

TASMANIAN PLANNING COMMISSION



DECISION

Local Provisions Schedule Dorset

Date of decision 5 December 2022

Under section 35K(1)(a) of *Land Use Planning and Approvals Act 1993* (the Act), the Commission directs the planning authority to modify the draft LPS in accordance with the notice at Attachment 2.

When the directed modifications have been undertaken under section 35K(2), the Commission is satisfied that the LPS meets the LPS criteria under section 34, and is in order for approval under section 35L(1).

Ann Cunningham
Delegate (Chair)

Robin Nolan
Delegate

Paul West
Delegate

REASONS FOR DECISION

Background

The Dorset Planning Authority (the planning authority) exhibited the Dorset draft Local Provisions Schedule (the draft LPS), under section 35D of *Land Use Planning and Approvals Act 1993* (the Act), from 4 April 2022 until 6 June 2022.

On 16 August 2022 the planning authority provided the Commission with a report under section 35F(1) into 14 representations received on the draft LPS. In addition, 3 representations, made after the end of the exhibition period, were included by the planning authority in the report under section 35F(2)(b) of the Act. Furthermore one submission was accepted by the Commission during the hearing process. A list of representations is at Attachment 1.

Date and place of hearing

The Commission must hold a hearing into representations to the draft LPS under section 35H of the Act.

A hearing was held at Dorset Council Offices, 3 Ellenor Street, Scottsdale on 29 September 2022.

Consideration of the draft LPS

1. Under section 35J(1) of the Act the Commission must consider:
 - the planning authority section 35F(1) report and the draft LPS to which it relates;
 - the information obtained at the hearings;
 - whether it is satisfied that the draft LPS meets the LPS criteria under section 34; and
 - whether modifications ought to be made to the draft LPS.
2. Under section 35J(2) of the Act the Commission may also consider whether there are any matters that relate to issues of a technical nature or may be relevant to the implementation of the LPS if the LPS were approved.
3. The LPS criteria to be met by the draft LPS are:
 - (a) contains all the provisions that the SPPs specify must be contained in an LPS;
 - (b) is in accordance with section 32 of the Act;
 - (c) furthers the objectives set out in Schedule 1 of the Act;
 - (d) is consistent with each State policy;
 - (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;
 - (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;
 - (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 Pipelines Act 2000*.

4. The relevant regional land use strategy is the Northern Tasmania Regional Land Use Strategy 2021 (the regional strategy).
5. In addition to the LPS criteria, the Commission has considered Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application (Guideline No. 1) issued under section 8A of the Act.
6. The requirements for making modifications to the draft LPS are set out under section 35K of the Act.
7. The Commission may also reject the draft LPS and request that the planning authority prepare a substitute draft LPS (section 35K(c)).
8. Where the Commission has determined modifications ought to be made, these are set out in a notice under sections 35K(1)(a) of the Act (see Attachment 2).
9. The decisions on relevant modifications considered under section 35KA of the Act (inclusion of provisions that correspond with provisions that were included in the interim planning scheme) are set out below.

Issues raised in the representations

Village Zone – 1B Coxs Lane, Branxholm

Representation: James Cashion (2)

10. The representor requested that the zoning of 1B Coxs Lane, Branxholm folio of the Register 178341/3 be revised from the Rural Zone to the Village Zone. The reasons were:
 - 1B Coxs Lane is not suitable for agricultural use;
 - the land is required for residential use and development in Branxholm; and
 - the land has access to services and is suitable for building.
11. In its section 35F report, the planning authority recommended no change to the zoning of the land and made the following comments:
 - there is merit in considering the expansion of the settlement at Branxholm, however the land is not within an identified settlement in the regional strategy;
 - the Village Zone would not be consistent with VZ 1 of Guideline No. 1 because a strategic intention to maintain an unstructured mix of residential, commercial activities and community services at Branxholm has not been established;
 - the land may be suitable for future expansion of Branxholm, however the settlement is constrained by surrounding rural and industrial uses, and flood hazards that limit opportunity for expansion; and
 - further strategic review undertaken outside of the draft LPS assessment process is required to establish appropriate opportunities to expand the settlement. Any proposal to rezone the land would need to consider whether vehicle access, water and stormwater infrastructure services could be provided to the land.
12. At the hearing, the representor, Mr. James Cashion explained that he had purchased the land in October 2020 and considered that the land was suitable for subdivision into approximately 7 lots. Mr. Cashion also made the following points in support of the Village Zone:
 - a local real estate agent had indicated there is a high-level of demand for land in Branxholm for new residential use and development;

- the land adjoined existing residences and was therefore the most suitable block in the area to be rezoned Village;
- the land had good vehicle access, is suitable for on-site wastewater systems, and could be serviced with electricity, telecommunications and reticulated water; and
- the land was not suitable for agricultural use, or rural industry, such as a transport depot, because of the impacts those uses would have on the amenity of the surrounding residences.

13. In response, the planning authority reiterated its view that the rezoning was not supported by the regional strategy because Branxholm was not identified within an urban growth area. However, the planning authority added that a rezoning may be possible in future if supported by local and regional strategic planning work. The planning authority made the following comments in support of its position:

- a regional supply and demand strategy was currently being undertaken. The results of the work may inform amendments to the regional strategy that could result in Branxholm being included in an urban growth area. The work may also inform a structure plan for Derby and Branxholm;
- a structure plan would establish whether expansion of the Village Zone, or application of an alternative zone such as the Low Density Residential Zone is appropriate for the area.
- the local strategy would also need to take account of local commercial services, flood-hazards, and infrastructure services, including acknowledgement that there is no reticulated sewer;
- a structure plan would give confidence to those that propose rezoning of land that a request for an amendment of the LPS could be successful; and
- the proposal for the land would not see additional entrances being created onto Bridport Road.

Commission consideration

14. The Commission accepts the reasons given by the planning authority and determines that the zoning of the land should remain as exhibited. At present there is no evidence that the Village Zone would be consistent with the regional strategy, especially as there is no local strategy to determine whether the land is either needed, or suitable for residential use and development. The Commission notes that the planning authority may undertake further strategic planning work for the settlement in future, which may support rezoning of the land.

Commission decision

15. The Commission determines that no modifications are required.

Rural Living Zone – Bridport

Representation: Chris Thirkell and Sandra Chugg (5)

16. The representors requested that the zoning of all land at Bridport categorised as Rural Living Zone C be revised to the category of Rural Living Zone B. The reasons were:

- a minimum lot size of 2ha would be consistent with the 2ha minimum lot size provided for subdivision at Port Hills, and would suit the existing geography of the land and placement of dwellings;
- a reduced minimum lot size, would not necessarily cause significant numbers of new lots and many would remain above the minimum area; and

- the current lots were too small for agricultural use and the land would be more suited to further rural-residential use and development.
17. The planning authority did not support the request in its section 35F report for the following reasons:
- there was no formal evidence that was a lack of supply of land in the Rural Living Zone at Bridport;
 - the land was surrounded by agricultural uses and subject to potential natural hazards, such as flooding and bushfire;
 - the Rural Living Zone provided a transition zone between agriculture use and high-density use and development in Bridport;
 - the Rural Living Zone C category for subdivision was consistent with RLZ 3(a) of Guideline No. 1 because it reflects the existing pattern and density of development; and
 - the Rural Living Zone C category for subdivision was consistent with the Council's endorsed Rural Living Strategy 2021.
18. At the hearing, the representors, Mr. Chris Thirkell and Ms. Sandra Chugg, outlined a desire to subdivide their land at 1921 Bridport Road, Bridport folio of the Register 156051/1. They proposed a minimum lot size of 2ha for the area, but reiterated their view that landowners in the area would be unlikely to create lots that were at the minimum that the SPPs would provide for.
19. In response, the planning authority noted that the performance criteria of clause 11.5.1 of the SPPs provided for lots with a minimum area of 4ha to be considered in the Rural Living Zone C category. The representor's land had an area of 12.43ha and would be eligible to be considered for subdivision. The planning authority added that the Rural Living Zone B category was not supported by the Dorset Rural Living Strategy 2021, however a review of the strategy could be made in the future that may support application of a 2ha minimum lot size. The planning authority noted that any review would need to consider the following issues:
- vehicle access onto Bridport Road, which is a category 2 highway;
 - the capacity of local commercial services to provide for more intense residential use; and
 - the impact that higher-density residential use and development could have on the operations of the adjacent Bridport Airport.

Commission consideration

20. The Commission accepts the reasons given by the planning authority and determines that the Rural Living Zone subdivision category of the land should remain as exhibited. The Commission notes that subdivision of the representor's land could be considered under the provisions of the SPPs. The Commission otherwise notes that the planning authority may undertake further strategic planning work for the settlement in future, which may support a lower minimum lot size being applied to the area.

Commission decision

21. The Commission determines that no modifications are required.

Rural Zone – Ten Mile Track, Springfield

Representation: RMCG for Daniel Ferguson (4)

22. The representor requested that the zoning of Ten Mile Track, Springfield folio of the Register 115755/1 be revised from the Agriculture Zone to the Rural Zone. The representor submitted

an agricultural assessment, which concluded that the land should be zoned Rural because the land had limited ability to be managed productively at a commercial scale due to its fragmented productive areas.

23. In its section 35F report, the planning authority was supportive of the representor's request and made the following comments:
- the land had an area of approximately 90ha;
 - the land was identified as unconstrained in the State land potentially suitable for Agriculture Zone mapping (agricultural estate mapping), however the advice of the agricultural assessment was accepted;
 - the Rural Zone should also be applied to 1101 Ten Mile Track, Springfield FR 115754/1. The land had an area of 1.8 ha and was identified as potentially constrained (Criteria 2A) in the agricultural estate mapping. The land was under similar ownership and would provide a more appropriate zoning pattern for the area; and
 - the Priority Vegetation Area overlay should be applied to the land in the event that the land was zoned Rural.
24. At the hearing, Mr. Daniel Ferguson was supportive of the application of the Priority Vegetation Area overlay to the area of land identified in Figure 9 of the section 35F report. Following the hearing, the written support of the owners of both lots for the Rural Zone and Priority Vegetation Area overlay was provided in response to a Commission direction.

Commission consideration

25. The Commission accepts the evidence and advice given in the representor's agricultural assessment and consequently agrees that the Rural Zone should be applied in accordance with Guideline No. 1. In particular, the Commission is satisfied that the Rural Zone complies with RZ 3 and AZ 6 of Guideline No. 1. AZ 6 provides for land identified as unconstrained in the agricultural estate mapping to be zoned Rural if supported by detailed local strategic analysis.
26. The Commission also agrees that the Priority Vegetation Area overlay should be applied to the land.

Commission decision

27. Modification:
- Rezone Ten Mile Track, Springfield folio of the Register 115755/1 and 1101 Ten Mile Track, Springfield folio of the Register 115754/1 to Rural and apply the Priority Vegetation Area overlay consistent with Figure 9 on page 13 of the planning authority's report under section 35F of the Act.

Rural Zone – 1950, 1952 and 1954 Bridport Road, Bridport

Representations: PDA Surveyors, Engineers and Planners for David Krushka (14), Alanna Stanford for Keith Barnett (16), PDA Surveyors, Engineers and Planners for Flinders Island Aviation (17)

28. The representors requested that the zoning of the following properties be revised from the Recreation, Agriculture and Rural Living zones respectively, to the Rural Zone:
- 1950 Bridport Road, Bridport folio of the Register 10173/1;
 - 1952 Bridport Road, Bridport folio of the Register 233662/1; and
 - 1954 Bridport Road, Bridport folio of the Register 235494/1.

