These are regulated through the use and development standards of the zone.

- Discretionary use (clause 22.3.3)

- Site Coverage (clause 22.4.1);
- Building height and setback (clause 22.4.2); and
- Landscape protection (clause 22.4.4).

There are no specific controls within the LCZ to assess the impact of the biodiversity values, and instead, it is focussed on protecting the visual elements of the landscape. The Performance Criteria P1 and P2 of clause 22.4.2, the clearance of native vegetation is a fundamental element in a decision by the planning authority. The planning authority must consider the loss of flora and fauna habitat in the development location on a site rather than the area generally. The criteria do not consider specific biodiversity values as they relate to a property.

The PPZ-KIRA policy setting also regulates the of development on coastal and rural landscape values through the following development standards:

- Building height (clause KIC-P4.6.1 (b));
- Setbacks (clause KIC-P4.6.2); and
- Landscape Values (clause KIC-P4.6.4).

The standards between the two zones provide specific tests in the assessment process geared towards protecting landscape values and vegetation removal.

A comparison of the use and development controls between the PPZ-KIRA and LCZ is provided in Table 1.

Table 1		Comparison of use and development controls between LCZ and PPZ-KIRA concerning the protection and management of landscape values.	
Value	LCZ	PPZ-KIRA	Comment
Site coverage	400m ²	250m ²	<p>Site coverage includes all roofed buildings.</p> <p>Representations comment that the site coverage in the rural area is over-conservative. It is proposed to relax the site coverage requirement to 400m².</p> <p>The KIC-P4.6.1(b) considers impact of development on coastal or rural landscape.</p> <p>The test for site coverage in LCZ is similar to KIC-P4.6.1.</p> <p>An amendment is recommended to add additional assessment criteria to consider the development location and whether vegetation removal is required.</p>

Building height	6m	6m for all other uses 12m for Resource Development	<p>The built form in the rural area of the landscape for residential or visitor accommodation generally comprises single-storey buildings with a profile of less than 6m. The intention is to maintain a low profile, reflecting the rural and coastal landscape of the island, for uses that do not require building height for an operational reason.</p> <p>Telecommunication facilities, lighthouses, the dairy, the old abattoir buildings, and farming sheds are examples of buildings that exceed 6m.</p>
Frontage setback	10m for all buildings	20m for a habitable building 10m for non-habitable building	<p>Outcomes of setbacks are similar.</p> <p>The P1 of clause KIC-P4.6.2 considers landscape values.</p>
Side and rear setback	20m	10m	<p>An additional test applies at P4, which addresses a setback of 200m from the Mean High Water Mark. The latter also considers the impact of a development on the landscape values.</p>
Setback sensitive use	200m from Rural Zone or Agriculture Zone	200m from an agricultural use	<p>These clauses create the same test. The clauses in both zones does not specifically address landscape values but the relationship with agricultural uses.</p>
Exterior finishes	Light reflectance value 40%	Light reflectance value 20%.	<p>The PPZ-KIC-P4.6.2 has a conservative light reflectance value compared to the LCZ. Initially, this was only applied to buildings for Residential or Visitor Accommodation. However, in response to the representation, it was reviewed to apply to development generally, excluding Extractive</p>

			Industries, Recycling, Waste, Utilities, and Resource Development. KIC-P4.6.2 is modified to apply the light reflectance value to a broader range of development
Vegetation removal	Removal of vegetation outside of a building area shown on a sealed plan.	No specific test in the KIC-P4.6.2 specifically assesses the visual impact on the rural and coastal landscape.	Insert an additional test in the PPZ-KIRA to include an assessment of buildings and works where vegetation clearance is required.

The PPZ-KIRA integrates a test into the assessment process that considers impacts on the rural and coastal landscape. In response to the representation, modifications to the written document are recommended to strengthen the policy provisions to protect landscape values across the rural area of the island.

Recommended Modification to KILPS

Modify the written document 4.0 PPZ-KIRA in accordance with Attachment B as follows -

1. Delete KIC-P4.6.1 A1 (a) and replace with the following:
 - (a) *12m if for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities; and*
2. Delete KIC-P4.6.1 P1(b) and replace (b) with the following words
 - b) not unreasonably impact on the coastal or rural landscape, having regard to:
 - (i) *the proposed height of the building;*
 - (ii) *the topography of the site;*
 - (iii) *the visual impact on the skyline;*
 - (iv) *the location of development in relation to cleared areas;*
 - (v) *the need to remove vegetation;*
 - (vi) *any screening of the proposed building when viewed from roads and public areas including the foreshore; and*
 - (vii) *the scenic coastal and rural landscape values of the surrounding area.*
3. Modify KIC-P4.6.4, A1:
 - (a) delete the words 'Residential and Visitor Accommodation' after 'site coverage'; ~~and~~
 - (b) insert 'excluding buildings for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities' after the words 'site coverage'; and
 - (c) change 250m² to 400m².
4. Modify KIC-P4.6.4, P1:
 - (a) delete the words 'Residential and Visitor Accommodation' after 'site coverage'; and
 - (b) insert 'excluding buildings for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities' after the words 'site coverage'.

5. Modify KIC-P4.6.4, A2:
 - (a) delete the words 'Residential and Visitor Accommodation' after 'Buildings'; and
 - (b) insert 'excluding those for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities' after the words 'Buildings'.
6. Modify KIC-P4.6.4, P2:
 - (c) delete the words 'for Residential and Visitor Accommodation' after 'Exterior building finishes'; and
 - (d) insert 'excluding those for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities' after the words 'Exterior building finishes'.
7. Modify KIC-P4.6.4 by inserting after A1 and P1 the following:

A2	P2
Buildings and works, excluding Extractive Industries, Recycling and Waste Disposal, Resource Development, must:	Buildings and works must be located to minimise native vegetation removal and the impact on coastal and rural landscape values, having regard to:
(a) → be located within a building area, if shown on a sealed plan;	(a) → the extent of the area from which vegetation has been removed;
(b) → be an alteration or extension to an existing building providing it is not more than the existing building height; or	(b) → the extent of native vegetation to be removed;
(c) → be located on the site that does not require the removal of native vegetation.	(c) → any remedial or mitigation measures or revegetation requirements;
	(d) → provision for native habitat for native fauna;
	(e) → the management and treatment of the balance of the site or native vegetation areas;
	(f) → the type, size, and design of development; and
	(g) → the landscape values of the site and surrounding area.

Renumber KIC-P4.6.4 A2 and P2 to KIC-P4.6.4 A3 and P3.

Effect of the recommendation on the KILPS

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The recommended modifications finetune the provisions concerning coastal and scenic landscape values. The policy intent of the PPZ-KIRA as discussed in the Supporting Report is maintained.

The LPS criteria as addressed in the Supporting Report is also maintained.

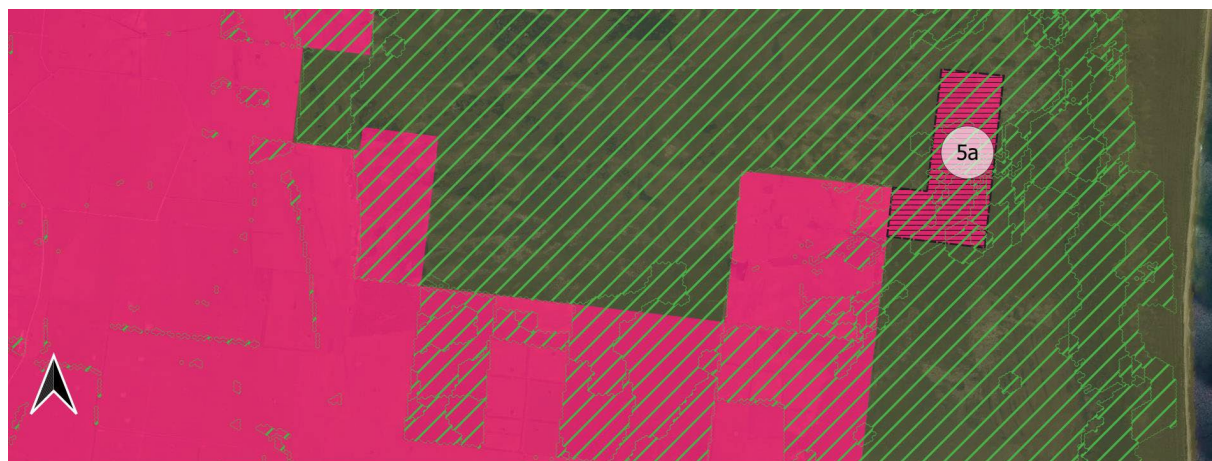
Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

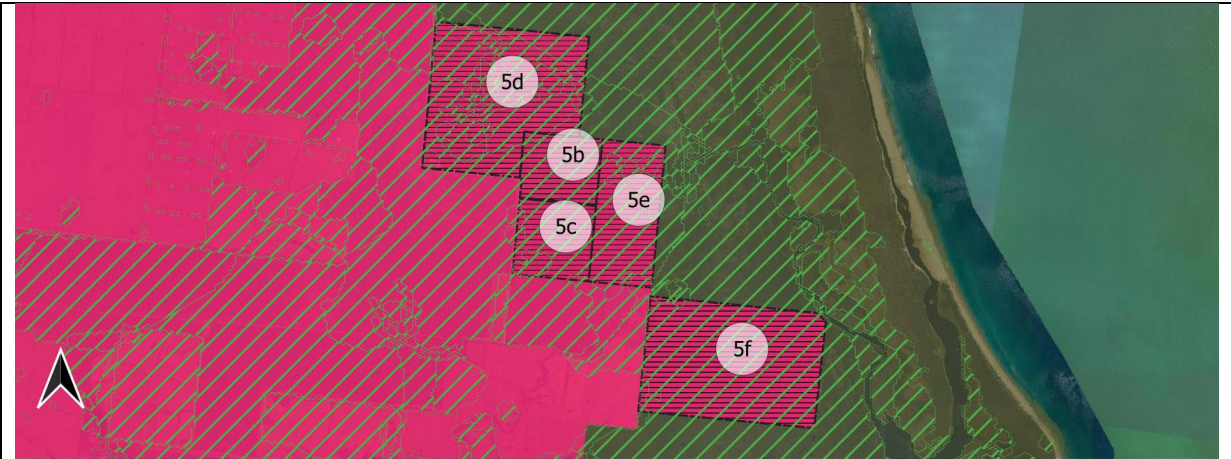
Representation 5: Conservation Landholders Tasmania

a) Land with existing Conservation Covenants

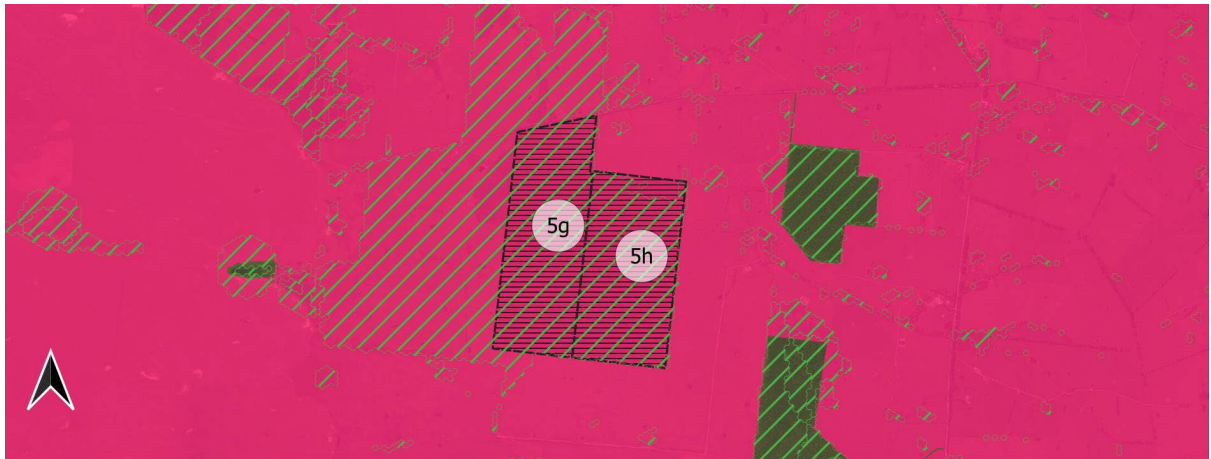
Certificates of Title	Proposed KILPS Zone	Requested Zone
<p>CTs:</p> <ul style="list-style-type: none"> a) 208063/1; b) 163546/1; c) 163546/2; d) 241958/1; e) 163546/3; and f) 208064/1. g) 239218/1 h) 240337/1 i) 149017/2 j) 157134/1, 2,3 and 4 <p>11 other titles are listed but noted that these are mixed use and not recommended for inclusion in the LCZ.</p>	PPZ-KIRA	LCZ with exception of those titles where there are mixed uses.



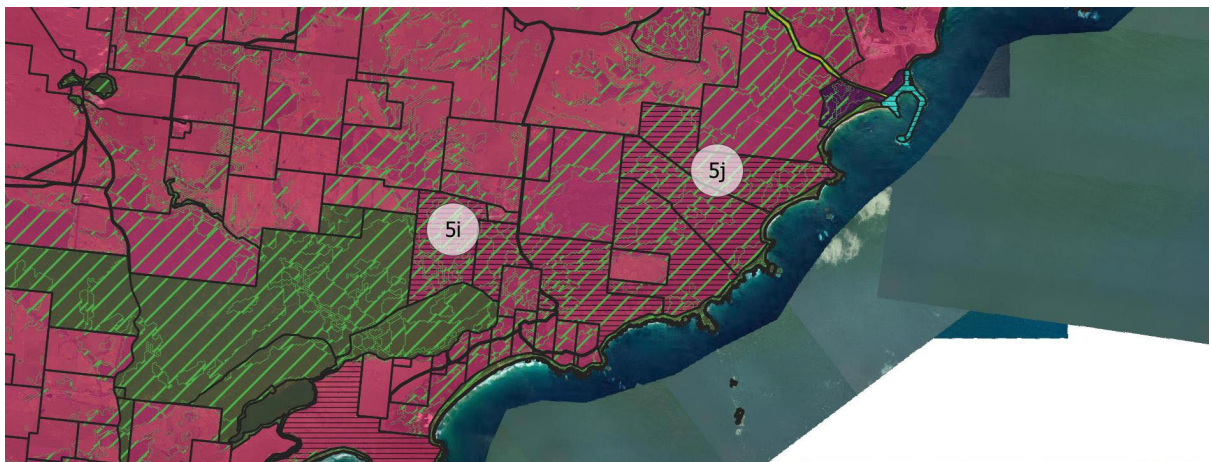
- Representation
- Environmental Management Zone
- Particular Purpose Zone
- Village Zone
- Recreation Zone
- Priority vegetation area



- Representation Environmental Management Zone Particular Purpose Zone
- Village Zone Recreation Zone Priority vegetation area



- Representation Environmental Management Zone Particular Purpose Zone
- Village Zone Recreation Zone Priority vegetation area



- Priority vegetation area Environmental Management Zone Recreation Zone
- Village Zone Port and Marine Zone Particular Purpose Zone
- General Industrial Zone Utilities Zone

Relevant Matters Raised
<p>Requests that the LCZ be applied to 12 properties instead of the PPZ-KIRA as proposed in the KILPS. The rationale for the proposed zoning change is based on the recommendations from the Planner's Portal Q&A, which is available on the Tasmanian Planning Commission website (www.tpc.tas.gov.au). An excerpt from the website is included with the representation.</p> <p>A further eleven properties are identified. These are of a mixed-use nature and are not recommended for rezoning to LCZ.</p>
Authority Response
Refer to Representation 4 response.
Recommended Modification to KILPS
Refer to Representation 4 response.
Effect of the recommendation on the KILPS
Refer to Representation 4 response.
Meets section 34 LPS criteria
Refer to Representation 4 response.

Representation 6: State Emergency Service

Certificates of Title	Proposed KILPS Zone	Requested Zone
N/A	N/A	N/A
Relevant Matters Raised		
<ol style="list-style-type: none"> 1. Flood-prone Areas Hazard Overlay is not applied in the KILPS. The absence of this overlay does not remove the application of C12.0 Flood-prone Areas Hazard Code. Further flood investigations undertaken by State Emergency Services is likely to include King Island. 2. Recommended that the Table C11.1 referred to in the C11.0 Coastal Inundation Code is amended as detailed below. 		

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
Currie	0.8	1.8	2.4	2.1
Grassy	1.2	2.2	2.9	2.6
Loorana	0.8	1.8	2.4	2.1
Naracoopa	0.3 1.3	2.2	2.9 2.8	2.6 2.5
All other localities	1.3	2.2	2.9	2.6

3. Supports the use of zoning to manage density in flood-prone areas and of coastal inundation hazardous areas.

Authority Response

1. Noted. If further flood-prone areas are identified on the island and mapping is prepared, the King Island Local Provisions Schedule can be amended to include such an overlay. This is a matter that can be assessed once new data is available.
2. Table C11.1 is recommended to be updated in accordance with the representation to enable the full application of the code and the Director's Determination – Building Requirements for Coastal Inundation Hazard Areas.
3. Noted.

Recommended Modification to KILPS

1. Replace Table C11.1 in the written document of the KILPS in accordance with Attachment B with the following table.

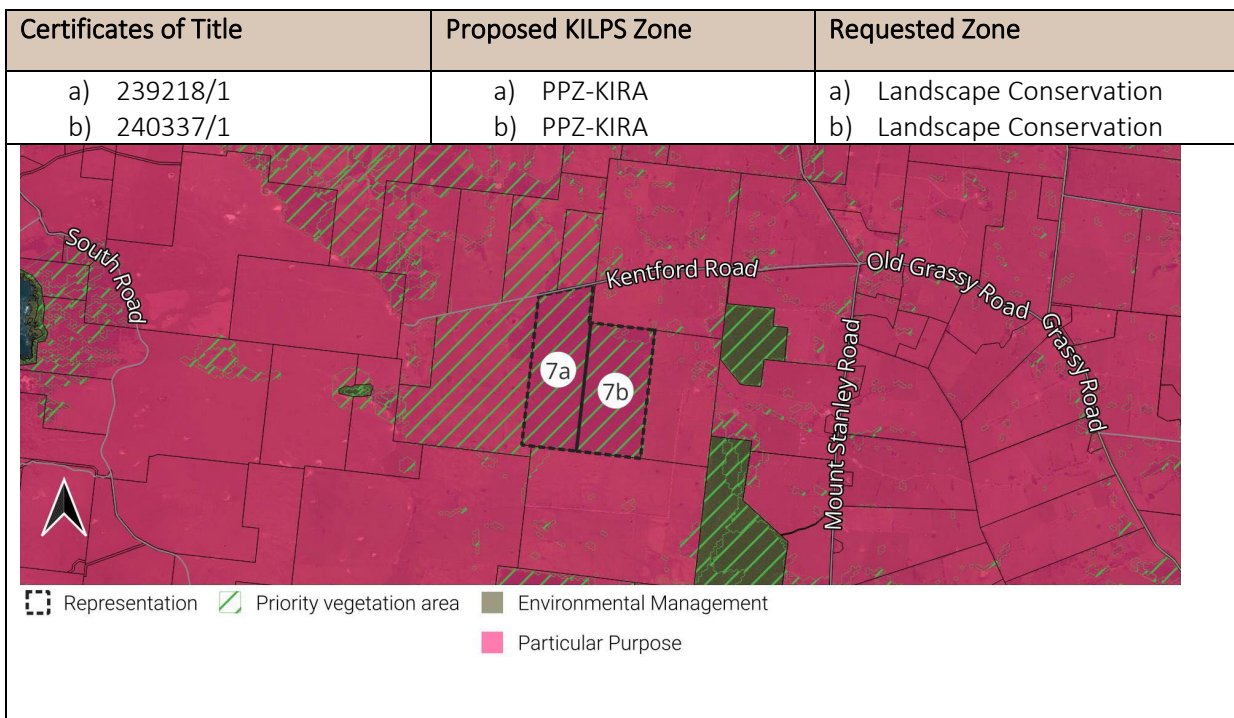
Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
Currie	0.8	1.8	2.1	2.4
Grassy	1.2	2.2	2.6	2.9
Loorana	0.8	1.8	2.1	2.4
Naracoopa	1.3	2.2	2.8	2.5

All other localities	1.3	2.2	2.9	2.6
<p>2. No action is recommended.</p> <p>3. No action is recommended.</p>				
Effect of the recommendation on the KILPS				
<p>The recommended modification corrects the AHD levels in Table C11.1 to align the requirements of the Director's Determination – Building Requirements for Coastal Inundation Hazard Areas.</p> <p>The coastal inundation hazard bands are not limited to Currie, Grassy, Loorana, and Naracoopa. They are mapped at different locations around the island's coastline. The insertion of 'all other localities' ensures that the application of the C11.0 Coastal Inundation Code can operate effectively.</p> <p>There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria as addressed in the Supporting Report is maintained.</p>				
Meets section 34 LPS criteria				
The Planning Authority recommendation meets the LPS criteria.				

Representation 7: Arthur Heynemann

a) 287 Kentford Road, Lymwood

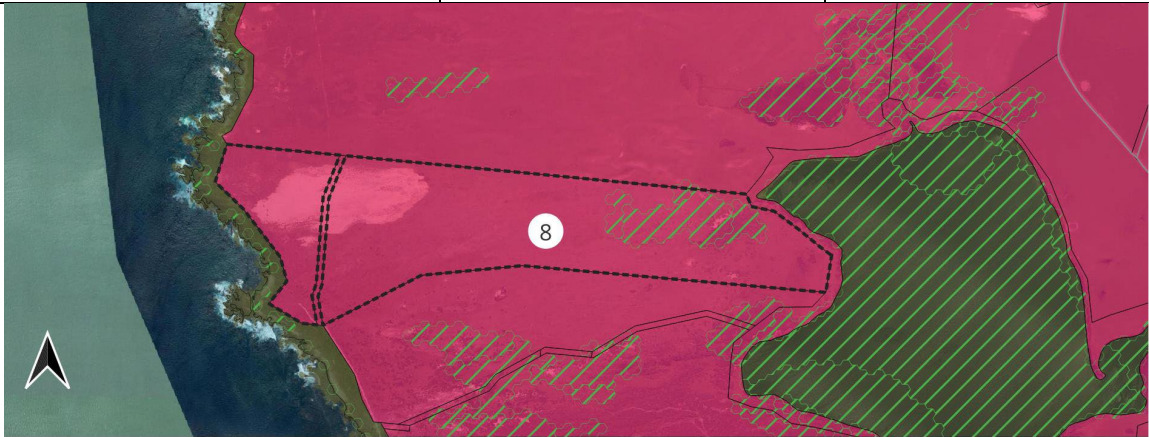
b) 287 Kentford Road, Lymwood



Relevant Matters Raised
The two titles contain conservation covenants. The representation requests application of the LCZ is applied instead of the PPZ-KIRA. The request is in accordance with the case for the rezoning put forward by the Conservation Landholders Tasmania (refer to Representation 4).
Authority Response
Refer to Representation 4 response.
Recommended Modification to KILPS
Refer to Representation 4 response.
Effect of the recommendation on the KILPS
Refer to Representation 4 response.
Meets section 34 LPS criteria
Refer to Representation 4 response.

Representation 8: Tract on behalf of Ballarat and Clarendon College

a) Springs Road, Wickham

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 170900/1	PPZ-KIRA	PPXKIRA
 <p> 8 Representation Priority vegetation area Environmental Management Particular Purpose </p>		

Relevant Matters Raised

1. The use class Natural and Cultural Values Management and Passive Recreation is listed as No Permit Required in the Use Table KIC-P4.4 is prohibited unless it is for a fence associated with the use class. Recommends listing both use classes as No Permit Required without qualification.
2. Recommends that a discretionary permit pathway is provided for all other use classes that default to 'Prohibited'.

Authority Response

1. The drafting of the PPZ-KIRA had no intention to prohibit the use class Natural and Cultural Values Management or Passive Recreation.

The use classes of the State Planning Provisions is defined in Table 6.2.

Natural and Cultural Values Management is defined to mean:

use of land to protect, conserve or manage ecological systems, habitat, species, cultural sites or landscapes and may include track work and maintenance, park management outbuildings and offices, park entry signs, visitor information signs, information and interpretation booths.

Passive Recreation is defined to mean:

use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.

The use classes Passive Recreation and Natural and Cultural Values Management are anticipated in the rural area. The KIC-P4.4 Use Table is recommended to be modified to correct the error.

2. The representation requests that the PPZ-KIRA be modified to enable all available use classes not listed as No Permit Required, Permitted to default to Discretionary rather than being Prohibited.

The PPZ-KIRA is drafted in accordance with the instructions of the SPPs and Guideline No.1. The PPZ-KIRA does not list the following use classes within KIC-P4.4 Use Table:

- a. Crematoria and Cemeteries;
- b. Custodial Facility;
- c. Hospital Services;
- d. Hotel Industry;
- e. Motor Racing Facility;
- f. Pleasure Boat Facility;
- g. Port and Shipping; and
- h. Vehicle Parking.

The use classes Crematoria and Cemeteries, Hospital Services, Hotel Industry and Vehicle Parking are not appropriate in the rural area. The policy of the PPZ-KIRA is to maintain Currie as the main service centre of the island, with Grassy and Naracoopa being secondary settlements.

These use classes are provided in the VZ, CPZ and GBZ. The CPZ and GBZ are applied within Currie as it is the main service centre of the island. The VZ is applied in Naracoopa and Grassy. These use classes are directed to be within a designated town on the island, as it is important these are not displaced away from the island's main population centres.

The EMZ and PMZ spatially applied around the island's coastline separate the land area within the PPZ-KIRA from coastal waters. No water bodies within the rural area warrant consideration of these use classes in the KIC-P4.4 Use Table for inclusion.

The use classes, Motor Racing Facility is recommended to be listed in the KIC-P4.4 as Discretionary. This is a use class that potentially meets sub-clause (b) of KIC-P4.5.1, providing a benefit to the community.

Motor Racing Facility is defined in Table 6.2, *as use of land (other than public roads) to race, rally, scramble or test vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports.*

The use class is appropriate for inclusion.

Recommended Modification to KILPS

1. Amend the Use Table KIC-P4.4 to remove the qualification for the following No Permit Required use classes: 'Natural and Cultural Values Management' and 'Passive Recreation'.
2. Amend the Use Table KIC-P4.4 to list Motor Racing Facility and Vehicle Fuel Sales and Service as Discretionary.

Effect of the recommendation on the KILPS

The change to KIC-P4.4 Use Table is considered minor and will not effect on the KILPS.

The recommended changes to the overriding provisions of the PPZ-KIRA do not deviate from the original policy intent discussed in the Supporting Report. The KIC-P4.4 Use Table can meet the section 34 LPS criteria. The PPZ-KIRA provides use standards, considering the impacts of non-agricultural uses on the land resource.

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

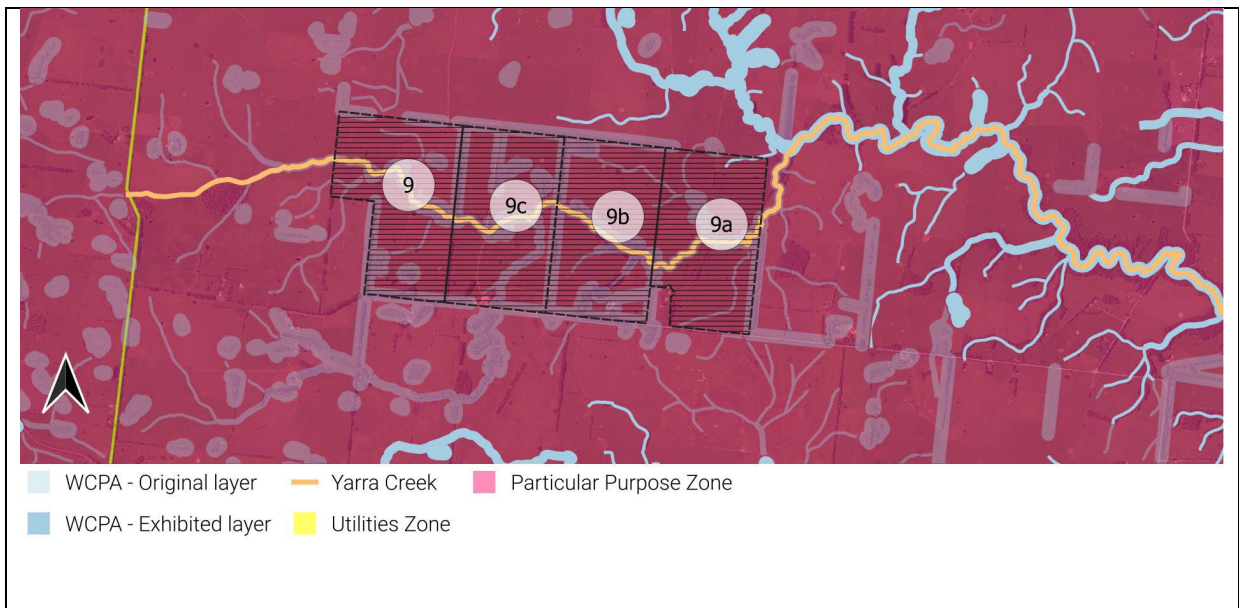
Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 9: Andrew Morris

- a) Yarra Creek Road, Lymwood
- b) 233 Yarra Creek Road, Lymwood
- c) 233 Yarra Creek Road, Lymwood
- d) Yarra Creek Road, Lymwood

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 122930/2	a) PPZ-KIRA	
b) 72771/7	b) PPZ-KIRA	
c) 71810/6	c) PPZ-KIRA	
d) 85495/5	d) PPZ-KIRA	



Relevant Matters Raised

The application of the C7 Natural Assets Code, waterway and coastal protection area overlay to include the identified watercourse in the image below.



Authority Response

The representation identifies a section of Yarra Creek which has a section of Yarra Creek omitted from the exhibited 'waterway and coastal protection area'. The section of the Yarra Creek will be reinstated for inclusion in the waterway and coastal protection area.

Recommended Modification to KILPS

Amend the 'waterway and coastal protection area overlay' to include the identified section of Yarra Creek.

Effect of the recommendation on the KILPS

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 10: Jim McKenzie

a) No specific properties identified. Owns numerous titles within the proposed PPZ-KIRA.

Certificates of Title	Proposed KILPS Zone	Requested Zone
	PPZ-KIRA	No alternative provided
Relevant Matters Raised		
<ol style="list-style-type: none"> 1. The KILPS has been drafted by professionals for interpretation by professionals, and it is too complex for a layperson to interpret. 2. Properties in rural areas remain bushfire-prone. 3. A planning permit to clear open drains and allow vegetation clearance around existing dams within pasture is not practicable. 4. Nominating fences as development may require a planning permit and create unnecessary red tape. 5. Why does the Forest Practices Act cover farmland? <i>This</i> impacts clearing around fences. Fire breaks need to be 10m wide and should be able to clear 10m on either side of a boundary fence. 6. Other unidentified concerns. 		
Authority Response		
<ol style="list-style-type: none"> 1. The drafting of KILPS has been undertaken in accordance with Tasmanian Planning Commission Practice Note 5 – Tasmanian Planning Scheme drafting conventions. The comment by the representor is noted. 2. The bushfire-prone areas overlay will be the same as applied in the current Bushfire-prone Area Code included in the King Island Interim Planning Scheme 2013. It was endorsed through planning scheme amendment PSA 02/2020 after no representations were received. 3. The planning authority proposes to modify the waterway and coastal protection area. The modifications to this overlay have removed farm drains and dams. While a comprehensive review was undertaken of the data set, it is likely some farm dams and drains may have been captured. To capture the farm drains, some discussions were had with property owners. It is acknowledged that consultation was not possible with every property owner when undertaking this work. 4. Fences are exempt in the Rural and Agriculture Zones. These exemptions do not apply to PPZ-KIRA. As the exemption cannot be amended, all attempts have been made to exclude the requirement for a permit for fencing by providing a 'No Permit Required pathway in the KIC-P4.4 Use Table and Specific Area Plan - Fences PPZ-KIRA. 5. The <i>Forest Practices Act</i> is the responsibility of the appropriate Minister and the agency for making recommendations to the Minister. 		

Recommended Modification to KILPS
No action is recommended.
Effect of the recommendation on the KILPS
There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.
Meets section 34 LPS criteria
There are no modifications recommended. There is no on the section 34 LPS criteria.

Representation 11: Brian Your and Debbi Delaney

Certificates of Title	Proposed KILPS Zone	Requested Zone
KIRA	a) PPZ-KIRA b) PPZ-KIRA	Not specified
Relevant Matters Raised		
<ol style="list-style-type: none"> 1. Acknowledges the broad application of the PPZ-KIRA to the island. Agriculture is significant to the island's GDP but must not come at the exclusion of other opportunities. The west coast of the island is not able to support cattle. The representor seeks the application of a different zone to the coastal belt to allow for other uses, such as lifestyle blocks. 2. Concerned that the PPZ-KIRA is too limiting for the island, restricting opportunities and not attracting new people with skills. The following scenarios are used as examples: <ol style="list-style-type: none"> i. I am one of those desperately needed tradesperson wishing to move to the Island to establish a business and a lifestyle for my young family. I want to have a small acreage where I can separate the business and household entrance so that I can have customers come to my property for supplies, review quotes and for myself to have materials on hand in order to minimise freight delays. ii. I am a tree-changer wanting to get out of the city to live and contribute to a small community with my family. A major attraction of King Island is the ability to build a house on the coast on some small acreage. iii. The worst case comes true, and King Island Dairy closes its doors, however fortunately a boutique cheese maker sees this as an opportunity. The proposal is to develop a small new facility in line with the ethical boutique cheesemaking. I need a site to do this, that enables milk drop offs from the existing dairy farms, and the establishment of a small factory with staff facilities. iv. I am a small-scale developer wishing to create a lifestyle subdivision on the coast, as is currently happening at Devils Gap. The development I am proposing enables every house to have spectacular views of the ocean, yet at the same time there is enough space around them that they are unable to see another house. v. I am a farmer wanting to sell up and retire. I don't think I could live on a 'town block', rather I am seeking a small acreage close to town where I can have a shed and a bit of room to 'breathe'. 		

