

TASMANIAN PLANNING COMMISSION



Our ref: DOC/23/86471
Officer: Lauren O'Brien
Phone: 6165 6813
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1 August 2023

All parties

By email

Dear parties

**Clarence Local Provisions Schedule
Draft amendment PDPSAMEND-2021-022802
Rezone land at Howrah to Landscape Conservation Zone
and apply the priority vegetation overlay**

I refer to the above draft amendment and to a hearing held at the Commission's office in Hobart on 8 and 9 June 2023 which was adjourned.

The Commission has considered the matters discussed at the hearing, which included an option to apply a specific area plan (SAP) to the subject land.

The Commission has prepared a modified draft amendment for consideration by all parties.

The modified draft amendment includes the following:

1. Rezone the following titles from Low Density Residential to Landscape Conservation, as shown in Attachment 1:
 - 125 Norma Street, Howrah (folio of the Register 26606/146);
 - 18 Newhaven Drive, Howrah (folio of the Register 26629/145);
 - 5 Zenith Court, Howrah (folio of the Register 26629/144);
 - 100 Skyline Drive, Howrah (folios of the Register 136183/2, 3, 4, 5, 6, & 7);
 - 46 Skyline Drive, Howrah (folio of the Register 48113/13);
 - 60A Skyline Drive, Howrah (folio of the Register 104949/6);
 - 60B Skyline Drive, Howrah (folio of the Register 104949/5); and
 - 60C Skyline Drive, Howrah (folio of the Register 136183/11).
2. Rezone 100 Skyline Drive, Howrah (folio of the Register 136183/1) from Low Density Residential to General Residential, as shown in Attachment 1;
3. Rezone 73 Skyline Drive, Howrah (folio of the Register 136183/8) from Low Density Residential to Open Space, as shown in Attachment 1;
4. Apply the Priority Vegetation Area overlay to land identified in Attachment 2;
5. Apply the Waterway and Coastal Protection Area overlay to land identified in Attachment 3;
6. Insert CLA-S23.0 Howrah Hills Residential SAP, as shown in Attachment 4.

For reference, the Commission provides a map of the area, in m², that applies to titles within Precinct A and Precinct B of the SAP. This is intended to assist parties in understanding how many additional dwellings may be allowable on each title.

It is intended that the hearing will be reconvened to discuss the modified draft amendment. However, if parties wish to make a written submission on the modified draft amendment prior to the hearing, the submission must be received by close of business on **Wednesday, 16 August 2023**.

Submissions must be made by email to tpc@planning.tas.gov.au. Once received, the submissions referred to above will be made available under the [relevant assessment](#)¹ on the Commission's website.

Please note that submissions will be published in full, without redaction.

If the hearing is to be reconvened, the Commission will advise the parties and publish a notice.

If you require further information please contact Lauren O'Brien, Planning Adviser, on 6165 6813.