29. The reasons were:
- 1950 Bridport Road, zoned Recreation in the draft LPS, was formerly used for the North East Gun Club, but was no longer used for that purpose. The land was constrained and therefore suitable for the Rural Zone;
 - 1952 Bridport Road, zoned Agriculture in the draft LPS, contains Bridport Airport. The Rural Zone would be more conducive to the commercial uses that currently operate from the site and would accommodate plans for future expansion of those activities. The airport provided infrastructure to enable Flinders Island Aviation to service the Furneaux Islands. The land does not have potential for agricultural use; and
 - 1954 Bridport Road, zoned Rural Living B in the draft LPS, contained existing commercial uses that provided services to the adjacent airport and surrounding community. The Rural Zone was more conducive to the commercial uses that operated from the site and would accommodate plans for future commercial uses, such as a 24 hour service station and a self-storage facility. The land does not have potential for agricultural use.
30. In its section 35F report, the planning authority recommended that the Rural Zone be applied to all three properties because it could be applied to a cluster rather than as a spot-zone to a single property. The planning authority was satisfied all three titles had limited agricultural capability. It also noted a consequential amendment would be required to the existing site-specific qualification for 1952 Bridport Road to reflect the change in zone.
31. Prior to the hearing, PDA Surveyors, Engineers and Planners submitted a copy of documentation provided to the planning authority in support of an amendment to the Dorset Interim Planning Scheme 2013. The draft amendment proposed that the zoning of 1954 Bridport Road be revised from the Rural Living Zone to the Rural Resource Zone. It also proposed a use table qualification that would provide for 'Service Industry', 'Storage' and 'Vehicle Fuel Sales and Service' as Permitted uses.
32. At the hearing, Ms Justine Brooks of PDA Surveyors, Engineers and Planners, also requested that the draft LPS be modified to include the proposed site-specific qualification to provide for the uses identified in the draft amendment. The planning authority supported the site-specific qualification.
33. Following the hearing, the representor provided a statement in response to a Commission direction to show how the draft LPS written document would be modified to accommodate a site-specific qualification. The response also included a statement which contended the proposed site-specific qualification complied with section 32(4) of the Act for the following reasons:
- the Vehicle Fuel Sales and Service use class would provide for construction of a new service station. The existing service station at Bridport only accommodates a small number of vehicles at a time. It is particularly difficult for trucks and other large vehicles to access the service. The proposed service station would provide refuelling services to the drivers of large vehicles who would otherwise need to travel to Scottsdale or Pipers Brook. The proposed service station would provide service options for local customers, particularly in periods of high demand in holiday seasons;
 - the Service Industry use class would provide for a vehicle washing facility that would use treated stormwater that would be collected and reused. The facility would also provide a service for the wash-down of agricultural vehicles to help prevent the spread of weeds and invasive plant species; and
 - the Storage use class would allow for a facility that would provide a service to people that intermittently use the area during holiday seasons. The storage facility would allow storage of recreational vehicles that could not be left on lots that are becoming smaller

under contemporary subdivision provisions. Demand for self-storage is also demanded by local trade professionals and businesses.

34. The representor concluded that the proposed uses would have a significant social, economic and environmental impact on the municipal area, and would provide for use and development that would directly serve the community.

Commission consideration

35. The Commission agrees the Rural Zone should be applied to 1950 and 1952 Bridport Road for the reasons given in the section 35F report. The Rural Zone is appropriate for the airport (1952 Bridport Road), and the use of the land for Transport Depot and Distribution would be upgraded from Discretionary under the SPPs to Permitted by a transitioning site-specific qualification. The Commission notes consequential amendments to the numbering of DOR-21.2 and DOR-21.3 (as DOR-21.1 and DOR-21.2) are therefore required.
36. The Rural Zone is also appropriate for 1950 Bridport Road due to the small area of the land, as it is unsuitable for the Agriculture Zone given the surrounding Rural Living zoning.
37. The Commission is not persuaded that the Rural Zone should be applied to 1954 Bridport Road as part of the LPS assessment. The Commission notes that the representor has separately submitted a similar request for a draft amendment to the interim planning scheme, which has been initiated by the planning authority. The draft amendment will continue to be assessed as an amendment to the LPS under the terms of the savings provisions of the Act.

Commission decision

38. Modification:
- Rezone 1950 Bridport Road, Bridport folio of the Register 10173/1 and 1952 Bridport Road, Bridport folio of the Register 233662/1 to Rural.
 - Revise the draft LPS written document by inserting clause DOR-20.2 in Table DOR-Site-specific Qualifications, and otherwise amending Table DOR-Site-specific Qualifications to make consequential amendments to clauses DOR-21.1, DOR-21.2 and DOR-21.3 as shown in Annexure A of Attachment 2 as follows:

Reference Number	Site Reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
DOR-20.1	1952 Bridport Road, Bridport	233662/1	An additional Permitted Use Class for this site is: Transport Depot and Distribution "if for an airport".	Rural Zone – clause 20.2 Use Table
DOR-21.1	54 Ringarooma Road, Scottsdale	197948/1	An additional Permitted Use Class for this site is: Transport Depot and Distribution.	Agriculture Zone – clause 21.2 Use Table

DOR-21.2	96 King Street, Scottsdale	127270/1	Additional Permitted Use Classes for this site are: (a) Transport Depot and Distribution; (b) Food Services; (c) Tourist Operation; and Business and Professional Services.	Agriculture Zone – clause 21.2 Use Table
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- Revise the site-specific qualifications overlay by amending the clause number annotations to be consistent with clauses DOR-20.1, DOR-21.1 and DOR-21.2 shown in the draft LPS written document at Annexure A of Attachment 2.

Rural Zone – Permanent Timber Production Zone Land and Future Potential Production Forest Land

Representation: Department of Natural Resources and the Environment (15)

39. The representor requested that the zoning of part of 34900 Tasman Highway, Scottsdale folio of the Register 226345/1 designated as Permanent Timber Production Zone land be revised from the Recreation Zone to the Rural Zone. The representor also requested that the zoning of McKerrows Marsh at Old Waterhouse Road, Waterhouse PID 3396012 (2 land parcels) be revised from the Environmental Management Zone to the Rural Zone. The representor contended that both properties were reserved for a particular use, which is consistent with the Purpose of the Rural Zone. The representor otherwise supported the Rural Zone that was applied to similar reserves.
40. In the section 35F report, the planning authority supported application of the Rural Zone to the Permanent Timber Production Zone land at 34900 Tasman Highway. However it did not support the Rural Zone for the land at Old Waterhouse Road for the following reasons:
- the land contained a riparian wetland, which was the largest example of remnant blackwood swamp forest in north-east of Tasmania; and
 - the Future Potential Production Forest land designation would allow the blackwood to be harvested as a special species timber irrespective of the zone, and would be exempt under the SPPs.
41. At the hearing, the planning authority stated that McKerrows Marsh had significant ecological value, which should be recognised with the Environment Management Zone.

Commission consideration

42. The Commission notes:
- the *Forestry (Rebuilding the Forest Industry) Act 2014*, provides for special species timber harvesting in Future Potential Production Forest land that, under clause 4.4.1 of the SPPs, is largely exempt where in conformity with a forest practices plan; and
 - the management objectives for Future Potential Production Forest land, under Schedule 3 of the *Forestry (Rebuilding the Forest Industry) Act 2014*, are broad ranging and include to:
 - conserve natural biological diversity, geological diversity, water quality, and the like;
 - encourage education, research, tourism, recreational use, and the like;

- provide for activities such as the taking of game species, the controlled use of natural resources, exploration activities and taking of mineral resources; and
 - allow for private, commercial or industrial uses.
43. The Commission observes that many of the uses provided by the Rural Zone are similar to the Environmental Management Zone. The Commission also observes that the Priority Vegetation Area overlay would apply to the land, and that any impacts on identified priority vegetation are managed by the standards in the Natural Assets Code.
44. Irrespective of which zone is applied, forestry activities are exempt from the Natural Assets Code, and would be regulated by a Forest Practices Plan approved under the *Forest Practices Act 1985*.
45. The Commission accepts the submissions made by the representor and planning authority about 34900 Tasman Highway, Scottsdale and agrees that part of the site designated as Permanent Timber Production Zone should be zoned Rural. The submissions made by the planning authority about McKerrows Marsh at Old Waterhouse Road are supported, and the site should remain in the Environmental Management Zone.

Commission decision

46. Modification:
- Rezone that part of 34900 Tasman Highway, Scottsdale folio of the Register 226345/1 designated as Permanent Timber Production Zone land to Rural.

Landscape Conservation Zone – General Issues

Representations: Conservation Landholders Tasmania (10), Tasmanian Land Conservancy (13), Department of Natural Resources and the Environment (15)

47. The representors requested that all land with a conservation covenant declared under the *Nature Conservation Act 2002* be zoned Landscape Conservation or Environmental Management. The reasons were:
- land subject to conservation covenants were already recognised for natural values. The zoning of land should reflect the actual use and development potential;
 - the Landscape Conservation Zone would be consistent with Guideline No. 1;
 - conservation covenants are part of the Tasmanian Reserve Estate, which is land reserved to be managed for biodiversity conservation under Tasmania’s Regional Forest Agreement. The land is also part of Australia’s National Reserve System and therefore contributes to the fulfilment of Australia’s obligations under the international Convention on Biological Diversity 1993. All of the reserves are listed in the latest version of the Collaborative Australian Protected Area Database;
 - in Tasmania, privately protected land covers a smaller area than publicly protected land, but contains a higher percentage of threatened communities;
 - private reserves, including all private conservation covenants and Tasmanian Land Conservancy reserves, have a reserve management plan prepared by experts to protect, conserve, and manage the ecological, scientific, cultural and aesthetic values of the area in the public interest; and
 - zoning of the broader landscape around conservation covenants should be carefully considered to avoid fragmentation of the land that might impact on natural values.
48. In the section 35F report, the planning authority opposed the Landscape Conservation and Environmental Management zones being applied on the basis that land was subject to a

conservation covenant. The planning authority held the view zone application must be balanced with other facts about the land, primarily what the use of the land should be.

Commission consideration and observation

49. The Commission observes that conservation covenants are made under the *Nature Conservation Act 2002*, but are not reserves. The reason is that conservation covenants are not specifically identified as reserves in the interpretation in Part 3, or Schedule 1 of the *Nature Conservation Act 2002*. These sections list each type of reserve, including private nature sanctuaries and private nature reserves. The definition of 'reserved' given in the *Nature Conservation Act 2002* (as opposed to the definition for 'reserved land') means land that is 'set aside or acquired for a conservation purpose.' This means that the use of the land must be primarily for conservation purposes as a consequence of having the status of a reserve of a type listed in Schedule 1 of the *Nature Conservation Act 2002*.
50. The Commission also notes the different processes prescribed for declaration of reserves (made for private land under section 12 of the *Nature Conservation Act 2002*), versus the process for the Minister to 'enter into' a conservation covenant with a landowner (made as a covenant that 'runs with' the land under section 34 of the *Nature Conservation Act 2002*). Unlike a reserve, a conservation covenant 'runs with' the land like a contract and the land is not 'set aside', meaning that it is not taken to be primarily in effect for conservation purposes.
51. There may be good strategic planning merit in the application of the Landscape Conservation or Environmental Management zones to areas that have extensive conservation covenants (such as a cluster of many, a large area, or both) provided that broader landscape values (not only biodiversity values) are demonstrated. The zone that should apply to land that contains a conservation covenant needs to be balanced with application of zones based on sound planning principles. For example, spot-zoning of land should generally be avoided, the zone should be consistent with Guideline No. 1, and should also be consistent with the regional strategy. The application of zoning as the primary method of the control of use and development, should firstly be undertaken irrespective of whether a covenant applies, with weight given to the existence and content of a covenant when multiple zoning options are available.
52. Apart from the specific parcels of land considered below, the Commission supports the Rural and Agriculture zones that have been applied by the planning authority. The Commission's consideration of representations that requested zoning changes to specific sites and provided significant further detail are outlined below.