3. Concerned that the policy setting will not stimulate population growth under the proposed parameters of the KILPS, limits development and subsequent business and lifestyle opportunities.
4. The engagement process was lacking, and the exhibition period was over the silly season.

Authority Response

1. The PPZ-KIRA seeks to consider use and development as a single land unit in the rural area. The island's coastal belt continues to be used on a seasonal basis for agriculture, although this may not apply to the entire coastal belt of the rural area, especially on the western side of the island. While the KILUP acknowledges the function of the coastal belt, it identifies that further strategic investigations are required to explore the provision of rural living use and development in this space. Applying an alternative zone or further relaxing the PPZ-KIRA provisions is premature without strategic rationale and analysis. The application of a different zone is not supported.
2. The provisions of the PPZ-KIRA are drafted to allow for a mix of uses and provide for a set of provisions that are not dissimilar to the intent of the current Rural Resource Zone under the KIIPS. The PPZ-KIRA provides a tailored approach to use and development on the island. The Rural Zone and Agriculture Zone of the SPPs limit non-agricultural uses through the structure of the performance criteria of the Use Standards in the RZ and the AZ.

The rural area of King Island must perform many roles and functions for its community to be sustainable. Often, there is a reliance on the rural area for use and development to locate in the rural area as there is no suitably zoned land available, or a proposed use serves the local community, providing an opportunity for social interaction and travel destinations outside the main towns. The Use Table is deliberately structured to provide permit pathways for various activities, including the coastal belt of the island.

For Discretionary use, the first test of the PPZ-KIRA is set out in clause KIC-P4.5.1. The Performance Criteria P1 is divided into part (a) and part (b). Subclauses (a) and (b) are not conjunctive. Therefore, an application must only meet one part to satisfy the P1. The planning authority must refuse the application if a Discretionary use cannot satisfy subclause (a) or (b).

In response to the representations, the non-agricultural uses listed as Discretionary in the KIC-P.4.4 Use Table have been re-examined against the Performance Criterion P1, KIC-P4.5.1 to consider if adjustments are required to the overriding provisions to achieve the intended outcome. The individual scenarios the representation raised are considered through the summary table below. The summary table considers non-agricultural uses classes listed as Discretionary in KIC-P4.4 Use Table and considers an example. The table in the final column concludes if either part (a) or part (b) of P1, KIC-P4.5.1 could be satisfied.

Discretionary Use	Examples		KIC-P4.5.1, P1, (a) or (b)	
Bulky Goods Sales	Rural or trade suppliers	If it was required to service Resource Development or if it required a large site area.	a	Must be associated with an agriculture or primary industry.
Business and Professional Services	Veterinary centre, if not a home-based	If a proposed veterinary centre		It cannot satisfy sub-clause (a), as

	business or home occupation	requires more than two employees, KIC-P4.5.1 P1 applies to the assessment.		the use is unlikely to rely on a rural location for operational or security reasons having regard to (i),(ii) or (iii). Sub-clause (b) cannot be satisfied.
Community Meeting and Entertainment	Art and craft centre, church	A proposal must be for a destination outside of town.	b	
Domestic animal breeding	Dog kennels	Requires separation from other uses.		It cannot satisfy sub-clause (a) as there are no criteria to consider if separation from other uses is required.
Educational and Occasional Care	Education in farming requires a permit. Home-based childcare is exempt and does not rely on KIC-P4.5.1		a	Satisfies sub-clause (a) if it is associated with an agricultural use.
General Retail and Hire	If it meets the qualification, it is Permitted. Otherwise Discretionary.			Challenging to satisfy either sub-clauses (a) or (b).
Equipment Machinery Sales and Hire	Farm equipment	The activity is most likely to support agricultural uses.		Cannot satisfy (a) or (b) as there is no criteria to consider whether the use services and supports primary industries.
Food Services	Café	Provides a destination for enjoyment and recreation for the community.	b	

Manufacturing and Processing	Large-scale manufacturing	Requires separation from other uses.		It cannot satisfy sub-clause (a) as there are no criteria to consider if separation from other uses is required.
Recycling and Waste Disposal	Landfill	Usually requires large attenuation distances.	b	
Research and Development	Kelp research	Relies on a natural resource.	a	
Resource Processing	Abattoir	Requires separation from other uses.	a	It would satisfy sub-clause (a) for the diversification of agricultural use in the vicinity of the site.
Service Industry	Mechanic servicing vehicles.	Requires separation from other uses.	c	
Sport and Recreation	Golf course - attracting visitors to the island. There is no benefit to the community. Other examples could include driving range for locals or a riding school.		b	
Storage	Qualified and limited range of storage uses.	Potentially associated with primary industries	a	
Tourist Operation			b	Reword the test -
Transport Depot and Distribution	Transport depot for cattle trucks.	Potentially supports the diversification of agricultural use.	a	
Utilities	Telecommunication facilities		b	

Vehicle fuel sales and service	Fuel pump, selling fuel to the farming community.			It cannot satisfy sub-clause (a) as no consideration if the use supports or serves primary industries.
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In response to the representation and the scenarios identified, it is concluded that KIC-P4.5.1 is over restrictive and is not aligned with the policy intent of the overriding provisions. For this reason, it is recommended that KIC-P4.5.1 be redrafted to insert two additional matters to be considered in the assessments. These are as follows:

- a) Whether the use requires separation from other uses to minimise impacts; and
- b) Whether the use services and supports the operation of primary industries on the island.

The PPZ-KIRA lists Residential use as Discretionary in the KIC-P4.4 Use Table. A permit pathway is available for new residential uses. A Residential use can be supported if it is associated with an agricultural use or it is on a site that is not capable of supporting an agricultural use.

KIC-P4.7.1 also provides a permit pathway for the excision of use or development, such as a house, from a parent title to create an additional lot. No permit pathway exists to create multiple lots with less than 1 ha in the PPZ-KIRA. A broad application of the latter is contrary to all State policies, Guideline No. 1 and could not meet the section 34 LPS criteria. The request to open the subdivision opportunity in the rural area is premature and not supported.

- 3. The KILPS was exhibited for 60 days, including December. The exhibition period commenced at the end of October 2023 and was extended beyond 60 days to allow for Christmas holidays and breaks.

Recommended Modification to KILPS

No recommended modification to the subdivision criteria of the 4.0 PPZ-KIRA.

Amend the written document of the 4.0 PPZ-KIRA in accordance with Attachment B to insert after KIC-P4.5.1 P1 (a) (iii) the following:

- (iv) whether the proposed use services and supports the operation of primary industries on the island; and
- (v) whether the use requires separation from other uses to minimise impacts.

Effect of the recommendation on the KILPS

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

Meets section 34 LPS criteria

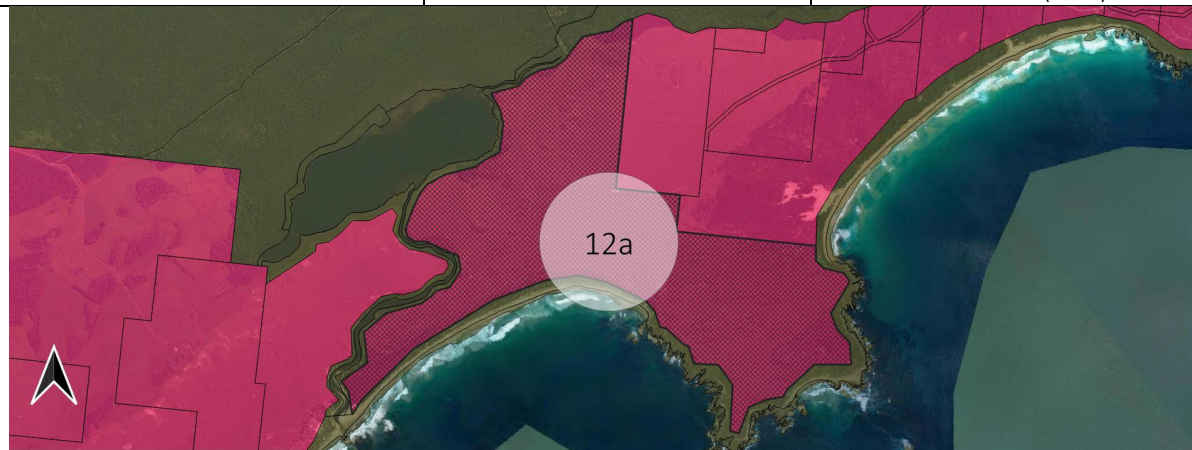
The Planning Authority recommendation meets the LPS criteria.

Representation 12: Surprise Bay Pastoral Co. Pty Ltd

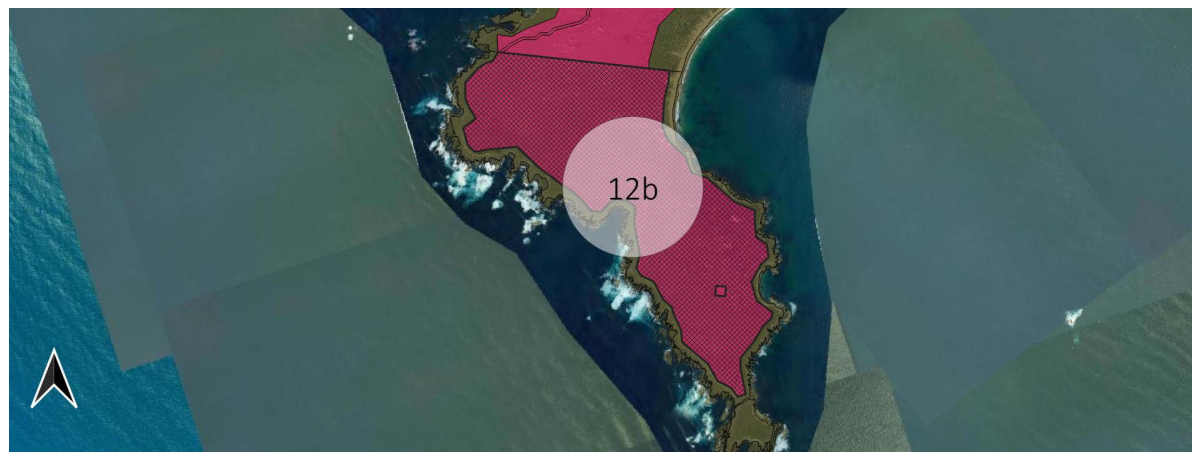
a) 2495 South Road, Surprise Bay

b) 2495 South Road, Surprise Bay

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 236640/1 b) 221589/1	a) PPZ-KIRA b) PPZ-KIRA	a) PPZ Cape Wickham and Ocean Dunes (Golf) b) PPZ Cape Wickham and Ocean Dunes (Golf)



Representation
 Environmental Management
 Particular Purpose



Representation
 Environmental Management
 Particular Purpose

Relevant Matters Raised

1. Golfing industry requires another course to consolidate the business/tourism potential for the island.
2. Coastal land with limited agriculture capacity is ideal for golf courses. Zoning is required to support this use. The representation includes an environmental assessment and supporting letter from Graeme Grant, a golf course designer.

Authority Response

The endorsed King Island Land Use Plan 2018 (KILUP) is the current local strategy for use and development. The KILUP recognises that protecting the land resource for agriculture is of the highest priority but seeks a balanced policy to diversify economic activity. The PPZ-CWOD implements the strategic intent of the KILUP, providing an opportunity to diversify the economic activity associated with golf tourism.

The zone's spatial application is confined to two locations on the island: Ocean Dunes and Cape Wickham. The Surprise Bay Pastoral Co seeks the spatial application of the PPZ-CWOD to two additional properties with no established golf tourism uses. While the representation has supplied supplementary information, it does not demonstrate if the application of the zone can meet the LPS criteria of the Act.

The PPZ-CWOD is tailored for future use and development of the existing Cape Wickham and Ocean Dunes golf courses.

The PPZ-CWOD is structured to diversify uses in these locations but imposes a policy structure to limit the nature, scale, and size of use and development, ensuring it does not compete with the main settlement of Currie. The spatial application of PPZ-CWOD is unsuited to a larger land area without further assessment or strategic analysis.

The properties identified for inclusion are to the very south of the island. If applied, PPZ-CWOD would open the opportunity for new golf course developments without considering whether these properties are suited for this purpose or understanding the significant economic, environmental, or social benefits that may result from the zone change.

The planning authority does not hold information or has a strategy that can support a broader application of the zone. The expansion of the PPZ-CWOD should be considered separately through an amendment process available to a proponent once the of the KILPS is made and in operation.

The rezoning of the properties to PPZ-CWOD is not supported.

Recommended Modification to KILPS

No action required.

Effect of the recommendation on the KILPS

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 13: Graeme Grant Golf Design

Certificates of Title	Proposed KILPS Zone	Requested Zone
West coast in general	PPZ-KIRA	Tourism

Relevant Matters Raised
<ol style="list-style-type: none"> 1. West coast resembles UK areas where best golf links in world found. Supports Surprise Bay Pastoral Land for golf links. 2. As an alternative to declining industry on the island the expansion of golf could enhance the long-term future of the island's population and stimulate economic activity. Land areas set aside for golfing could provide benefits for the return of flora and fauna.
Authority Response
<ol style="list-style-type: none"> 1. Noted. 2. See Representation 12 response.
Recommended Modification to KILPS
No action required.
Effect of the recommendation on the KILPS
There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.
Meets section 34 LPS criteria
The Planning Authority recommendation meets the LPS criteria.

Representation 14: Tracks Building Design

Certificates of Title	Proposed KILPS Zone	Requested Zone
	PPZ-KIRA	PPZ-KIRA
Relevant Matters Raised		
<ol style="list-style-type: none"> 1. Farm stay accommodation (requirement for farm stay accommodation to rely on activities within the title rather than the area) & visitor accommodation in general. New build should not be discretionary as creates better outcome than conversion of an old farm building. 2. Resource Development/Agricultural Use – <ol style="list-style-type: none"> i. Agricultural use isn't included. ii. Landing strips for e.g. crop dusting should be included. iii. The land area should be greater than 200m². 3. KIC-P4.5.1 A2 Unreasonable impact on adjoining properties – subjective as future use of adjoining land cannot be predicted. Doesn't apply to land in adjoining zones. 4. KIC-P4.5.1 A4 Appropriate for a rural area – <ol style="list-style-type: none"> i. Currie isn't the only service centre for the island – Grassy & Naracoopa have and do provide services and development should be permitted in those areas. ii. Uses in this zone shouldn't be seen as distorting Currie as the service centre e.g. petrol sales at Yambaconda. 		

5. KIC-P4.6 A1(b) Building height is limited to 6m for non-resource development uses. This restriction doesn't apply to a house in other zones.
6. KIC-P4.6.2 A3 Buildings for a sensitive use & visitor accommodation to be setback 200m from a boundary adjoining an agricultural use. No requirement for other zones adjacent to the PPZKIR.
7. KIC-P4.6.4 A1 Site coverage of 250m² is restrictive as the size of a modest house and doesn't allow for additional visitor accommodation of the site.
8. KIC-P4.6.4 A2 Exterior finishes doesn't consider glass incorporated into the building. Sections of lighter colour can break up mass of building.
9. KIC-P4.6.5A2 Stormwater – clause not practical as stormwater would have eventually made its way to a natural watercourse if the site was not developed. Retention should be encouraged.
10. KIC-P4.7.1 Subdivision
 - i. P1(c) (i)b Re-organsing boundaries for productive use doesn't make sense as the land may have already been non-productive.
 - ii. P1(c)(iii) the setback (200m for a sensitive use) does not apply to other zones adjoining PPZKIR.
 - iii. KIC-P4.7.1 P1(d)(ii) Restricts the future development of a residential use that may be required by a valid agricultural use. Will a bushfire assessment be required for the balance lot.
 - iv. P1(d)(iii) the setback (200m for a sensitive use) does not apply to other zones adjoining PPZKIR.
 - v. P1(d)(iv) If there can never be a residential use what determines the sufficiency of the carriageway.
 - vi. KIC-P4.7.1A2 Vehicular access – this provision must override the previous clause, the carriageway is set by the road authority not the intended use.
11. C9 Attenuation Code
 - i. Rezoning of Charles Street Waste Site from Rural Resource to Utilities. Rezoning this title to Utilities and applying the Attenuation Code would invoke that attenuation distance of 300m. need to make clear that C9.5.1A1(c) Use Standards should be applied and the attenuation is not applied to land within the residential zones. This would make the attenuation requirements meaningless to existing titles. Implementation of the code would restrict further subdivision of surrounding land for sensitive uses.
 - ii. Alternatively, the waste management site could be subdivided to contain the existing development within a smaller titles and covert the balance land to environmental management land.

Authority Response

1. A farm stay accommodation falls within the use class Visitor Accommodation, which can be a sensitive use. The diversification of farm activities must consider the impact of new uses within the farming property. New uses must be sited to minimise the impact on existing agricultural uses. No change is recommended to the PPZ-KIRA.
2. The definition of Resource Development includes agricultural use. A landing strip for aircraft associated with agricultural use is provided with a permit pathway. Limiting the landing strips in rural area is to ensure that the airport is the primary entry point to the island. No change is recommended to the PPZ-KIRA.

3. The discretions of KIC-P4.5.1 tests aspects of a non-agriculture use and impact on the land resource. The provision provides a top down approach, eliminating uses that have no reason to locate in the rural area. The KIC-P4.5.1 is divided into a series of tests, starting with a high level approach to examining the relationship between existing and proposed uses. The matters listed at subclauses (a) to (e) are fundamental elements in reaching a decision.

The representation asserts that the standard is subjective and that future use of adjoining land cannot be predicted. The planning scheme provides a test at a point of time and does not consider uses that may eventuate in the future. No change is recommended.

i. Currie is the main service centre for the island, being the only settlement with the spatial application of the General Business Zone. Naracoopa and Grassy also apply zones that provide permit pathways for a range of uses. The PPZ-KIRA is not applied to Naracoopa and Grassy.

ii. The PPZ-KIRA lists in KIC-P4.4 the use class Vehicle Fuel Sales and Services as Discretionary.

4. The standard for building height is limited to 6m under the Acceptable Solution and only for dwellings and non-farm buildings. It is common for habitable buildings to be hidden in the landscape due to established roadside vegetation and low building profile of existing development. The built form is desired to have a low profile to maintain the current development pattern. No change is recommended.

5. The development of a sensitive use in the PPZ-KIRA will usually share a boundary with another property in the same zone. The policy setting of this zone is one that protects the land resource. Residential uses are secondary in the zone, and approval can be granted only in specific circumstances.

6. The GRZ, LDRZ, VZ and RLZ are applied in the municipality. The RLZ regards the sensitive uses and separation from the RZ and AZ by applying clause 11.4.2. Other zones of the SPPs also consider the space relationship between agricultural uses and non-agricultural uses. No change is recommended.

7. A review of dwelling sizes indicates that site coverage can exceed 200m². Refer to Representation Response 4.

8. The provision uses the light reflectance value of exterior cladding and building materials and provides for dark hues and tones.

9. The provision encourages retention on stormwater on a site.

10. The subdivision standards provide a policy setting consistent with the SPPs.

11. Refer to Representation 17 Response concerning the UZ.

Recommended Modification to KILPS

Refer to Representations 4 and 11 responses.

Effect of the recommendation on the KILPS

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 15: Jenny Clemons

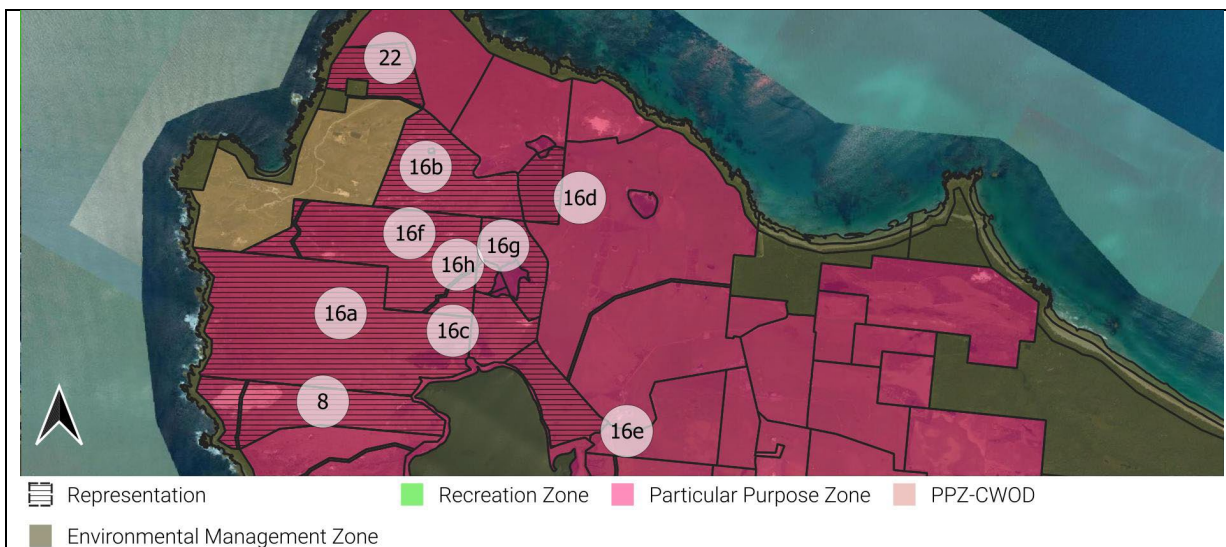
Certificates of Title	Proposed KILPS Zone	Requested Zone
N/A	PPZ-KIRA	PPZ-KIRA
Relevant Matters Raised		
<p>1. The representation has expressed concerns with KIC-P4.6.2 Setbacks, PPZ-KIRA:</p> <ul style="list-style-type: none"> i. Acceptable Solution A4 - the requirement to setback buildings 200m from the high-water mark does not reflect current practice where most houses have been built within the 100m mark from high-tide. For example, Porky Beach houses, Devils Gap, Naracoopa Esplanade and many others along the west coast. Most are on elevated positions at no risk of sea level rises; ii. 200m setback impacts elderly and impaired from accessing the beach; iii. On the west coast the land improves as you move inland; and iv. Had been advised that it is possible to build closer subject to expert advice which is an additional cost. Future planning staff may interpret this as a hard and fast rule. <p>2. Acceptable Solution A1, KIC-P4.6.4 Site coverage for Residential and Visitor Accommodation uses is insufficient. May not be adequate for larger visitor accommodation developments. Needs further investigation.</p> <p>3. KIC-S1.0 Fences in the King Island Rural Areas Specific Area Plan</p> <ul style="list-style-type: none"> i. Acceptable Solution A1, KIC-S1.7.1 - The restriction of clearing priority vegetation to be within 3m from a boundary fence centreline makes no sense as the clearance width is not sufficient for farm machinery accessing the fence line and being able to turn. ii. Trees that are located close to a fence line drop branches or fall on fences rendering it ineffective in keeping stock in. Concern for fences on road boundaries. iii. Efficient farm management is necessary to relieve the stress of maintaining animal husbandry etc. Constantly monitoring fences and preventing regrowth, particularly the prolific tee tree, is an ongoing problem. iv. The planning scheme should align with Forest Practices regulations which are under review. v. Fencing is expensive, particularly kangaroo fencing, and needs to be protected from bushfire. 3m clearance is totally inadequate to protect fences from fire. <p>Recent pressure on the farming community due to various 'extra' activities created by Forest Practices regulations, ecological studies and planning. This is in addition to everyday jobs with some issues outside of their skill sets requiring expert advice paid for from own pocket. The proponents of the changes are paid experts in their field resulting in an uneven playing field. The impacts of the changes are often only felt when it is too late – funding should be available to those sufficiently affected so that experts can evaluate future impacts on property owners.</p> <p>4. There should be an interim period of 3 years to allow assessment of how the planning scheme meets the needs of the King Island Community.</p>		
Authority Response		
<p>1. The setback requirement to setback development from the coastline. The 200m setback from the Mean High Water Mark required by the Acceptable Solution A4 of KIC-P4.6.2 can be varied</p>		

<p>through a discretionary permit pathway. The intention is to minimise the impact of the appearance of development within the coastal zone. No change is recommended.</p> <p>2. Refer to Representation 4 response.</p> <p>3. Refer to Representations 10 and 23 responses.</p> <p>4. The Land Use Planning Approvals Act 1993 provides for regular review of strategic documents.</p>
Recommended Modification to KILPS
<p>Refer to Representation 4 response.</p> <p>No action is recommended.</p>
Effect of the recommendation on the KILPS
<p>There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.</p>
Meets section 34 LPS criteria
<p>The Planning Authority recommendation meets the LPS criteria.</p>

Representation 16: Arthur Winston Property Group

- a) Cape Wickham Road, Wickham
- b) Cape Wickham Road, Wickham
- c) Cape Wickham Road, Wickham
- d) Cape Wickham Road, Wickham
- e) Cape Wickham Road, Wickham
- f) Cape Wickham Road, Wickham
- g) Cape Wickham Road, Wickham
- h) Cape Wickham Road, Wickham

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 206302/1	a) PPZ-KIRA	a) PPZ Cape Wickham and Ocean Dunes (Golf).
b) 236748/1	b) PPZ-KIRA	b) PPZ Cape Wickham and Ocean Dunes (Golf)
c) 223905/1	c) PPZ-KIRA	c) PPZ Cape Wickham and Ocean Dunes (Golf)
d) 236749/1	d) PPZ-KIRA	d) PPZ Cape Wickham and Ocean Dunes (Golf)
e) 211496/4	e) PPZ-KIRA	e) PPZ Cape Wickham and Ocean Dunes (Golf)
f) 166674/2	f) PPZ-KIRA	f) PPZ Cape Wickham and Ocean Dunes (Golf)
g) 211187/2	g) PPZ-KIRA	g) PPZ Cape Wickham and Ocean Dunes (Golf)
h) 228815/1	h) PPZ-KIRA	h) PPZ Cape Wickham and Ocean Dunes (Golf)



Relevant Matters Raised

1. The representors have advised that contracts to purchase land in both the north and south of the island. The land will be affected by the proposed rezoning.

The representor has reviewed the draft KILPS and supporting document along with the King Island Strategic Plan 2022-2023. The strategic plan's main purpose is 'to inform and guide development and implementation of the Council's annual plans and budgets. It is a living document to be regularly reviewed and updated in consultation with our community and stakeholders.'

The land being purchased will be in the PPZ-KIRA, noting that the Cape Wickham Golf Course and Ocean Dunes golfing facility will be rezoned to PPZ-CWOD.

The land purchased at Wickham is for the sole intention of golfing and associated recreational development. This development will include a substantial residential component specifically for visitors.

The land in the south at Black Point (Red Hut Road) is to develop a residential recreational facility with 20 residences and 50-60 hotel beds of mixed configuration.

Requests PPZ-CWOD be applied to the land being purchased to allow for their future development. Concept plans to be prepared during the 60 day period in which the planning authority must prepare a response to the representations received.

2. The representor was not aware of the KILPS exhibition until 9 January 2024.

Authority Response

1. The King Island Strategic Plan 2022-2032 is the municipal strategic plan prepared by Council in accordance with the *Local Government Act 1993*. The endorsed King Island Land Use Plan 2018 (KILUP) informs the future strategic direction for land use planning. The KILUP recognises the visitor economy and its importance to the island.

The KILUP seeks to diversify the visitor economy and future development at Cape Wickham, but this must respect the coastal landscape and the iconic lighthouse.

The land areas under contract for purchase cover an extensive area. KILUP does not provide evidence for expanding the spatial application of PPZ-CWOD. The zone is tailored for future use and

development of the existing Cape Wickham and Ocean Dunes golf courses and provides a considered policy setting.

The zone at Cape Wickham is confined to a single title. The PPZ-CWOD is tailored to provide an appropriate mix of diversification of uses in these locations without detracting from the main settlement of Currie. However, the PPZ-CWOD written document is unsuited to a wide-scale spatial application.

Rezoning any land without strategic evidence is premature. The planning authority does not have a strategy that identifies whether the inclusion of additional land into the PPZ-CWOD can be supported or demonstrated to meet the LPS criteria of the Act.

The PPZ-CWOD is structured to diversify uses in these locations. However, it imposes a policy structure to limit the nature, scale, and size of use and development, ensuring it does not compete with the settlement hierarchy. The spatial application of PPZ-CWOD is unsuited for wide-scale application without further assessment or strategic analysis.

The planning authority does not hold information or have a strategy to support a broader zone application. The expansion of the PPZ-CWOD should be considered separately through an amendment process available to a proponent once the of the KILPS is made and in operation.

The rezoning of the properties to PPZ-CWOD is not supported.

2. The KILPS was exhibited in accordance with the requirements of the Act.

Recommended Modification to KILPS

No action is recommended.

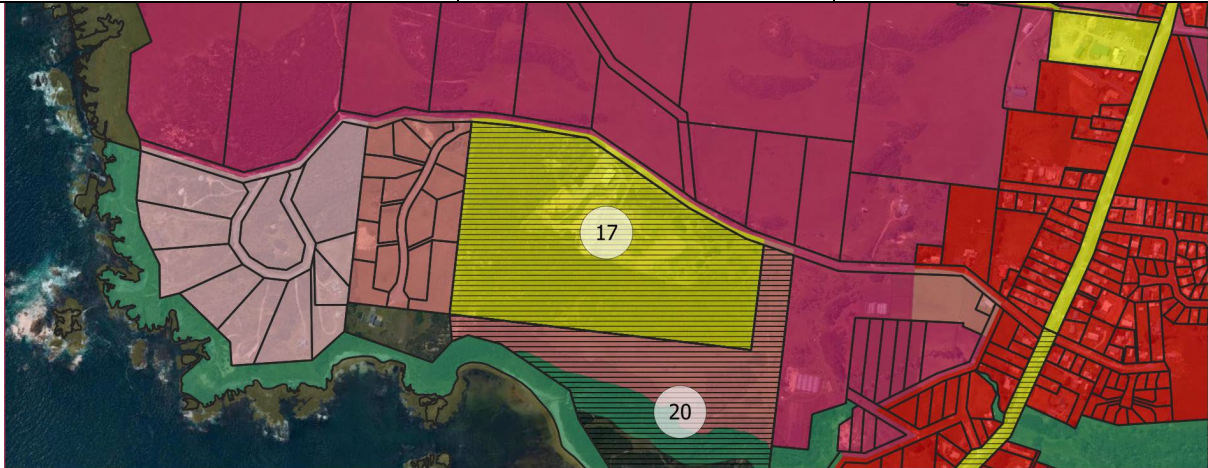
Effect of the recommendation on the KILPS

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

Meets section 34 LPS criteria

There are no modifications recommended. There is no on the section 34 LPS criteria.

Representation 17: Kim George and Guy Barnes

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) CT:162453/1	PPZ-KIRA	Not specified
 <p data-bbox="209 835 948 907"> Representation Village Zone Recreation Zone General Residential Zone Utilities Zone Particular Purpose Zone </p>		
Relevant Matters Raised		
<ol style="list-style-type: none"> 1. Supports the proposed PPZ-KIRA but asks that the content be reworked to ensure more public engagement so that it can become the island's main mechanism for addressing a number of the island's most strategic needs – rather than being a negative hurdle as it is currently formed. <p>Insufficient time to have input from professional advisers (planners etc).</p> <ol style="list-style-type: none"> i. Due to the holidays, travel by the representor and planning advisors being unavailable it has been difficult to prepare the representation. ii. The size and complexity of the documents makes it difficult for ordinary community members therefore it requires the availability of suitably qualified professionals. An extension of time to respond is requested. <p>Limited public awareness of the changes and impact (more effort and time required). Claims islanders were unaware of the process and definitely unaware of the proposed contents and any particular impacts it could have for them and the island as a whole.</p> 2. Expansion of the UZ as Charles Street without community /stakeholder consultation. <ol style="list-style-type: none"> i. Objects to the expansion of the UZ at Charles Stret. The site was meant to be temporary, and strategically is supposed to be moved out of Currie. The expansion of the UZ will have a negative impact on adjoining properties due to the attenuation distance that applies as well as the increasing the continuation of this temporary use. ii. The surrounding land is highly suited to Low Density Residential and Coastal Living and can provide for an orderly expansion of the Currie township(including coastal views) and so could be a critical component toward future growth of the island. 3. PPZ-KIRA provides less flexibility for future uses than the current Rural Resource Zone. It should increase flexibility of use (particularly for coastal living) on the least productive coastal land. The rural sector is critical to King Island and the underlying Rural Resource Zone has the protections 		

needed. Much of the land with low value for rural and agricultural purposes has a high potential; value for addressing some of the island's main issues and aspirations.

The PPZ-KIRA supporting documentation does not properly identify/support the main needs of the island for future uses.

Authority Response

1. The drafting of KILPS commenced shortly after the KILUP was completed in 2018. The KILUP forms the local strategy concerning future use and development on the island, and underpins the drafting of the KILPS.

The vision and strategies in the KILUP were drafted in consultation with key stakeholders and the community. Council widely engaged various stakeholders to capture different views and perspectives through this process. The KILUP formulated actions, strategies and policies consistent with the aspirations of islanders.

Community consultation concerning the KILPS was undertaken during the public exhibition period. Information was made available on the Council's webpage and public notices in the local paper. Two separate information sessions and a drop-in session were held in November 2023 during the public exhibition period.

The Council has pursued a policy setting by drafting the KILPS that is aligned with the KILUP. The KILUP seeks to protect the land resource for agriculture, maximise the retention of native vegetation and diversify opportunities for economic activity in the rural area.

The representors had an extension of time. Council has accepted all representations received after the closing date.

2. The property at 97 Charles Street, Currie is an inert landfill site within the Recycling and Waste Disposal use class. Under the KIIPS, two zones are applied to the property, Utilities and Rural Resource. The established use has expanded on the property and has breached the boundaries of the current Utilities Zone under the KIIPS. In accordance with the drafting conventions and Guideline No. 1 the UZ is applied as it is Council's only current waste transfer station.