Yours sincerely



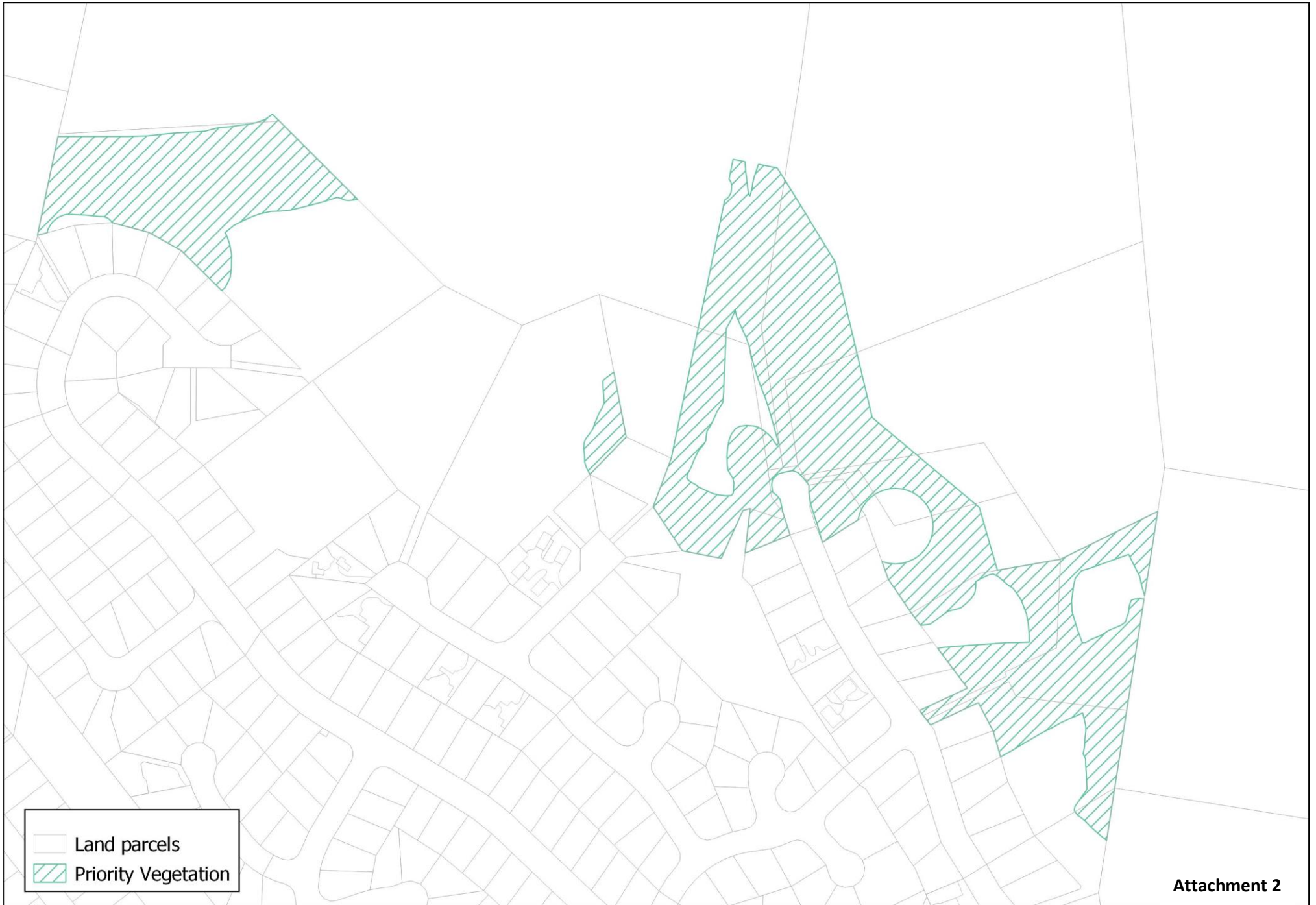
John Ramsay
Delegate (Chair)