Landscape Conservation Zone – Various Properties

Representations: Peter and Lorraine Riggall (1), Peter and Kim Eastman (3), Jade Lenord (6), Conservation Landholders Tasmania (10)

53. The representations made by Peter and Lorraine Riggall and Conservation Landholders Tasmania requested that an additional part of 183 Bridport Back Road, Nabowla folio of the Register 112806/1 be revised from the Rural Zone to the Landscape Conservation Zone. In particular, the representors requested that the Landscape Conservation Zone be expanded so that it applied to the whole area of the conservation covenant that applied to the land. The request would result in an additional 5.154ha of the property being included in the Landscape Conservation Zone.
54. The representations made by Peter and Kim Eastman, Jade Lenord and Conservation Landholders Tasmania requested that the following properties be revised from the Agriculture Zone to the Landscape Conservation Zone, because the properties contained conservation covenants:

- 1425 Forester Road, North Scottsdale folio of the Register 133542/2;
 - 1453 Forester Road, North Scottsdale 133542/1; and
 - 721 Old Waterhouse Road North Scottsdale folio of the Register 105162/1.
55. In the section 35F report, the planning authority recommended that the Landscape Conservation Zone be applied to the full area of the covenant at 183 Bridport Back Road. However the planning authority was not satisfied that the land at North Scottsdale had the landscape values necessary to satisfy the requirements for the Zone as outlined in Guideline No. 1. Nevertheless, the planning authority considered that the existence of covenants in the area indicated the land, and surrounding land had environmental values. The planning authority considered the land had limited potential for agricultural use and therefore recommended the land be zoned Rural. This would enable the Priority Vegetation Area overlay to be applied consistent with the Regional Ecosystem Model mapping to manage the native vegetation. The additional properties included were:
- Forester Road, North Scottsdale folio of the Register 241519/1;
 - 1424 Forester Road, North Scottsdale folio of the Register 104533/1;
 - 1466 Forester Road, North Scottsdale folio of the Register 240786/1;
 - 649 Old Waterhouse Road, North Scottsdale folio of the Register 25884/1;
 - 679 Old Waterhouse Road, North Scottsdale folio of the Register 25884/2; and
 - the reserved road surrounded by 1425 Forester Road, North Scottsdale folio of the Register 133542/2.
56. A further consequential recommendation was that three parcels of Crown land identified as 'public reserve' that contained the Great Forester River and Surveyors Creek be zoned Environmental Management. The parcels were:
- land adjacent to folios of the Register 241519/1 and 170121/2; and
 - land adjacent to the north and western boundaries of folios of the Register 241519/1, 104533/1, 240786/1, 105162/1, 25884/1 and 25884/2.
57. The planning authority also recommended that the Priority Vegetation Area overlay be applied consistent with the Regional Ecosystem Model mapping.
58. Prior to the hearing, the owners of 1425 (representor 3), 1453 (representor 6) and 1466 Forester Road, and 649 Old Waterhouse Road submitted written evidence that they supported application of the Rural Zone and Priority Vegetation Area overlay to the land.
59. At the hearing, Mr. Peter Riggall confirmed his support for the Landscape Conservation Zone recommended to be applied to the area of the conservation covenant at 183 Bridport Back Road. Mr. Riggall explained that the area of the land outside the covenant was used for hobby farming.
60. Mr. John Thompson for Conservation Landholders Tasmania supported the request of the owners of 1425 and 1453 Forester Road to have the Rural Zone and Priority Vegetation Area overlay applied. Mr. Thompson was otherwise supportive of the planning authority's recommendation.
61. Following the hearing, the Commission directed the planning authority to write to the owners of the remaining affected properties (679 and 721 Old Waterhouse Road, 1424 Forester Road and Forester Road folio of the Register 241519/1) to provide opportunity to submit an opinion on the proposed changes. The written support of the owner of Forester Road folio of the Register 241519/1 for application of the Rural Zone and Priority Vegetation Area overlay was received.

Commission consideration

62. The Commission agrees that the Landscape Conservation Zone be expanded so that it is applied to the area of the conservation covenant at 183 Bridport Back Road, Nabowla. The land contained within the covenant is forested and is considered to have the necessary landscape value required for consistency with Guideline No. 1.
63. The Commission accepts the recommendation of the planning authority that the Rural Zone and Priority Vegetation Area overlay be applied to the land at North Scottsdale. The area is partially constrained in the agricultural estate mapping and contrasts with substantial areas of native vegetation in parts. The Rural Zone and Priority Vegetation Area overlay is therefore the most appropriate combination of controls in the circumstances. The Commission is satisfied all affected property owners were contacted and made aware of the recommendation, and notes none are opposed. The Commission also notes that the recommendation was supported by Conservation Landholders Tasmania.
64. The Commission agrees that the Environmental Management Zone be applied to the Great Forester River and Surveyors Creek.

Commission decision

65. Modification:
- Rezone that part of 183 Bridport Back Road, Nabowla folio of the Register 112806/1 contained within the conservation covenant shown in CPR Plan No. 6081 to Landscape Conservation with the split-zone to be determined by the boundary defined by the CPR Plan.
 - Rezone the zoning of the following properties to Rural and apply the Priority Vegetation Area overlay consistent with Figure 9 on page 13 of the planning authority's report under section 35F of the Act:
 - a. 1425 Forester Road, North Scottsdale folio of the Register 133542/2;
 - b. 1453 Forester Road, North Scottsdale 133542/1; and
 - c. 721 Old Waterhouse Road North Scottsdale folio of the Register 105162/1.
 - d. Forester Road, North Scottsdale folio of the Register 241519/1;
 - e. 1424 Forester Road, North Scottsdale folio of the Register 104533/1;
 - f. 1466 Forester Road, North Scottsdale folio of the Register 240786/1;
 - g. 649 Old Waterhouse Road, North Scottsdale folio of the Register 25884/1;
 - h. 679 Old Waterhouse Road, North Scottsdale folio of the Register 25884/2; and
 - i. the reserved road surrounded by 1425 Forester Road, North Scottsdale folio of the Register 133542/2.
 - Rezone the three parcels of Crown land identified as 'public reserve' that contain the Great Forester River adjacent to folios of the Register 241519/1 and 170121/2 and Surveyors Creek adjacent to the north and western boundaries of folios of the Register 241519/1, 104533/1, 240786/1, 105162/1, 25884/1 and 25884/2 to Environmental Management and apply the Priority Vegetation Area overlay consistent with the Regional Ecosystem Model mapping.

Environmental Management Zone – Various

Representation: Department of Natural Resources and the Environment (15)

66. The representor requested that the zoning of the following public and regional reserves be revised from the Village, Agriculture and Recreation zones to the Environmental Management Zone:

- the Foster Islands Nature Reserve (zoned Environmental Management);
 - public reserves (seven parcels) adjacent to the Ringarooma River, Derby (zoned Village, Agriculture, Recreation and Environmental Management);
 - coastal reserves (two parcels) at Fordington adjacent to Little Pipers River (zoned Agriculture); and
 - part of 34900 Tasman Highway, Scottsdale folio of the Register 226345/1 that contains the Mount Stronach Regional Reserve (zoned Recreation).
67. In its section 35F report, the planning authority made the following comments and recommendations:
- that no change to the zone of the Foster Islands Nature Reserve was required because the land was already zoned Environmental Management Zone in the draft LPS;
 - that no change to the zone of the public reserves along the Ringarooma River be made unless the representor could demonstrate that the land had significant ecological, or scenic values;
 - that the coastal reserves at Fordington adjacent to Little Pipers River support riparian vegetation and should be zoned Environmental Management; and
 - that the Mount Stronach Regional Reserve at 34900 Tasman Highway, Scottsdale be zoned Environmental Management because it is a reserve declared under the *Nature Conservation Act 2002*.
68. Prior to the hearing, the representor provided diagrams that clarified the location of the two parcels of land adjacent to Little Pipers River and the seven parcels of land along the Ringarooma River at Derby.
69. At the hearing, the planning authority responded that it only supported the Environmental Management Zone for the three easternmost titles and the westernmost title at Derby that were identified in the representor’s submission. The planning authority added that consistent application of zones should be prioritised and that the Environmental Management Zone should only be applied to genuine riparian reserves.

Commission consideration

70. The Commission is persuaded that the Environmental Management Zone should be applied to the various parcels of land as requested by the representor. The relevant land parcels are all public and regional reserves and have environmental values that demonstrate the Zone is consistent with the requirements of Guideline No. 1. The Commission notes that the planning authority did not support application of the Zone to two of the parcels at Derby, particularly the land adjacent to the car park at 99 Main Street, Derby. However, the land extends directly alongside the Ringarooma River for approximately 440m and contains riparian vegetation recognised by the Priority Vegetation Area and Waterway and Coastal Protection Area overlays. The land also contains part of the car park and a walking track. The Environmental Management Zone is considered the most appropriate zone.
71. The Commission notes that the Foster Islands Nature Reserve and the former swimming pool reserve adjacent to the Derby power station are already zoned Environmental Management.

Commission decision

72. Modification:
- Rezone that the part of 34900 Tasman Highway, Scottsdale that contains the Mount Stronach Regional Reserve to Environmental Management.

- Rezone the two parcels of coastal reserve at Fordington adjacent to Little Pipers River identified in the Department of Natural Resources and Environment submission dated 26 September 2022 to Environmental Management and apply the Priority Vegetation Area overlay consistent with the Regional Ecosystem Model mapping.
- Rezone the six parcels of land along the Ringarooma River at Derby (not including the former swimming pool reserve) identified in the Department of Natural Resources and Environment submission dated 26 September 2022 to Environmental Management and apply the Priority Vegetation Area overlay consistent with the Regional Ecosystem Model mapping to any land previously zoned Agriculture.

Port and Marine Zone – 2 Main Street, Bridport

Representation: Department of Natural Resources and the Environment (15)

73. The representor requested that the zoning of 2 Main Street, Bridport folio of the Register 172546/1 be revised from the Port and Marine Zone to an alternative zone because the Port and Marine Zone would not provide for the ongoing use and development of the existing use of the land for aquaculture.
74. In its section 35F report, the planning authority recommended no change to the zone of 2 Main Street, Bridport because a site-specific qualification (DOR-25.1) was already included in the draft LPS to provide for Resource Development (aquaculture) as a Discretionary use.

Commission consideration

75. The Commission accepts the planning authority's response and notes that the site-specific qualification addresses the concern raised by the representor.

Commission decision

The Commission determines that no modifications are required.

Utilities Zone - Water Infrastructure

Representation: TasWater (7)

76. The representor requested that the Winneleah reservoir at Warrentinna Road, Winneleah folio of the Register 78910/1 be revised from the Agriculture Zone to the Utilities Zone.
77. In the section 35F report the planning authority recommended that the properties be revised to the Utilities Zone consistent with UZ 4 of Guideline No. 1.

Commission consideration

78. The Commission considers that the primary objective in zone application should be to achieve the zone purpose. As such, sites that contain water storage infrastructure should be zoned Utilities consistent with Guideline No. 1.

Commission decision

79. Modification:
 - Rezone the Winneleah reservoir at Warrentinna Road, Winneleah folio of the Register 78910/1 to Utilities.

Utilities Zone – State Road Casement

Representation: Department of State Growth (9)

80. The representor supported application of the Utilities Zone to the State road casement, but noted that there were a number of areas needed for new road works that should be included in the Zone. The representor also supported the planning authority's decision not to apply the Road and Railway Attenuation Area overlay.
81. In the section 35F report, the planning authority agreed that the Utilities Zone should be applied to any parcels of acquired road that now form part of the network.
82. Prior to the hearing, the representor advised in response to a Commission direction, that it could not specify any new areas where the Utilities Zone should be applied. The representor explained that land titles for the acquired land had not yet been created and therefore supported the Zone as proposed.

Commission consideration

83. The Commission accepts the advice of the representor and is otherwise satisfied that the Utilities Zone has been applied consistent with UZ1 of Guideline No. 1.