C9.0 Attenuation Code of the SPPs will apply to use and development within an attenuation distance of a level 1 or level 2 activity listed in Table C9.1. The code will apply to assessing a new sensitive use if it is within the attenuated distance of an activity listed, irrespective of the underlying zone.

The spatial application of the UZ to the property is consistent with Guideline No. 1.

If in the future the inert landfill site is relocated, alternative uses for the site could be explored. The planning authority does not support an alternative zone.

3. The PPZ-KIRA seeks to protect the land resource for agricultural uses but also balances the opportunity for economic activity in the rural area. The representation challenges the proposed overriding provisions, asserting that the provisions in the zone provide less flexibility than the current Rural Resource Zone under the KIIPS.

The opportunity for economic activity and whether the PPZ-KIRA provides sufficient flexibility is discussed in further detail in response to Representation 11. This also provides a response to coastal living opportunities within the rural area.

Recommended Modification to KILPS

1. No action recommended.
2. No action recommended.
3. Refer to Representation 11 response.

Effect of the recommendation on the KILPS

1. No impact on the KILPS.
2. No impact on the KILPS.
3. Refer to Representation 11 response.

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

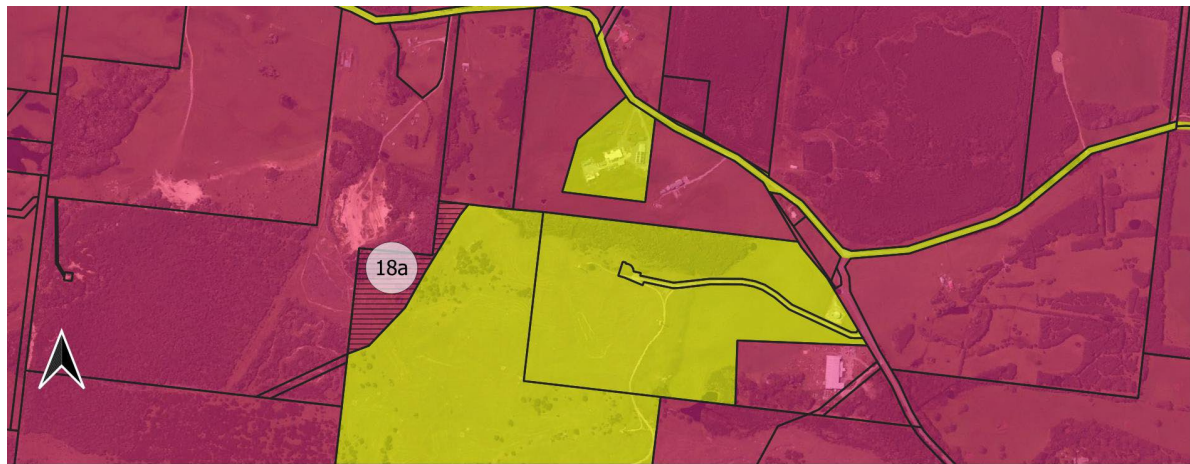
Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 18: King Island Council

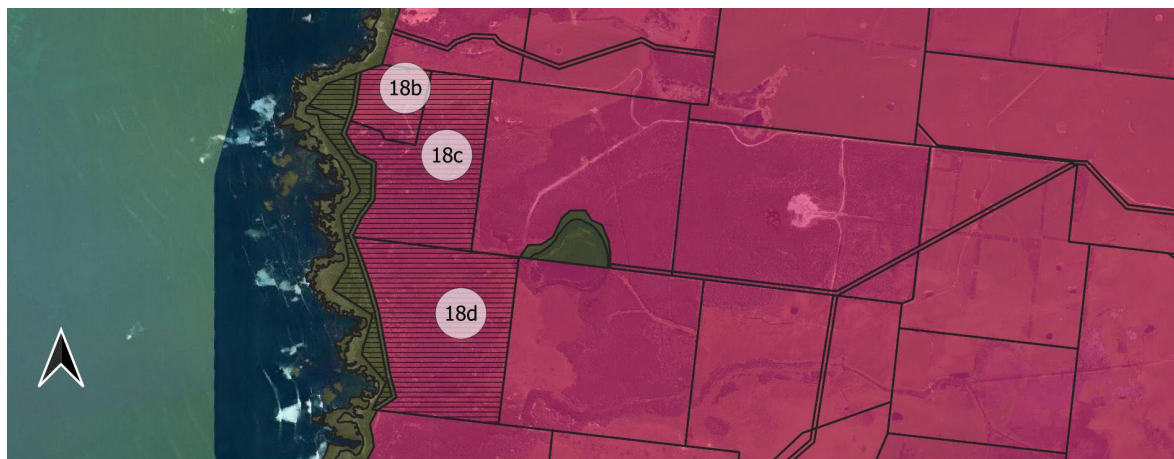
- a) 22 South Road, Nugara
- b) 253B Buttons Road, Bungaree
- c) 253 Buttons Road, Bungaree
- d) Bungaree Road, Bungaree

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) CT:108400/8 b) CT: 140285/1 c) CT: 140285/2 d) CT:130531/5	a) PPZ-KIRA b) EMZ/ PPZ-KIRA c) EMZ/ PPZ-KIRA d) EMZ/ PPZ-KIRA	a) UZ b) PPZ-KIRA c) PPZ-KIRA d) PPZ-KIRA
Various		



Representation
 Recreation Zone
 Particular Purpose Zone

 Utilities Zone



Representation
 Environmental Management Zone
 Recreation Zone
 Particular Purpose Zone

Relevant Matters Raised

1. PPZ - Cape Wickham and Ocean Dunes - Does not include development standards that manage the tones of exterior material and cladding of the built form – amend KIC-P3.6.3 Landscape values.

KIC-P3.6.3 Landscape values

Objective:

That development is compatible with the coastal and rural landscapes when viewed from roads and public places adjoining the site

A1

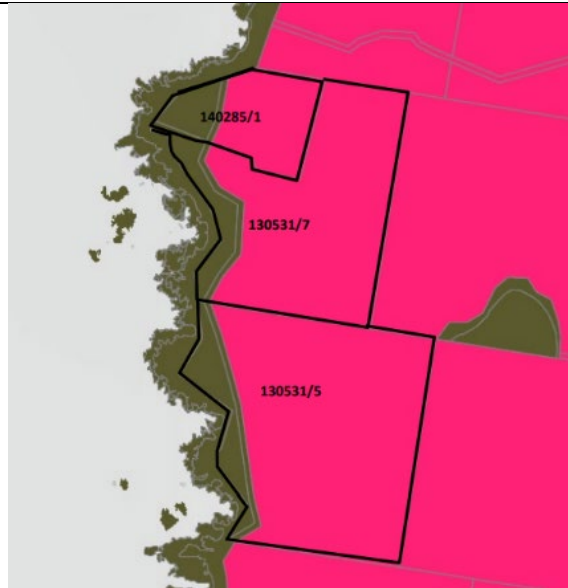
Buildings must have exterior finishes, with a light reflectance value not more than 20%, and be in dark natural tones of black, grey, green or brown.

P1

Exterior building finishes must be designed to minimise impact on the scenic values and rural and coastal landscape of the site and surrounding area, having regard to:

- (a) the local area objectives;*
- (b) any screening provided by the topography;*
- (c) the impact of the development on the natural and cultural values of the site and surrounding land;*
- (d) the design, scale, siting, materials and type of building proposed;*
- (e) the visual prominence of buildings when viewed from public areas including roads and foreshores; and*
- (f) any screening proposed.*

2. Priority vegetation area overlay includes errors and anomalies. The overlay is recommended to be corrected once new data is available from the Department of Environment and Natural Resources;
3. The Safeguarding Airport Code – Obstacle Limitation Surfaces (OLS) was excluded in the exhibited KILPS. Request to amend overlay maps.
4. Correction of minor zone anomalies for the following properties:
 - a) 22 South Road, Nugara (CT:108400/8), from PPZ-KIRA to UZ;
 - b) 253B Buttons Road, Bungaree (CT: 140285/1) EMZ to PPZ-KIRA;
 - c) 253 Buttons Road, Bungaree (CT: 140285/2) EMZ to PPZ-KIRA; and
 - d) Bungaree Road, Bungaree (CT:130531/5) EMZ to PPZ-KIRA.



Authority Response

1. The proposed standard introduces an equivalent provision proposed in PPZ-KIRA. The purpose of the provision is to apply a similar test to the built form concerning the appearance of buildings in the landscape. Support.
2. Support.
3. Support.
4. Support.

Correct minor zone anomalies in accordance with the recommendations of the representation.

Recommended Modification to KILPS

Modify the written document of the KILPS in accordance with Attachment B to -

1. Insert an additional Acceptable Solution and Performance Criteria into the PPZ-CWOD to allow consideration of exterior materials and cladding of the building form.

Objective:

That development is compatible with the coastal and rural landscapes when viewed from roads and public places adjoining the site

A1

Buildings must have exterior finishes, with a light reflectance value not more than 20%, and be in dark natural tones of black, grey, green or brown.

P1

Exterior building finishes must be designed to minimise impact on the scenic values and rural and coastal landscape of the site and surrounding area, having regard to:

- (a) the local area objectives;*
- (b) any screening provided by the topography;*
- (c) the impact of the development on the natural and cultural values of the site and surrounding land;*
- (d) the design, scale, siting, materials and type of building proposed;*

(e) the visual prominence of buildings when viewed from public areas including roads and foreshores; and (f) any screening proposed.

Delete the priority vegetation area overlay in the KILPS and replace with an amended priority vegetation area based on the data from the Department of Natural Resources and Environment..

2. *Note: the recommendation modification cannot be implemented until data becomes available from the Department of Natural Resources and Environment becomes available, prepare an amended priority vegetation area overlay.*
3. Delete the KILPS Safeguarding Airports Overlay and replace with the KILPS – Safeguarding Airports Overlay in Attachment C.
4. Correct minor zone anomalies in accordance with the recommendations of the representation.

Effect of the recommendation on the KILPS

The proposed modifications will improve consistency with Guideline No. 1 and the LPS requirements.

There is no notable effect on the draft as a whole resulting from implementing the recommendation. Satisfaction of the LPS criteria is maintained.

Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 19: E3 Planning Pty Ltd on behalf of Lead Light Investments Pty Ltd

Certificates of Title	Proposed KILPS Zone	Requested Zone
No specific titles.	PPZ-KIRA	PPZ-KIRA
Relevant Matters Raised		
<ol style="list-style-type: none"> 1. Supports the introduction of PPZ-KIRA. <ol style="list-style-type: none"> i. PPZ-KIRA seeks to recognise some of the individuality associated with planning for the future use and development across the island. The supporting report recognises this. The nuanced approach is supported by the action and polies expressed for King Island in the CCRLUS. ii. PPZ-KIRA is proposed to cover the vast majority of land on the island its provisions must deliver the objectives, principles and policies contained within the King Island Land Use Plan 		

2018, the King Island Search Conference, the King Island Structure Plan (*King Island Strategy Plan Report 2008*) and the King Island Council Strategic Plan 2022-2032.

- iii. The supporting report argues why the Agriculture Zone is inappropriate for King Island while giving little consideration to the strategic planning documents and processes that have been undertaken in consultation with the local community. Without implementing these strategic plans it can be expected that the island's population will continue to decline.
- iv. The supporting report provided limited justification or detail for the provisions that the PPZ-KIRA should contain, that the provisions would deliver and how they would further the previously identified strategic documents.

2. Coastal Living –

- i. The PPZ-KIRA does not facilitate coastal living as residential use and development except within an existing dwelling is prohibited along with subdivision across the entirety of the PPZ-KIRA.
- ii. Provision and development standard should include:
 - Minimum lot size – 1ha (subdivision is currently prohibited) with a maximum number of coastal living lots to be permissible under specific conditions.
 - Coastal access to be mandated – any coastal subdivision be required to construct access to the coast.
 - Camping sites are required as part of any planning permit for subdivision in coastal living areas.
 - Existing lots on the coast be available for multiple residential development, if it can be demonstrated that they satisfy relevant objectives and any residential development would not impact upon environmental values or constrain or fettering adjoining agricultural operations.
 - Insert standards that restrict and prohibit the extent of residential use and development on the coast.

Authority Response

Refer to Representation 11 response.

Recommended Modification to KILPS

No action is recommended.

Effect of the recommendation on the KILPS

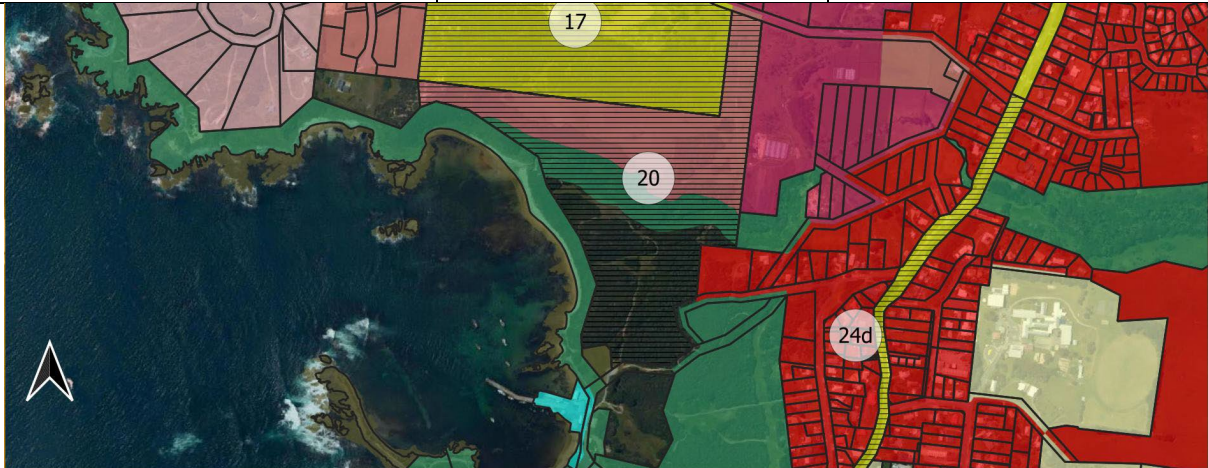






























There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 20: Lead Light Investments Pty Ltd

a) Henry Street, Currie

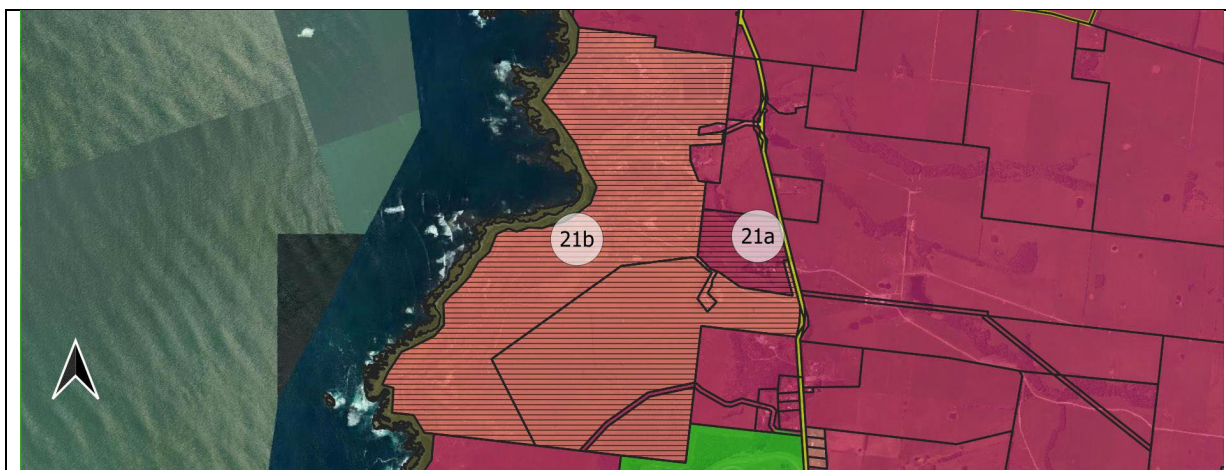
Certificates of Title	Proposed KILPS Zone	Requested Zone												
a) 142894/5	Low Density Residential. Open Space PPZ – Currie. Harbour Tourist Facilities	Low Density Residential. Open Space PPZ – Currie. Harbour Tourist Facilities												
														
<table border="0"> <tr> <td> Representation</td> <td> Rural Living Zone</td> <td> Utilities Zone</td> <td> PPZ</td> </tr> <tr> <td> General Residential Zone</td> <td> Village Zone</td> <td> Recreation Zone</td> <td></td> </tr> <tr> <td> Low Density Residential Zone</td> <td> Environmental Management Zone</td> <td> Open Space Zone</td> <td></td> </tr> </table>			 Representation	 Rural Living Zone	 Utilities Zone	 PPZ	 General Residential Zone	 Village Zone	 Recreation Zone		 Low Density Residential Zone	 Environmental Management Zone	 Open Space Zone	
 Representation	 Rural Living Zone	 Utilities Zone	 PPZ											
 General Residential Zone	 Village Zone	 Recreation Zone												
 Low Density Residential Zone	 Environmental Management Zone	 Open Space Zone												
Relevant Matters Raised														
<p>Lead Light Investments Pty Ltd has two ongoing projects which have been communicated to the Councillors, Mayor and General Manager–</p> <ol style="list-style-type: none"> 1. A Low Density Residential Subdivision of up to 38 Lots which may not be submitted under the current planning scheme - <ol style="list-style-type: none"> i. This subdivision is seen as strategic for King Island. It will provide housing solutions in a market that is unable to meet the demand for visiting workers with many organisations struggling for workers as a result of insufficient housing supply. 2. A tourism development overlooking Currie Harbour on the land located south of Camp Creek – <ol style="list-style-type: none"> i. This development is also seen as strategic for the island. The development application will be lodged after the Draft KILPS is adopted. 3. Rezoning of Council owned land on Charles Street to Utilities. <ol style="list-style-type: none"> i. The rezoning will negatively impact the representors proposed projects as it introduces attenuation over much of their neighbouring properties and others. ii. The rezoning would allow for the expansion of the existing waste management site which has not been discussed with the local community and goes against the future directions previously identified by the community when informing various strategies. iii. Council should subdivide its land on Charles Street so that the title boundary aligns with the existing Utilities zone boundary. This would reduce the impact of the attenuation zone. 4. Insufficient time to prepare a response as no personal notification was received advising on the exhibition of the Draft KILPS. 														

Authority Response
<ol style="list-style-type: none"> 1. The land referred to by the representor is proposed to be zoned Low Density Residential in the KILPS. The representor indicates that there is an intention to lodge an application for subdivision which is noted. (The application has now been received by the planning authority). 2. The land referred to by the representor is subject to a transitional arrangement of 32.0 Particular Purpose Zone -Currie Harbour Tourist Facilities. The provisions have been included KIC-P1.0 Particular Purpose Zone – Currie Harbour Tourist Facilities in the KILPS. The representor indicates an intention to submit a planning permit application in this zone which is noted. 3. Refer to Representation 17 response, point 2. 4. Noted. Council has accepted all representations received after the closing date.
Recommended Modification to KILPS
No change is recommended.
Effect of the recommendation on the KILPS
There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.
Meets section 34 LPS criteria
The Planning Authority recommendation meets the LPS criteria.

Representation 21: Ocean Dunes Holdings Pty Ltd

- a) 365 North Road, Loorana
- b) 389 North Road, Loorana

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 174690/1 b) 174690/2	a) PPZ Cape Wickham and Ocean Dunes b) PPZ Cape Wickham and Ocean Dunes	a) PPZ Cape Wickham and Ocean Dunes b) PPZ Cape Wickham and Ocean Dunes



- | | | |
|-------------------------------|-----------------|----------|
| Representation | Utilities Zone | PPZ-CWOD |
| Low Density Residential Zone | Recreation Zone | |
| Environmental Management Zone | PPZ | |

Relevant Matters Raised

Supports the introduction of the Particular Purpose Zone – Cape Wickham & Ocean Dunes.

1. The addition of permissible land uses within the PPZ - CWOD to include non-golf tourism related uses –
 - i. The Local Area Objectives for the PPZ attempt to expand the range of permissible land uses the qualification specifying 'residential' use in (c). LIC-P3.4 Table of Uses a Residential use is discretionary and only for employees associated with golf tourism. This limitation is likely to pose challenges to the long-term viability of gold tourism and could potentially deter investors.
 - ii. Lack of acknowledgement of non-golf tourism land uses and accommodation does not address the growing need for diverse housing options, promote economic growth beyond golf tourism, nor contribute to a resilient and sustainable community.
 - iii. Further consideration to uses allowable in PPZ-CWOD to allow for a broader range of accommodation to support the growing golf tourism industry.
2. The expansion of PPZ – CWOD to include CT 174690/1 at 391 North Road, Loorana:
 - i. CT 147690/1 has recently been purchased by associates of Ocean Dunes Holding Ltd. The addition of this lot into PPZ-CWOD would further increase opportunities to provide a diverse variety of accommodation.

Authority Response

1. The modification to the PPZ-CWOD to incorporate Residential use not associated with employees cannot be supported without strategic rationale and local strategy. While it is recognised that the golf courses require diversification, limiting Residential use is a deliberate policy and consistent with the zoning regime of the KILPS. The island's population growth is directed towards the existing settlements within residential zones at Currie, Grassy and Naracoopa.

The allowance for Residential use in the PPZ-CWOD recognises the challenges of the quality and supply of housing on the island. The housing quality is often an influencing factor to securing highly-skilled staff to the island. The policy in the zone provides opportunity to construct contemporary housing for employees and support sustainability of the golf course and their operations.

The PPZ-CWOD is structured to diversify uses in these locations, but imposes a policy structure to limit the nature, scale and size of use and development not to compete with the main settlement of Currie. The modification to the PPZ-CWOD in the written document to open the use class Residential is in direct conflict with the KILPS.

The planning authority does not hold information or has a strategy to support the relaxation of Residential use in the the PPZ-CWOD without further analysis and strategic work.

No modifications to the KILPS are recommended in response to this representation.

2. Noted. The planning authority does not support the inclusion of the property into the zone.

Recommended Modification to KILPS

No change is recommended.

Effect of the recommendation on the KILPS

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

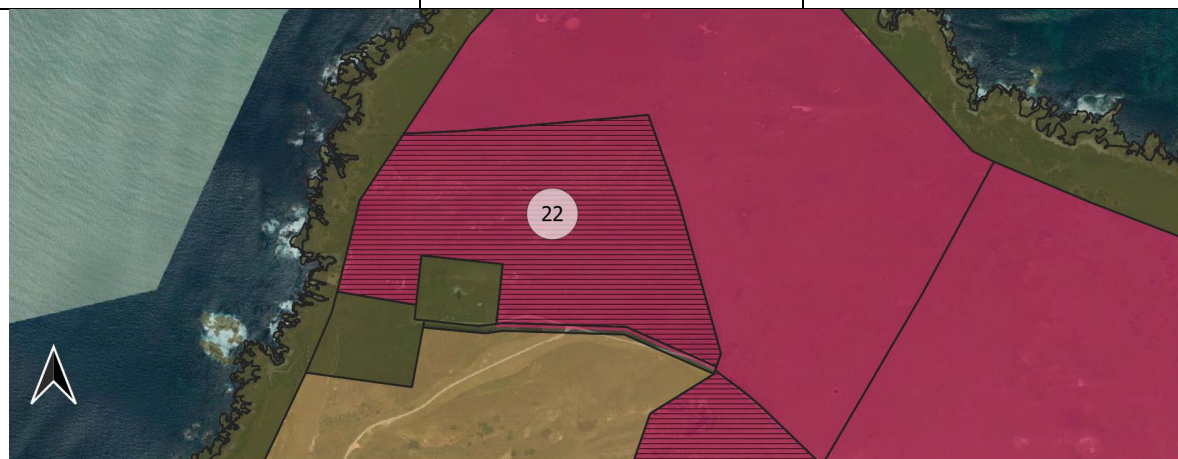
Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 22: Grant Hirst on behalf of Wickham Views Pty Ltd

a) Cape Wickham Road, Wickham

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 251307/1	a) PPZ-KIRA	a) PPZ Cape Wickham and Ocean Dunes



Representation
 Recreation Zone
 Particular Purpose Zone
 PPZ-CWOD
 Environmental Management Zone

Relevant Matters Raised
<ol style="list-style-type: none"> 1. The addition of permissible land uses within the PPZ - CWOD to include non-golf tourism related uses- <ol style="list-style-type: none"> i. The Local Area Objectives for the PPZ attempt to expand the range of permissible land uses the qualification specifying 'residential' use in (c). LIC-P3.4 Table of Uses a Residential use is discretionary and only for employees associated with golf tourism. This limitation is likely to pose challenges to the long-term viability of golf tourism and could potentially deter investors. ii. Lack of acknowledgement of non-golf tourism land uses and accommodation does not address the growing need for diverse housing options, promote economic growth beyond golf tourism, nor contribute to a resilient and sustainable community. iii. Further consideration to uses allowable in PPZ-CWOD to allow for a broader range of accommodation to support the growing golf tourism industry. 2. The expansion of PPZ-CWOD to include CT 251307/1 Cape Wickham Road, Wickham. <ol style="list-style-type: none"> i. In conjunction with expanding the permissible uses within PPZ-CWOD the inclusion of this lot would allow for addition accommodation which is lacking at Cape Wickham.
Authority Response
<ol style="list-style-type: none"> 1. Refer to Representation 21 response concerning point 1. 2. The planning authority does not support the inclusion of the property into the zone for same reasons outlined in Representation 21 response.
Recommended Modification to KILPS
Refer to Representation 21 response.
Effect of the recommendation on the KILPS
There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.
Meets section 34 LPS criteria
The Planning Authority recommendation meets the LPS criteria.

Representation 23: Forest Practices Authority

Certificates of Title	Proposed KILPS Zone	Requested Zone
N/A	PPZ-KIRA	N/A
Relevant Matters Raised		
<ol style="list-style-type: none"> 1. KIC-S1.0 Fences in the King Island Rural Area Specific Area Plan – <ol style="list-style-type: none"> i. KIC-S 1.7.1 A1 provides a no permit pathway for clearing of native vegetation within a priority vegetation area within 3m of the boundary or centreline of a fence. This is inconsistent with Regulation 4 of the <i>Forest Practices Regulations 2017</i>. The SAP-Fences b (i) and (ii) should only apply to existing infrastructure only. 		

<ul style="list-style-type: none"> ii. FPA recommends that property owners seek advice as to whether erecting new fencing (either internal or on a boundary) involving the clearance of trees or Threatened native Vegetation Community requires a Forest Practices Plan. iii. Recommends a joint communications program to inform landowners of potential regulatory requirements under both systems. <p>2. Priority Vegetation Area Overlay (PVAO) –</p> <ul style="list-style-type: none"> i. The FPA has reviewed the PVAO and notes that there are a small number of areas where native vegetation or areas supporting threatened species are not covered by the PVAO. In these areas, there may still be requirements under the <i>Forest Practices Act 1985</i> for a Forest Practices Permit to clear native vegetation. ii. The FPA takes the view that all native vegetation on the island (as per mapping currently being undertaken by the Natural Assets and Spatial Intelligence Section – NRE Tas) may be important. This is due to the extent of remaining native vegetation on the island (approximately 30%), which either constitutes a Threatened Native Vegetation Community, or is likely to provide value to threatened flora and fauna species. This includes all of the Pagarah State Forest (including former plantation areas), as this is a key location for the threatened King Island brown thornbill and King Island scrubtit.
<p>Authority Response</p>
<p>1.</p> <ul style="list-style-type: none"> i. The planning authority drafted the SAP-Fences is to overcome the limitations of the exemptions in the State Planning Provisions which in some instances only apply to RZ and AZ. The drafting of the SAP-Fences, concerning fencing and clearance of native vegetation, has adopted the wording of clause 4.4.1 (h). While the inconsistency is noted between the SAP-Fences and Regulation 4 of the Forest Practices Regulation 2017, the wording is consistent with clause 4.4.1 (h). There is no action recommended. ii. Council supports and encourages person wishing to clear native vegetation from their properties to seek specialised advice. Noted. iii. Council would support a joint community program to inform landowners of their obligations. Noted. <p>2.</p> <ul style="list-style-type: none"> i. The planning authority has openly acknowledged that the publicly exhibited priority vegetation area has some errors and inaccuracies. The comments that the <i>Forest Practices Act 1985</i> may still apply even if not within the overlay area. Noted. ii. The planning authority will ensure that the Pergarah State Forest is included in a new overlay, recognising its importance to the King Island brown thornbill and King Island scrubtit. It is recommended for inclusion of the priority vegetation area overlay when the new data becomes available.
<p>Recommended Modification to KILPS</p>
<p>No action is recommended.</p>
<p>Effect of the recommendation on the KILPS</p>

There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.