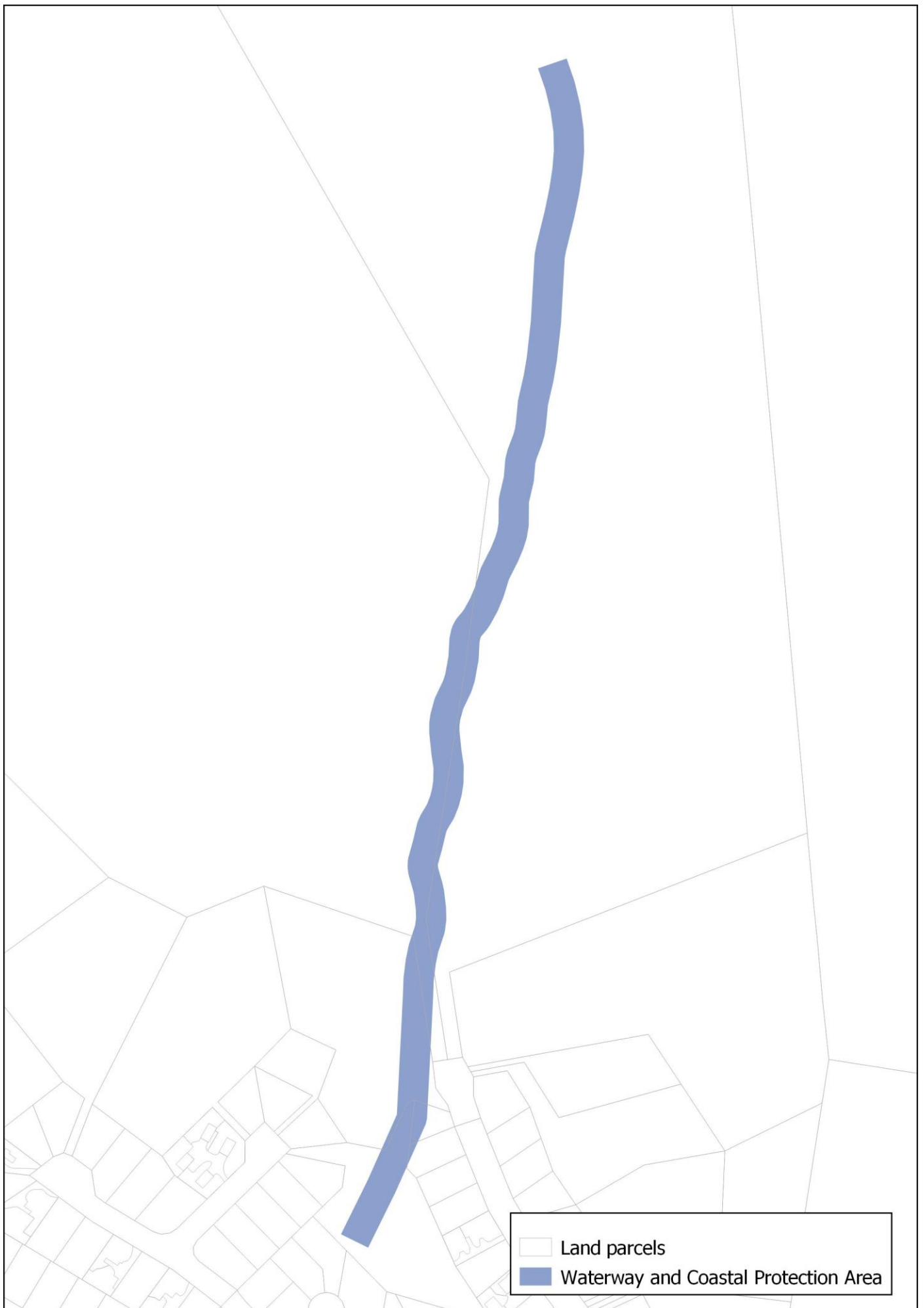
Attachments:

1. Draft rezoning plan
2. Draft Priority Vegetation Area overlay plan
3. Draft Waterway and Coastal Protection Area overlay plan
4. Draft CLA-S23.0 Howrah Hills Residential SAP
5. Precinct sizes plan

¹ <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-cla-pdpsamend-2021-022802>







CLA-S23.0 Howrah Hills Residential Specific Area Plan**CLA-S23.1 Plan Purpose**

CLA-S23.1.1 The purpose of the Howrah Hills Residential Specific Area Plan is to protect the natural and scenic values of the Howrah Hills while allowing low density residential infill.

CLA-S23.2 Application of this Plan

CLA-S23.2.1 This specific area plan applies to the areas of land designated as the Howrah Hills Residential Specific Area Plan on the overlay maps.

CLA-S23.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in substitution, modification, or addition to the provisions of the Landscape Conservation Zone, as specified in the relevant provision.

CLA-S23.3 Local Area Objectives

GSB-S23.3.1 Local Area Objectives

Sub-clause	Area description	Local Area Objective
CLA-S23.3.1.1	Precinct A within the area shown on an overlay map as CLA-S23.2.1.1 and shown as A in Figure CLA-S23.1.	The local area objectives for Precinct A are to: (a) Facilitate residential development conserves the visual landscape values of the mid-slopes of Howrah hills. (b) Allow for a low density and scale of residential infill development in a visually sensitive location within an existing modified landscape.
CLA-S23.3.1.2	Precinct B within the area shown on an overlay map as CLA-S23.2.1.1 and shown as B in Figure CLA-S23.1.	The local area objective for Precinct B is to allow for low density and scale of residential infill development that acts as a transition area between the existing Howrah urban residential area and native bushland on Howrah hills.

CLA-S23.4 Definition of Terms

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

CLA-S23.5 Use Table

This use table is in substitution of clause 22.2 of the Landscape Conservation Zone.

Use class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	

Permitted	
Residential	If for a: (a) home-based business; or (b) single dwelling located within a building area, if shown on a sealed plan.
Utilities	If for minor utilities.
Discretionary	
Residential	If: (a) for a single dwelling; or (b) for multiple dwellings with all roofed buildings located within Precincts A or B.
Utilities	If not listed as Permitted.
Visitor Accommodation	
Prohibited	
All other uses	

CLA-S23.6 Development Standards for Dwellings

CLA-S23.6.1 Residential density for multiple dwellings

This clause is in addition to clause 22.4 of the Landscape Conservation Zone.