Commission decision

84. The Commission determines that no modifications are required.

Utilities Zone - Electricity Infrastructure

Representation: TasNetworks (12)

85. The representor requested that the zoning of the Mount Horror Communication Site at Oxberry Road, Banca folio of the Register 141691/1 be revised from the Rural Zone and Environmental Management Zone to the Utilities Zone. The extent of the application of the Utilities Zone sought around the communication site was a 20m radius around the centre of the infrastructure. The representor was of the opinion that electricity generation, transmission and associated infrastructure constituted 'major utilities,' and that application of the Utilities Zone was therefore consistent with UZ 1 and UZ 4 of Guideline No. 1.
86. The representor added that it was supportive of the planning authority's decision not to apply the Landscape Conservation Zone or the Scenic Protection Area overlay to any land that contained the Electricity Transmission Infrastructure Protection overlays. Furthermore, the representor was supportive of the use tables in the Particular Purpose Zone and specific area plans that provide for Utilities use.
87. In the section 35F report the planning authority did not support application of the Utilities Zone to the Mount Horror Communication Site because the communication site was subordinate to the dominant use of the land as a State forest and regional reserve.
88. Prior to the hearing, the landowner (the Crown) advised that it did not support the Utilities Zone and made the following comments:
 - the Environmental Management Zone is the appropriate zone for the Mount Horror regional reserve;
 - the Electricity Transmission Infrastructure Protection overlays are the appropriate controls to manage electricity transmission infrastructure under Guideline No. 1; and
 - the infrastructure is not major utility infrastructure.

89. At the hearing, TasNetworks noted that the Utilities Zone had been applied to similar sites in other draft LPSs, such as West Coast. TasNetworks also highlighted that the communication site contains important infrastructure and that a 20m radius for the Zone was proposed around the infrastructure as a result of advice from its operations officers.
90. In response, the planning authority opposed the Utilities Zone for the following reasons:
- the Utilities use is competing with the use of the land as a reserve made under the *Nature Conservation Act 2002*;
 - the SPPs provide for maintenance and also minor development of an existing Discretionary use as a Permitted use meaning that any development of the communication site would likely be approved; and
 - new infrastructure would also comply with the Acceptable Solutions of several development standards of the Environmental Management Zone if it is in accordance with an authority under *National Parks and Reserve Management Regulations 2019* granted by the Managing Authority or in accordance with the *Nature Conservation Act 2002*.

Commission consideration

91. The Commission accepts the views of the planning authority expressed in the section 35F report and notes that any future works to the communication site are likely to be exempt or Permitted under the SPPs irrespective of the zone. The Commission also agrees that the site has competing uses, and that while Utilities is usually the preferred zone for electricity infrastructure, in this instance the wishes of the landowner and the presence of the regional reserve prevail. On balance, the Environmental Management Zone is most appropriate.

Commission decision

92. The Commission determines that no modifications are required.

Local Historic Heritage Code – Local Heritage Places

Representation: Tasmanian Heritage Council (8)

93. The representor noted that the draft LPS did not contain any places or precincts of local heritage significance and encouraged the planning authority to undertake a local heritage study that would provide for listings to be included in the future.
94. In the section 35F report, the planning authority noted the representor's support for local heritage listings, but did not agree that any places of local heritage significance should be included in the draft LPS. The planning authority was satisfied that the Tasmanian Heritage Register listings provide adequate coverage of places of heritage significance within the planning area.

Commission consideration

95. The Commission accepts the position of the planning authority and considers inclusion of places or precincts of local heritage significance is a matter of local policy. Places of local heritage significance could be included in the LPS if deemed required at a later time.

Commission decision

96. The Commission determines that no modifications are required.

Natural Assets Code – Priority Vegetation Area Overlay

Representation: Department of State Growth (9)

97. The representor requested that the Priority Vegetation Area overlay be removed from the Utilities Zone that contained State roads. The representor raised concern that the overlay was inconsistent with the most recent data on vegetation available on the LIST (TASVEG 4.0). The representor also noted that vegetation can be removed in accordance with the exemptions at clause 4.2.4 of the SPPs, which exempts road upgrades within the road corridor and up to 3m outside the road reserve, from requiring a planning permit meaning that the overlay was not required.
98. In the section 35F report, the planning authority agreed that the overlay should be removed from the State road casement because it was unnecessary for vegetation to be controlled in an area which is already used to provide transport infrastructure.

Commission consideration

99. The Commission notes that the Priority Vegetation Area overlay has been applied consistent with the Regional Ecosystem Model mapping. It is the Commission's view that any departure from the Regional Ecosystem Model would need to be supported by the advice of a suitably qualified person. Consequently, the Commission does not agree to remove the overlay from the State road casement, but notes that the exemptions in clauses 4.2.4 and 4.4.1 of the SPPs would provide for clearance of vegetation associated with general maintenance and minor road works. The Commission considers that more extensive road works that may be undertaken from time to time ought to be assessed against the provisions of the Natural Assets Code where the overlay applies.

Commission decision

100. The Commission determines that no modifications are required.

Natural Assets Code - Priority Vegetation Area Overlay - Electricity Infrastructure

Representation: TasNetworks (12)

101. The representor requested that the Priority Vegetation Area overlay be removed from the Mount Horror Communication Site at Oxberry Road, Banca folio of the Register 141691/1 and the Scottsdale substation 43 Ringarooma Road, Scottsdale folio of the Register 84976/1.
102. The extent of the removal of the overlay sought around the communication site at Mount Horror was a 20m radius around the centre of the infrastructure. This would also result in the overlay being removed from the adjacent Crown land on the southern side of the site.
103. In the section 35F report, the planning authority recommended that the Priority Vegetation Area overlay be removed from any part of each site where no native vegetation was present.

Commission consideration

104. The Commission is of the view that the Priority Vegetation Area overlay should be removed from 43 Ringarooma Road, Scottsdale because the land is already covered in hard surfaces.
105. However the Mount Horror communication site is not entirely covered by hard surfaces and there remains the possibility that priority vegetation is located there. Therefore, the Commission is not persuaded that the Priority Vegetation Area overlay should be removed from the land. Clearance of vegetation is exempt under the *Electricity Supply Industry Act 1995* independent of planning controls. Nevertheless, the primary objective of code overlays

should be to achieve the code purpose irrespective of peripheral rights. Therefore, the Commission considers that the Priority Vegetation Area overlay should apply to the land. No evidence was provided from a suitably qualified person to show that a departure from the Regional Ecosystem Model was appropriate.

Commission decision

106. Modification:

- Revise the Priority Vegetation Area overlay by removing the overlay from 43 Ringarooma Road, Scottsdale folio of the Register 84976/1.

Natural Assets Code - Priority Vegetation Area Overlay

Representation: Department of Natural Resources and the Environment (15)

107. The representor raised concern that significant priority vegetation located within the Agriculture Zone was not included in the Priority Vegetation Area overlay. This included vulnerable and threatened species such as the Chaostola Skipper and the Eastern Dwarf Galaxis, and habitat for the Striped March Frog, Burrowing Crayfish, and raptors. The representor requested that the proposed zoning allocations be revised to reduce the extent of the zone types incompatible with the overlay. In particular, the representor requested the Landscape Conservation and Environmental Management zones be more extensively applied. The representor also raised concern the overlay was inconsistent with the most recent data on vegetation available on the LIST (TASVEG 4.0).
108. In the section 35F report, the planning authority expressed the view the Agriculture Zone was applied consistent with the requirements of Guideline No. 1 because the land was identified as unconstrained in the agricultural estate mapping. It also stated Guideline No. 1 provided for an alternative zone to be applied to unconstrained land, but only where a site-specific, local or regional strategic analysis of the land has determined the natural values are significant enough to warrant alternate zoning. The planning authority otherwise noted that the Priority Vegetation Area overlay was based on an outdated version of the Regional Ecosystem Model mapping, and recommended the overlay be updated to the latest version available.
109. At the hearing, the planning authority stated its preference for the overlay to be updated to reflect the most recent version of the Regional Ecosystem Model mapping, but conceded there may be significant public interest in the changes.

Commission consideration

110. Clause C7.2.1 of the Natural Assets Code and NAC 13 of Guideline No. 1 state the Priority Vegetation Area overlay can only apply to a number of listed zones, and this excludes the Agriculture Zone. The Commission observes this is a policy position established in the SPPs. The Commission therefore accepts the rationale of the planning authority and notes that no evidence has been provided to show an alternative zone to Agriculture is warranted on a basis of outstanding natural values.
111. The Commission agrees with the planning authority there may be significant public interest in changes to the overlay that would result from an update to the Regional Ecosystem Model mapping. The planning authority could pursue a draft amendment to the LPS after it comes into effect.

Commission decision

112. The Commission determines that no modifications are required.

Safeguarding of Airports Code – Airport Obstacle Limitation Area Overlay

Submission accepted by the Commission: Launceston Airport

113. The submission made by Launceston Airport requested that the Airport Obstacle Limitation Area overlay be revised to include the Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) surfaces as required by SAC 4 of Guideline No. 1. The PANS-OPS surfaces would cover the south-western part of the municipality and include Scottsdale and Ringarooma.
114. At the hearing, Mr. Trent Kneebush for Launceston Airport explained that the PANSOPS surfaces are used by aircraft pilots in periods of darkness and poor weather when it is necessary to fly by instrument rather than sight. Mr. Kneebush made the following observations about the PANSOPS surfaces and the basis for the overlay:
- the surfaces are complicated and gradually get lower as the surfaces approach the airport;
 - the surfaces can be sloped or flat, and some are curved to follow flight paths;
 - all the surfaces were combined into a single layer that identifies the lowest possible surface to ensure that the mapping is suitable for use as an overlay map; and
 - the highest geographical feature within the overlay area is Mount Arthur, which would still be clear of the overlay by 200m.
115. Mr. Kneebush concluded that the overlay was required by Launceston Airport and compliant with Guideline No. 1. Mr. Kneebush added the overlay would be highly unlikely to have any effect in the municipal area, as any tall structure would need to be proposed on the highest geographical features in that area in order for it to penetrate the overlay surface and require an assessment against the Code.
116. In response, the planning authority was opposed to the overlay on the basis there was an extremely low likelihood the overlay would cause a need for any development to be assessed against the Code.

Commission consideration

117. The Commission notes the planning authority's view the overlay would be unlikely to have any practical application in the municipal area. Nevertheless, the Commission is satisfied that the proposed Airport Obstacle Limitation Area overlay is consistent with SAC 4 of Guideline No. 1 and should therefore be included in the LPS.

Commission decision

- Insert the Airport Obstacle Limitation Area overlay as shown in the Launceston Airport submission received 21 September 2022.

General Environmental Issues

Representation: Department of Natural Resources and the Environment (15)

118. The representor requested the following:
- that consideration be given to a future specific area plan to manage the impact of acid sulphate soils;
 - that the planning authority give consideration to sea level rise when it assesses future development applications because the Inundation-prone Hazard Area overlay is based on outdated information;

- that it supported the Environmental Management Zone being applied to RAMSAR wetlands; and
 - that the draft LPS include provisions that assist with the management of Aboriginal heritage.
119. In the section 35F report, the planning authority recommended no changes to the draft LPS. The planning authority made the following comments:
- acid sulphate soils are currently addressed as technical building issues considered when an application is made for building approval. Any future incorporation of planning provisions to manage the impacts of acid sulphate soils would be more appropriately made through an amendment to the SPPs;
 - the representor's concerns about the underlying data used to prepare the Inundation-prone Hazard Area overlay is noted, however Guideline No. 1 requires the use of the State data which was used to prepare the overlay; and
 - Aboriginal heritage management is a function of the *Aboriginal Heritage Act 1975*. The Local Historic Heritage Code cannot be applied to land Aboriginal heritage values (clause C6.1.2).

Commission consideration

120. The Commission accepts the views of the planning authority for the reasons outlined in the section 35F report. The Commission observes the matters raised are generally related to the policy position established in the SPPs.

Commission decision

The Commission determines that no modifications are required.

Representations in support of the draft LPS

Coastal Inundation Hazard Code – Table LAU-C11.1, Flood-Prone Areas Hazard Code – Flood-Prone Hazard Area Overlay

Representation: Department of Police, Fire and Emergency Management – State Emergency Service (11)

121. The representor was supportive of the draft LPS as proposed and made the following comments:
- that it supported the updated Branxholm-Derby flood mapping the planning authority had included in the Flood-Prone Hazard Area overlay;
 - that the planning authority would need to rely on the SPPs for application of the Flood-Prone Areas Hazard Code to test the merits of proposed use and development in areas not mapped by the overlay;
 - that the State government is currently undertaking a project (the Tasmanian Flood Mapping Project) to provide Statewide flood mapping for implementation in all local provisions schedules;
 - that Table DOR-C11.1 in the draft LPS written document was consistent with the figures given in the Coastal Hazards Technical Report, December 2016, Department of Premier and Cabinet; and
 - that it supported the zoning proposed for the planning area, particularly the use of zones which provide for the management of density in flood-prone and coastal inundation hazard areas.