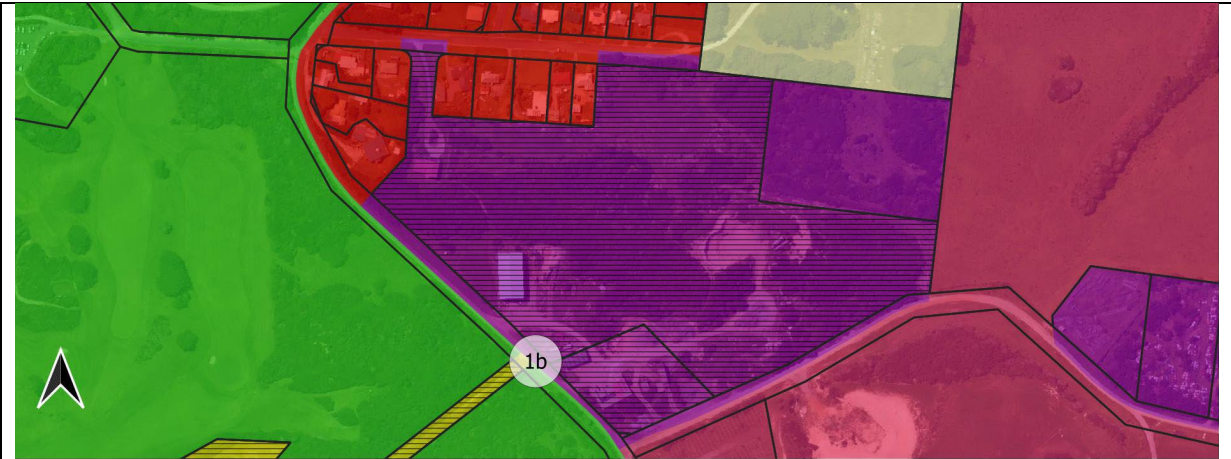
Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 24: Department of State Growth – Infrastructure Tasmania

- a) 27 Netherby Road, Currie
- b) Naracoopa Mineral Sands
- c) 285 Grassy Harbour Road, Grassy
- d) Intersection Main Street/Huxley Street, Currie
- e) Intersection North Road/Yambacoona Road, Yambacoona

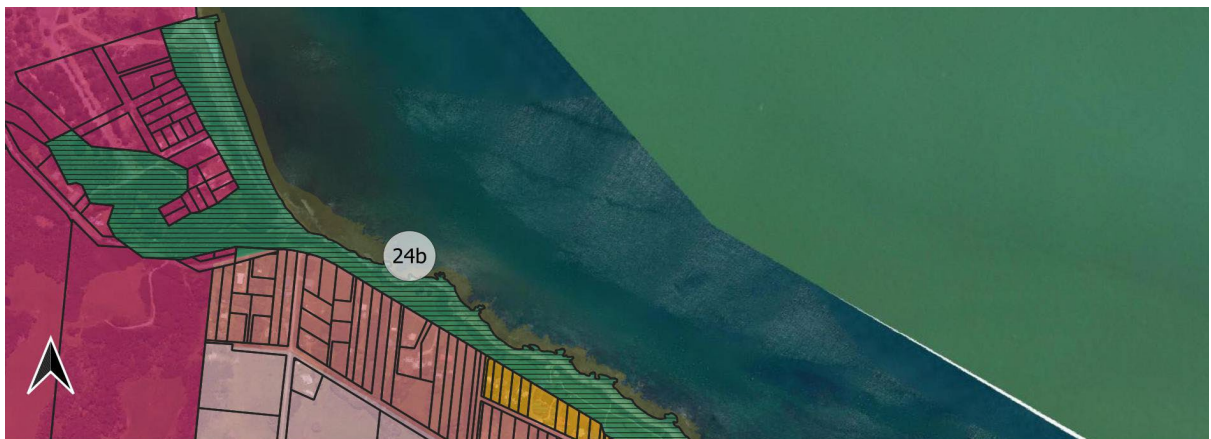
Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 87128/1 b) PID 2224606 c) 128576/1 d) Road Reserve e) Road Reserve	a) Light Industrial b) Open Space c) Port & Marine d) Utilities e) PPZ-KIRA	a) Light Industrial with SSQ b) PPZ-KIRA c) PPZ-KIRA & EMZ d) GZ e) UZ to follow road reservation cadastre boundary



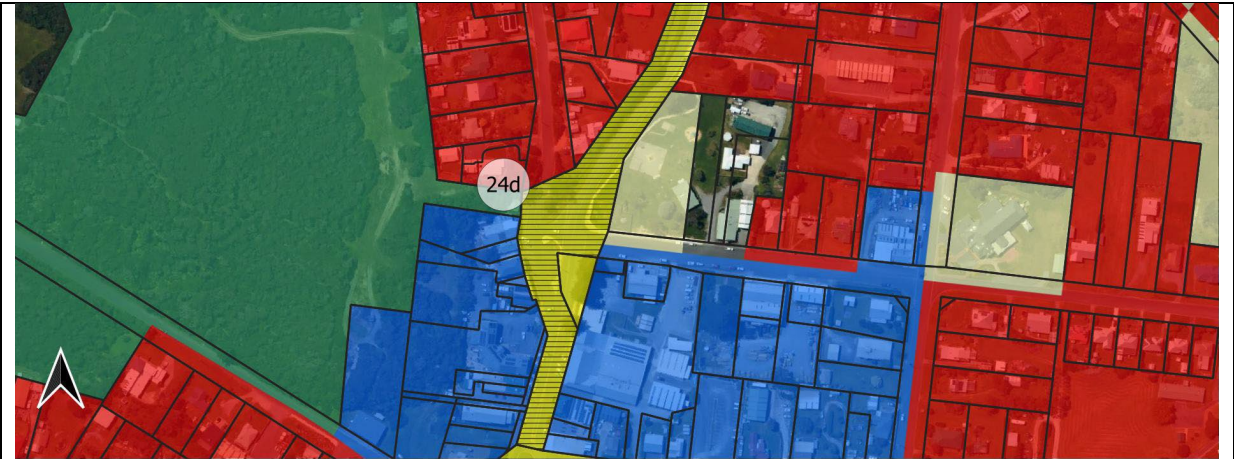
- Representation
- Light Industrial Zone
- Utilities Zone
- Recreation Zone
- Environmental Management Zone
- Community Purpose Zone
- Particular Purpose Zone
- General Residential Zone



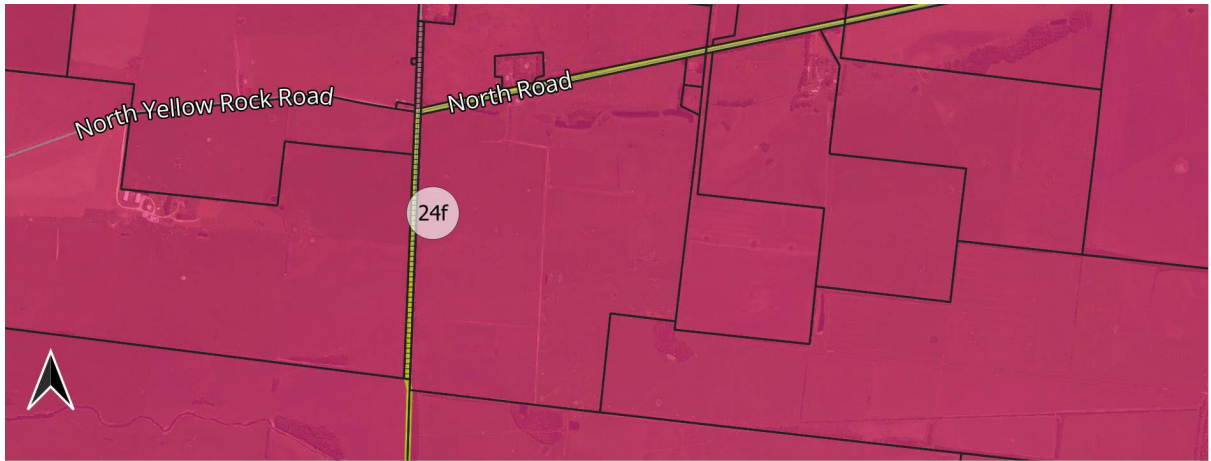
- Representation
- General Industrial Zone
- Port and Marine Zone
- Particular Purpose Zone
- Environmental Management Zone
- Utilities Zone



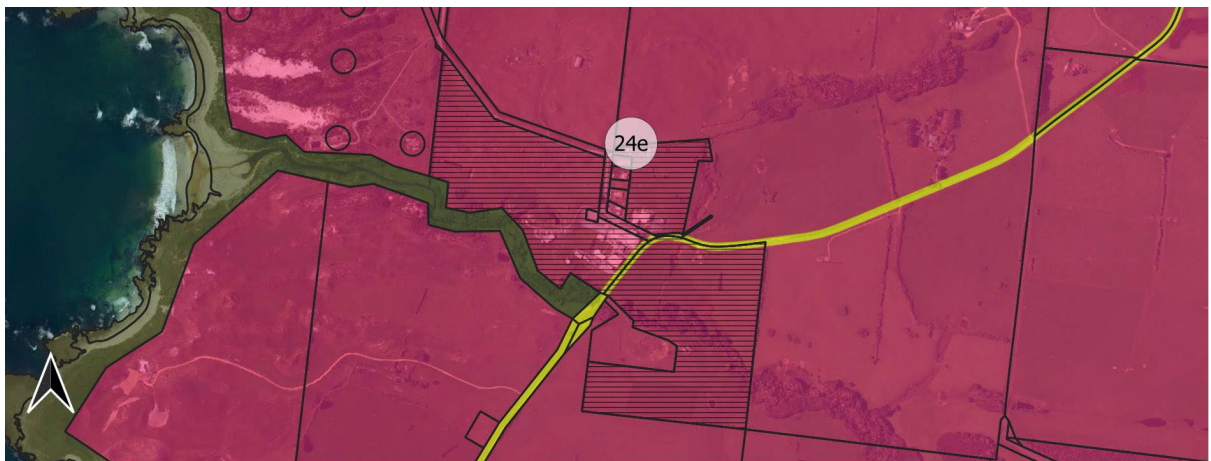
- Representation
- Low Density Residential Zone
- Village Zone
- Open Space Zone
- Rural Living Zone
- Environmental Management Zone
- Particular Purpose Zone



- Representation
- General Business Zone
- Utilities Zone
- Open Space Zone
- General Residential Zone
- Environmental Management Zone
- Community Purpose Zone
- Particular Purpose Zone



- Representation
- Environmental Management Zone
- Particular Purpose Zone



- Representation
- Environmental Management Zone
- Utilities Zone
- Particular Purpose Zone

Relevant Matters Raised
<ol style="list-style-type: none"> 1. Property a) has a mining lease over the land. The use class Extractive Industry is prohibited in LIZ. 2. Property b) has a mining lease over the land. The use class Extractive Industry is prohibited in LIZ. 3. Property c) is zoned PM. The use class Extractive Industry is prohibited in PMZ. 4. State Growth seeks corrections to the application of the Utilities Zone concerning road infrastructure.
Authority Response
<ol style="list-style-type: none"> 1. The LIZ is applied in Currie, south of the land area zoned General Residential and adjoins properties containing sensitive uses. The use class Extractive Industry is not listed in 18.2 Use Table as No Permit Required, Permitted or Discretionary. The use class is prohibited. A mining lease is within the LIZ. The extractive activity is established on the site and has existing use rights. The location of Extractive Industries in proximity to residential uses of Currie is not supported. No change is recommended. 2. The mining lease over property b) extends into OSZ. The mining lease within the OSZ adjoins several properties containing sensitive uses at Naracoopa, adjoining the Low Density Residential Zone. The use class Extractive Industry is not listed in 29.2 Use Table as No Permit Required, Permitted or Discretionary. The use class is prohibited. The Department of Natural Resources and Environment owns this land. The request for the PPZ-KIRA application is not supported as the property forms part of open space used by the community. The Fraser River also traverses the property. No action recommended. 3. The mining lease at Grassy breaches the PMZ. The use class Extractive Industry in 25.2 Use Table is not listed in 25.2 Use Table as No Permit Required, Permitted or Discretionary. The use class is prohibited. Applying the PPZ-KIRA to the mining lease area results in split zoning, which is not preferred. The extractive industry currently operates, and this small breach of the mining lease extending into the PMZ is considered minor. No action is required. 4. State Growth is seeking several corrections to the spatial application of the UZ concerning their road infrastructure. The planning authority submits that it wishes to retain the UZ in its current location. The proposed modification as recommended are not supported.
Recommended Modification to KILPS
<ol style="list-style-type: none"> 1. No action is recommended. 2. No action is recommended. 3. No action is recommended. 4. No action is recommended.
Effect of the recommendation on the KILPS
<p>There is no effect on the KILPS as a whole resulting from implementing the recommendation. The LPS criteria, as addressed in the Supporting Report, is maintained.</p>

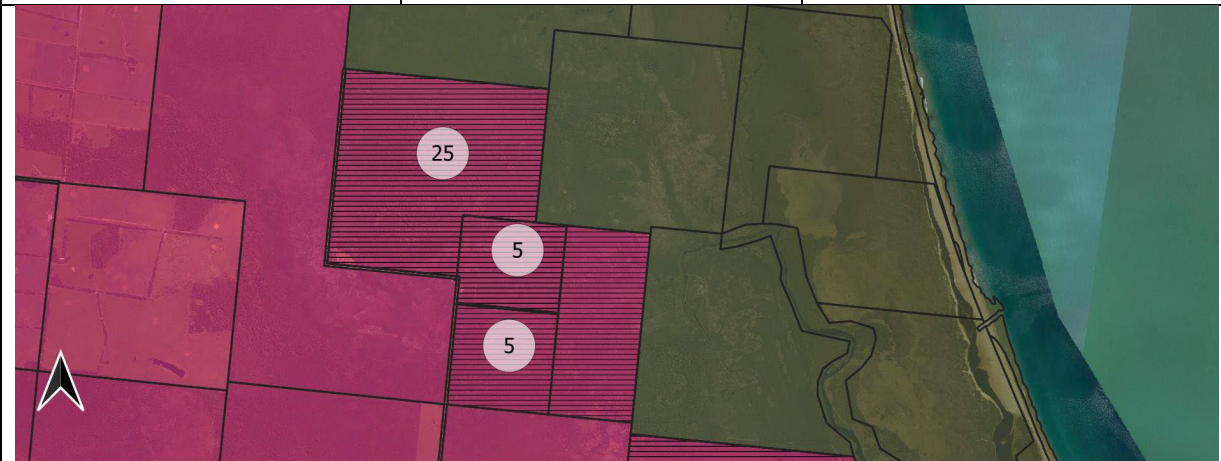
Meets section 34 LPS criteria

The Planning Authority recommendation meets the LPS criteria.

Representation 25: Kate Armstrong

a) 1589 Reekara Road, Sea Elephant

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 241958/1	a) PPZ-KIRA	a) Landscape Conservation



Representation Environmental Management Zone Particular Purpose Zone

Relevant Matters Raised

1. Supports the Conservation Landholders, Tasmania, submission that covenanted properties should be rezoned to Landscape Conservation as the PPZ-KIRA is inappropriate.
 - i. CT 241958/1 is part of a block of covenanted lots that provide an area for the movement of threatened species between the Lavinia State Reserve and Council Hill Conservation Area. This is important due to the fragmentation of vegetation on the island.
2. The covenanted land to be rezoned PPZ-KIRA is identified in mapping of the King Island Scrub Complex which is currently being considered for listing under the Commonwealth *Environment Protection Biodiversity Act 1999*. The zoning of this land PPZ-KIRA is not logical.

Authority Response

Refer to Representation 4 response.

Recommended Modification to KILPS

Refer to Representation 4 response.

Effect of the recommendation on the KILPS

Refer to Representation 4 response.

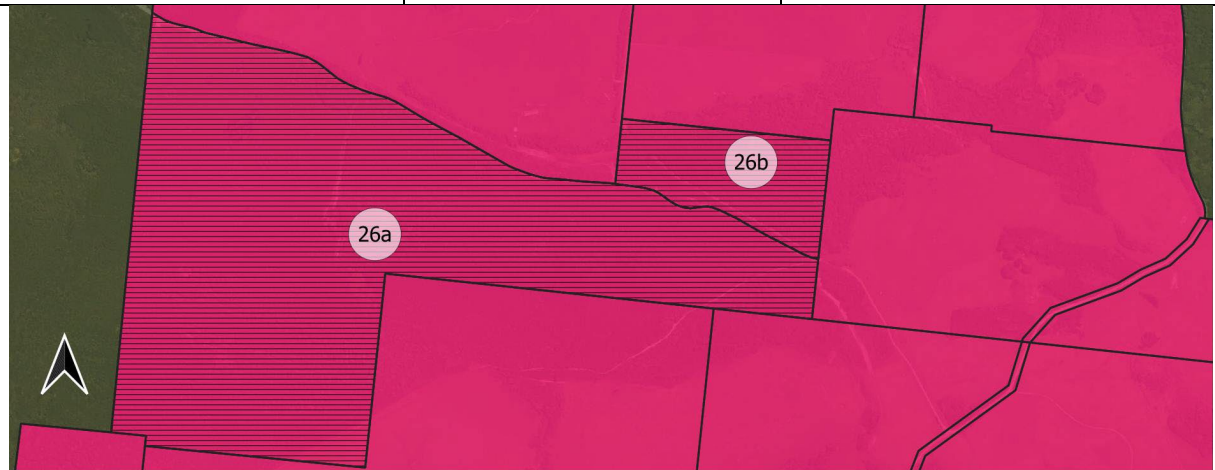
Meets section 34 LPS criteria

Refer to Representation 4 response.

Representation 26: Department of Natural Resources and Environment

- a) Seal Rocks Road, Surprise Bay
- b) Seal Rocks Road, Surprise Bay
- c) Etterick River, South Road, Nugara

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) CID 627100	a) PPZ-KIRA	a) Environment Management
b) CD 627102	b) PPZ-KIRA	b) Environment Management
c) CD 1386792	c) PPZ-KIRA	c) Environment Management



Representation Particular Purpose



Representation Particular Purpose

Relevant Matters Raised

All parcels are Crown land –


1. Adjoins Seal Rocks State Reserve covered by priority and threatened vegetation.
2. Adjoins Seal Rocks State Reserve covered by priority and threatened vegetation.

Parcel Address	
CT	/0
Tenure Type	
Crown Land	
Locality	
-	



3. A riparian public reserve along the Ettrick River zoned Environment Management under KIIPS 2013

Parcel Address	
CT	/0
Tenure Type	
Crown Land	
Locality	
-	



4. Supports proposed PPZ-KIRA –
 - i. as it allows the application of the Priority Vegetation Area Overlay (PVOA).
 - ii. The PPZ-KIRA should include a reference that the principles within PAL are to be considered (acknowledges land capability assessment has not been undertaken for the island) with agricultural assessments and enterprise versatility be encouraged.
 - iii. With challenges attracting labour to regions the ability for worker accommodation to be considered as permitted rather than discretionary is encouraged.
 - iv. Council is encouraged to consider, as part of the development assessment process for resource development, extractive industries or service industry uses, whether the land can be returned to future agricultural use.
 - v. Concerned there is a drafting error in the Use Table with the Permitted Residential use. As drafted, the 'or not listed as No Permit Required' qualification could be interpreted as negating the Discretionary Residential use pathway.
5. Accuracy of the Priority Vegetation Area Overlay –
 - i. Agrees, that as stated in Council's supporting report the PVAO is not based on latest data and there are inaccuracies, e.g. Grassy Harbour has been zoned Port & Marine with the PVAO not applied TASVEG 3.0 has this area mapped as 'FUR- Urban Areas' where recent field surveys identified the presence of native vegetation community *Rookery halophytic herbland*, which corresponds to a *Threatened Native Vegetation Community* (Seabird Rookery Complex) as protected under the *Nature Conservation Act 2002*.
 - ii. When completed the current TASVEG Revision for King Island will resolve inaccuracies such as identified in i.

- iii. The formal release of TASVEG 4.1 (containing the King Island revision) is expected to occur shortly.

6. Waterway and Coastal Protection Area Overlay –

The removal of artificial watercourses (e.g. open drains) and artificial waterbodies (e.g. farm dams) is supported but it is important that such areas are not removed from the overlay without proper consideration of the potential natural values present (regardless of artificiality). The following recommended considerations are made:

- Some farm dams and low-lying artificially drained areas may sustain wetland values. Such areas, in particular wetlands mapped under the TASVEG codes 'AHF - Freshwater aquatic herbland', 'AHL - Lacustrine herbland', 'AHS - Saline aquatic herbland' and 'ASF - Freshwater aquatic sedgeland and rushland', may qualify for protection under the Nature Conservation Act 2002 as the Threatened Native Vegetation Community Wetlands.
- The interpretation of waterway appearance/naturalness from aerial or satellite imagery from a single time period may not adequately capture representative natural values. For example, areas that appear to contain open water in one image may be dry the remainder of the year (e.g., occasionally inundated AHL, or seasonally flooded low rush/sedges), or may develop herbaceous aquatic growth after the initial inundation (e.g., emergent herbaceous vegetation in semi-permanent freshwater can occur in AHF). Interpretation is therefore improved where a historical timeline of imagery has been considered (as applied in TASVEG mapping).
- Artificial watercourses/waterbodies may have been constructed to replace/modify historical natural drainage lines and may include sections of remnant waterway habitats which potentially may be important habitat for species listed under the Threatened Species Protection Act 1995 (TSP Act) and/or the Environment Protection and Biodiversity Conservation Act 1999, including landscape connectivity.

Authority Response

1, 2. and 3.

The identified properties are Crown land and the representator notes the natural values of these properties. In accordance with EMZ 1 (e), the planning authority supports the application of the EMZ to these properties.

4.

- i. Noted.
- ii. The KILPS must be consistent with the State Policy on the Protection of Agricultural Land 2009 (PAL). The principles of PAL are integrated into the assessment process of use and development on the island.
 - a. The PPZ-KIRA integrates the principles of PAL into the overriding provisions. The protection of agricultural land is expressed through the zone purpose statements, and the use and development standards. The use standards embedded in the PPZ-KIRA consider the impact of non-agricultural uses on the land resource. No action is recommended.
- iii. Noted. The PPZ-KIRA provides a permit pathway for the consideration of workers accommodation associated with an agricultural use being a discretionary permit pathway. No change recommended.
- iv. Refer to comment at (ii).

- v. The qualifications associated with the No Permit Required and Permitted for Residential use are restricted by qualifications. There is only a Discretionary permit pathway available for the construction of a new dwelling.
- 5. Noted.
- 6. The planning authority notes the concerns raised for the waterway and coastal protection area overlay. The planning authority welcomes further feedback from the Department of Natural Resources and Environment to resolve any discrepancies of the overlay identified.

Recommended Modification to KILPS

1. Amend the Zone Maps to apply the EMZ to properties a), b) and c) as referred to in points 1, 2 and 3 instead of the PPZ-KIRA.
2. Amend the waterway and coastal protection area overlay in collaboration with the Department of Natural Resources and Environment through the hearing process of the KILPS>
3. No action required.

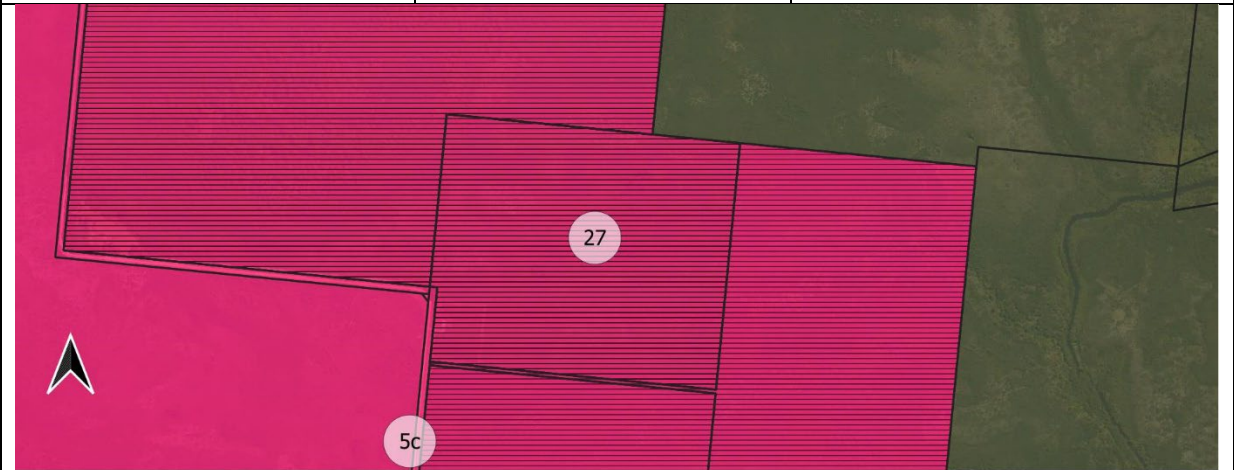
Effect of the recommendation on the KILPS

No impact on the KILPS.

Representation 27: Angela Somerville

a) 1675 Reekara Road, Sea Elephant

Certificates of Title	Proposed KILPS Zone	Requested Zone
a) 163546/1	a) PPZ-KIRA	a) Landscape Conservation



Representation ■ Particular Purpose

Relevant Matters Raised

There is a conservation covenant over most of the title, therefore the Landscape Conservation Zone should be applied.

Supports representation from Conservation Landholders, Tasmania.

Authority Response

Refer to Representation 4 response.

Recommended Modification to KILPS

Refer to Representation 4 response.

Effect of the recommendation on the KILPS

Refer to Representation 4 response.

Attachment B – draft King Island Local Provision Schedule - Written Document

TABLE OF CONTENTS

KIC-Local Provisions Schedule Title

KIC-Effective Date

KIC-Local Area Objectives

Particular Purpose Zones

KIC-P1.0 Particular Purpose Zone – Currie Harbour Tourist Facilities

KIC-P2.0 Particular Purpose Zone – Rocky Glen

KIC-P3.0 Particular Purpose Zone – Cape Wickham and Ocean Dunes

KIC-P4.0 Particular Purpose Zone – King Island Rural Area

Specific Area Plans

KIC-S1.0 Fences in the King Island Rural Area Specific Area Plan

KIC-Site-specific Qualifications

KIC-Code Lists

KIC-Applied, Adopted and Incorporated Documents

King Island Local Provisions Schedule

KIC-Local Provisions Schedule Title

KIC-1.1 This Local Provisions Schedule is called the King Island Local Provisions Schedule and comprises all the land within the municipal area.

KIC Effective Date

KIC-1.2 The effective date for this Local Provisions Schedule is <insert date>.

KIC-Local Area Objectives

This clause is not used in this Local Provisions Schedule.

KIC-P1.0 Particular Purpose Zone – Currie Harbour Tourist Facilities

KIC-P1.1 Zone Purpose

The purpose of the Particular Purpose Zone – Currie Harbour Tourist Facilities is:

- KIC-P1.1.1 To promote visitor accommodation use and development consistent with the Currie Harbour setting.
- KIC-P1.1.2 To allow for other use and development that complements or enhances the tourism and visitor accommodation and activity associated with the adjoining commercial port.

KIC-P1.2 Local Area Objectives

Reference Number	Area Description	Local Area Objective
KIC-P1.2.1	Currie Harbour Tourist Facilities, as shown on an overlay map as P.1.2.1.	<p>The local area objectives for the Currie Harbour Tourist Facilities are:</p> <ul style="list-style-type: none"> (a) to provide for vegetation management of the site including weeds, fire protection, erosion control and revegetation; (b) to minimise vegetation removal associated with new development by locating new development within existing cleared areas as far as possible; (c) to provide for new development to have adequate sewer, water and power services; (d) to provide development consistent with the character and scale of the adjacent Currie Harbour and working port area; (e) to provide for the visual impact of new development to be sensitive and sympathetic to surrounding natural features, landforms and public spaces; and (f) to provide for buildings to be sited and designed to be energy efficient and provide for adequate shelter from prevailing weather conditions.

KIC-P1.3 Definition of Terms

This sub-clause is not used in this particular purpose zone.

KIC-P1.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Community Meeting and Entertainment	If for a: (a) art gallery (b) conference centre (c) function centre; (d) health centre; (e) museum; or (f) visitor information centre;
Food Services	If not for a drive through facility.
Hotel Industry	If for a: (a) bar; (b) hotel; or (c) tavern.
Visitor Accommodation	If not for a caravan park.
Discretionary	
Community Meeting and Entertainment	
General Retail and Hire	
Sports and Recreation	If for a: (a) fitness centre; (b) gymnasium; (c) outdoor recreation facility; or (d) swimming pool.
Tourist Operation	
Utilities	
Prohibited	
All other uses	

KIC-P1.5 Use Standards

KIC-P1.5.1 Discretionary use

Objective:	That uses listed as Discretionary complement the tourism and visitor accommodation related uses on the site.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 A use listed as Discretionary must: (a) be associated with tourism or visitor accommodation use of the site; or (b) not compromise the operational efficiency of any permitted use operating within or adjacent to the Zone.	

KIC-P1.6 Development Standards for Buildings and Works

KIC-P1.6.1 Building height

Objective:	That the scale of buildings is compatible with the character of: (a) the adjoining Currie Harbour; and (b) the working port and coastal landscape setting of the area.	
Acceptable Solutions	Performance Criteria	
A1 Building height must not be more than 6m.	P1 Building height must minimise the visual impact on the character of the site and surrounding area, having regard to: (a) the bulk and form of the building; (b) separation from existing buildings on adjoining properties; (c) any buffers created by natural or other features; (d) retention of existing vegetation; (e) visibility from adjoining roads and public open spaces including the Currie wharf; and (f) the topography of the site.	

KIC-P1.6.2 Location and configuration of development

Objective:	That the location and configuration of development is consistent with the character of the area including landscape, environmental and heritage values.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Buildings must have a setback of not less than 4.5m from a frontage.</p>	<p>P1</p> <p>Buildings must have a setback from a frontage that:</p> <ul style="list-style-type: none"> (a) is compatible with the setback of buildings on adjoining properties and the adjacent Currie Harbour; (b) is sufficient to provide adequate vehicle access, parking and landscaping; and (c) provides adequate measures to attenuate visual impact of the site. 	
<p>A2</p> <p>Buildings must have a setback of not less than:</p> <ul style="list-style-type: none"> (a) 3m plus 0.5m for every metre of building height over 3m (or part thereof) from a side boundary; and (b) 5m from a rear boundary. 	<p>P2</p> <p>The siting of a building must not cause unreasonable loss of amenity to the occupiers of adjoining lots, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) the privacy of private open space and windows of habitable rooms on adjoining lots; (g) sunlight to provide open space and windows of habitable rooms on adjoining lots; (h) any existing screening or the ability to implement screening; and (i) the character of the surrounding area. 	
<p>A3</p> <p>Development must be located on land where the native vegetation cover has been lawfully removed and be replanted using native vegetation consistent with the surrounding area.</p>	<p>P3</p> <p>Development must be located to minimise removal of native vegetation and manage the natural and landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the extent of native vegetation to be removed; 	

	<ul style="list-style-type: none"> (b) erosion control and any remedial or mitigation measures or revegetation requirements; (c) the type, growth, habit, texture and suitability of the vegetation species proposed; (d) provision for native habitat for native fauna; (e) the preparation, planting, timing and maintenance of the vegetation and landscaping during and after construction; (f) weed management; (g) the management and treatment of the balance of the site or native vegetation areas; (h) the type, size and design of the development, including buildings, outbuildings, structures, car parking, roads, driveways, pathways, walking trails, storage areas, signage and utility services, fences, retaining walls and undisturbed areas; and (i) the extent that landscaping softens and screens the development, as shown in a detailed landscaping plan.
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KIC-P1.6.3 Building design

Objective:	That building design is compatible with the character of the Currie Harbour coastal and natural setting.	
Acceptable Solutions		Performance Criteria
A1	Buildings must be clad and roofed with materials with a light reflective value not more than 40%.	P1 Building materials and colours are to be selected to minimise visual impacts on the site and surrounding area.

KIC-P1.6.4 Suitability of a site for use or development

Objective:	That use and development of a site is provided with adequate water supply and drainage for disposal of sewage and stormwater.	
Acceptable Solutions		Performance Criteria
A1	<p>A water supply must be provided:</p> <ul style="list-style-type: none"> (a) in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or 	P1 A water supply must be provided with a level of reliability, quality and quantity to service the anticipated use of the site, unless it is unnecessary to require a water supply.

<p>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000L if:</p> <p>(i) there is not a reticulated water supply; and</p> <p>(ii) development is for:</p> <p>a. a single dwelling; or</p> <p>b. a use with an equivalent population of not more than 10 people per day.</p>	
<p>A2</p> <p>Drainage and disposal of sewage and trade waste must be provided:</p> <p>(a) to a reticulated sewer system in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by onsite wastewater disposal if:</p> <p>(i) sewage or trade waste cannot be drained to a reticulated water supply; and</p> <p>(ii) the development –</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>c. creates a total sewage and wastewater flow of not more than 1,000L per day; and</p> <p>(iii) the site has capacity for onsite disposal of domestic wastewater clear of any defined building area or access strip and in accordance with <i>Australian/New Zealand Standard AS/NZS 1547:2012 Onsite domestic wastewater management</i> or equivalent.</p>	<p>P2</p> <p>Drainage and disposal of sewage and trade waste must be provided:</p> <p>(a) in accordance with any prescribed emission limits for discharge of wastewater;</p> <p>(b) in accordance with any limit advised by the Director, Environment Protection Authority;</p> <p>(c) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(d) without compromise to water quality objectives for surface or ground water established under the <i>State Policy on Water Quality Management 1997</i>; and</p> <p>(e) with appropriate safeguards to minimise contamination if the use or development has potential to -</p> <p>(i) indirectly cause the contamination of surface or ground water; or</p> <p>(ii) involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction or spillage,</p> <p>unless it is unnecessary to require arrangements for the drainage and disposal of sewage or trade waste.</p>
<p>A3</p> <p>Drainage and disposal of stormwater from a site must be provided:</p>	<p>P3</p> <p>Drainage and disposal of stormwater from a site must be provided:</p>

<p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an area of not less than 5000m²;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface; and</p> <p>(iii) the development is for a single dwelling.</p>	<p>(a) to accommodate the anticipated stormwater:</p> <p>(i) currently entering from beyond its boundaries; and</p> <p>(ii) from the proposed development,</p> <p>(b) without likelihood for concentration on adjacent land;</p> <p>(c) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(d) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(e) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(f) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area,</p> <p>unless it is unnecessary to require arrangements for the drainage and disposal of stormwater.</p>
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KIC-P1.6.5 Parking

Objective:	That development has an acceptable impact on the streetscape.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Car parking for employees, if proposed, must be located behind or to the side of the principal buildings on the site.</p>	<p>P1</p> <p>Car parking for employees, if proposed, must be located to minimise visual intrusion in the streetscape.</p>

KIC-P1.7 Development Standards for Subdivision

KIC-P1.7.1 Lot design

Objective:	<p>That each lot, or a lot proposed in a plan of subdivision:</p> <p>(a) has an area and dimensions appropriate for use and development in the zone;</p> <p>(b) contains building areas which are suitable for development, located to avoid hazards and areas of significant natural and landscape values; and</p> <p>(c) is provided with appropriate access to a road.</p>
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Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone. 	<p>P1</p> <p>No Performance Criterion.</p>
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision must have a frontage, or legal connection to a road by right of carriageway, of not less than 6m.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision must be provided with a frontage or legal connection to a road by right of carriageway that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the number of other lots which have the land subject to the right of carriageway as their sole and principal means of access; (b) the topography of the site; (c) the functionality and usability of the frontage or access; (d) the anticipated nature of vehicles likely to access the site; (e) the ability to manoeuvre vehicles on the site; (f) the ability of emergency services to access the site; and (g) the pattern of development existing on established properties in the area.

KIC-P1.7.2 Suitability of a lot for use or development

Objective:	That lots are provided with adequate water supply and drainage for disposal of sewage and stormwater for future use and development of the land.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A water supply must be provided:</p> <ul style="list-style-type: none"> (a) in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided a water supply with a level of reliability, quality and quantity to service the</p>

<p>(b) from a rechargeable drinking water system with a storage capacity of not less than 10,000L if:</p> <ul style="list-style-type: none"> (i) there is not a reticulated water supply; and (ii) development is for: <ul style="list-style-type: none"> a. a single dwelling; or b. a use with an equivalent population of not more than 10 people per day. 	<p>anticipated use of the lot, unless it is unnecessary to require a water supply.</p>
<p>A2</p> <p>Drainage and disposal of sewage and trade waste must be provided:</p> <ul style="list-style-type: none"> (a) to a reticulated sewer system in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or (b) by onsite wastewater disposal if: <ul style="list-style-type: none"> (i) sewage or trade waste cannot be drained to a reticulated water supply; and (ii) the development: <ul style="list-style-type: none"> a. is for a single dwelling; or b. provides for an equivalent population of not more than 10 people per day; or c. creates a total sewage and wastewater flow of not more than 1,000L per day; and <p>the site has capacity for onsite disposal of domestic wastewater clear of any defined building area or access strip and in accordance with <i>Australian/New Zealand Standard AS/NZS 1547:2012 Onsite domestic wastewater management</i> or equivalent.</p>	<p>P2</p> <p>Drainage and disposal of sewage and trade waste must be provided:</p> <ul style="list-style-type: none"> (a) in accordance with any prescribed emission limits for discharge of wastewater; (b) in accordance with any limit advised by the Director, Environment Protection Authority; (c) without likely adverse impact for the health or amenity of the land and adjacent land; (d) without compromise to water quality objectives for surface or ground water established under the <i>State Policy on Water Quality Management 1997</i>; and (e) with appropriate safeguards to minimise contamination if the use or development has potential to: <ul style="list-style-type: none"> (i) indirectly cause the contamination of surface or ground water; or (ii) involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction or spillage.
<p>A3</p> <p>Drainage and disposal of stormwater from a site must be provided:</p> <ul style="list-style-type: none"> (a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or (b) if stormwater cannot be drained to a stormwater system: 	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be capable of being provided with a system for drainage and disposal of stormwater that could be provided to service the expected use of the lot accommodate the anticipated stormwater currently entering from beyond its boundaries and from the proposed development:</p>

<ul style="list-style-type: none"> (i) for discharge to a natural drainage line, water body, or watercourse; or (ii) for disposal within the site if; <ul style="list-style-type: none"> a. the site has an area of not less than 5000m²; b. the disposal area is not within any defined building area; c. the disposal area is not within any area required for the disposal of sewage; d. the disposal area is not within any access strip; and e. not more than 50% of the site is impervious surface. 	<ul style="list-style-type: none"> (a) without likelihood for concentration on adjacent land; (b) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land; (c) to manage the quantity and rate of discharge of stormwater to receiving waters; (d) to manage the quality of stormwater discharged to receiving waters; and (e) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area, unless it is unnecessary to require arrangements for the drainage and disposal of stormwater.
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KIC-P1.8 Tables

This sub-clause is not used in this particular purpose zone.