Objective:	That the density of multiple dwellings: (a) is appropriate for the natural and visual values of Howrah Hills; and (b) provides for low density residential infill development.
Acceptable Solutions	Performance Criteria
A1 Within a site the maximum density of multiple dwellings must be 3000m ² per dwelling in Precinct A and 2000m ² per dwelling in Precinct B.	No acceptable criteria

CLA-S23.6.2 Site coverage

This clause is in substitution of clause 22.4.1 of the Landscape Conservation Zone.

Objective:	That the site coverage is compatible with the protection, conservation and management of the landscape values of the site and surrounding area.
Acceptable Solutions	Performance Criteria
A1 Site coverage for uses other than multiple dwellings must not be more than 400m ² .	P1 Site coverage must be compatible with the landscape values of the site and surrounding area, having regard to:

	<ul style="list-style-type: none"> (a) the topography of the site; (b) the capacity of the site to absorb run-off; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the need to remove vegetation; (f) the location of development in relation to cleared areas; and (g) the location of development in relation to natural hazards.
<p>A2 Site coverage for multiple dwellings must be not more than:</p> <ul style="list-style-type: none"> a) 700m² for two dwellings, plus an additional 300m² for each additional dwelling where the site does not contain an existing dwelling; or b) 350m² for each additional dwelling where a site contains an existing single dwelling. 	<p>P2 Site coverage must no more than 20% greater than the area required by the acceptable solution and be compatible with the landscape values of the site and surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the capacity of the site to absorb run-off; (c) the size and shape of the site; (d) the location and scale of existing buildings and any constraints imposed by existing development; (e) the need to remove or retain vegetation; (f) the location of development in relation to cleared areas and natural hazards; and (g) the scale, form and visibility of the development on the site.

CLA-S23.6.3 Setback

This clause is in substitution of clause 22.4.2 A2/P2 and A3/P3 of the Landscape Conservation Zone.

Objective:	That the siting of dwellings is compatible with the landscape and natural values of the site.
Acceptable Solutions	Performance Criteria
<p>A1 Buildings must have a setback from all boundaries not less than 10m.</p>	<p>P1 Building setbacks must be compatible with the landscape values of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) setbacks of adjacent buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from roads and public places; (e) the safety of road users; and

	(f) the retention of vegetation.
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CLA-S23.6.4 Landscape protection

This clause is in substitution to clause 22.4.4 of the Landscape Conservation Zone.

Objective:	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings and works, excluding multiple dwellings, must be located within a building area, if shown on a sealed plan.</p>	<p>P1 Buildings and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the extent of the area from which native vegetation has been removed; (b) the extent of native vegetation to be removed; (c) any remedial or mitigation measures or revegetation requirements; (d) provision for native habitat for native fauna; (e) the management and treatment of the balance of the site or native vegetation areas; (f) the type, size, and design of development; and (g) the landscape values of the site and surrounding area.
<p>A2 Buildings and works, excluding multiple dwellings must:</p> <ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan; or (b) be an alteration or extension to an existing building providing it is not more than the existing building height; and (c) not include cut and fill greater than 1m; and (d) be not less than 10m in elevation below a skyline or ridgeline 	<p>P2 Buildings and works must be located to minimise impacts on landscape values, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size and shape of the site; (c) the proposed building height, size and bulk; (d) any constraints imposed by existing development; (e) visual impact when viewed from roads and public places; and (f) any screening vegetation. <p>P2.2 If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no other suitable building areas.</p>