122. In the section 35F report, the planning authority noted the representations did not seek any changes to the draft LPS and therefore no modifications were recommended.

Commission consideration

123. The Commission notes the comments made by the representor and is satisfied with the planning authority's response in the section 35F report.

Commission decision

124. The Commission determines that no modifications are required.

Other matters

Matters taken not to be a representation

125. TasNetworks (12) raised various matters relating to the SPPs.

126. In the section 35F report the planning authority noted the issues.

Commission consideration

127. The Commission notes that:

- section 35E of the Act sets out the matters not to be taken to be a representation;
- other matters not subject to Part 3A of the Act cannot be considered as part of its consideration under section 35J; and
- during its consideration, it has sought to establish how all matters raised relate to the draft LPS and if the matter can be included within the draft LPS under section 32 of the Act.

128. The Commission considers that the parts of representations relating to the SPPs are outside its considerations under section 35J.

Commission decision

129. The Commission considers that it does not have jurisdiction to assess these matters.

Matters of a technical nature or relevant to implementation

130. The Commission notes the draft LPS contains matters of a technical nature relevant to section 35J(2) of the Act, such that the LPS:

- corrects numbering and typographical errors and is consistent with the conventions set out in the Commission practice notes;
- contains zone and overlay maps that reflect current cadastral parcel boundaries, and the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark on the LIST, and any areas described by section 35J(2) of the Act; and
- is free from technical anomalies such as gaps and overlaps and be provided in a form suitable for being made under section 35L of the Act and inclusion in an electronic database.

131. The detailed changes are contained in the decision.

Commission decision

132. Modification:

- Revise the draft LPS written document to include the technical modifications identified in Annexure A of Attachment 2 to:
 - (a) meet the LPS requirements of the SPPs; and
 - (b) correct references to relevant provisions.
- Revise the draft LPS zone and overlay maps to:
 - (a) fill any unzoned gaps in the zoning layer;
 - (b) remove any overlaps between adjoining zones;
 - (c) apply the schema set out in Appendix B of Practice Note 7 to each relevant GIS dataset;
 - (d) some overlays supplied by theLIST have been modified since the original versions were published on LISTmap (e.g. the Electricity Transmission Infrastructure Protection overlay). Make sure to use the most recent version available;
 - (e) remove any overlaps between features in the same overlay layer that have different categories (excluding for transitioning local area objectives of SAPs and PPZs), such as: coastal inundation investigation areas and low coastal inundation hazard band;
 - (f) aggregate adjoining zone or overlay polygons sharing the same category, such as: zone type, landslip hazard band, and aggregate adjoining overlay polygons that have no required category, such as priority vegetation area;
 - (g) align the boundaries of zones and parcel dependant overlays with parcel boundaries, based on the most recent version of the parcels dataset available from theLIST;
 - (h) remove any zone or overlay shown outside the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark map on theLIST, and any areas described by section 35J(2) of the Act; and
 - (i) present all GIS data in the recommended Geodatabase format provided to council by the Commission.

Attachments

1. Attachment 1 – List of Representations
2. Attachment 2 – Notice under section 35K(1)(a) to modify draft LPS
3. Attachment 2 – Annexure A – Modifications to Dorset draft LPS written document

Attachment 1

List of Representations

- | No | Name |
|-----|---|
| 1. | Peter and Lorraine Riggall |
| 2. | James Cashion |
| 3. | Peter and Kim Eastman |
| 4. | RMCG for Daniel Ferguson |
| 5. | Chris Thirkell and Sandra Chugg |
| 6. | Jade Lenord |
| 7. | TasWater |
| 8. | Tasmanian Heritage Council |
| 9. | Department of State Growth |
| 10. | Conservation Landholders Tasmania |
| 11. | Department of Police, Fire and Emergency Management (State Emergency Service) |
| 12. | TasNetworks |
| 13. | Tasmanian Land Conservancy |
| 14. | PDA Surveyors, Engineers and Planners for David Krushka |
| 15. | Department of Natural Resources and Environment |
| 16. | Alanna Stanford for Keith Barnett |
| 17. | PDA Surveyors for Flinders Island Aviation |

Submissions to the originally exhibited draft LPS accepted by the Commission

- | | |
|---|--------------------|
| 1 | Launceston Airport |
|---|--------------------|

Attachment 2

Land Use Planning and Approvals Act 1993

Notice to modify under sections 35K(1)(a)

Dorset Draft Local Provisions Schedule

5 December 2022

The Tasmanian Planning Commission (the Commission) directs that the Dorset planning authority modify the Dorset draft Local Provisions Schedule (draft LPS) in accordance with the following:

1.0 Site-specific Qualifications

- 1.1 Revise the draft LPS written document by amending Table DOR-Site-specific Qualifications as shown in Annexure A.

2.0 Zone maps and overlays

No.	Description	Direction
2.1	Ten Mile Track folio of the Register 115755/1 and 1101 Ten Mile Track, Springfield	Rezone Ten Mile Track, Springfield folio of the Register 115755/1 and 1101 Ten Mile Track, Springfield folio of the Register 115754/1 to Rural and apply the Priority Vegetation Area overlay consistent with Figure 9 on page 13 of the planning authority's report under section 35F of the Act.
2.2	1950 and 1952 Bridport Road, Bridport	Rezone 1950 Bridport Road folio of the Register 10173/1 and 1952 Bridport Road, Bridport folio of the Register 233662/1 to Rural.
2.3	34900 Tasman Highway, Scottsdale and Old Waterhouse Road, Waterhouse	Rezone that part of 34900 Tasman Highway, Scottsdale folio of the Register 226345/1 designated as Permanent Timber Production Zone land and Old Waterhouse Road, Waterhouse PID 3396012 (2 land parcels) to Rural.
2.4	183 Bridport Back Road, Nabowla	Rezone that part of 183 Bridport Back Road, Nabowla folio of the Register 112806/1 contained within the conservation covenant shown in CPR Plan No. 6081 to Landscape Conservation with the split-zone to be determined by the boundary defined by the CPR Plan. Ensure that adjacent roads are appropriately zoned to centrelines in accordance with Practice Note 7. Ensure that split-zoning annotations are appropriately applied in accordance with Practice Note 7.
2.5	North Scottsdale	Rezone the following properties to Rural and apply the Priority Vegetation Area overlay consistent with Figure 9 on page 11 of the planning authority's report under section 35F of the Act:

		<ul style="list-style-type: none"> a. 1425 Forester Road, North Scottsdale folio of the Register 133542/2; b. 1453 Forester Road, North Scottsdale 133542/1; and c. 721 Old Waterhouse Road North Scottsdale folio of the Register 105162/1. d. Forester Road, North Scottsdale folio of the Register 241519/1; e. 1424 Forester Road, North Scottsdale folio of the Register 104533/1; f. 1466 Forester Road, North Scottsdale folio of the Register 240786/1; g. 649 Old Waterhouse Road, North Scottsdale folio of the Register 25884/1; h. 679 Old Waterhouse Road, North Scottsdale folio of the Register 25884/2; and i. the reserved road surrounded by 1425 Forester Road, North Scottsdale folio of the Register 133542/2. <p>Rezone the three parcels of Crown land identified as 'public reserve' that contain the Great Forester River adjacent to folios of the Register 241519/1 and 170121/2 and Surveyors Creek adjacent to the north and western boundaries of folios of the Register 241519/1, 104533/1, 240786/1, 105162/1, 25884/1 and 25884/2 to Environmental Management and apply the Priority Vegetation Area overlay consistent with the Regional Ecosystem Model mapping.</p> <p>Ensure that adjacent roads are appropriately zoned to centrelines in accordance with Practice Note 7.</p>
2.6	34900 Tasman Highway, Scottsdale	Rezone that the part of 34900 Tasman Highway, Scottsdale that contains the Mount Stronach Regional Reserve to Environmental Management.
2.7	Fordington	Rezone the two parcels of coastal reserve at Fordington adjacent to Little Pipers River identified in the Department of Natural Resources and Environment submission dated 26 September 2022 to Environmental Management and apply the Priority Vegetation Area overlay consistent with the Regional Ecosystem Model mapping.
2.8	Derby	Rezone the six parcels of land along the Ringarooma River at Derby (not including the former swimming pool reserve) identified in the Department of Natural Resources and Environment submission dated 26 September 2022 to Environmental Management and apply the Priority Vegetation Area overlay consistent with

		the Regional Ecosystem Model mapping to any land previously zoned Agriculture.
2.9	Winneleah	Rezone the Winneleah reservoir at Warrentinna Road, Winneleah folio of the Register 78910/1 to Utilities.
2.10	43 Ringarooma Road, Scottsdale	Revise the Priority Vegetation Area overlay by removing the overlay from 43 Ringarooma Road, Scottsdale folio of the Register 84976/1.
2.11	Safeguarding of Airports Code	Insert the Airport Obstacle Limitation Area overlay as shown in the Launceston Airport submission received 21 September 2022.
2.12	Site-specific Qualifications Overlay	Revise the site-specific qualifications overlay by amending the clause number annotations to be consistent with clauses DOR-20.1, DOR-21.1 and DOR-21.2 shown in the draft LPS written document at Annexure A of Attachment 2.

3.0 Consequential and technical issues

- 3.1 Revise the draft LPS to include the technical modifications identified in Annexure A, to:
- (a) meet the LPS requirements of the SPPs; and
 - (b) correct references to relevant provisions.
- 3.2 Revise the draft LPS zone and overlay maps to:
- (a) reflect changes consequential to modifications made to the draft LPS written document;
 - (b) fill any unzoned gaps in the zoning layer;
 - (c) remove any overlaps between adjoining zones;
 - (d) apply the schema set out in Appendix B of Practice Note 7 to each relevant GIS dataset;
 - (e) remove any overlaps between features in the same overlay layer that have different categories (excluding for transitioning local area objectives of SAPs and PPZs), such as: coastal inundation investigation areas and low coastal inundation hazard band;
 - (f) aggregate adjoining zone or overlay polygons sharing the same category, including zone type, landslip hazard band, and aggregate adjoining overlay polygons that have no required category, such as priority vegetation area;
 - (g) align the boundaries of zones and parcel dependent overlays with parcel boundaries, based on the most recent version of the parcels dataset available from theLIST;
 - (h) remove any zone or overlay shown outside the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark map on theLIST, and any areas described by section 35J(2) of the Act; and
 - (i) present all GIS data in the recommended Geodatabase format provided to council by the Commission.

Annexure A

Modifications to Dorset draft LPS written document

TABLE OF CONTENTS

DOR-Local Provisions Schedule Title

DOR-Effective Date

DOR-Local Area Objectives

DOR-Particular Purpose Zones

DOR-P1.0 Particular Purpose Zone – Tomahawk and Musselroe Bay / Poole Defined Settlement Areas

DOR-Specific Area Plans

DOR-S1.0 Port Hills Specific Area Plan

DOR-S2.0 Barnbogle Dunes and Lost Farm Specific Area Plan

DOR-S3.0 Branxholm and Legerwood Industry Specific Area Plan

DOR-S4.0 Town Centre Parking Specific Area Plan

DOR-S5.0 Bridport Main Street Central Specific Area Plan

DOR-Site-specific Qualifications

DOR-Code Lists

DOR-Applied, Adopted and Incorporated Documents

Dorset Local Provisions Schedule

DOR-Local Provisions Schedule Title

DOR-1.1 This Local Provisions Schedule is called the Dorset Local Provisions Schedule and comprises all the land within the municipal area.

DOR-Effective Date

DOR-1.2 The effective date for this Local Provisions Schedule is 18 January 2023.

DOR-Local Area Objectives

This sub-clause is not used in this Local Provisions Schedule.