KIC-P2.0 Particular Purpose Zone – Rocky Glen

KIC-P2.1 Zone Purpose

The purpose of the Particular Purpose Zone – Rocky Glen is:

- KIC-P2.1.1 To provide for visitor accommodation use and development consistent with the coastal landscape setting.
- KIC-P2.1.2 To allow for other use and development that complements or relates to tourism and Visitor Accommodation.

KIC-P2.2 Local Area Objectives

Reference Number	Area Description	Local Area Objective
KIC-P2.2.1	Rocky Glen, as shown on an overlay map as P2.2.1	<p>The local area objectives for Rocky Glen are:</p> <ul style="list-style-type: none"> (a) to provide for vegetation management of the site including weeds, fire protection, erosion control and revegetation; (b) to minimise vegetation removal associated with new development by locating new development within existing cleared areas as far as possible; (c) to provide for new development to have adequate sewer, water and power services; (d) to provide that the visual impact of development is sensitive and sympathetic to surrounding natural features, landforms and public spaces; and (e) to provide for buildings to be sited and designed to be energy efficient and provide adequate shelter from prevailing weather conditions.

KIC-P2.3 Definition of Terms

This sub-clause is not used in this particular purpose zone.

KIC-P2.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Permitted	
Food Services	If not for a takeaway food premises.
Hotel Industry	If for a: (a) bar; (b) hotel; or (c) tavern.
Residential	If for a home-based business.
Tourist Operation	
Utilities	If for minor utilities.
Visitor Accommodation	If not a camping and caravan park.
Discretionary	
Community Meeting and Entertainment	If for a: (a) art gallery; (b) conference centre; (c) function centre; (d) museum; or (e) visitor information centre.
Food Services	If for a take away food premises.
General Retail and Hire	
Residential	If: (f) for a single dwelling; and (g) not listed as Permitted.
Storage	If for storage of goods not related with any form of trade.
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted.

Use Class	Qualification
Prohibited	
All other uses	

KIC-P2.5 Use Standards

KIC-P2.5.1 Discretionary use

Objective:	That uses listed as Discretionary complement the tourism and Visitor Accommodation or related uses on the site.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>		<p>P1</p> <p>A use listed as Discretionary must:</p> <p>(a) be consistent with the zone purpose statements; and</p> <p>(b) minimise likelihood for adverse impact on the amenity or operational efficiency of any lawful existing use within or adjacent to the zone.</p>

KIC-P2.6 Development Standards for Buildings and Works

KIC-P2.6.1 Location and configuration of development

Objective:	That the location and configuration of development is to be compatible with the character of the area including landscape, environmental and heritage values.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>A building must be contained within a building envelope determined by:</p> <p>(a) a setback of not less than:</p> <p>(i) 50m from the KIC-P4.0 Particular Purpose Zone - King Island Rural Area;</p> <p>(ii) 50m from the Port and Marine Zone; and</p> <p>(iii) a setback of not less than 20m from any designated building area on each adjacent site; or</p>		<p>P1</p> <p>Building height and location of a building in relation to site boundaries must:</p> <p>(a) be consistent with the local area objectives;</p> <p>(b) be consistent with and form a necessary part of the overall design of the site;</p> <p>(c) be consistent with the natural and landscape setting; and</p> <p>(d) minimise visibility on a skyline, above the vegetation canopy, or from the coastline.</p>

<p>(b) any building area shown on a sealed plan and must have a building height of not more than 8m.</p>	
<p>A2</p> <p>Development must be located on land where the native vegetation cover has been lawfully removed.</p>	<p>P2</p> <p>Development must be located to minimise vegetation removal and manage the natural and landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the extent of native vegetation to be removed; (b) erosion control and any remedial or mitigation measures or revegetation requirements; (c) provision for native habitat for native fauna; and (d) the management and treatment of the balance of the site or native vegetation areas, <p>and provide offsets through new plantings at a ratio of 5:1 for any removal of threatened species.</p>
<p>A3</p> <p>Development must be accompanied by a landscaping plan that includes the following:</p> <ul style="list-style-type: none"> (a) vegetation of a type consistent with the native vegetation of the locality; (b) vegetation that complements the type, size and design of development, including buildings, outbuildings, structures, car parking, roads, driveways, pathways, walking trails, storage areas, signage and utility services, fences, retaining walls and undisturbed areas; (c) vegetation that softens and screens development; and (d) weed management control and hygiene protocols. 	<p>P3</p> <p>No Performance Criterion.</p>

KIC-P2.6.2 Suitability of a site for use or development

Objective:	<p>That use and development of a site:</p> <ul style="list-style-type: none"> (a) provides a suitable development area for the intended use; (b) provide access to a road; and (c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A water supply must be provided:</p> <ul style="list-style-type: none"> (a) in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or (b) from a rechargeable drinking water system with a storage capacity of not less than 10,000L if: <ul style="list-style-type: none"> (i) there is not a reticulated water supply; and (ii) development is for: <ul style="list-style-type: none"> a. a single dwelling; or b. a use with an equivalent population of not more than 10 people per day. 	<p>P1</p> <p>A water supply must be provided with a level of reliability, quality and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision, unless it is unnecessary to require a water supply.</p>
<p>A2</p> <p>Drainage and disposal of sewage and trade waste must be provided:</p> <ul style="list-style-type: none"> (a) to a reticulated sewer system in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or (b) by onsite disposal if- <ul style="list-style-type: none"> (i) sewage or trade waste cannot be drained to a reticulated water supply; and (ii) the development: <ul style="list-style-type: none"> a. is for a single dwelling; or b. provides for an equivalent population of not more than 10 people per day; or c. creates a total sewage and wastewater flow of not more than 1,000L per day; and (iii) the site has capacity for onsite disposal of domestic wastewater clear of any defined building area or access strip and in accordance with <i>Australian/New</i> 	<p>P2</p> <p>Drainage and disposing of sewage and trade waste must be provided:</p> <ul style="list-style-type: none"> (a) in accordance with any prescribed emission limits for discharge of wastewater; (b) in accordance with any limit advised by the Director, Environment Protection Authority; (c) without likely adverse impact for the health or amenity of the land and adjacent land; (d) without compromise to water quality objectives for surface or ground water established under the <i>State Policy on Water Quality Management 1997</i>; and (e) with appropriate safeguards to minimise contamination if the use or development has potential to: <ul style="list-style-type: none"> (i) indirectly cause the contamination of surface or ground water; or (ii) involve an activity or process which requires the use, production, conveyance

<p><i>Zealand Standard AS/NZS 1547:2012 Onsite domestic wastewater management</i> or equivalent.</p>	<p>or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction or spillage,</p> <p>unless it is unnecessary to require arrangements for the drainage and disposal of sewage or trade waste.</p>
<p>A3</p> <p>Drainage and disposal of stormwater from a site must be provided:</p> <p>(a) to a stormwater system provided in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) if stormwater cannot be drained to a stormwater system:</p> <p>(i) for discharge to a natural drainage line, water body, or watercourse; or</p> <p>(ii) for disposal within the site if:</p> <p>a. the site has an areas of not less than 5000m²;</p> <p>b. the disposal area is not within any defined building area;</p> <p>c. the disposal area is not within any area required for the disposal of sewage;</p> <p>d. the disposal area is not within any access strip; and</p> <p>e. not more than 50% of the site is impervious surface; and</p> <p>(iii) the development is for a single dwelling.</p>	<p>P3</p> <p>Drainage and disposal of stormwater must be provided to accommodate the anticipated stormwater currently entering from beyond its boundaries and from the proposed development:</p> <p>(a) without likelihood for concentration on adjacent land;</p> <p>(b) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;</p> <p>(c) to manage the quantity and rate of discharge of stormwater to receiving waters;</p> <p>(d) to manage the quality of stormwater discharged to receiving waters; and</p> <p>(e) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area,</p> <p>unless it is unnecessary to require arrangements for the drainage and disposal of stormwater.</p>

KIC-P2.6.3 Parking

Objective:	That development has an acceptable impact on the streetscape.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Car parking, if proposed, must be located behind or to the side of the principal buildings on the site.</p>	<p>P1</p> <p>Car parking, if proposed, must be located to minimise visual intrusion in the streetscape.</p>

KIC-P2.7 Development Standards for Subdivision

KIC-P2.7.1 Lot design

Objective:	That each lot or a lot proposed in a plan of subdivision: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) contains building areas which are suitable for development, located to avoid hazards and areas of significant natural and landscape values; and (c) is provided with appropriate access to a road.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown a council or State authority; (b) be required for the provision of Utilities; or (c) be for consolidation of a lot with another lot provided both lots are within the same zone, where no new lot is created. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be for the reorganisation of lot boundaries required as part of an overall development plan for the site that is consistent with the zone purpose and local area objectives; or (b) be for the creation of a new lot that: <ul style="list-style-type: none"> (i) is required for a purpose identified as permitted in the zone; (ii) is of a size and configuration to accommodate to development standards of the zone; (iii) provides for building envelopes consistent with the development standards and local areas objectives of the zone; and (iv) minimises constraints or interference to existing and potential permitted uses on adjoining land.
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision must have a separate access from a road:</p> <ul style="list-style-type: none"> (a) across a frontage over which no other land has a right of access; and (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or (c) by right of way connecting to a road: 	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision must have a reasonable and secure access from a road:</p> <ul style="list-style-type: none"> (a) across a frontage; (b) by an access strip connecting to a frontage, if for an internal lot; or (c) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance

<ul style="list-style-type: none"> (i) over land not required as the means of access to any other land; and (ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and (d) with a width of frontage and any access strip or right of way of not less than 6.0m; and (e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan. 	<p>with the acceptable solution in any applicable standard; and</p> <ul style="list-style-type: none"> (d) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by: <ul style="list-style-type: none"> (i) the intended use; and (ii) the existing or potential use of any other land which requires use of the access as the means of access for that land; and (e) the relevant road authority in accordance with the <i>Local Government (Highways) Act 1982</i> or the <i>Roads and Jetties Act 1935</i> must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan, <p>unless it is unnecessary for the development to require access to the site or to a lot on a subdivision plan.</p>
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KIC-P2.7.2 Suitability of a lot for use or development

Objective:	That lots are provided with adequate water supply and drainage for disposal of sewage and stormwater for future use and development of the land.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a water supply:</p> <ul style="list-style-type: none"> (a) in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or (b) from a rechargeable drinking water system with a storage capacity of not less than 10,000L if: <ul style="list-style-type: none"> (i) there is not a reticulated water supply; and (ii) development is for: <ul style="list-style-type: none"> a. a single dwelling; or 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided a water supply with a level of reliability, quality and quantity to service the anticipated use of the lot, unless it is unnecessary to require a water supply.</p>	

<p>b. a use with an equivalent population of not more than 10 people per day.</p>	
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a system of drainage and disposing of sewage and trade waste:</p> <p>(a) by a connection to a reticulated sewer system in accordance with the <i>Water and Sewerage Industry Act 2008</i>; or</p> <p>(b) by onsite disposal if:</p> <p>(i) sewage or trade waste cannot be drained to a reticulated water supply; and</p> <p>(ii) the development:</p> <p>a. is for a single dwelling; or</p> <p>b. provides for an equivalent population of not more than 10 people per day; or</p> <p>c. creates a total sewage and wastewater flow of not more than 1,000L per day; and</p> <p>(iii) the site has capacity for onsite disposal of domestic wastewater clear of any defined building area or access strip and in accordance with <i>Australian/New Zealand Standard AS/NZS 1547:2012 Onsite domestic wastewater management</i> or equivalent.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be capable of being provided with a system for drainage and disposal of sewage and trade waste:</p> <p>(a) in accordance with any prescribed emission limits for discharge of wastewater;</p> <p>(b) in accordance with any limit advised by the Director, Environment Protection Authority;</p> <p>(c) without likely adverse impact for the health or amenity of the land and adjacent land;</p> <p>(d) without compromise to water quality objectives for surface or ground water established under the <i>State Policy on Water Quality Management 1997</i>; and</p> <p>(e) with appropriate safeguards to minimise contamination if the use or development has potential to:</p> <p>(i) indirectly cause the contamination of surface or ground water; or</p> <p>(ii) involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction or spillage,</p> <p>unless it is unnecessary to require arrangements for the drainage and disposal of sewage or trade waste.</p>
<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a connection to a reticulated stormwater system for drainage and disposal of stormwater:</p> <p>(a) in accordance with the <i>Urban Drainage Act 2013</i>; or</p> <p>(b) for discharge to a natural drainage line, water body, or watercourse if stormwater cannot be drained to a stormwater system.</p>	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be capable of being provided with a system for drainage and disposal of stormwater that could be provided to service the expected use of the lot accommodate the anticipated stormwater currently entering from beyond its boundaries and from the proposed development:</p> <p>(a) without likelihood for concentration on adjacent land;</p>

	<ul style="list-style-type: none"> (b) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land; (c) to manage the quantity and rate of discharge of stormwater to receiving waters; (d) to manage the quality of stormwater discharged to receiving waters; and (e) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area, <p>unless it is unnecessary to require arrangements for the drainage and disposal of stormwater.</p>
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KIC-P2.8 Tables

This sub-clause is not used in this particular purpose zone.

KIC-P3.0 Particular Purpose Zone – Cape Wickham and Ocean Dunes

KIC-P3.1 Zone Purpose

The purpose of the Particular Purpose Zone – Cape Wickham and Ocean Dunes is:

- KIC-P3.1.1 To provide for golf tourism and Visitor Accommodation.
- KIC-P3.1.2 To provide for a range of use and development that is of a type and scale that supports golf tourism and does not compromise or detract from the role of Currie as the main service centre on King Island.
- KIC-P3.1.3 To provide for use and development that is compatible with the scenic values of the coastal and rural landscape of Ocean Dunes and Cape Wickham precincts.
- KIC-P3.1.4 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off-site impacts.

KIC-P3.2 Local Area Objectives

Reference Number	Area Description	Local Area Objective
KIC-P3.2.1	Particular Purpose zone – Cape Wickham and Ocean Dunes, as shown on an overlay map as P.3.2.1.	<p>The local area objectives for the Particular Purpose Zone – Cape Wickham and Ocean Dunes are:</p> <ul style="list-style-type: none"> (a) to provide for golf tourism and visitor accommodation as the primary uses; (b) to provide for a mix of uses in the Cape Wickham precinct and the Ocean Dunes precinct such as relaxation therapies, live music, theatre, and retail that: <ul style="list-style-type: none"> (i) supports golf tourism on King Island by diversifying uses to enhance the visitor experience; (ii) is of a size, intensity and scale that is compatible with the character and scenic values of the rural and coastal landscapes and collectively does not distort the role of Currie as the main service centre; and (iii) does not compromise the operation of existing uses on adjoining properties by emissions such as dust, noise,

		<p>traffic generation, lighting or other emissions;</p> <p>(c) to provide for Residential use for employees integral to the operation of golf tourism within each precinct;</p> <p>(d) to provide compatible separation between development in the precinct from sensitive uses on adjoining properties and not cause an unreasonable loss of amenity; and</p> <p>(e) to provide a sustainable water supply and provide for on-site wastewater management to service development.</p>
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KIC-P3.3 Definition of Terms

KIC-P3.3.1 In this particular purpose zone, unless contrary intention appears:

Terms	Definition
Golf tourism	use of land for the playing of golf for recreation or competitive sporting purposes, and may include accommodation, food services, live theatre and music performances, conference facilities, relaxation therapies and services and employee accommodation.
Cape Wickham Precinct	means the area of the zone shown in Figure KIC-P3.3.1.
Ocean Dunes Precinct	means the area of the zone shown in Figure KIC-P3.3.2.

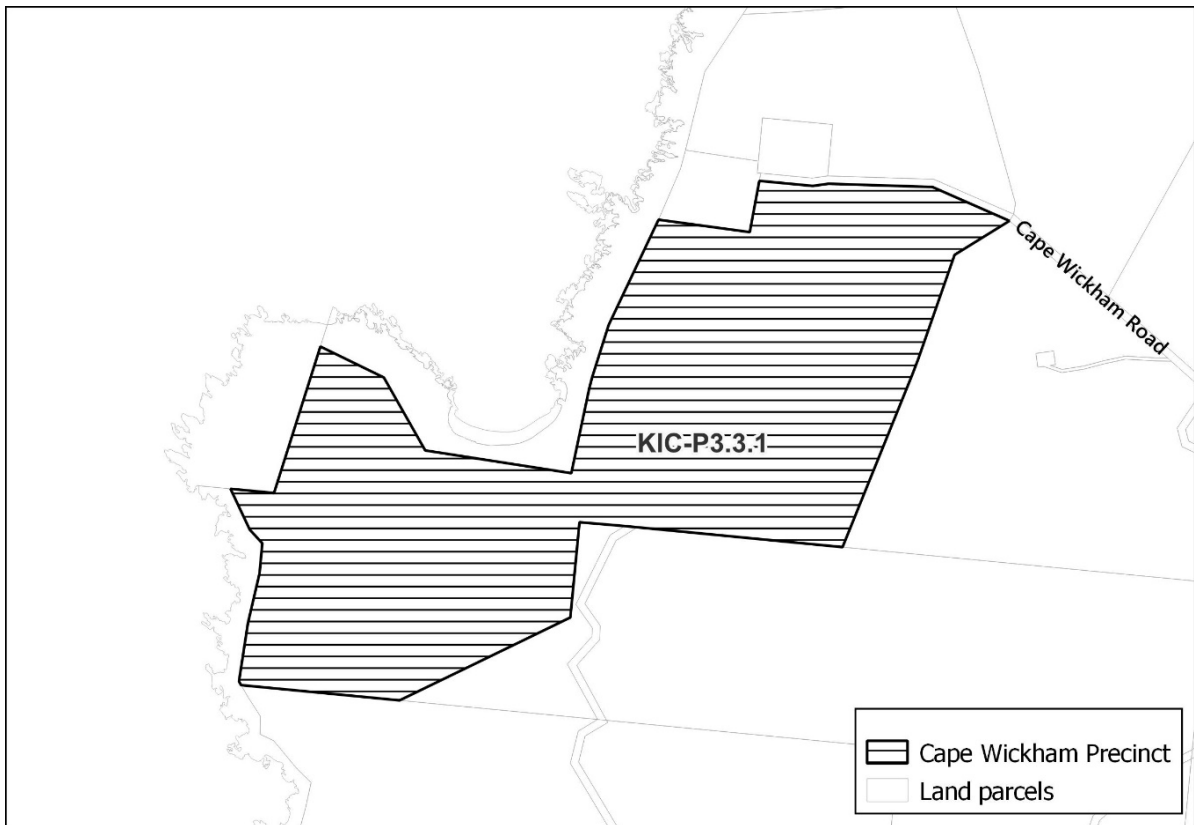


Figure KIC-P3.3.1: Cape Wickham Precinct as referred to in clause KIC-P3.3.1.

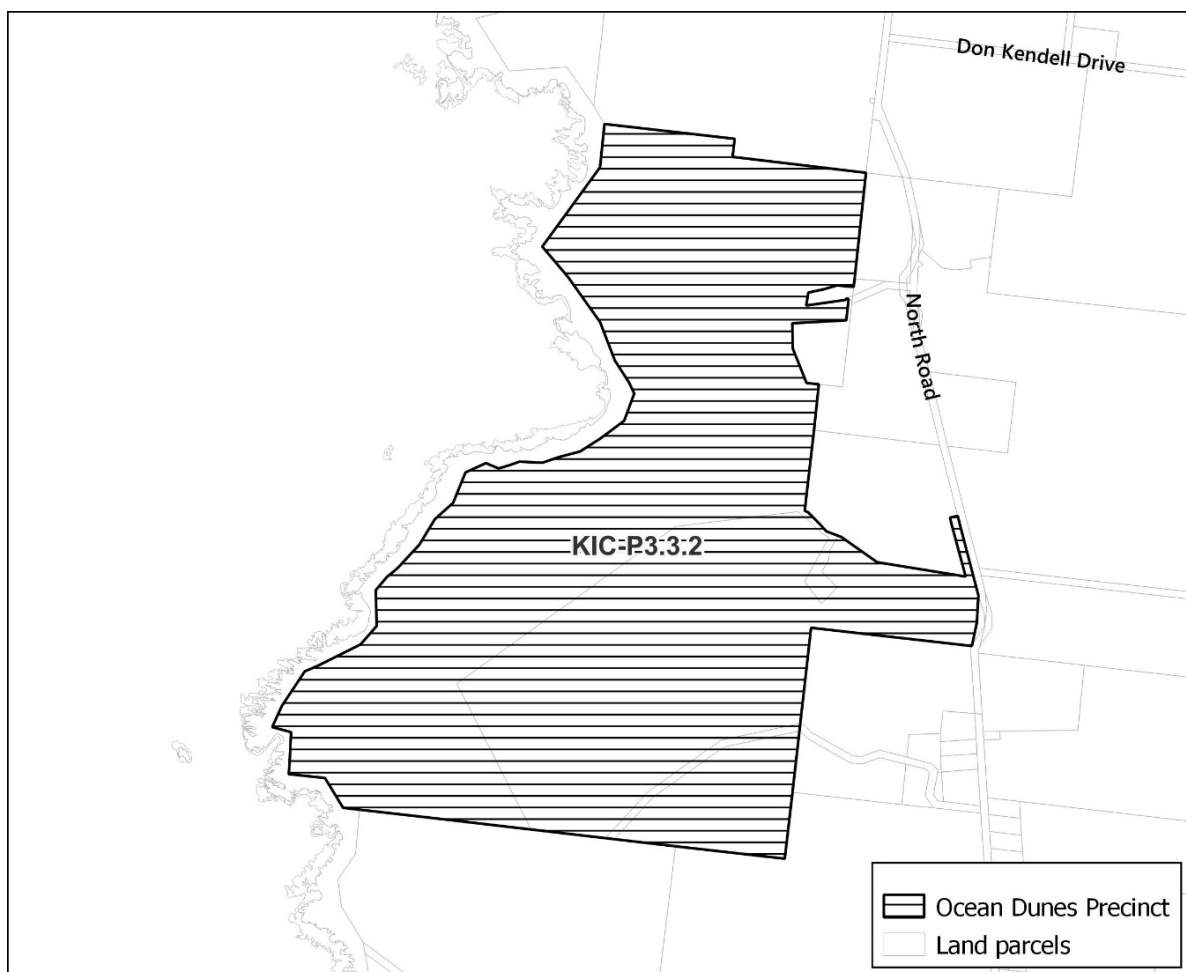


Figure KIC-P3.3.2: Ocean Dune Precinct as referred to in clause KIC-P3.3.1.

KIC-P3.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Food Services	If not for a take-away food premises.
Sports and Recreation	If for a: (a) driving range; or (b) golf course.

Visitor Accommodation	If not for a caravan park or camping.
Discretionary	
Business and Professional Services	If for a consulting room for health therapies.
Community Meeting and Entertainment	If for a: (a) cinema; or (b) function centre.
Emergency Services	
General Retail and Hire	If for a: (a) art gallery; (b) beauty salon; (c) day spa; (d) hairdresser; or (e) shop.
Sport and Recreation	If not: (a) a racecourse; (b) gymnasium; or (c) listed as Permitted.
Residential	If for accommodation of an employee associated with golf tourism.
Prohibited	
All other uses	

KIC-P3.5 Use Standards

KIC-P3.5.1 Discretionary use

Objective:	That Discretionary uses: (a) are of an appropriate scale and location to support the local area objectives for the zone; and (b) do not cause an unreasonable loss of amenity to adjacent sensitive uses.	
Acceptable Solutions		Performance Criteria
A1 No Acceptable Solution.		P1 A use listed as Discretionary, excluding Residential, must be integral to golf tourism, contribute to the King Island visitor experience and not compromise or detract from the role of the service centre of Currie, having regard to: (a) the local area objectives;

	<ul style="list-style-type: none"> (b) the size, intensity and scale of the existing and proposed uses within a precinct; (c) the extent that the use supports the function and operation of golf tourism within a precinct; and (d) the extent that the use impacts on the activity centre of Currie.
<p>A2</p> <p>No Acceptable Solution.</p>	<p>P2</p> <p>A use listed as Discretionary, excluding Residential use, must not cause an unreasonable loss of amenity to sensitive uses or unreasonably compromise the operation of existing agricultural uses or other non-residential uses on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the local area objectives; (b) the size, intensity and scale of the use; (c) the type and intensity of vehicle movements generated by the use; (d) the hours of operation of the proposed and existing uses; (e) any loss of privacy to sensitive uses on adjoining properties; (f) any impacts from noise, dust, odour, vehicle movements, lighting, and other emissions on the operation of existing or sensitive uses on adjoining properties; and (g) any mitigation measures proposed.
<p>A3</p> <p>No Acceptable Solution.</p>	<p>P3</p> <p>A Residential use in must be required by golf tourism or other allowable non-residential uses and not cause an unreasonable loss of amenity to a sensitive use on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the local area objectives; (b) the proximity to sensitive uses on adjoining properties; (c) any likely impact on privacy; (d) any buffers created by the topography, natural or other features of the site providing separation to a sensitive use on adjoining properties;

	<p>(e) the impact from noise, dust, odour, vehicle movements, lighting and other emissions from the proposed use on the amenity of a sensitive use on adjoining properties;</p> <p>(f) any mitigation measures proposed; and</p> <p>(g) have a combined gross floor area of not more than 2000m² per precinct.</p>
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KIC-P3.6 Development Standards for Buildings and Works

KIC-P3.6.1 Building height

Objective:	<p>That building height:</p> <p>(a) is compatible with the character and scenic values of the coastal and rural landscape of the applicable precinct;</p> <p>(b) does not cause an unreasonable loss of amenity to adjacent uses; and</p> <p>(c) minimises the impact on the natural values of the applicable precinct.</p>	
	Acceptable Solutions	Performance Criteria
	<p>A1</p> <p>Building height must not be more than 6m.</p>	<p>P1</p> <p>Building height must be compatible with the character, scenic and natural values of the coastal and rural landscape, having regard to:</p> <p>(a) the height, bulk and form of existing and proposed buildings within the precinct and the surrounding area;</p> <p>(b) the topography of a precinct and the siting of buildings to minimise visual impact on the skyline or ridgelines;</p> <p>(c) the siting and design of proposed buildings to minimise impact on birdlife, habitat and breeding area;</p> <p>(d) for the Cape Wickham precinct:</p> <p>(i) maintaining the view to Cape Wickham Lighthouse on Folio of the Register 214964/1 when viewed from Cape Wickham Road; and</p> <p>(ii) any screening of the proposed building when viewed from Folio of the Register 214964/1, Cape Wickham Road and the foreshore provided by the landform, existing and</p>

	<p>proposed vegetation or any other features; and</p> <p>(e) For the Ocean Dunes precinct:</p> <p>(i) any screening of the proposed building when viewed from roads and public areas, including North Road, provided by the topography, existing and proposed vegetation or other features.</p>
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KIC-P3.6.2 Setbacks

Objective:	<p>That setback, separation and the siting of buildings:</p> <p>(a) does not cause unreasonable loss of amenity to sensitive uses on adjoining properties to a precinct; and</p> <p>(b) minimises the visual impact on the character and scenic values of the coastal and rural landscape.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Non-habitable buildings must have a setback from all boundaries of:</p> <p>(a) not less than 5m; or</p> <p>(b) if the setback of an existing building is within 20m, not less than the existing building.</p>	<p>P1</p> <p>Non-habitable buildings must be sited to not cause an unreasonable impact on existing uses on adjoining properties, having regard to:</p> <p>(a) the bulk and form of the building;</p> <p>(b) the nature of existing use on the adjoining properties;</p> <p>(c) the separation of the proposed building from an existing use on the adjoining properties; and</p> <p>(d) any buffers created by natural or other features.</p>
<p>A2</p> <p>Habitable buildings must have a setback from all boundaries of not less than 50m.</p>	<p>P2</p> <p>Habitable buildings must be sited to be compatible with the character of the applicable precinct and not cause an unreasonable loss of amenity to a sensitive use on adjoining properties, having regard to:</p> <p>(a) the size, shape and orientation of the applicable precinct;</p> <p>(b) the setbacks of the proposed buildings within the applicable precinct and proximity to sensitive uses on adjoining properties;</p> <p>(c) any buffers created by vegetation, topography, or other features within the applicable precinct to minimise visual impact of the building when</p>

	<p>viewed from sensitive uses on adjoining properties; and</p> <p>(d) the scenic values of the coastal and rural landscape of the precinct and surrounding area.</p>
<p>A3</p> <p>Buildings must have a setback from the Mean High Water Mark of not less than 200m.</p>	<p>P3</p> <p>Buildings must be sited and designed to be compatible with the management of cultural values and minimise the visual impact of development on the coastal and rural landscape, having regard to:</p> <p>(a) the design, scale, siting, materials and type of building proposed;</p> <p>(b) the visual prominence of buildings when viewed from public areas including roads and foreshores; and</p> <p>(c) any screening proposed.</p>

KIC-P3.6.3 Landscape Values

<p>Objective:</p>	<p>That development is compatible with the coastal and rural landscapes when viewed from roads and public places adjoining the site.</p>
<p>A1</p> <p>Buildings for Residential or Visitor Accommodation must have exterior finishes, with a light reflectance value not more than 20%, and be in dark natural tones of black, grey, green or brown.</p>	<p>P1</p> <p>Exterior building finishes of buildings for Residential and Visitor Accommodation must be designed to minimise impact on the scenic values and rural and coastal landscape of the site and surrounding area, having regard to:</p> <p>(a) the local area objectives;</p> <p>(b) any screening provided by the topography;</p> <p>(c) the impact of the development on the natural and cultural values of the site and surrounding land;</p> <p>(d) the design, scale, siting, materials and type of building proposed;</p> <p>(e) the visual prominence of buildings when viewed from public areas including roads and foreshores; and</p> <p>(f) any screening proposed.</p>

KIC-P3.6.4 Services for development

Objective:	That use and development of a site is provided with: (a) adequate water supply; (b) drainage for disposal of sewerage; and (c) adequate stormwater management.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Development, excluding a non-habitable building, servicing less than 10 people in a precinct, must have a connection to a water supply service with a storage capacity of more than 10,000L.</p>	<p>P1</p> <p>Development, unless for a non-habitable building, servicing more than 10 people in a precinct, must be provided with a sustainable water supply service, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) flow rates; (c) the quality of potable water; (d) the capacity to provide an adequate and sustainable water supply for the development; (e) any existing or proposed infrastructure to provide the water service and its location; and (f) any adverse impacts on the quality of ground, surface or coastal waters.
<p>A2</p> <p>Development, excluding a non-habitable building, servicing less than 10 people in a precinct, must connect to an on-site wastewater system treatment system in accordance with <i>Australian/New Zealand Standard AS/NZS 1547:2012 Onsite domestic wastewater management</i> or equivalent.</p>	<p>P2</p> <p>Development, excluding a non-habitable building, must be capable of accommodating an on-site wastewater treatment system adequate for the proposed development of the land, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of a precinct; (b) the capacity of a precinct to absorb on-site wastewater; (c) the existing buildings and any constraints imposed by existing development; (d) the area of the site to be covered by the proposed development; (e) the provision for landscaping, vehicle parking, driveways and private open space; (f) any adverse impacts on the quality of ground, surface and coastal waters; (g) any adverse environmental impact on surrounding properties and the locality; and (h) any written advice from a suitably qualified person (on-site wastewater management) about the adequacy of the on-site waste water management system.

<p>A3</p> <p>Development must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3</p> <p>Development must be capable of accommodating a drainage and stormwater management system adequate for development, having regard to:</p> <ul style="list-style-type: none"> (a) stormwater currently entering from beyond the boundaries of an applicable precinct; (b) stormwater run-off anticipated from the proposed development, (c) without likelihood for concentration on adjacent land; (d) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land; (e) to manage the quantity and rate of discharge of stormwater to receiving waters; (f) to manage the quality of stormwater discharged to receiving waters; and (g) to provide positive drainage away from any sewer pipe, on-site sewerage disposal system, or building area.
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KIC-P3.7 Development Standards for Subdivision

KIC-P3.7.1 Lot design

Objective:	That subdivision facilitates use and development for allowable uses in the zone.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities or irrigation infrastructure; or (c) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision must be for the reorganisation of lot boundaries that provides for the operation of golf tourism and allowable uses in a precinct and is consistent with the local area objectives.</p>	

<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a reasonable vehicular access to a boundary of a lot, or the building areas on a lot if any exist, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic, including pedestrians; and (d) the pattern of development existing on established properties in the area.
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KIC-P3.8 Tables

This sub-clause is not used in this particular purpose zone.

KIC-P4.0 Particular Purpose Zone – King Island Rural Area

KIC-P4.1 Zone Purpose

The purpose of the Particular Purpose Zone – King Island Rural Area is:

- KIC-P4.1.1 To provide for the use or development of land for agricultural use.
- KIC-P4.1.2 To provide for a range of use and development outside of Currie, Grassy and Naracoopa:
 - (a) that is compatible with existing agricultural use;
 - (b) that demonstrates important or significant benefit to the King Island community; and
 - (c) minimises adverse impacts on surrounding uses.
- KIC-P4.1.3 To minimise conversion of agricultural land for non-agricultural use.
- KIC-P4.1.4 To provide for compatible use and development that minimises the impact on the natural and cultural, scenic and landscape values of King Island.