CLA-S23.6.5 Clearance within a priority vegetation area

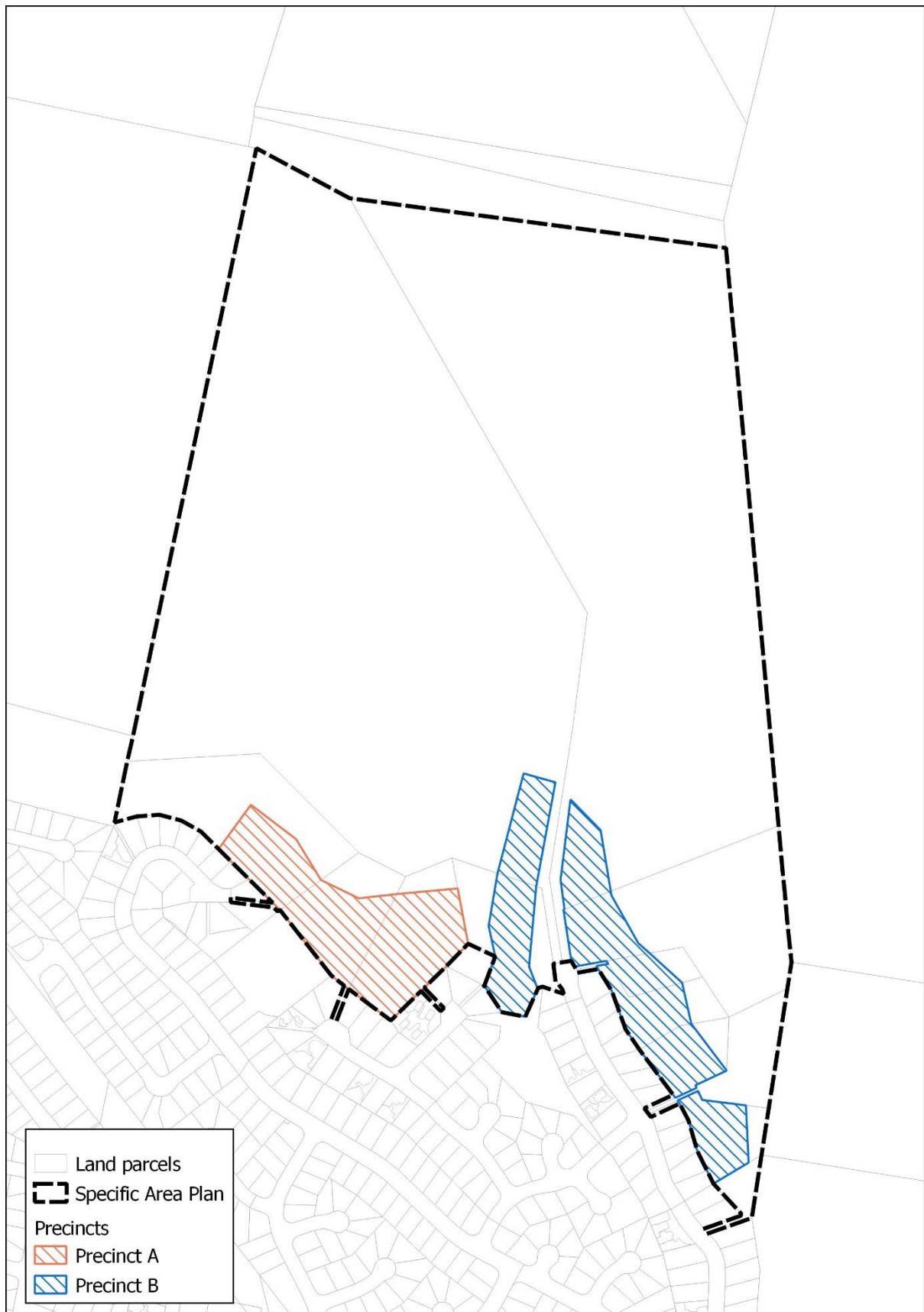
This clause is in substitution of clause C7.6.2 of the Natural Assets Code.

Objective:	That clearance of native vegetation within a priority vegetation area:
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	<p>(a) does not result in unreasonable loss of priority vegetation;</p> <p>(b) is appropriately managed to adequately protect identified priority vegetation.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.</p>	<p>P1.1</p> <p>Clearance of native vegetation within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> (a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person; (b) buildings and works associated with the construction of a single dwelling, multiple dwellings or an associated outbuilding on the site; (c) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; (d) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or (e) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site. <p>P1.2</p> <p>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> (a) the design and location of buildings and works and any constraints such as topography or land hazards; (b) any particular requirements for the buildings and works; (c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings; (d) any mitigation measures implemented to minimise the residential impacts on priority vegetation; (e) any on-site biodiversity offsets; and (f) any existing cleared areas on the site.

Figure CLA-S23.1

Howrah Hills Residential Specific Area Plan





Attachment 5
Area = m²