DOR-P1.0 Particular Purpose Zone – Tomahawk and Musselroe Bay / Poole Defined Settlement Areas

DOR-P1.1 Zone Purpose

The purpose of the Particular Purpose Zone – Tomahawk and Musselroe Bay / Poole Defined Settlement Areas is:

- DOR-P1.1.1 To provide for use and development in the defined settlement areas of Tomahawk and Musselroe Bay / Poole that is sensitive to surrounding natural areas of conservation value under the State reserve.
- DOR-P1.1.2 To support infill development on existing lots.
- DOR-P1.1.3 To encourage use and development that is sensitive to the residential amenity of the areas.
- DOR-P1.1.4 To provide for low impact, non-residential uses that support the function of the settlement.

DOR-P1.2 Local Area Objectives

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

DOR-P1.3 Definition of Terms

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

DOR-P1.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Permitted	
Residential	If for a single dwelling, ancillary dwelling or home-based business.
Discretionary	
Emergency Services	
General Retail and Hire	If for a local shop.
Storage	If for boat and caravan storage.
Tourist Operation	If for charter tours.
Visitor Accommodation	If for a bed and breakfast establishment, holiday flat or holiday unit.

Use Class	Qualification
Utilities	
Prohibited	
All other uses	

DOR-P1.5 Use Standards

DOR-P1.5.1 Amenity – non-residential uses

Objective:	That all non-residential uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions		Performance Criteria
A1	If for Permitted or No Permit Required uses.	P1 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
A2	Commercial vehicles must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle operations must demonstrate that the amenity of residential uses within the surrounding area is not unduly impacted upon by noise from operations or deliveries from the site.
A3	Commercial vehicles must be parked within the boundary of the property.	P3 Parking of commercial vehicles, including delivery vehicles, must not create a traffic hazard or compromise the mixed use function of the road.
A4	Waste materials of a use must be: (a) stored in a manner and location that is not visible from the road to which the site has frontage; and (b) stored in fully self-contained receptacles designed to ensure waste does not escape to the environment.	P4 No Performance Criterion.

DOR-P1.5.2 Amenity – home-based business use

Objective:	That home-based business activities do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions		Performance Criteria
A1	Hours of operation of a home-based business must be within the hours of: (a) 7.00am and 7.00pm Monday to Friday; and (b) 8.00am and 6.00pm Saturday to Sunday.	P1 Hours of operation of the activity must not have any undue impact on surrounding residences through any activities, emissions, operations or traffic visiting the site.
A2	Customer visitation to the site must not be in excess of 5 customers per day.	P2 No Performance Criterion.

DOR-P1.6 Development Standards for Buildings and Works

DOR-P1.6.1 Setback from a frontage

Objective:	That the setback to frontages: (a) assists in the establishment of the streetscape character; (b) enhances residential amenity; (c) provides a transition space between the road and private buildings allowing mutual passive surveillance for community safety; and (d) responds to slope and other physical characteristics of a site and assists in attenuation of traffic noise.	
Acceptable Solutions		Performance Criteria
A1	Buildings (excluding minor protrusions extending less than 1.5m) must have a setback from a frontage of: (a) not less than 6m from a primary frontage; and (b) not less than 3m to a frontage other than the primary frontage; (c) a distance which is not more or less than the maximum and minimum setbacks of the buildings on immediately adjoining properties; or	P1 The setback to frontage must: (a) provide transitional space between the road and private building allowing mutual passive surveillance; (b) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site; (c) provide measures to ensure that noise generated by traffic would not adversely impact

<p>(d) not less than the existing building setback, if less than 6m.</p>	<p>on residential amenity and that vehicular egress provides for safe use of the road; and</p> <p>(d) have regard to streetscape qualities or assist the integration of new development into the streetscape.</p>
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DOR-P1.6.2 Site coverage and rear setback

<p>Objective:</p>	<p>That the location and extent of building site coverage:</p> <ul style="list-style-type: none"> (a) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity; (b) assists with the management of stormwater; and (c) provides for setback to the rear boundary.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Buildings must have a site coverage (excluding access strips if less than 7.5m wide) of not more than 50% (excluding eaves).</p>	<p>P1</p> <p>Site coverage must:</p> <ul style="list-style-type: none"> (a) provide for useful areas of open space for gardens and outdoor recreation purposes; (b) allow areas to be retained for the absorption of rainwater into the ground; and (c) have regard to streetscape qualities.
<p>A2</p> <p>Buildings must have a setback from the rear boundary of not less than 4m.</p>	<p>P2</p> <p>The location of buildings in relation to the rear boundary must:</p> <ul style="list-style-type: none"> (a) allow for adequate visual separation between neighbouring buildings; (b) maximise solar access to habitable rooms; and (c) facilitate provision of private open space.

DOR-P1.6.3 Building envelope

<p>Objective:</p>	<p>That the siting and scale of buildings:</p> <ul style="list-style-type: none"> (a) allows for flexibility in design to meet contemporary building requirements; (b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and (c) has regard to streetscape qualities.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>All buildings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:</p> <ul style="list-style-type: none"> (a) determined by a minimum setback of 3m from side boundaries and a minimum 4m from the rear boundary and a maximum building height of 5.5m; or (b) determined by projecting at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and at a distance of 4m from the rear boundary to a maximum building height of 6.8m above natural ground level (see Figure DOR-P1.1 and Figure DOR-P1.2); and walls are set back: <ul style="list-style-type: none"> (i) a minimum of 1.5m from a side boundary; or (ii) less than 1.5m provided the wall is built against an existing boundary wall or the wall or walls have a maximum total length of 9m or one third of the boundary with the adjacent property, whichever is the lesser. 	<p>P1</p> <p>The siting and scale of single buildings must be designed to:</p> <ul style="list-style-type: none"> (a) ensure there is no unreasonable loss of residential amenity on adjoining properties by: <ul style="list-style-type: none"> (i) overshadowing and reduction of sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21 or by increasing existing overshadowing if greater than above; and (ii) overlooking and loss of privacy; and (iii) visual impacts when viewed from adjoining properties; (b) have regard to steep slopes and other topographical constraints; and (c) have regard to streetscape qualities.

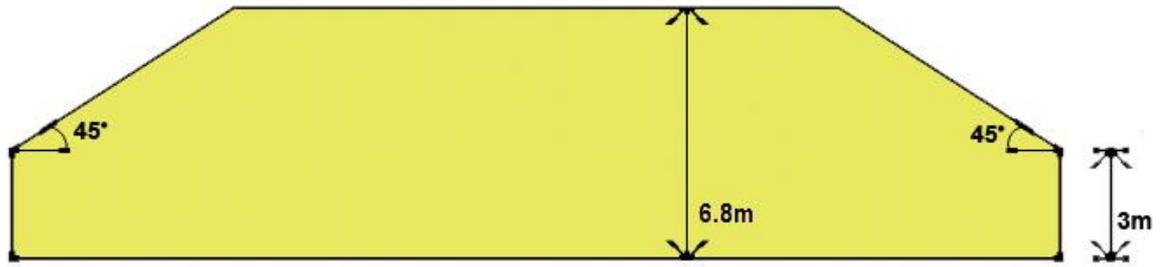


Figure DOR-P1.1 Building envelope required by DOR-P1.6.3 A1(b)

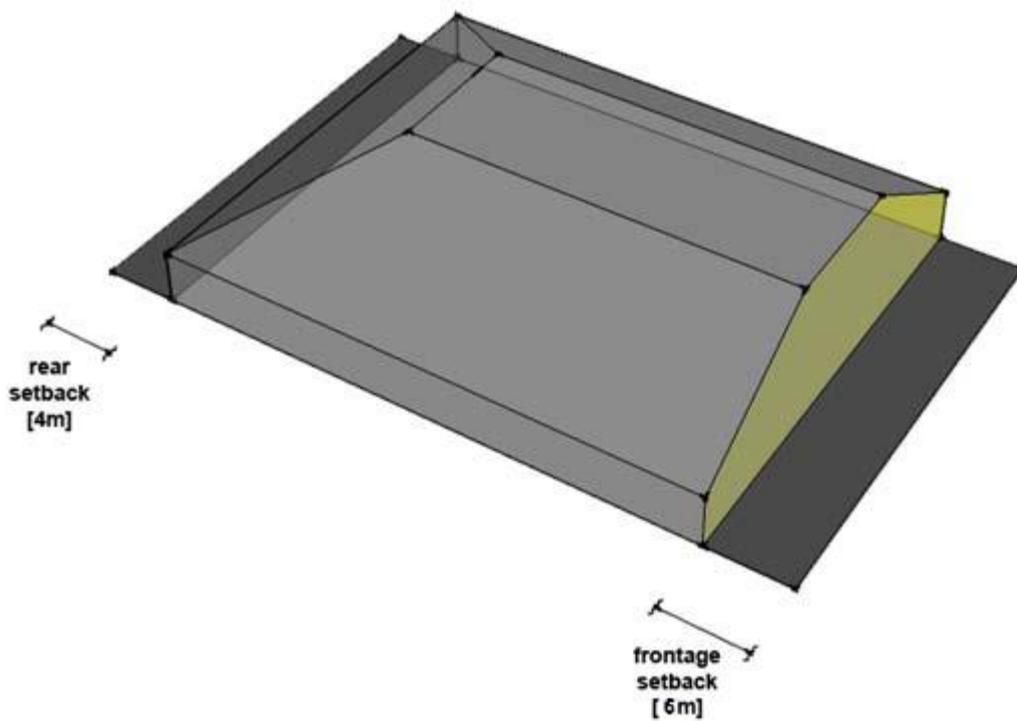


Figure DOR-P1.2 Building envelope required by DOR-P1.6.3 A1(b)

DOR-P1.6.4 Frontage fences

Objective:	That the height and design of frontage fences: <ul style="list-style-type: none"> (a) provides adequate privacy and security for residents while allowing for mutual passive surveillance of the road and buildings; and (b) enhances streetscapes.
Acceptable Solutions	Performance Criteria
A1	P1

<p>The maximum building height of fences on and within 4.5m of a frontage must be:</p> <p>(a) 1.2m if solid; or</p> <p>(b) 1.8m provided that the part of the fence above 1.2m has openings which provide a minimum 50% transparency.</p>	<p>Fences on and within 4.5m of a frontage must be designed to:</p> <p>(a) provide for security and privacy of residents while allowing for mutual passive surveillance of the road;</p> <p>(b) have regard to the prevailing height, design and character of neighbouring fences;</p> <p>(c) attenuate noise from high volume traffic;</p> <p>(d) have regard to steep slope or other topographical constraints; and</p> <p>(e) have regard to streetscape qualities.</p>
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DOR-P1.6.5 Frontage setback and width of garages and carports for development within the Residential Use Class

<p>Objective:</p>	<p>That the location and size of garages or carports:</p> <p>(a) do not dominate the façade of the dwelling or dominate the streetscape;</p> <p>(b) do not restrict mutual passive surveillance of the road and dwelling; and</p> <p>(c) provides for safe vehicular access to and egress from the site.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Garages or carports within 12m of the frontage whether free-standing or part of the dwelling:</p> <p>(a) must have a maximum total width of openings facing the primary frontage of 6m or half the width of the frontage, whichever is the lesser; and</p> <p>(b) must have a setback to a frontage measured to the door, post or supporting column not less than that required for a building in clause DOR-P1.6.1 A1.</p>	<p>P1</p> <p>The siting and design of garages and carports must:</p> <p>(a) complement the character of the dwelling;</p> <p>(b) not dominate the frontage of the site through location and visual bulk;</p> <p>(c) retain mutual passive surveillance between dwelling and road;</p> <p>(d) provide for safe vehicular movements between road and site; and</p> <p>(e) have regard to streetscape qualities.</p>

DOR-P1.6.6 Privacy for development within the Residential Use Class

<p>Objective:</p>	<p>That the location and design of windows of habitable rooms, balconies, decks, roof gardens, parking spaces and carports maintain residential amenity by minimising the potential for overlooking between neighbours.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>