KIC-P4.2 Local Area Objectives

Reference Number	Area Description	Local Area Objective
KIC-P4.2.1	King Island Rural Area, as shown on an overlay map as P.4.2.1.	<p>The local area objectives for King Island Rural Area are:</p> <ul style="list-style-type: none"> (a) to protect agricultural land from its inappropriate conversion to non-agricultural uses unless for Extractive Industry use; (b) to provide for a range of non-agricultural uses, including waste disposal and extractive industry, and development in a rural location that is of important or significant benefit to the King Island community; and (c) to provide use or development of a scale and intensity: <ul style="list-style-type: none"> (i) that is appropriate for a rural location and does not compromise the function of Currie, Grassy or Naracoopa; (ii) that mitigates impacts from dust, noise, odour and traffic generation or other off-site impacts through maximising the separation between the use and sensitive uses;

		<p>(iii) development, other than for extractive industry or agricultural use, is sited to minimise its visual impact on the coastal and rural landscapes when viewed from public areas such as roads or coastal foreshores; and</p> <p>(iv) that has a sustainable and adequate water supply and can provide for on-site wastewater management to service the use.</p>
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KIC-P4.3 Definition of Terms

This sub-clause is not used in this particular purpose zone.

KIC-P4.4 Use Table

Use Class	Qualification
No Permit Required	
Bulky Good Sales	If for a fence associated with a use.
Business and Professional Services	If for a fence associated with a use.
Community Meeting and Entertainment	If for a fence associated with a use.
Domestic Animal Breeding, Boarding or Training	If for a fence associated with a use.
Educational and Occasional Care	If for a fence associated with a use.
Emergency Services	If for a fence associated with a use.
Equipment and Machinery Sales and Hire	If for a fence associated with a use.
Extractive Industry	If for a fence associated with a use.
Food Services	If for a fence associated with a use.

Use Class	Qualification
General Retail and Hire	If for a fence associated with a use.
Manufacturing and Processing	If for a fence associated with a use.
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If for: (a) an agricultural use excluding plantation forestry; (b) building or works, excluding a dwelling, directly associated with, and subservient part of, an agricultural use not more than 200m ² in gross floor area; or (c) a fence associated with a use.
Residential	If for: (d) an outbuilding associated with an existing dwelling where the total gross floor area of all outbuildings on the lot is not more than 108m ² ; or (e) a fence associated with a use.
Recycling and Waste Disposal	If for a fence associated with a use.
Research and Development	If for a fence associated with a use.
Resource Processing	If for a fence associated with a use.
Service Industry	If for a fence associated with a use.
Sport and Recreation	If for a fence associated with a use.
Storage	If for a fence associated with a use.
Tourist Operation	If for a fence associated with a use.
Transport Depot and Distribution	If for a fence associated with a use.
Utilities	If for: (f) minor utilities; or (g) a fence associated with a use.
Vehicle Fuel Sales and Service	If for a fence associated with a use.
Visitor Accommodation	If for a fence associated with a use.

Use Class	Qualification
Permitted	
Extractive Industry	If not listed as No Permit Required
Food Services	If: (a) not listed as No Permit Required; or (b) associated with Resource Development or Resource Processing.
General Retail and Hire	If: (a) not listed as No Permit Required; or (b) associated with Resource Development or Resource Processing.
Pleasure Boat Facility	If for a boat ramp.
Residential	If: (a) not listed as No Permit Required; (b) for a home-based business in an existing dwelling; or for alterations or extensions to an existing dwelling;
Visitor Accommodation	If: (a) not listed as No Permit Required; or (b) for guests accommodated within an existing building.
Discretionary	
Bulky Goods Sales	If not listed a No Permit Required
Business and Professional Services	If: (a) not listed as No Permit Required; or (b) for a veterinary centre.
Community Meeting and Entertainment	If not listed as No Permit Required.
Domestic Animal Breeding, Boarding or Training	If not listed as No Permit Required.
Educational and Occasional Care	If not listed as No Permit Required.
Emergency Services	If not listed as No Permit Required.

Use Class	Qualification
Equipment Machinery Sales and Hire	If not listed as No Permit Required.
Food Services	If not listed as No Permit Required or as Permitted.
General Retail and Hire	If not listed as No Permit Required or as Permitted.
Manufacturing and Processing	If not listed as No Permit Required.
Motor Racing Facility	If not listed as No Permit Required.
Recycling and Waste Disposal	If not listed as No Permit Required.
Research and Development	If not listed as No Permit Required.
Residential	If not listed as No Permit Required or as Permitted
Resource Development	If not listed as No Permit Required.
Resource Processing	If not listed as No Permit Required.
Service Industry	If not listed as No Permit Required.
Sport and Recreation	If not listed as No Permit Required.
Storage	If: (a) not listed as No Permit Required; or (b) for a: (i) contractors yard; (ii) freezing and cool storage; (iii) grain storage; (iv) liquid, solid or gas fuel depot; or (v) woodyard.
Tourist Operation	If not listed as No Permit Required.
Transport Depot and Distribution	If not: (a) Listed as No Permit Required; or (b) for an airstrip.
Utilities	If not listed as No Permit Required
Vehicle Fuel Sales and Service	If not listed as No Permit Required
Visitor Accommodation	If not listed as No Permit Required or as Permitted
Prohibited	
All other uses	

KIC-P4.5 Use Standards

KIC-P.4.5.1 Discretionary use

Objective:	<p>That uses listed as Discretionary:</p> <ul style="list-style-type: none"> (a) are compatible with agricultural use and sited to minimise conversion of agricultural land; (b) have an important or significant benefit to the King Island community; and (c) are appropriate for a rural location and do not compromise the function of Currie as the main service centre.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>A use listed as Discretionary, excluding Residential and Visitor Accommodation, must:</p> <ul style="list-style-type: none"> (a) require a rural location for operational and security reasons or to minimise the impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: <ul style="list-style-type: none"> (i) whether the use requires access to infrastructure only available on the site or on land in the vicinity of the site; (ii) whether the use is for diversification or value adding of an agricultural use on the site or in the vicinity of the site; (iii) whether the use is for primary industry on the site or in the vicinity of the site; (iv) whether the proposed use services and supports the operation of primary industries on the island; and (v) whether the use requires separation from other uses to minimise impacts, <p>or</p> <ul style="list-style-type: none"> (b) be for an important or significant benefit of the King Island community, having regard to: <ul style="list-style-type: none"> (i) whether the use is required for a destination for enjoyment and recreation outside of the main service centres of Currie, Grassy and Naracoopa; and (ii) whether the use is required for the provision of Emergency Services, Recycling and Waste Depot, or Utilities.

<p>A2 No Acceptable Solution.</p>	<p>P2 A use listed as Discretionary, excluding Residential and Visitor Accommodation, must not cause an</p>
	<p>unreasonable impact on the operation of an existing use on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the nature, scale and intensity of the proposed use and uses on adjoining properties; (b) whether agricultural uses on adjoining properties will be confined or restrained; (c) the location of the use and the impact from noise, dust, traffic generation, lighting or other emission to uses on adjoining properties; (d) whether the proposed use is required to support a use for security or operational reasons; and (e) any mitigation measures proposed.
<p>A3 No Acceptable Solution.</p>	<p>P3 A use listed as Discretionary, excluding Residential and Visitor Accommodation, must minimise conversion of agricultural land to non-agricultural use and be compatible with agricultural use, having regard to:</p> <ul style="list-style-type: none"> (a) the area of land being converted to non-agricultural use; (b) whether the use is sited to minimise impacts on agricultural use on adjoining sites; (c) whether the use precludes the land from being returned to an agricultural use; and (d) whether the use confines or restrains existing or potential agricultural use on the site or adjacent properties.
<p>A4 No Acceptable Solution.</p>	<p>P4 A use listed as Discretionary, excluding Residential and Visitor Accommodation, must be appropriate for a rural location, having regard to:</p> <ul style="list-style-type: none"> (a) the local area objectives; (b) the nature, scale and intensity of the proposed use; (c) whether the use will compromise or distort the function of Currie as the service centre of King Island;

	<ul style="list-style-type: none"> (d) whether the use could reasonably be located on land zoned for that purpose; (e) the capacity of the local road network to accommodate the traffic generated by the use; and (f) whether the use requires a rural location to provide separation to minimise impacts from the use, such as noise, dust and lighting on sensitive uses in the surrounding area.
<p>A5</p> <p>No Acceptable Solution.</p>	<p>P5</p> <p>A Residential use listed as Discretionary must:</p> <ul style="list-style-type: none"> (a) be required as part of an agricultural use, having regard to: <ul style="list-style-type: none"> (i) the scale of the agricultural use; (ii) the complexity of the agricultural use; (iii) the operational requirements of the agricultural use; (iv) the requirements for the occupier of a dwelling to attend to the agricultural use; (v) proximity of a dwelling to the agricultural use; and (vi) an agreement under section 71 of the Act is entered into and registered on the title preventing the future excision of a Residential use; <p>or</p> (b) if not required as part of an agricultural use, be for a single dwelling and be located on a site that: <ul style="list-style-type: none"> (i) is not capable of supporting an agricultural use; (ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and (iii) does not confine or restrain agricultural use on adjoining properties.

<p>A6</p> <p>No Acceptable Solution.</p>	<p>P6</p> <p>A Visitor Accommodation use listed as Discretionary must be:</p> <ul style="list-style-type: none"> (a) located on part of the site that does not interfere on confine the agricultural use; or (b) located on a site not capable of supporting an agricultural use; and (c) does not confine or restrain agricultural use on adjoining properties.
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KIC-P4.6 Development Standards for Buildings and Works

KIC-P4.6.1 Building height

Objective:	That a building is of a bulk and scale compatible with the coastal and rural landscape and minimises adverse impacts on adjoining properties.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building height must not be more than:</p> <ul style="list-style-type: none"> (a) 12m if for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities; and (b) 6m for all other uses. 	<p>P1</p> <p>Building height must:</p> <ul style="list-style-type: none"> (a) be necessary for the operation of the use and not cause unreasonable impact on adjoining properties, having regard to: <ul style="list-style-type: none"> (i) the proposed height of the building; (ii) the bulk and form of the building; (iii) the separation of the proposed building from existing buildings on adjoining properties; and (iv) any buffers created by the topography, natural or other features; and (b) not unreasonably impact on the coastal or rural landscape, having regard to: <ul style="list-style-type: none"> (i) the proposed height of the building; (ii) the topography of the site; (iii) the visual impact on the skyline; (iv) the location of development in relation to cleared areas; (v) the need to remove vegetation; (vi) any screening of the proposed building when viewed from roads and public areas including the foreshore; and (vii) the scenic coastal and rural landscape values of the surrounding area.

KIC-P4.6.2 Setbacks

Objective:	<p>That the siting of buildings minimises:</p> <ul style="list-style-type: none"> (a) potential conflict with use on adjoining sites; and (b) the visual impact of development on the coastal and rural landscape and when viewed from roads and public places adjoining the site.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> (a) not less than 20m for a habitable building; and (b) not less than 10m for a non-habitable building; <p>or</p> <ul style="list-style-type: none"> (c) if the setback of an existing building is within 20m from a frontage, not less than the existing building. 	<p>P1</p> <p>Buildings must be sited to not cause an unreasonable impact on uses in the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and orientation of the site; (b) the bulk and form of the proposed building; (c) the separation of existing buildings on the site and adjoining properties; (d) separation from existing use on the adjoining properties; (e) the safety of the road network and its users; (f) any impact from noise, dust, traffic generation, lighting or other emission on the proposed use from roads or adjoining properties; (g) any screening of the proposed building when viewed from roads and public areas including the foreshore; (h) the scenic coastal and rural landscape values of the surrounding area; and (i) any buffers created by natural or other features.
<p>A2</p> <p>Buildings must have a setback from side and rear boundaries:</p> <ul style="list-style-type: none"> (a) not less than 10m; or (b) if the setback of an existing building is within 10m of a boundary, not less than the existing building. 	<p>P2</p> <p>Buildings must be sited to not cause an unreasonable impact on uses in the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and orientation of the site; (b) the bulk and form of the proposed building; (c) the separation of existing buildings on the site and adjoining properties; and (d) separation from existing use on the adjoining properties.

<p>A3</p> <p>Buildings for a sensitive use or Visitor Accommodation must have a setback from a side or rear boundary of:</p> <p>(a) not less than 200m where it adjoins an agricultural use; or</p> <p>(b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</p>	<p>P3</p> <p>Buildings for a sensitive use or Visitor Accommodation must be sited so as not to conflict or interfere with an agricultural use, having regard to:</p> <p>(a) the size, shape and topography of the site;</p> <p>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) the existing and potential use of adjoining properties; and</p> <p>(e) any proposed attenuation measures.</p>
<p>A4</p> <p>Buildings must have a setback from the Mean High Water Mark of 200m.</p>	<p>P4</p> <p>Buildings must be sited and designed to be compatible with the management of natural and cultural values, and minimise the visual impact of development on the coastal and rural landscape, having regard to:</p> <p>(a) any screening provided by the topography;</p> <p>(b) the siting of the development on the natural and cultural values of the site and the surrounding land;</p> <p>(c) the design, scale, siting, materials and type of building proposed;</p> <p>(d) any screening of the proposed building when viewed from the foreshore; and</p> <p>(e) the scenic coastal and landscape values of the surrounding area.</p>

KIC-P4.6.4 Landscape Values

<p>Objective:</p>	<p>That development is compatible with the coastal and rural landscapes when viewed from roads and public places adjoining the site.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Site coverage, excluding buildings for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities must not be more than 400m².</p>	<p>P1</p> <p>Site coverage excluding buildings for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities must be compatible with the scenic</p>

	<p>and coastal landscape values of the site and surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography, size and shape of the site; (b) the location of development in relation to existing buildings, cleared areas and natural features of the site; (c) the impact of the development on the natural and cultural values of the site and surrounding land; (d) the design, scale, siting, materials and type of buildings or works proposed; (e) the visual prominence of buildings and works when viewed from public areas including roads, foreshores; (f) the extent and impacts of vegetation removal; (g) any remediation or mitigation measures proposed; and (h) the ability of the site and vegetation type/community to accommodate the vegetation removal and remediation.
<p>A2</p> <p>Buildings and works, excluding those for Extractive Industries, Recycling, Waste Disposal, Resource Development and Utilities, must:</p> <ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan; (b) be an alteration or extension to an existing building providing it is not more than the existing building height; or (c) be located on the site that does not require the removal of native vegetation. 	<p>P2</p> <p>Buildings and works, excluding those for Extractive Industries, Recycling, Waste Disposal, Resource Development and Utilities must be located to minimise native vegetation removal and the impact on coastal and rural landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the extent of the area from which vegetation has been removed; (b) the extent of native vegetation to be removed; (c) any remedial or mitigation measures or revegetation requirements; (d) provision for native habitat for native fauna; (e) the management and treatment of the balance of the site or native vegetation areas; (f) the type, size, and design of development; and (g) the landscape values of the site and surrounding area.

<p>A3</p> <p>Buildings excluding those for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities must have exterior finishes, with a light reflectance value not more than 20%, and be in dark natural tones of black, grey, green or brown.</p>	<p>P3</p> <p>Exterior building finishes excluding buildings for Extractive Industries, Recycling and Waste Disposal, Resource Development and Utilities must be designed to minimise impact on the scenic values and rural and coastal landscape of the site and surrounding area, having regard to:</p> <ul style="list-style-type: none"> (g) the local area objectives; (h) any screening provided by the topography; (i) the impact of the development on the natural and cultural values of the site and surrounding land; (j) the design, scale, siting, materials and type of building proposed; (k) the visual prominence of buildings when viewed from public areas including roads and foreshores; and (l) any screening proposed.
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KIC-P4.6.5 Services for development

Objective:	That use and development of a site is provided with: <ul style="list-style-type: none"> (a) drainage for disposal of sewerage; and (b) adequate stormwater management.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Development, excluding a non-habitable building, servicing less than 10 people in a precinct, must connect to an on-site wastewater system treatment system in accordance with <i>Australian/New Zealand Standard AS/NZS 1547:2012 Onsite domestic wastewater management</i> or equivalent.</p>	<p>P1</p> <p>Development, excluding a non-habitable building, must be capable of accommodating an on-site wastewater treatment system adequate for the proposed development of the land, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of a precinct; (b) the capacity of a precinct to absorb on-site wastewater; (c) the existing buildings and any constraints imposed by existing development; (d) the area of the site to be covered by the proposed development; (e) any adverse impacts on the quality of ground, surface and coastal waters; (f) any adverse environmental impact on surrounding properties and the locality; and (g) any written advice from a suitably qualified person (on-site wastewater management) about the adequacy of the on-site wastewater management system.

<p>A3</p> <p>Development must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3</p> <p>Development must be capable of accommodating a drainage and stormwater management system adequate for development, having regard to:</p> <ul style="list-style-type: none"> (a) stormwater currently entering from beyond the boundaries of an applicable precinct; (b) stormwater run-off anticipated from the proposed development, (c) without likelihood for concentration on adjacent land; (d) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land; (e) to manage the quantity and rate of discharge of stormwater to receiving waters; (f) to manage the quality of stormwater discharged to receiving waters; and
	<ul style="list-style-type: none"> (g) to provide positive drainage away from any sewer pipe, on-site sewerage disposal system, or building area.

KIC-P4.7 Development Standards for Subdivision

KIC-P4.7.1 Lot design

Objective:	That provides for subdivision that: (a) relates to public use, irrigation or utilities; or (b) protects the long term productive capacity of agricultural land.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided both lots are within the same zone. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have a sufficient useable area and dimensions suitable for the intended purpose, excluding Residential or Visitor Accommodation, that: <ul style="list-style-type: none"> (i) requires the rural location for operational reasons; (ii) minimises the conversion of agricultural land for a non-agricultural use; (iii) minimises adverse impacts on non-sensitive uses on adjoining properties; (iv) is appropriate for a rural location; (v) the use provides an important or significant benefit for the King Island community; and (vi) the capacity of the balance lot to be consolidated with an adjoining lot; or (b) provide for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> (i) not materially diminishing the agricultural productivity of the land; (ii) the capacity of the new lots for productive agricultural use; and (iii) any topographical constraints to agricultural use, (c) be for the reorganisation of lot boundaries that satisfies all of the following: <ul style="list-style-type: none"> (i) provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> a. not materially diminishing the agricultural productivity of the land; b. the capacity of the new lots for productive agricultural use; and

	<ul style="list-style-type: none"> c. any topographical constraints to agricultural use, (ii) all new lots must be not less than 1ha in area; (iii) existing buildings are consistent with the setback required by clause KIC-P4.6.2. (iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and (v) it does not create any additional lots; or (d) be for the excision of a use or development existing at the effective date that satisfies all of the following: <ul style="list-style-type: none"> (i) the balance lot provides for the operation of an agricultural use, having regard to: <ul style="list-style-type: none"> a. not materially diminishing the agricultural productivity of the land; b. the capacity of the balance lot for productive agricultural use; and c. any topographical constraints to agricultural use. (ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot; (iii) any existing buildings for a sensitive use must consistent with setbacks required by clause KIC-P4.6.2 in relation to setbacks to new boundaries; and (iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a reasonable vehicular access to a boundary of a lot, or building areas on the lot if any exist, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic, including pedestrians; and (d) the pattern of development existing on established properties in the area.

KIC-P4.8 Tables

This sub-clause is not used in this particular purpose zone.

KIC-S1.0 Fences in the King Island Rural Area Specific Area Plan

KIC-S1.1 Plan Purpose

The purpose of the Fences in the King Island Rural Area Specific Area Plan is:

- KIC-S1.1.1 That clearance of native vegetation within a priority vegetation area associated with development of fences is minimised.

KIC-S1.2 Application of this Plan

- KIC-S1.2.1 The specific area plan applies to the area of land designated as Fences in the King Island Rural Area Specific Area Plan on the overlay maps and Figure S1.1.1.

- KIC-S1.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in addition to the provisions of the Natural Assets Code, as specified in the relevant provision.

KIC-S1.3 Local Area Objectives

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

KIC-S1.4 Definition of Terms

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

KIC-S1.5 Use Table

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

KIC-S1.6 Use Standards

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

KIC-S1.7 Development Standards for Buildings and Works

- KIC-S.1.7.1 Fences

This sub-clause is in addition to Natural Assets Code – clause C7.6.2 Clearance within a priority vegetation area

Objective:	That development of fences provides for management of activities in the rural area.	
Acceptable Solutions	Performance Criteria	
A1 Clearance of native vegetation for a fence within a priority vegetation area must: (a) be within 3m from a boundary or centreline of	P1 No Performance Criterion.	

<p>a fence; and</p> <p>(b) be for the purpose of:</p> <ul style="list-style-type: none">(i) erecting or maintaining a boundary fence;(ii) erecting or maintaining an internal fence; or(iii) clearing along a property boundary.	
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KIC-S1.8 Development Standards for Subdivision

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

KIC-S1.9 Tables

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

KIC-Site-specific Qualifications

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
KIC-10.1	Lots on Sealed Plan 174271 at Charles Street, Currie	207014/7	Substitute Acceptable Solution A2 with the following: “Dwellings excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building must have a setback from a road frontage, of not less than 10m.	10.4.3
KIC-10.2	Lots on Sealed Plan 174271 at Charles Street, Currie	207014/7	Substitute Acceptable Solution A2 with the following: “Dwellings, excluding outbuildings with a building height of not more than more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building must have a setback from side boundaries of not less than: (a) 3m to the side boundary.	10.4.3
KIC-10.3	Lots on Sealed Plan 174271 at Charles Street, Currie	207014/7	Substitute Acceptable Solution A1 with the following: “Dwellings must have a site coverage of not more than: (a) 10% for lots 3,000m ² or greater; or (b) 12% for lots less than 3,000m ²	10.4.4
KIC-10.4	Lots on Sealed Plan 174271 at Charles Street, Currie	207014/7	Substitute Acceptable Solution A1(a) with the following: “Each lot or a lot on a plan of subdivision must have an area of not less than 2,500m ² .”	10.6.1
KIC-10.5	15 George Street Currie	216979/1	Substitute the qualification for ‘Business and Professional Services’ in the Use Table 8.2: with the following: “If for a consulting room, medical centre, veterinary centre, child health clinic, a office, or for the provision of residential support services”. In addition to the Discretionary uses listed in the Use Table	8.2

			8.2, list the use class 'Bulky Good Sales before 'Business and Professional Services'.	
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KIC-Code Lists

KIC-Table C3.1 Other Major Roads

Road	From	To
This table is not used in this Local Provisions Schedule.		

KIC-Table C6.1 Local Heritage Places

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
This table is not used in this Local Provisions Schedule.						

KIC-Table C6.2 Local Heritage Precincts

Reference Number	Town/Locality	Name of Precinct	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy
This table is not used in this Local Provisions Schedule.			

KIC-Table C6.3 Local Historic Landscape Precincts

Reference Number	Town/Locality	Name of Precinct	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy
This table is not used in this Local Provisions Schedule.			

KIC-Table C6.4 Places or Precincts of Archaeological Potential

Reference Number	Town/Locality	Property Name / Address/ Name of Precinct	Folio of the Register	Description, Specific Extent and Archaeological Potential
This table is not used in this Local Provisions Schedule.				

KIC-Table C6.5 Significant Trees

Reference Number	Town/ Locality	Property Name and Street Address	Folio of the Register	Description / Specific Extent	Botanical Name	Common Name	No. of trees
This table is not used in this Local Provisions Schedule.							

KIC-Table C8.1 Scenic Protection Areas

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
This table is not used in this Local Provisions Schedule.				

KIC-Table C8.2 Scenic Road Corridors

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
This table is not used in this Local Provisions Schedule.			

KIC-Table C11.1 Coastal Inundation Hazard Bands AHD Levels

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
Currie	0.8	1.8	2.4	2.1
Grassy	01.2	2.2	2.9	2.6
Loorana	0.8	1.8	2.4	2.1
Naracoopa	01.3	2.2	2.8	2.5
All other localities	1.3	2.2	2.9	2.6

KIC-Applied, Adopted or Incorporated Documents

Document Title	Publication Details	Relevant Clause in the LPS
This table is not used in this Local Provisions Schedule		

Attachment C – C16 Airport Overlay Maps

Item 9.3. Tasmanian Planning Scheme –King Island Draft Local Provision Schedule – Section 35F Report

Reporting: Development Services Coordinator – Robyn Barwick

SUMMARY:

Council, sitting as the planning authority, endorsed the Draft King Island Draft Local Provision Schedule (draft KILPS) at a Special Meeting 4 October 2022 for submission to the Tasmanian Planning Commission (TPC). The TPC then gave direction under s.35B(4) for the draft KILPS to be placed on public exhibition.

During the 60 day exhibition period between 28 October 2023 and 12 January 2024, 27 representations were received. On completion of the exhibition period the planning authority, in accordance with s.35F of LUPPA is required to consider the representations received to the Draft King Island Local Provisions Schedule and provide recommendations to the Tasmanian Planning Commission within 60 days or a period agreed to by the TPC. An extension of time was requested and granted to 18 April 2024.

This report is for Council, as the planning authority, to consider and endorse the s.35F report for submission to the TPC. The TPC, at a time to be determined, will hold public hearings into the draft KILPS and the representations made. Representors will have further opportunity to present to the TPC panel in the hearings, where they may speak to the matters that they have raised in their representation.

The TPC is the decision authority for the draft KILPS. On consideration of the matters raised in the representations and hearings, the TPC will determine whether modifications should be made to the Draft KILPS before it becomes operational. There are two types of modifications that can be made:

- Modifications under s.35K(1)(a) that are minor in nature and can be given effect; and
- Substantial modifications, which require an additional process of public notification in order to be further considered for inclusion in the KILPS.

If substantial modifications are considered warranted by the TPC, a notice will be issued requiring the planning authority to prepare amendments to the draft KILPS for those modifications, which will then be publicly notified and considered before the final decision is made on whether to include the modifications in the KILPS. The KILPS will be brought into operational effect in the interim period and any substantial modifications will be incorporated when approved by the TPC.

DISCUSSION:

Further discussion is included in the following attachments:

- Attachment 1 – Tasmanian Planning Scheme, King Island draft Local Provision Schedule Section 35F Report April 2024 provides details of the representations



received and discusses in detail the issues raised by the representor, the planning authority's response and action recommended.

- Attachment 2 – The representations.

RELEVANT REFERENCE DOCUMENTS / POLICIES:

Relevant reference documents, polices and strategies are identified in Attachment 1.

ENVIRONMENTAL ISSUES:

The Codes within the Tasmanian Planning Scheme require a developer to address environmental issues relevant to the development site and use.

STAKEHOLDERS:

LUPAA required that the draft KILPS be publicly notified in two Saturday editions of The Advocate, with additional notices placed in the King Island Courier, during the 60 day exhibition period. The documents were placed on Council's web site with a banner headline on the home page and hard copies available for viewing at the council offices. A drop-in day was also held along with a session aimed at primary producers.

FINANCIAL IMPLICATIONS:

Funds have been allocated in the 2023/24 budget for the finalisation of the draft KILPS and public exhibition. To date the project is within budget, however there may be a small exceedance if the public hearings are held in the current financial year. Additional funding will be required in the 2024/25 budget to allow for any directions from the TPC to modify the draft KILPS and to implement the approved KILPS .

CONCLUSION:

The matters raised in the representations are addressed in accordance with the requirements of LUPAA in Attachment 1 to this report.

The report recommends numerous modifications to the draft KILPS , some of which may be classified as substantial modifications. The modifications are considered appropriate and necessary to advance a planning scheme that promotes the objectives of LUPAA, which include:

- To provide for fair, orderly and sustainable use and development of air, land and water;
- To encourage public involvement in resource management and planning;
- Required sound strategic planning;
- To ensure that the effects on the environment are considered and provide for explicit consideration for social and economic effects when decisions are made about use and development of land;
- To promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant , efficient and safe environment for working, living and recreation.



Recommendation

That :

- 1. Council in its role as a Planning Authority, and in accordance with Section 35F of the *Land Use Planning and Approvals Act 1993* endorse and submit to the Tasmanian Planning Commission this report about the exhibition of the draft King Island Local Provision Schedule, which includes the following particulars:**
 - (a) As set out in Attachment 1, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS;**
 - (b) As set out in Attachment 1, the Planning Authority's recommended modifications to the draft LPS following the exhibition period made in accordance with Section 35F(2)(c) and 35F(2)(e) of the *Land Use Planning and Approvals Act 1993*;**
 - (c) A copy of each representation received during the public exhibition period (Attachment 2); and**
 - (d) Determination that the draft LPS (including any recommendations) satisfies the local provisions schedule criteria set out under section 34(2) of the *Land Use*; and**
- 2. Council delegates to the General Manager its powers and functions to:**
 - (a) Modify the report submitted under Recommendation 1 if a request or a direction for further information is received from the Tasmanian Planning Commission; and**
 - (b) Represent the planning authority at hearings of the Tasmanian Planning Commission pursuant to Section 35H of the *Land Use planning and Approvals Act 1993***
 - (c) Authorise the General Manager to delegate these powers and functions to a nominated employee.**



Item 9.3 Tasmanian Planning Scheme – King Island Draft Local Provision Schedule – Section 35(f) Report

Reporting: Development Services Officer – Robyn Barwick

Report provided under separate cover.

Moved Cr I Cooke
Cr V Philbey

That :

1. Council in its role as a Planning Authority, and in accordance with Section 35F of the *Land Use Planning and Approvals Act 1993* endorse and submit to the Tasmanian Planning Commission this report about the exhibition of the draft King Island Local Provision Schedule, which includes the following particulars:
 - (a) As set out in Attachment 1, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS;
 - (b) As set out in Attachment 1, the Planning Authority's recommended modifications to the draft LPS following the exhibition period made in accordance with Section 35F(2)(c) and 35F(2)(e) of the Land Use Planning and Approvals Act 1993;
 - (c) A copy of each representation received during the public exhibition period (Attachment 2); and
 - (d) Determination that the draft LPS (including any recommendations) satisfies the local provisions schedule criteria set out under section 34(2) of the Land Use; and
2. Council delegates to the General Manager its powers and functions to:
 - (a) Modify the report submitted under Recommendation 1 if a request or a direction for further information is received from the Tasmanian Planning Commission; and
 - (b) Represent the planning authority at hearings of the Tasmanian Planning Commission pursuant to Section 35H of the *Land Use planning and Approvals Act 1993*
 - (c) Authorise the General Manager to delegate these powers and functions to a nominated employee.

CARRIED

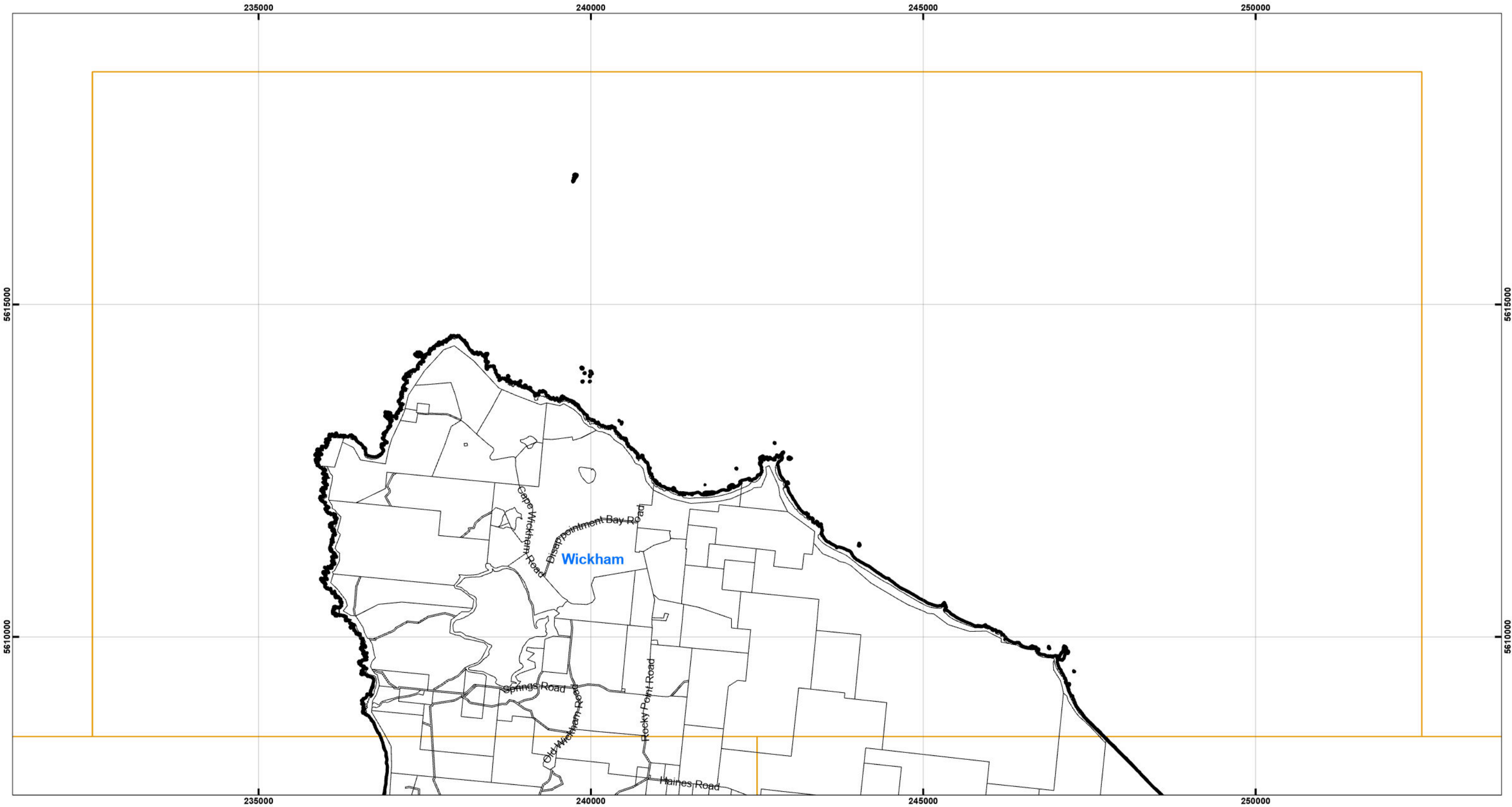
For: Cr D Bowden, Cr I Cooke, Mayor M Blackie, Deputy Mayor V Philbey, Cr G Green,
Cr A Hely

Against: Cr S Laidler

82/24


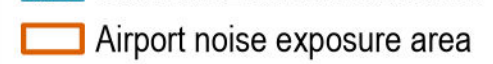


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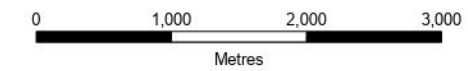
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-  Obstacle Limitation Surfaces
-  Airport noise exposure area

 LPS Boundary

 Property Parcels

Map 1 of 16



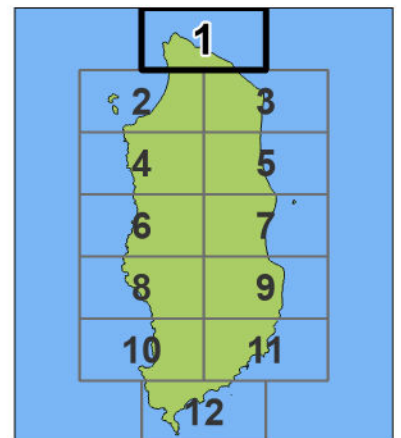
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Base data from theLIST, © State of Tasmania
Land title data current as of 20/09/2023

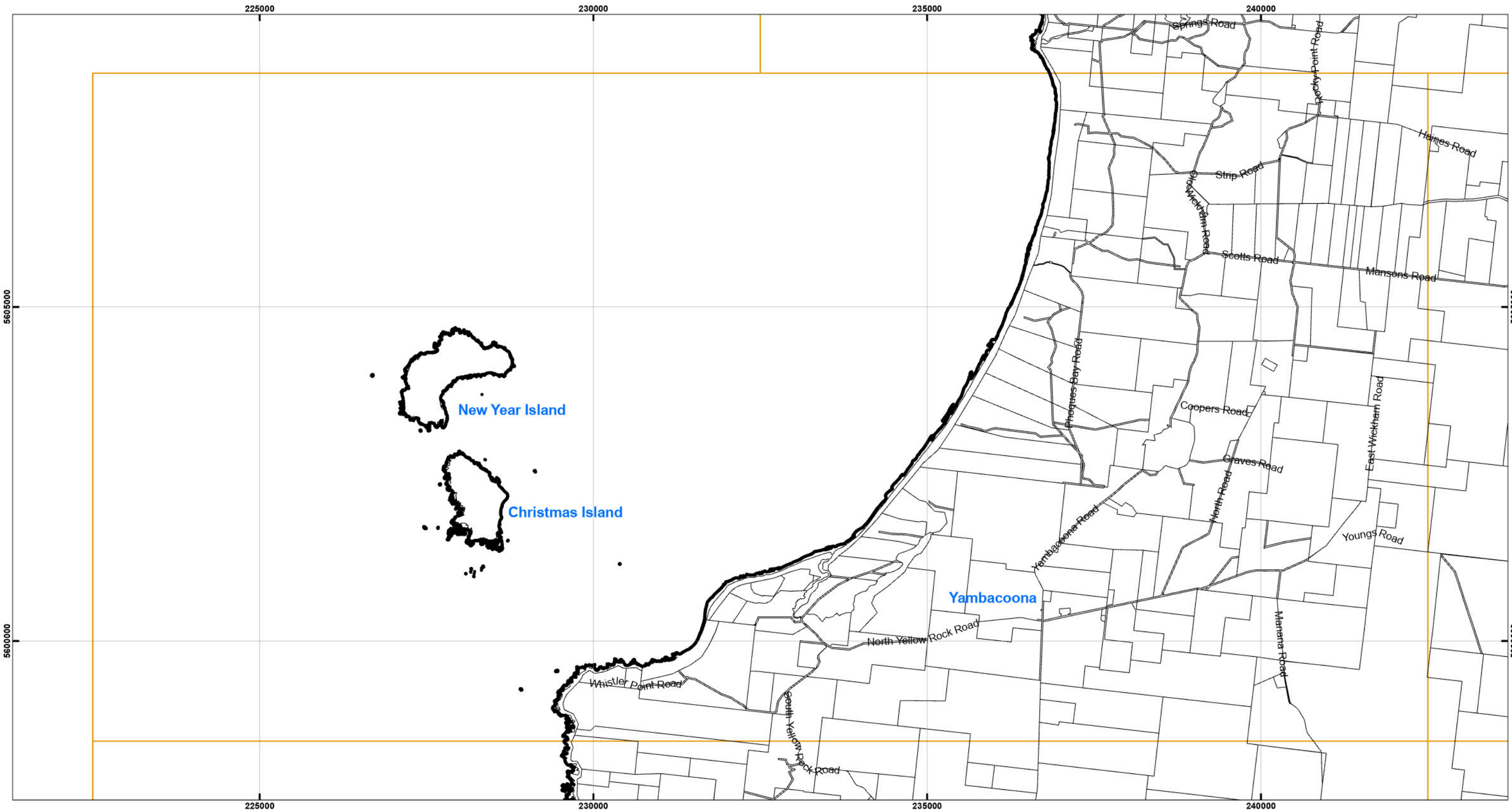
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Prepared by **ESK**
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Safeguarding Aiports Code

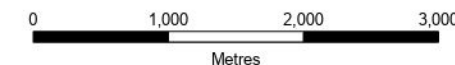
Obstacle Limitation Surfaces

Airport noise exposure area

LPS Boundary

Property Parcels

Map 2 of 16



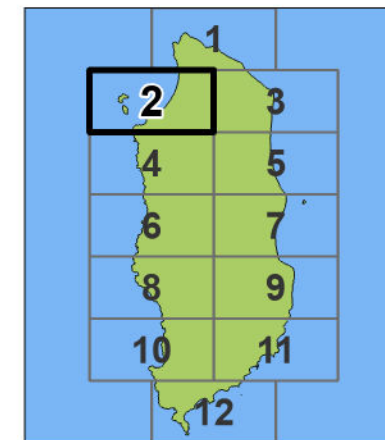
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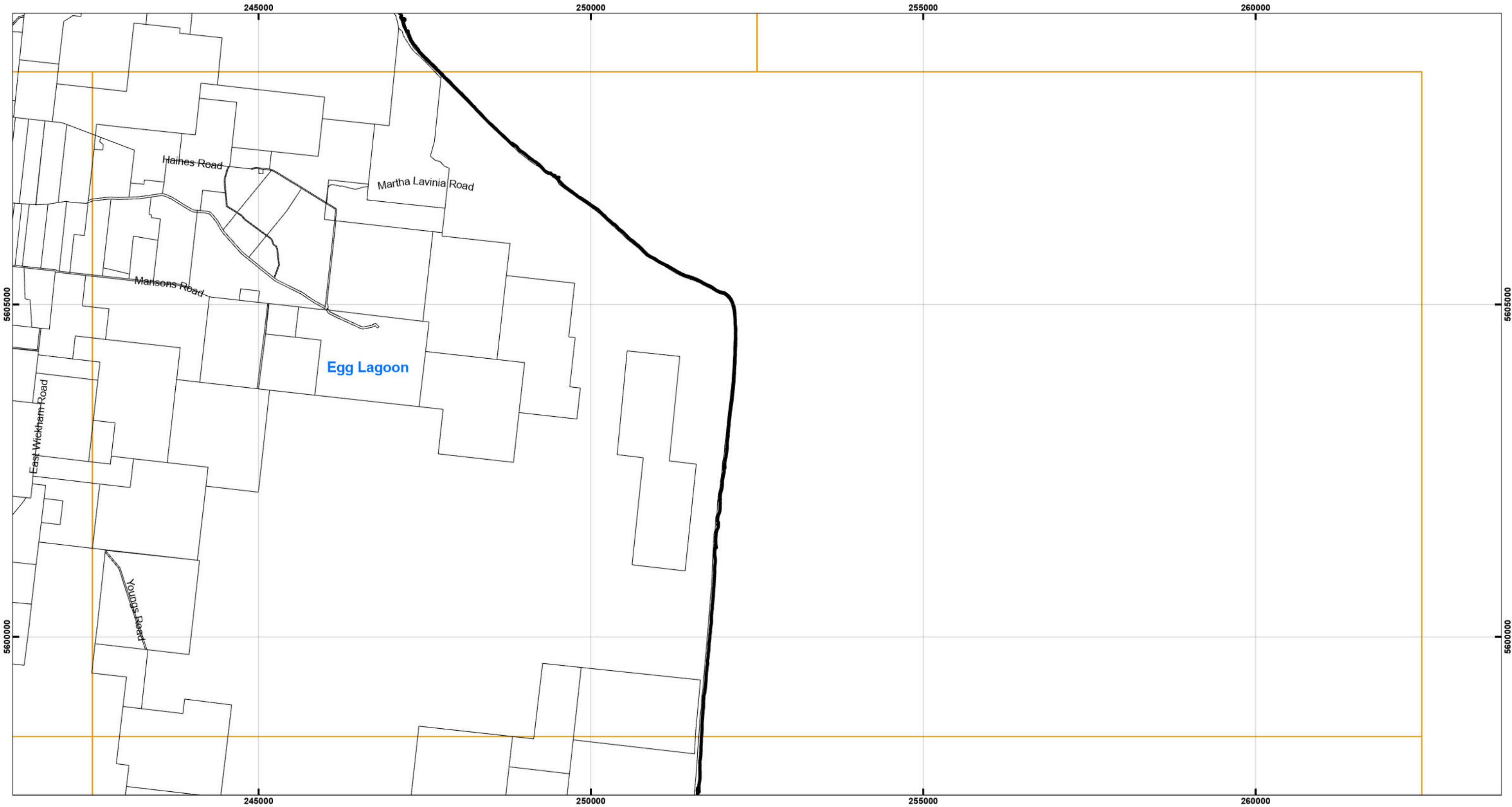
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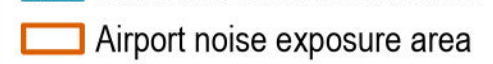




KING ISLAND LOCAL PROVISIONS SCHEDULE - SAFEGUARDING AIRPORTS OVERLAY



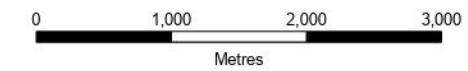
Legend

Safeguarding Aiports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

-  LPS Boundary
-  Property Parcels

Map 3 of 16

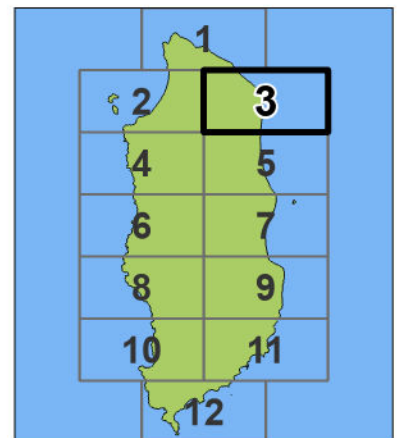


Coordinate System: GDA 1994 MGA Zone 55
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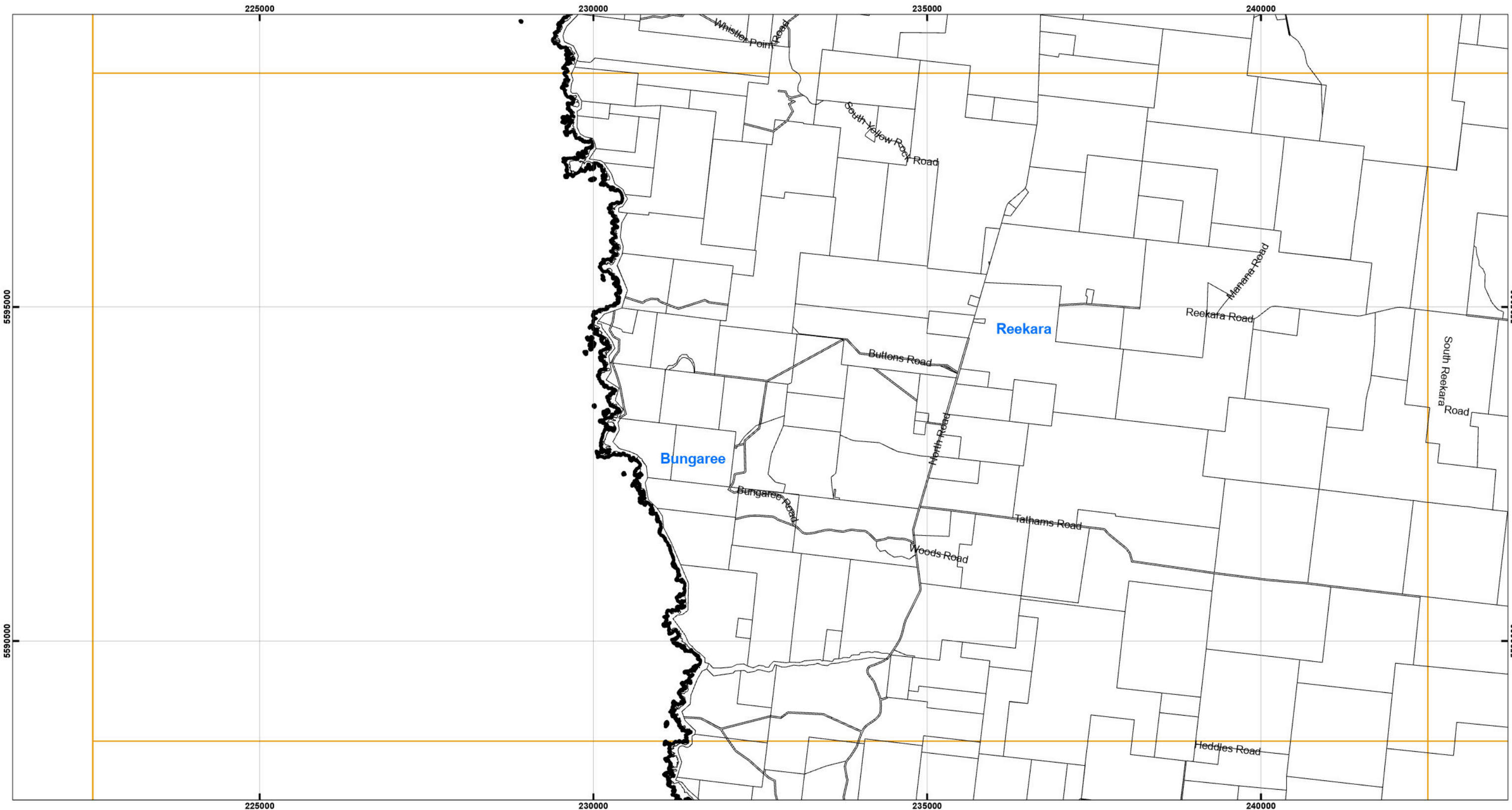
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KING ISLAND LOCAL PROVISIONS SCHEDULE - SAFEGUARDING AIRPORTS OVERLAY



Legend

Safeguarding Aiports Code

 Obstacle Limitation Surfaces

 Airport noise exposure area

 LPS Boundary

 Property Parcels

Map 4 of 16



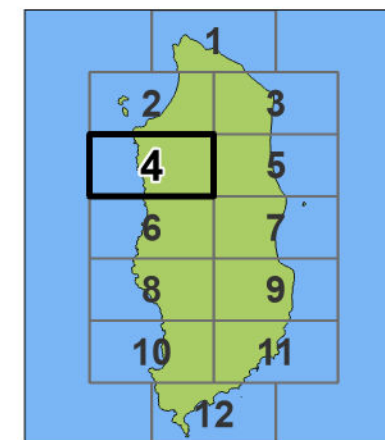
Coordinate System: GDA 1994 MGA Zone 55

Base data from theLIST, © State of Tasmania
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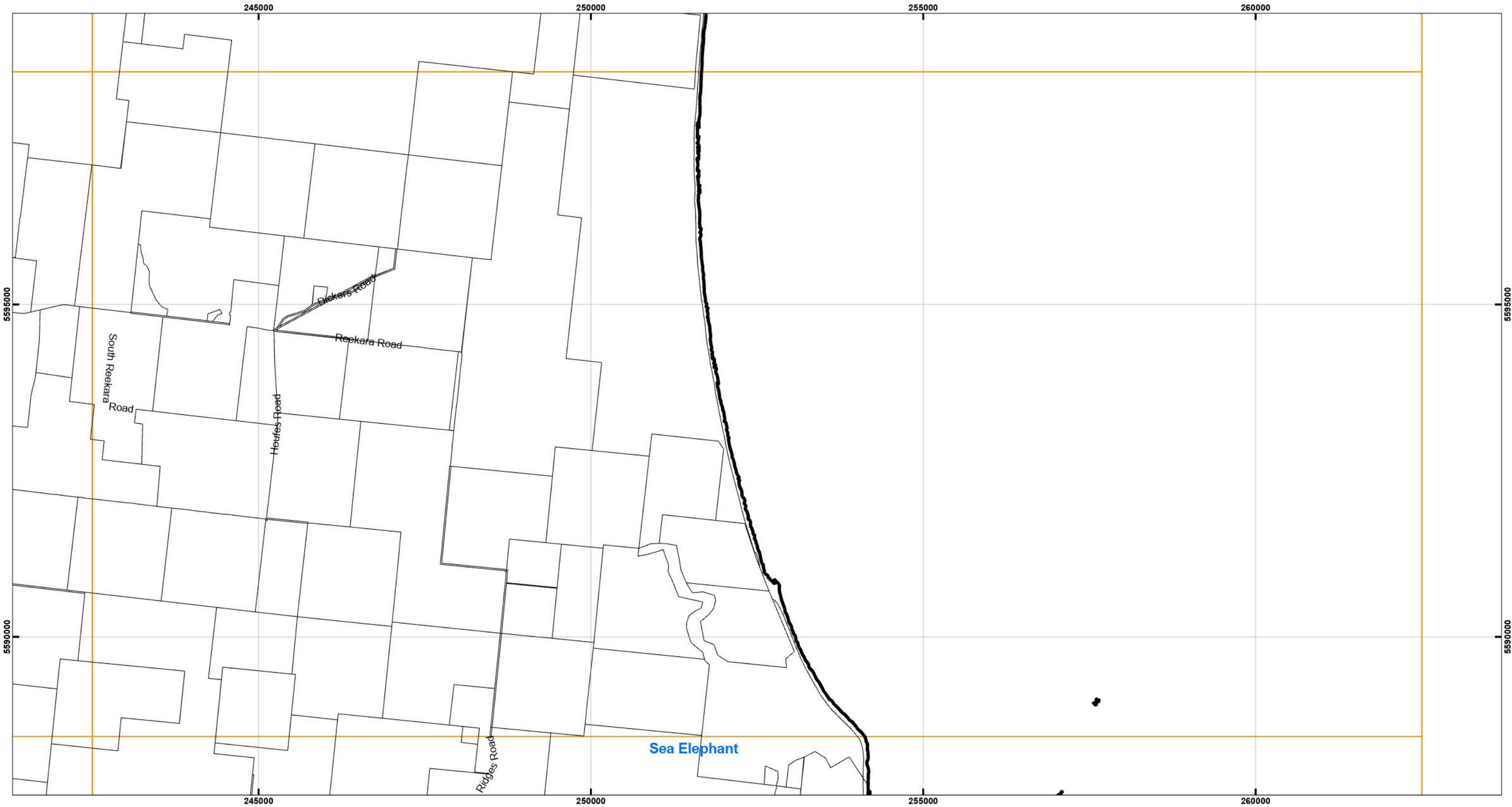
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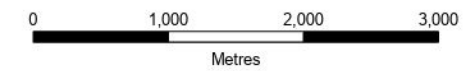
Legend

Safeguarding Aiports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

-  LPS Boundary
-  Property Parcels

Map 5 of 16

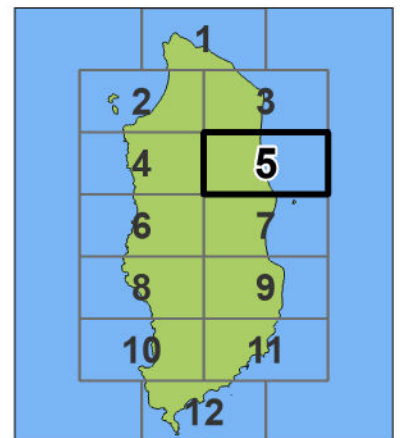


Coordinate System: GDA 1994 MGA Zone 55
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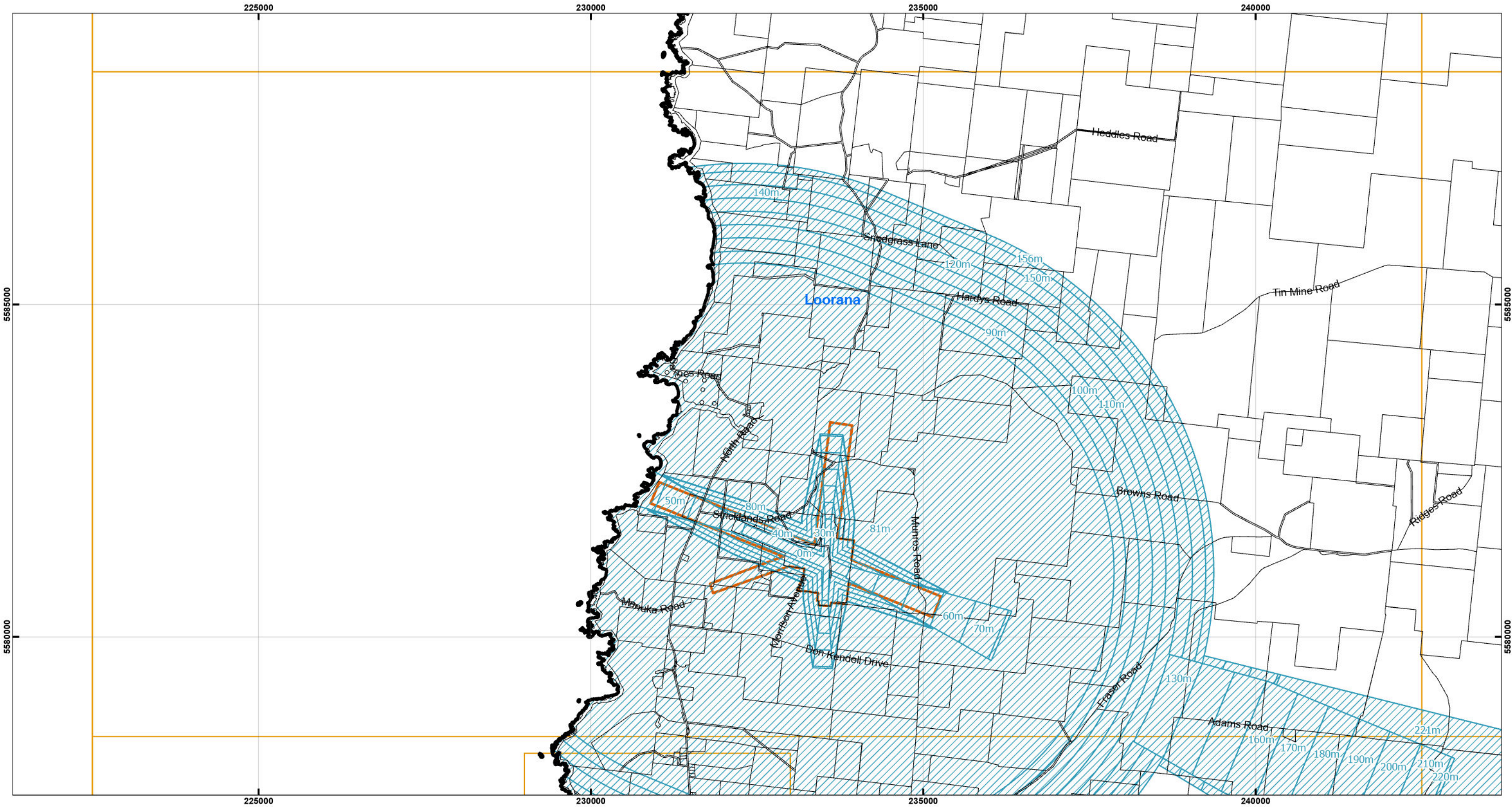
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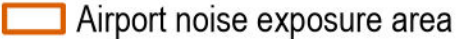



KING ISLAND LOCAL PROVISIONS SCHEDULE - SAFEGUARDING AIRPORTS OVERLAY



Legend

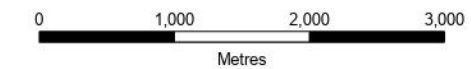
Safeguarding Airports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

 LPS Boundary

 Property Parcels

Map 6 of 16



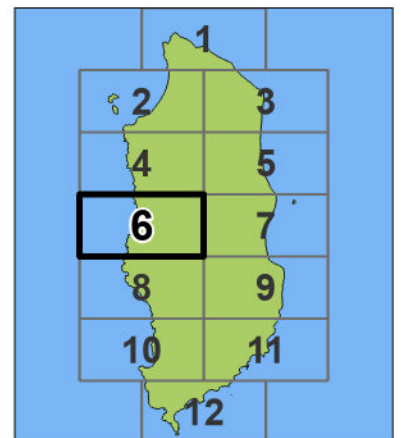
Coordinate System: GDA 1994 MGA Zone 55

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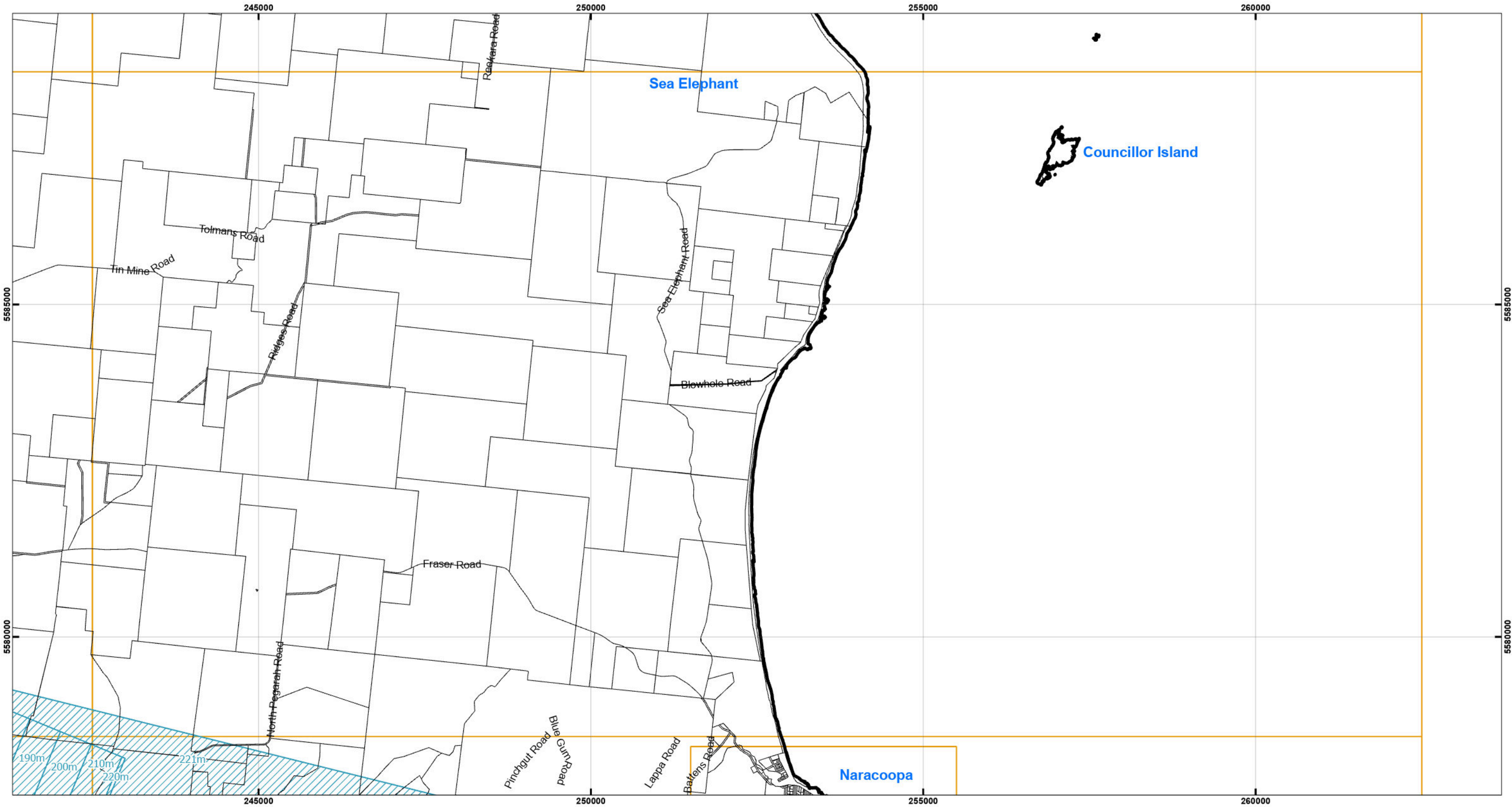
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Legend

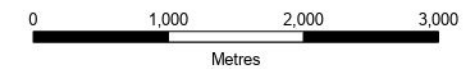
Safeguarding Aiports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

 LPS Boundary

 Property Parcels

Map 7 of 16



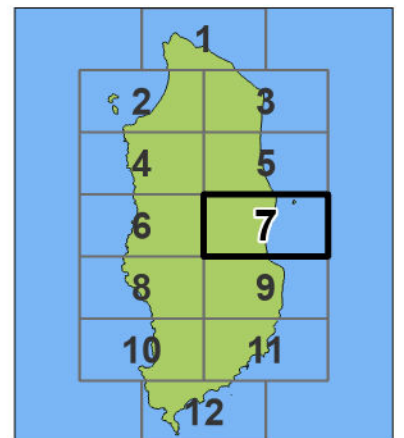
Coordinate System: GDA 1994 MGA Zone 55

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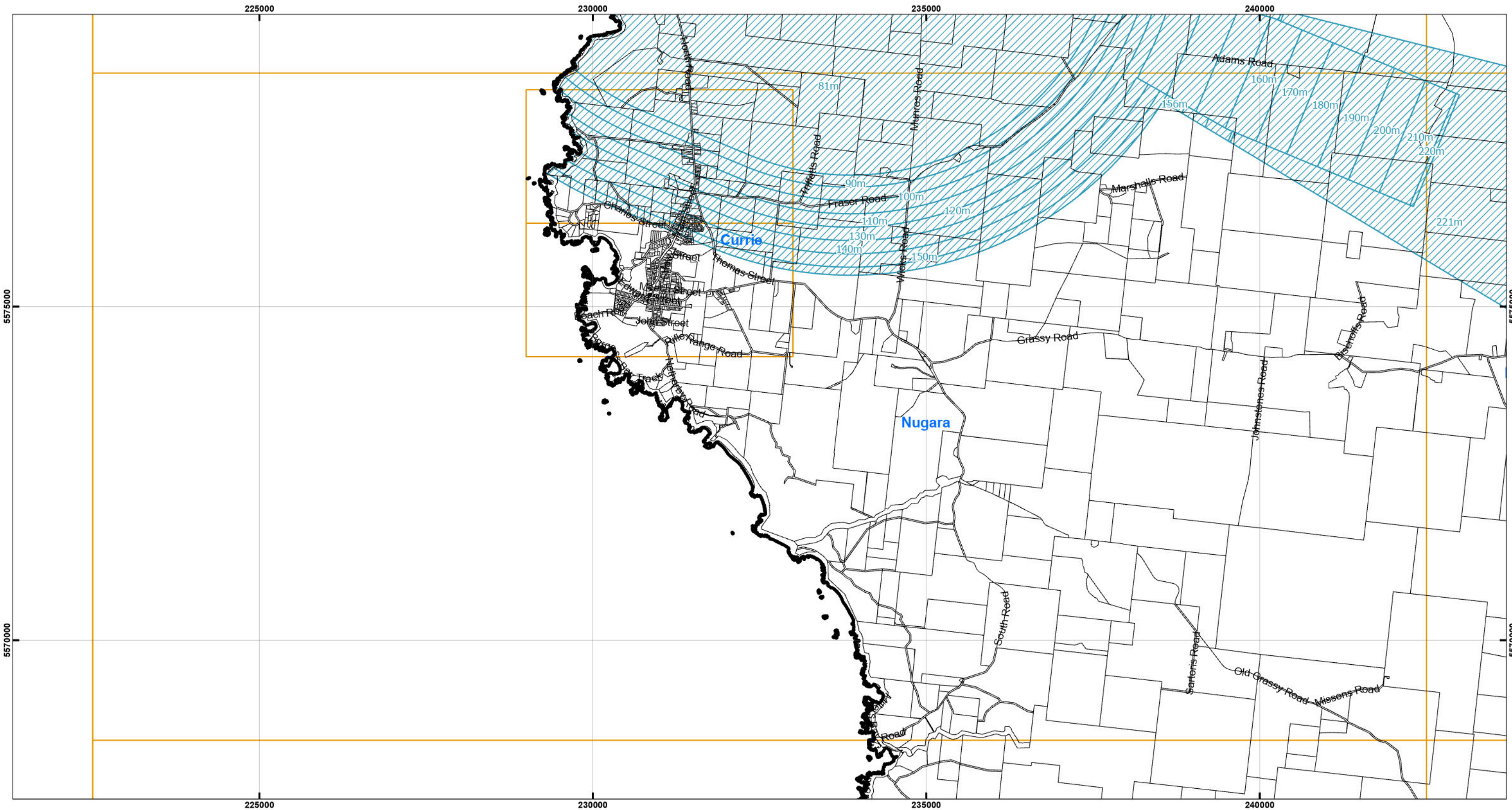
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Legend

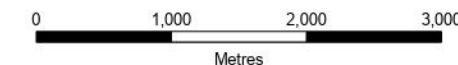
Safeguarding Aiports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