<p>A1</p> <p>Balconies, decks, roof gardens, parking spaces and carports (whether freestanding or part of the dwelling) that have a finished surface or floor level more than 1m above natural ground level must:</p> <p>(a) have a side setback of not less than 3m and rear setback of not less than 4m; or</p> <p>(b) have a rear setback of not less than 4m and be screened by a solid, non-transparent wall to a minimum height of 1.7m above the floor level.</p>	<p>P1</p> <p>The potential for direct overlooking from balconies, decks, roof gardens, parking spaces and carports (whether freestanding or part of the dwelling) with a finished surface or floor level more than 1m above natural ground level on one site to the habitable rooms and balconies, decks and roof gardens on adjacent properties must be avoided or minimised through their separation or offset or by use of solid or translucent screening.</p>
<p>A2</p> <p>Windows of habitable rooms which have a floor level more than 1m above natural ground level must:</p> <p>(a) have a side setback of not less than 3m;</p> <p>(b) be offset a minimum 1.5m from the windows of habitable rooms on adjacent properties if on the same horizontal plane; or</p> <p>(c) have a minimum window sill height of 1.7m.</p>	<p>P2</p> <p>The potential for direct overlooking from windows of habitable rooms with a finished surface or floor level more than 1m above natural ground level on one site to the windows of habitable rooms, balconies, decks and roof gardens on adjacent properties must be avoided or minimised through their separation and offset or by use of solid or translucent screening.</p>

DOR-P1.6.7 Water storage for development within the Residential Use Class

Objective:	To provide adequate water storage for each new single dwelling.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A new single dwelling must have a system of roof catchment and tank storage for rainwater with a minimum capacity of 45,000L.</p>	<p>P1</p> <p>No Performance Criterion.</p>

DOR-P1.7 Development Standards for Subdivision

DOR-P1.7.1 Subdivision

Objective:	That subdivision is appropriate to the intended use or development of the lots and that the natural values of the subject land are not diminished.
Acceptable Solutions	Performance Criteria
A1	P1

<p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) locate boundaries so that existing buildings are consistent with the setback required by clause DOR-P1.6; (b) be required for public use by the Crown, a department or other agency of Government of the State or of the Commonwealth, an authority of the State or of the Commonwealth established for a public purpose, or a corporation all the shares of which are held by Councils or a municipality; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot with another lot with no additional titles created; or (e) be to align existing titles with zone boundaries provided that no additional lots are created. 	<p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) not create any additional titles; (b) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> (i) a dwelling to be erected in a convenient, appropriate and hazard-free location; (ii) appropriate disposal of wastewater and stormwater; (iii) on-site parking and manoeuvrability; (iv) adequate private open space; and (v) vehicular access from the carriageway of the road to a building area on the lot, if any; and (c) be suitable for use and development, having regard to: <ul style="list-style-type: none"> (i) the topographical or natural features of the site; (ii) the ability of vegetation to provide buffering; (iii) any features of natural or cultural significance; and (iv) the presence of any natural hazards.
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage of not less than 4m.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must provide permanent, legal access of an appropriate width to:</p> <ul style="list-style-type: none"> (a) accommodate vehicle passage and drainage within the boundaries of the lot; (b) provide for vehicle passage without unreasonable adverse impacts on adjoining land uses; and (c) provide for safe entry and exit to the lot from a road at the relevant standard.

DOR-P1.8 Tables

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

DOR-S1.0 Port Hills Specific Area Plan

DOR-S1.1 Plan Purpose

The purpose of the Port Hills Specific Area Plan is:

- DOR-S1.1.1 To provide for development that is compatible with the residential area at Port Hills, minimise impact on natural values, and where there are infrastructure constraints that necessitate a limit on the density of development.

DOR-S1.2 Application of this Plan

- DOR-S1.2.1 The specific area plan applies to the area of land designated as Port Hills Specific Area Plan on the overlay maps.

- DOR-S1.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for the provisions of the Low Density Residential Zone, as specified in the relevant provision.

DOR-S1.3 Local Area Objectives

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

DOR-S1.4 Definition of Terms

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

DOR-S1.5 Use Table

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

DOR-S1.6 Use Standards

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

DOR-S1.7 Development Standards for Buildings and Works

DOR-S1.7.1 Residential density for multiple dwellings

This clause is in substitution for Low Density Residential Zone – clause 10.4.1 Residential density for multiple dwellings.

Objective:	That the density of multiple dwellings; (a) is appropriate for the low density nature of the zone; and (b) is consistent with the availability of infrastructure services and any constraints to development.
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than 5000m ² .	P1 No Performance Criterion.

DOR-S1.7.2 Setbacks

This clause is in substitution for Low Density Residential Zone – clause 10.4.3 Setback and clause 10.5.1 Non-dwelling development A2/P2 and A3/P3.

Objective:	That the siting of buildings: (a) is compatible with the density of the area and does not cause an unreasonable loss of amenity for adjoining properties; and (b) minimises the impact on adjacent uses.
Acceptable Solutions	Performance Criteria
A1 Buildings must have a setback from all boundaries of not less than 15m.	P1 No Performance Criterion.
A2 Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: (a) not less than 50m; or (b) if an existing building for a sensitive use on the site is within 50m of that boundary, not less than the existing building.	P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with uses in the Agriculture Zone, having regard to: (a) the size, shape and topography of the site; (b) the separation of any existing buildings for sensitive uses on adjoining properties; (c) the existing and potential use of adjoining properties; (d) any proposed attenuation measures; and

	(e) any buffers created by natural or other features.
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DOR-S1.8 Development Standards for Subdivision

DOR-S1.8.1 Lot design

This clause is in substitution for Low Density Residential Zone – clause 10.6.1 Lot design A1/P1.

Objective:	That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the Port Hills Specific Area Plan; and (b) contains areas which are suitable for residential development, including associated on-site drainage and on-site wastewater requirements.
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) have an area of not less than 5000m² and: <ul style="list-style-type: none"> (i) be able to contain a minimum area of 20m x 30m clear of, <ul style="list-style-type: none"> a. all setbacks required by clause DOR-S1.7.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause DOR-S1.7.2 A1 and A2; (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	<p>P1</p> <p>No Performance Criterion.</p>

DOR-S1.9 Tables

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

DOR-S2.0 Barnbougle Dunes and Lost Farm Specific Area Plan

DOR-S2.1 Plan Purpose

The purpose of the Barnbougle Dunes and Lost Farm Specific Area Plan is:

- DOR-S2.1.1 To provide for tourist facilities and complementary uses that are of a scale and intensity appropriate for a rural location that does not compromise the function of surrounding settlements.
- DOR-S2.1.2 To provide for subdivision of land that does not compromise the function of surrounding settlements and does not unreasonably impact on surrounding primary industry operations.

DOR-S2.2 Application of this Plan

- DOR-S2.2.1 The specific area plan applies to the area of land designated as Barnbougle Dunes and Lost Farm Specific Area Plan on the overlay maps.
- DOR-S2.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for the provisions of the Major Tourism Zone, as specified in the relevant provision.

DOR-S2.3 Local Area Objectives

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

DOR-S2.4 Definition of Terms

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

DOR-S2.5 Use Table

This clause is in substitution for Major Tourism Zone – clause 24.2 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	
Food Services	If not a take away food premises.

Use Class	Qualification
Hotel Industry	
Sports and Recreation	
Tourist Operation	
Visitor Accommodation	
Discretionary	
Business and Professional Services	
Educational and Occasional Care	
Emergency Services	
Food Services	If not listed as Permitted.
General Retail and Hire	
Pleasure Boat Facility	
Research and Development	
Residential	If for existing uses.
Resource Processing	If for food or beverage production.
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

DOR-S2.6 Use Standards

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

DOR-S2.7 Development Standards for Buildings and Works

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

DOR-S2.8 Development Standards for Subdivision

DOR-S2.8.1 Lot design

This clause is in substitution for Major Tourism Zone – clause 24.5.1 Lot design A1/P1.

Objective:	<p>That each lot:</p> <ul style="list-style-type: none"> (a) has an area and dimensions that facilitate tourist facilities and complementary uses; and (b) does not compromise the function of surrounding settlements; and (c) does not result in an unreasonable impact on surrounding Resource Development uses.
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 be for the reorganisation of lot boundaries that satisfies all of the following:</p> <ul style="list-style-type: none"> (a) existing buildings are consistent with the setback required by clause 24.4.2 A1 or P1 and A3 or P3; and (b) it does not create any additional lots.

DOR-S2.9 Tables

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

DOR-S3.0 Branxholm and Legerwood Industry Specific Area Plan

DOR-S3.1 Plan Purpose

The purpose of the Branxholm and Legerwood Industry Specific Area Plan is:

- DOR-S3.1.1 To facilitate establishment and continuation of Manufacturing and Processing and Resource Processing uses that are of a type, scale and intensity, that do not cause an unreasonable loss of amenity to adjacent sensitive uses.

DOR-S3.2 Application of this Plan

- DOR-S3.2.1 The specific area plan applies to the area of land designated as Branxholm and Legerwood Industry Specific Area Plan on the overlay maps.
- DOR-S3.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in addition to and substitution for the provisions of the Agriculture Zone, as specified in the relevant provision.

DOR-S3.3 Local Area Objectives

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

DOR-S3.4 Definition of Terms

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

DOR-S3.5 Use Table

This clause is in substitution for Agriculture Zone – clause 21.2 Use Table.

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Resource Development	If: (a) on land other than prime agricultural land; or (b) an agricultural use, excluding plantation forestry, on prime agricultural land if it is dependent on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium.
Utilities	If for minor utilities.

Use Class	Qualification
Permitted	
Food Services	If associated with Resource Development or Resource Processing.
General Retail and Hire	If associated with Resource Development or Resource Processing.
Manufacturing and Processing	
Pleasure Boat Facility	If for a boat ramp.
Residential	If for: (a) a home-based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
Resource Processing	
Discretionary	
Bulky Goods Sales	If: (a) a supplier for Extractive Industry, Resource Development or Resource Processing; (b) a garden and landscape supplier; or (c) a timber yard.
Domestic Animal Breeding, Boarding or Training	
Educational and Occasional Care	
Emergency Services	
Extractive Industry	
Food Services	If not listed as Permitted.
General Retail and Hire	If not listed as Permitted.
Research and Development	
Residential	If: (a) not restricted by an existing agreement under section 71 of the Act; and (b) not listed as Permitted.
Resource Development	If not listed as No Permit Required.
Storage	If for: (a) a contractors yard; (b) freezing and cooling storage; (c) a liquid, solid or gas fuel depot; or (d) a woodyard.

Use Class	Qualification
Tourist Operation	
Transport Depot and Distribution	If for the transport and distribution of agricultural produce and equipment.
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
Prohibited	
All other uses	

DOR-S3.6 Use Standards

DOR-S3.6.1 Resource Processing and Manufacturing and Processing Uses

This clause is in addition to Agriculture Zone – clause 21.2 Use Standards.

Objective:	That Resource Processing and Manufacturing and Processing uses do not cause an unreasonable loss of amenity upon adjacent sensitive uses.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Hours of Operation of a Manufacturing and Processing or Resource Processing use on a site within 50m of a Village Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p>P1</p> <p>Hours of operation of a Manufacturing and Processing or Resource Processing use on a site within 50m of a Village Zone, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and</p> <p>(b) noise, lighting or other emissions.</p>	
<p>A2</p> <p>External lighting for a Manufacturing and Processing or Resource Processing use on a site within 50m of a Village Zone, must:</p> <p>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</p> <p>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.</p>	<p>P2</p> <p>External lighting for a Manufacturing and Processing or Resource Processing use on a site within 50m of a Village Zone, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the level of illumination and duration of lighting; and</p> <p>(b) the distance to habitable rooms of an adjacent dwelling.</p>	
<p>A3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a Manufacturing and Processing or Resource</p>	<p>P3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a Manufacturing and Processing or Resource</p>	

<p>Processing use on a site within 50m of a Village Zone, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. 	<p>Processing use on a site within 50m of a Village Zone, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the time and duration of commercial vehicle movements; (b) the number and frequency of commercial vehicle movements; (c) the size of commercial vehicles involved; (d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) any noise mitigation measures between the vehicle movement areas and the residential area; and (f) potential conflicts with other traffic.
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DOR-S3.7 Development Standards for Buildings and Works

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

DOR-S3.8 Development Standards for Subdivision

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

DOR-S3.9 Tables

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

DOR-S4.0 Town Centre Parking Specific Area Plan

DOR-S4.1 Plan Purpose

The purpose of the Town Centre Parking Specific Area Plan is:

- DOR-S4.1.1 To maximise land use efficiency and reduce costs to business and developers by not requiring new or intensified use or development, other than Residential and Visitor Accommodation use, to provide on-site car parking spaces, bicycle parking space, and motor cycle parking spaces on land located within the town centres of Bridport, Scottsdale, and Derby.
- DOR-S4.1.2 To provide an appropriate level of car parking, bicycle parking, and motorcycle parking space by a combination of existing and potentially future private and public sector parking areas that aggregate parking provision into accessible shared use public parking sites to service multiple destinations and cater to both long-term and short-term need during periods of peak activity.