 LPS Boundary

 Property Parcels

Map 8 of 16



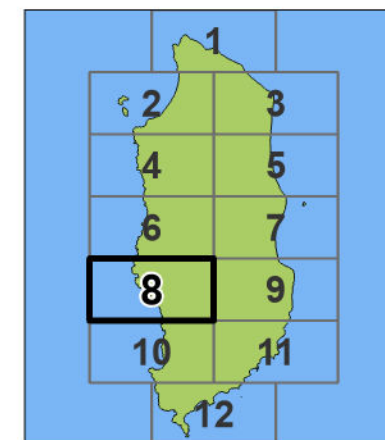
Coordinate System: GDA 1994 MGA Zone 55

Base data from theLIST, © State of Tasmania
Land title data current as of 20/09/2023

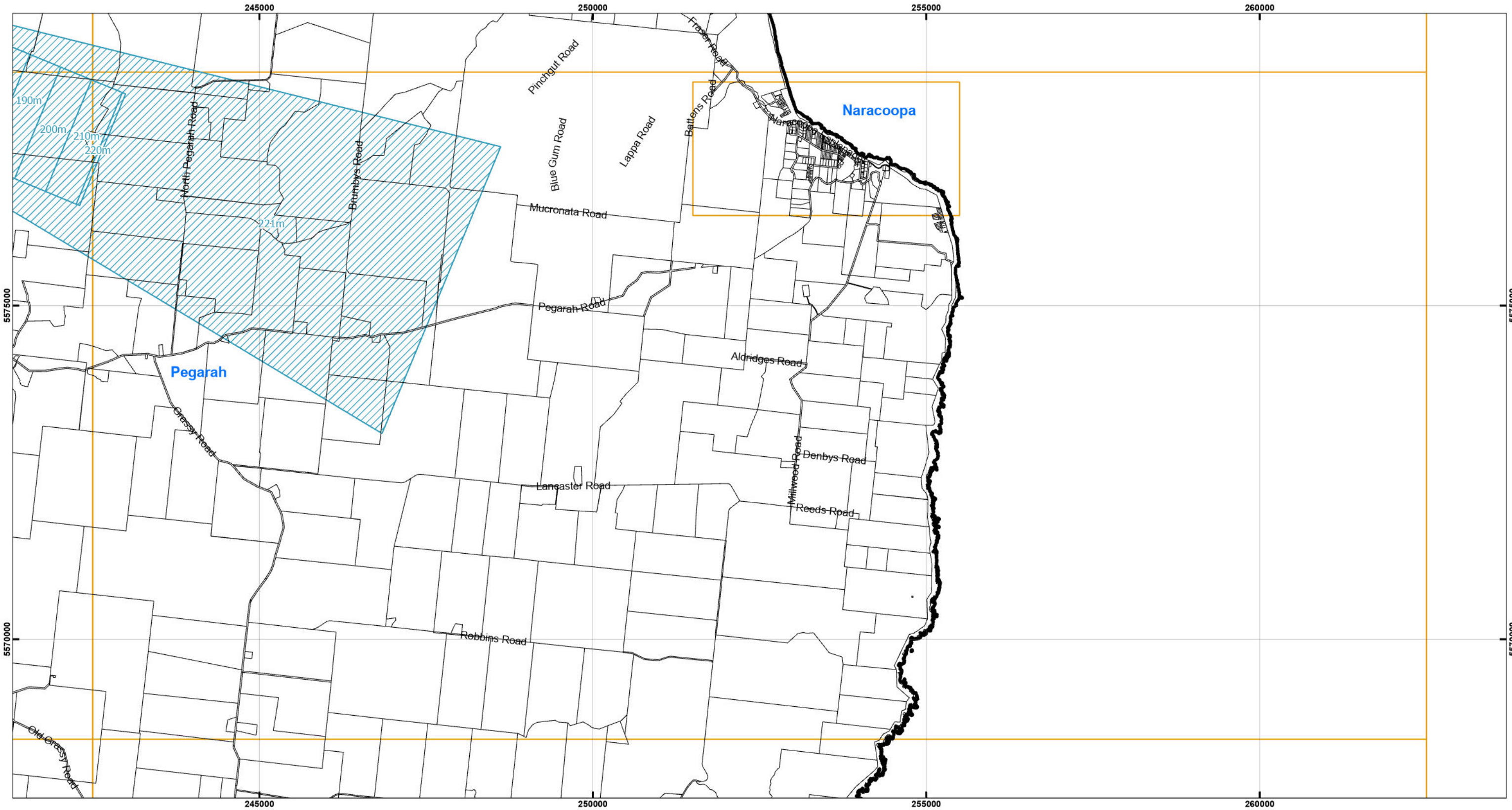
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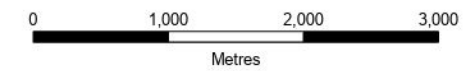
Legend

Safeguarding Airports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

-  LPS Boundary
-  Property Parcels

Map 9 of 16

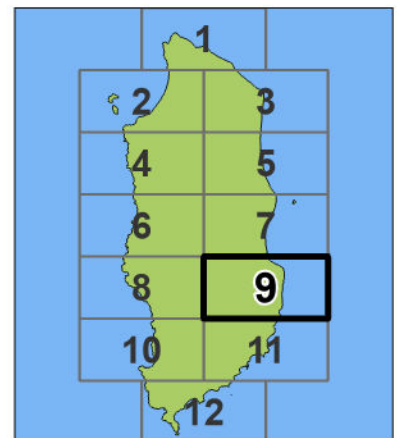


Coordinate System: GDA 1994 MGA Zone 55
 Base data from theLIST, © State of Tasmania
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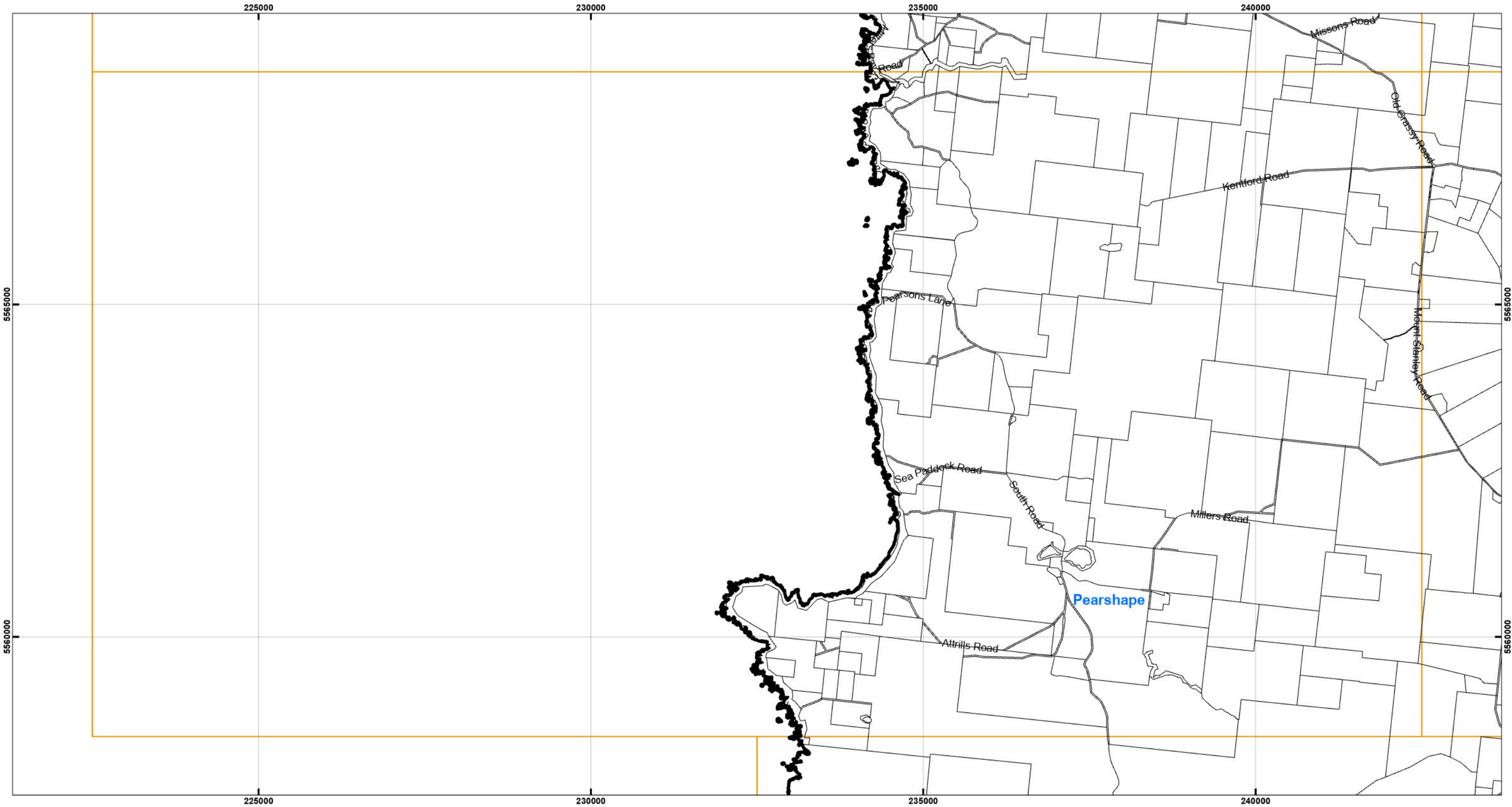
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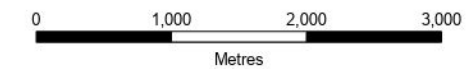
Legend

Safeguarding Aiports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

-  LPS Boundary
-  Property Parcels

Map 10 of 16

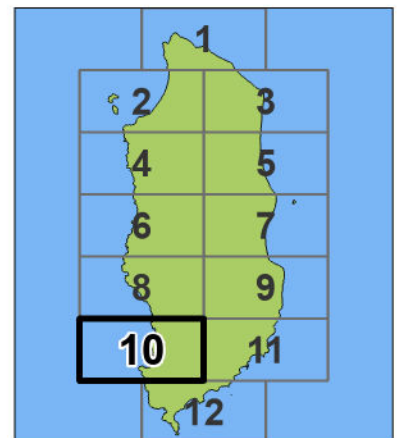


Coordinate System: GDA 1994 MGA Zone 55
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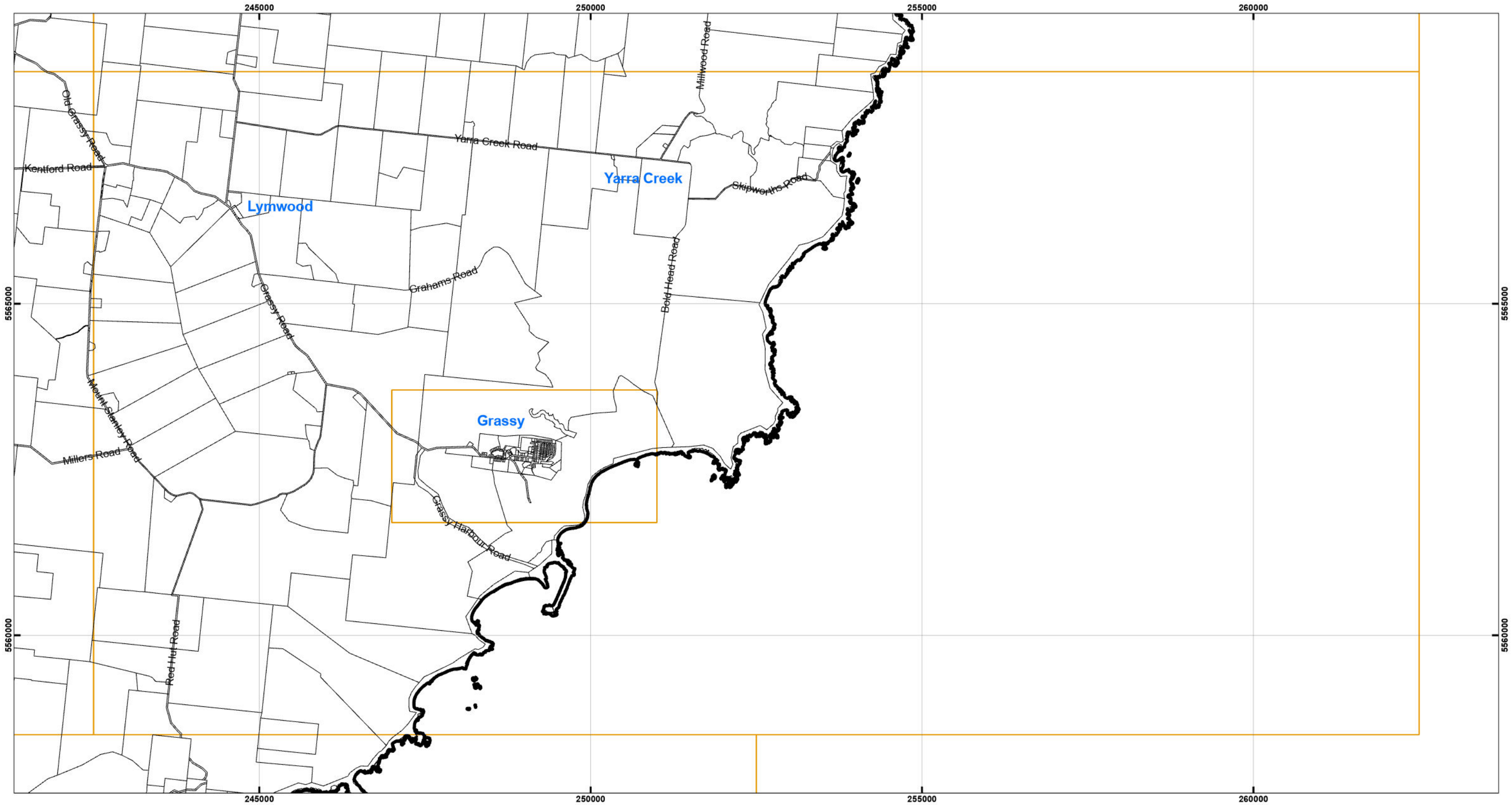
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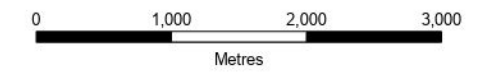


KING ISLAND LOCAL PROVISIONS SCHEDULE - SAFEGUARDING AIRPORTS OVERLAY



- Legend**
- Safeguarding Aiports Code**
-  Obstacle Limitation Surfaces
 -  Airport noise exposure area
 -  LPS Boundary
 -  Property Parcels

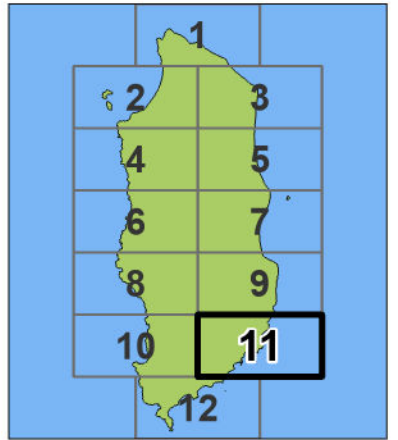
Map 11 of 16



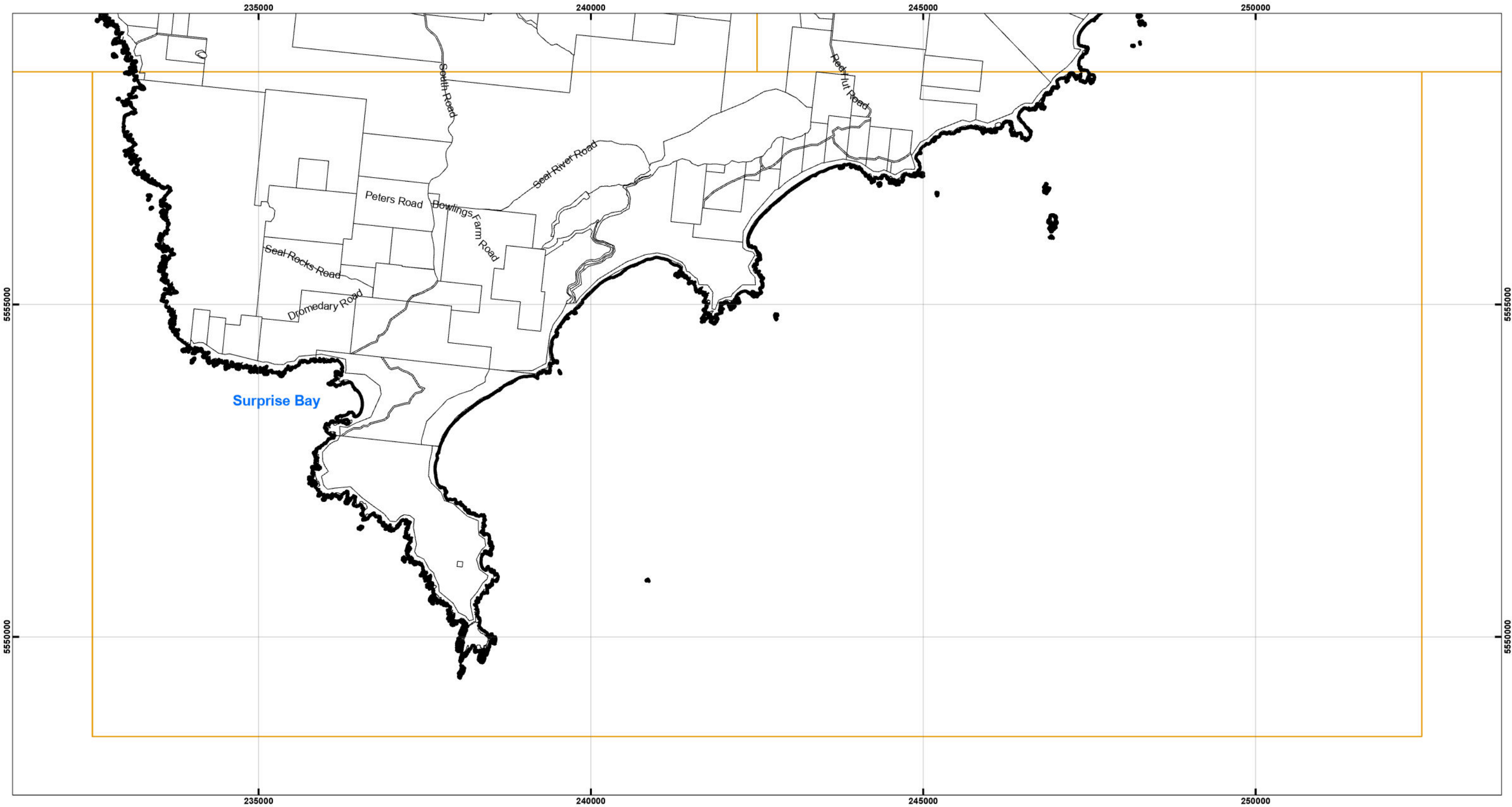
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Legend

Safeguarding Aiports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

 LPS Boundary

 Property Parcels

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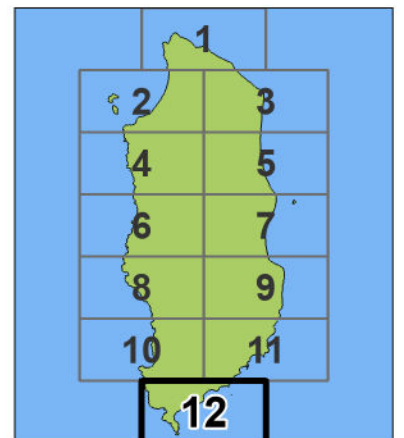


Coordinate System: GDA 1994 MGA Zone 55
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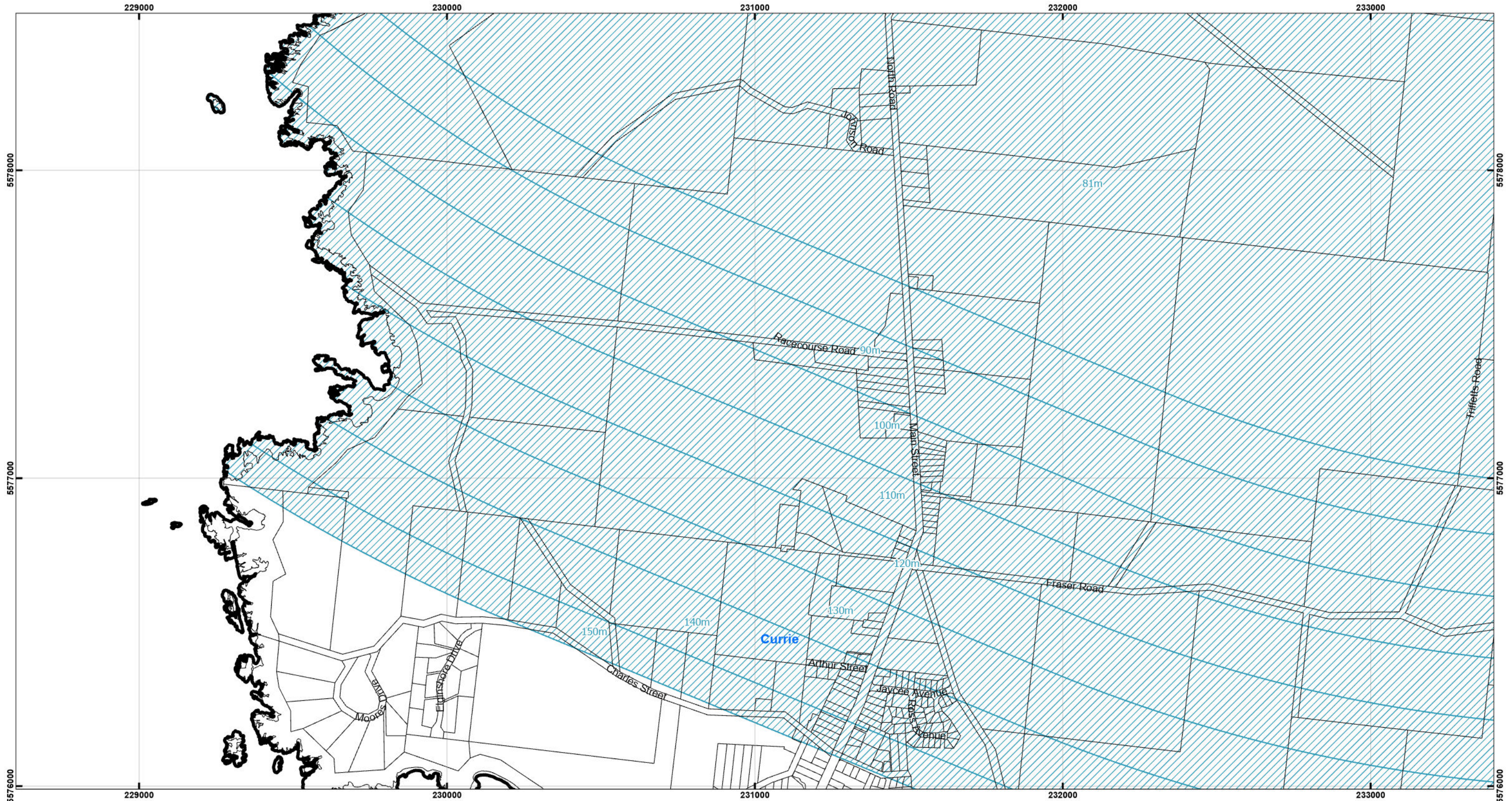
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Legend

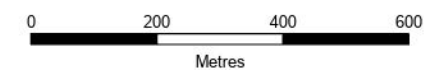
Safeguarding Aiports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

 LPS Boundary

 Property Parcels

Map 13 of 16

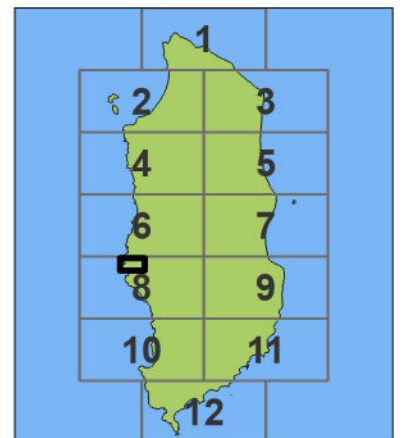


Coordinate System: GDA 1994 MGA Zone 55
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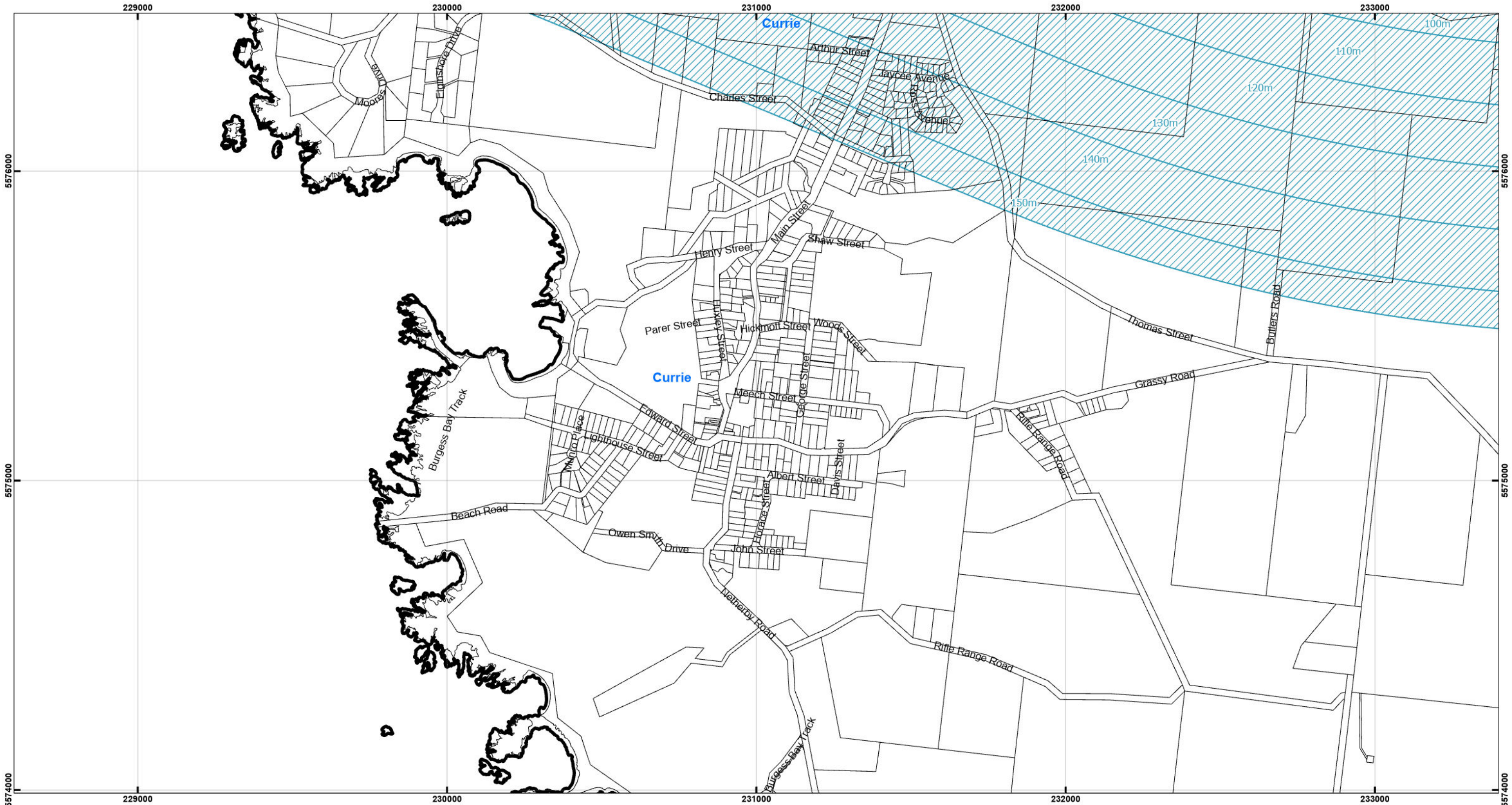
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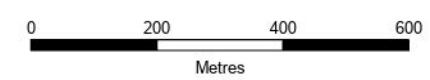
Legend

Safeguarding Aiports Code

-  Obstacle Limitation Surfaces
-  Airport noise exposure area

-  LPS Boundary
-  Property Parcels

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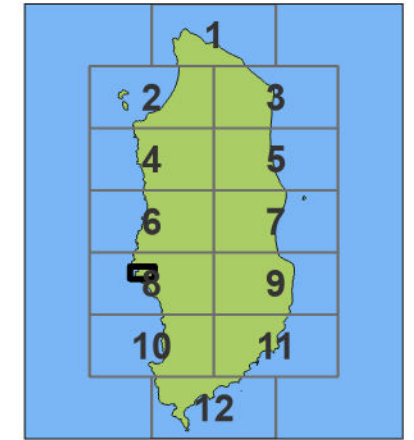


Coordinate System: GDA 1994 MGA Zone 55
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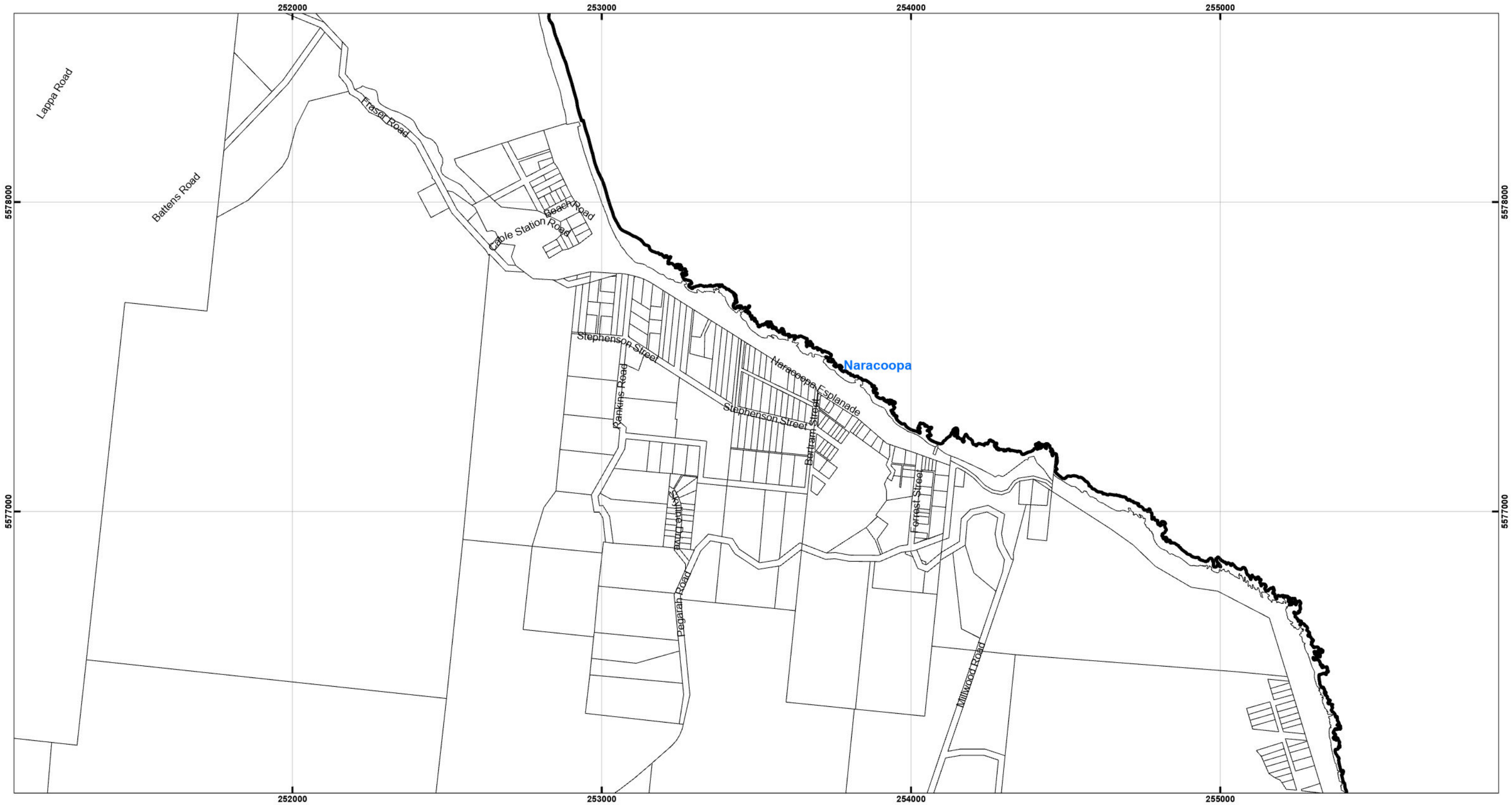
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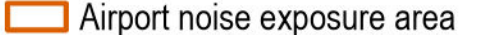


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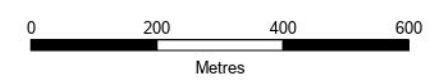


KING ISLAND LOCAL PROVISIONS SCHEDULE - SAFEGUARDING AIRPORTS OVERLAY



- Legend**
- Safeguarding Aiports Code**
-  Obstacle Limitation Surfaces
 -  Airport noise exposure area
 -  LPS Boundary
 -  Property Parcels

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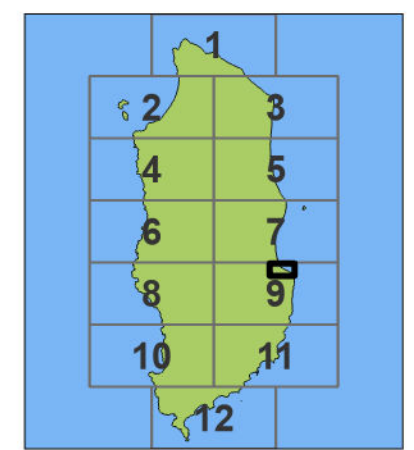


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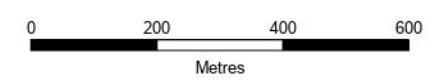


KING ISLAND LOCAL PROVISIONS SCHEDULE - SAFEGUARDING AIRPORTS OVERLAY



- Legend**
- Safeguarding Aiports Code**
 -  Obstacle Limitation Surfaces
 -  Airport noise exposure area
 -  LPS Boundary
 -  Property Parcels

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