DOR-S4.2 Application of this Plan

- DOR-S4.2.1 The specific area plan applies to the area of land designated as the Town Centre Parking Specific Area Plan on the overlay maps.
- DOR-S4.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for the provisions of the Parking and Sustainable Transport Code as specified in the relevant provision.

DOR-S4.3 Local Area Objectives

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

DOR-S4.4 Definition of Terms

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

DOR-S4.5 Use Table

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

DOR-S4.6 Use Standards

DOR-S4.6.1 Car parking numbers for Residential and Visitor Accommodation use

This clause is in substitution for Parking and Sustainable Transport Code - clause C2.5.1 Car parking numbers.

Objective:	That an appropriate number of car parking spaces are provided to meet the needs of Residential and Visitor Accommodation uses.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of on-site car parking spaces for Residential and Visitor Accommodation uses must be not less than the number specified in Table C2.1.</p>	<p>P1</p> <p>The number of on-site car parking spaces for Residential and Visitor Accommodation uses must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and intensity of the use and car parking required; (b) the size of the building and the number of bedrooms; (c) the availability of off-street public car parking spaces within reasonable walking distance of the site; (d) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variation in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (e) the availability and frequency of public transport within reasonable walking distance of the site; (f) the availability and frequency of other transport alternatives; (g) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (h) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (i) the effect on streetscape; and (j) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.

DOR-S4.6.2 Bicycle parking numbers for Residential and Visitor Accommodation use

This clause is in substitution for Parking and Sustainable Transport Code - clause C2.5.2 Bicycle parking numbers.

Objective:	That an appropriate number of bicycle parking spaces are provided to meet the needs of Residential and Visitor Accommodation uses.	
Acceptable Solutions		Performance Criteria
A1	The number of on-site bicycle parking spaces for Residential and Visitor Accommodation uses must be not less than the number specified in Table C2.1.	<p>P1</p> <p>Bicycle parking spaces for Residential and Visitor Accommodation uses must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planning parking facilities for bicycles in the surrounding area.

DOR-S4.6.3 Motorcycle parking numbers for Residential and Visitor Accommodation use

This clause is in substitution for Parking and Sustainable Transport Code - clause C2.5.3 Motorcycle parking numbers.

Objective:	That an appropriate number of motorcycle parking spaces are provided to meet the needs of Residential and Visitor Accommodation uses.	
Acceptable Solutions		Performance Criteria
A1	The number of on-site motorcycle parking spaces for Residential and Visitor Accommodation uses must be not less than the number specified in Table C2.4.	<p>P1</p> <p>The number of on-site motorcycle parking spaces for Residential and Visitor Accommodation uses must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and intensity of the use and motorcycle parking required; (b) the size of the building and the number of bedrooms; (c) the availability of off-street public motorcycle parking spaces within reasonable walking distance of the site; (d) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variation in motorcycle parking demand over time; or

	<ul style="list-style-type: none"> (ii) efficiencies gained by consolidation of motorcycle parking spaces; (e) the availability and frequency of public transport within reasonable walking distance of the site; (f) the availability and frequency of other transport alternatives; (g) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (h) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (i) the effect on streetscape; and (j) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.
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DOR-S4.7 Development Standards for Buildings and Works

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

DOR-S4.8 Development Standards for Subdivision

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

DOR-S4.9 Tables

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

DOR-S5.0 Bridport Main Street Central Specific Area Plan

DOR-S5.1 Plan Purpose

The purpose of the Bridport Main Street Central Specific Area Plan is:

- DOR-S5.1.1 To provide for development of the area compatible with its existing built form.
- DOR-S5.1.2 To encourage community services and commercial activities at pedestrian levels appropriate to the mixed use characteristics of the zone.
- DOR-S5.1.3 To encourage Residential and Visitor Accommodation use where it does not compromise or distort the activity centre.

DOR-S5.2 Application of this Plan

- DOR-S5.2.1 The specific area plan applies to the area of land designated as Bridport Main Street Central Specific Area Plan on the overlay maps.
- DOR-S5.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in addition to and substitution for the provisions of the Village Zone, as specified in the relevant provisions.

DOR-S5.3 Local Area Objectives

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

DOR-S5.4 Definition of Terms

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

DOR-S5.5 Use Table

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

DOR-S5.6 Use Standards

- DOR-S5.6.1 Residential and Visitor Accommodation uses

This clause is in addition to Village Zone – clause 14.3 Use Standards.

Objective:	That the siting of Residential and Visitor Accommodation uses:	
	<ul style="list-style-type: none"> (a) support the viability of the activity centre and an active street frontage is maintained; and (b) do not compromise or distort the activity centre hierarchy. 	
Acceptable Solutions		Performance Criteria
A1		P1

<p>Residential and Visitor Accommodation uses (excluding existing uses) must be located:</p> <ul style="list-style-type: none"> (a) above ground floor level (excluding pedestrian or vehicular access); (b) to the rear of a premises; or (c) within the rear half of the property. 	<p>A Residential or Visitor Accommodation use must not compromise or distort the activity centre hierarchy, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the need to encourage activity at pedestrian levels; (c) the size and scale of the proposed use; (d) the functions of the activity centre and the surrounding activity centres; and (e) the extent that the proposed use impacts on other activity centres.
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DOR-S5.7 Development Standards for Buildings and Works

DOR-S5.7.1 Setback

This clause is in substitution for Village Zone – clause 12.4.3 Setback A1/P1 and A2/P2.

Objective:	That building setback is compatible with the streetscape and does not result in an unreasonable impact on the amenity of adjoining properties	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Buildings (excluding for Residential, Visitor Accommodation and Utilities uses) must be:</p> <ul style="list-style-type: none"> (a) built within 4.5m to the frontage at ground level; or (b) have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties. 	<p>P1</p> <p>Buildings must be sited to be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> (a) providing variations in building alignment to provide a forecourt space for public use, such as outdoor dining or landscaping; (b) the height, bulk and form of existing and proposed buildings; (c) the appearance of proposed buildings when viewed from roads and public places adjoining the site; and (d) the safety of road users. 	
<p>A2</p> <p>Buildings must have a setback from rear boundaries of not less than:</p> <ul style="list-style-type: none"> (a) 3m; or (b) half the wall height of the building, 	<p>P2</p> <p>Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; 	

<p>whichever is the greater.</p>	<ul style="list-style-type: none">(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) sunlight to private open space and windows of habitable rooms on adjoining properties; and(g) the character of development existing on established properties in the area.
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DOR-S5.8 Development Standards for Subdivision

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

DOR-S5.9 Tables

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

DOR-Site-specific Qualifications

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
DOR-8.1	37 George Street, Scottsdale	231265/1 76627/1	Additional Discretionary Use Classes for this site are: (a) Bulky Goods Sales; (b) Equipment and Machinery Sales and Hire; and (c) Service Industry with the qualification "if for motor repairs".	General Residential Zone – clause 8.2 Use Table
DOR-20.1	1952 Bridport Road, Bridport	233662/1	An additional Permitted Use Class for this site is: Transport Depot and Distribution "if for an airport".	Rural Zone – clause 20.2 Use Table
DOR-21.1	54 Ringarooma Road, Scottsdale	197948/1	An additional Permitted Use Class for this site is: Transport Depot and Distribution.	Agriculture Zone – clause 21.2 Use Table
DOR-21.2	96 King Street, Scottsdale	127270/1	Additional Permitted Use Classes for this site are: (a) Transport Depot and Distribution; (b) Food Services; (c) Tourist Operation; and (d) Business and Professional Services.	Agriculture Zone – clause 21.2 Use Table
DOR-25.1	2 Main Street, Bridport	172546/1	An additional Discretionary Use Class for this site is: Resource Development with the qualification "if for aquaculture".	Port and Marine Zone – 25.2 Use Table

DOR-Code Lists

DOR-Table C3.1 Other Major Roads

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

DOR-Table C6.1 Local Heritage Places

This table is not used in this Local Provisions Schedule.							
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DOR-Table C8.1 Scenic Protection Areas

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
DOR-C8.1.1	Bridport	The prominent treed ridgeline along the western fringe of Bridport, including the Bridport Wildflower Reserve.	The area provides an important natural and aesthetical backdrop to the Bridport township, which creates a sense of place for residents and visitors.	<p>(a) To maintain and enhance the treed backdrop of the settlement and to avoid significant landscape change on hill faces of visual prominence when viewed from Bridport.</p> <p>(b) To locate and design development to blend with the landscape and not be obtrusive.</p>

DOR-Table C8.2 Scenic Road Corridors

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
DOR-C8.2.1	Tasman Highway	<p>(a) Native vegetation along the road corridor provides visual amenity to the traveller experience.</p> <p>(b) Views to the diverse landscapes of the North East, bushland, hills and farm lands are an important element in providing visual amenity to the traveller experience.</p> <p>(c) The Tasman Highway is a gateway that frames the entry to the settlements of Scottsdale, Branxholm, Derby</p>	<p>(a) To avoid the need for vegetation clearance adjacent to the road by setting development back from the road.</p> <p>(b) To provide for, and be sensitive to, views that enhance the traveller experience by setting development back from the road and minimising building bulk within proximity to the road.</p> <p>(c) To maintain natural or constructed features that contribute to visual aesthetic values at the entrances to townships such as</p>

			trees, historic fences and walls and the like.
DOR-C8.2.2	Bridport Road	<p>(a) Native vegetation along the road corridor provides visual amenity to the traveller experience.</p> <p>(b) Views to the diverse landscapes of the North East, bushland and farm lands are an important element in providing visual amenity to the traveller experience.</p> <p>(c) Bridport Road serves as a gateway that frames the entry to the settlements of Bridport and Scottsdale.</p>	<p>(a) To avoid the need for vegetation clearance adjacent to the road by setting development back from the road.</p> <p>(b) To provide for, and be sensitive to, views that enhance the traveller experience by setting development back from the road and minimising building bulk within proximity to the road.</p> <p>(c) To maintain natural or constructed features that contribute to visual aesthetic values at the entrances to townships such as trees, historic fences and walls and the like.</p>
DOR-C8.2.3	Golconda Road	<p>(a) Native vegetation along the road corridor provides visual amenity to the traveller experience.</p> <p>(b) Views to the diverse landscapes of the North East, bushland, hills and farm lands are an important element in providing visual amenity to the traveller experience.</p> <p>(c) Golconda Road serves as a gateway that frames the entry to the settlements of Nabowla, Lietinna and Scottsdale.</p>	<p>(a) To avoid the need for vegetation clearance adjacent to the road by setting development back from the road.</p> <p>(b) To provide for, and be sensitive to, views that enhance the traveller experience by setting development back from the road and minimising building bulk within proximity to the road.</p> <p>(c) To maintain natural or constructed features that contribute to visual aesthetic values at the entrances to townships such as trees, historic fences and walls and the like.</p>

DOR-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
Bridport	1.8	2.5	3.1	2.8
Musselroe Bay	1	1.9	2.6	2.3
Tomahawk	1.7	2.4	3	2.7
All other locations	1.8	2.5	3.1	2.8

DOR-Applied, Adopted or Incorporated Documents

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