

Dorset Interim Planning Scheme

2013

Effective 17 February 2021

Foreword

This planning scheme sets out the requirements for use or development of land in accordance with the *Land Use Planning and Approvals Act 1993* (the Act).

The maps show how land is zoned and the scheme sets out the provisions that apply to use or development of land.

The provisions in this planning scheme should be read together with the Act.

The foreword, footnotes and appendices are not legally part of this planning scheme. They have been added to help users understand the planning scheme and its relationship to the Act. They are a guide only and do not cover all relevant law relating to planning schemes or the planning application and assessment process.

Council disclaims any legal liability for any error or omission in the foreword, footnotes or appendices.

Document Issue Status

Ver.	Issue Date	Description	Originator		Checked		Approved	
1	20 November 2013	Declared by Minister for Planning	DC					
2	10 February 2014	Urgent amendment DOR UA1/2014	DC					
3	8 January 2014	PD1 modifications	TPC		KF		KF	
4	28 February 2014	PD4.1 modifications	TPC		JH		LN	
5	18 June 2014	PD1 and PD4.1 modifications	TPC		KF		KF	
6	17 February 2016	PD1 minor modifications	TPC		KF		SH	
7	23 February 2016	Insert Interim Planning Directive No 1	TPC		KF		NN	
8	23 February 2017	Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code	TPC		JC		CW	
9	4 August 2017	DOR UA2-2017	TPC		JH		JE	
10	1 September 2017	PD 5.1 modifications	TPC		JH		NN	
11	25 January 2018	DOR UA3-2017	TPC		JH		AF	
12	18 October 2018	1-2018	DC		JH		KF	
13	22 February 2021	Interim Planning Directive No. 4 – Exemptions, Application Requirements, Special Provisions and Zone Provisions	TPC		EL		LO	
14	22 February 2022	Planning Directive No. 8 - Exemptions, Application Requirements, Special Provisions and Zone Provisions	TPC		HG		KF	
15	6 April 2022	1-2021	DC		TP		LO	
16	23 June 2022	Interim Planning Directive No.5 – Bushfire-Prone Areas Code – application of Bushfire Prone Areas Overlay	TPC		TP		HG	
17	20 July 2022	Modified Planning Directive No. 8 – Exemptions,	TPC		TP		HG	

		Application Requirements, Special Provisions and Zone Provisions and Planning Directive No. 5.1 Bushfire-Prone Areas Code						
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Part A

Purpose and Objectives

1 Identification of the Planning Scheme

1.1 Planning Scheme Title

1.1.1 This planning scheme is called the Dorset Interim Planning Scheme 2013.

1.2 Composition of this Planning Scheme

1.2.1 This planning scheme consists of this document and the maps identified:

- (a) Dorset Interim Planning Scheme 2013 Zoning – 1:50,000; 1:25,000 and 1:5000.
- (b) Dorset Interim Planning Scheme 2013 Overlays – 1:50,000; 1:25,000 and 1:5000.

1.3 Planning Scheme Area

1.3.1 The planning scheme area comprises all the land as identified on the planning scheme maps.

2 Planning Scheme Purpose

2.1 Purpose

2.1.1 The purpose of this planning scheme is:

- (a) to further the Objectives of the Resource Management and Planning System and of the Planning Process as set out in Parts 1 and 2 of Schedule 1 of the Act; and
- (b) to achieve the planning scheme objectives set out in clause 3.0 by regulating or prohibiting the use or development of land in the planning scheme area.

2.2 Regional Land Use Strategy

2.2.1 The Northern Region is comprised of the eight municipal areas of the Launceston, Northern Midlands, Meander Valley, West Tamar, George Town, Dorset, Break O' Day and Flinders councils. The Northern Regional Land Use Framework provides strategic context at a regional level for planning schemes within the region and contains strategies for the future use and development of land within the region.

The Northern region is characterised by a distinct settlement hierarchy with the urban area of Greater Launceston as the higher order and dominant population centre, together with towns, villages and hamlets. Settlements are generally separated by natural or productive rural areas and have their own character and identity. Regional strategies advocate that settlements support local and regional economies, concentrate the investment in the improvement of services and infrastructure and enhance the quality of life in those centres.

The Northern region has significant natural and cultural assets including areas of important biodiversity, areas and sites of cultural heritage, important landscapes and

recreation opportunities, and natural resources which are integral to the consideration of the strategic use of land.

This planning scheme is based on the Regional Model Planning Scheme, derived from the Regional Land Use Framework, the mechanisms by which land use strategies for sustainable economic, environmental and social outcomes are delivered at a Regional level, through the appropriate allocation of zones and the inclusion of regionally consistent development controls for use and development.

The application of zoning responds to the unique circumstances of the Northern Region with the settlement hierarchy reflected in some zones only being relevant to the population densities of Launceston urban area and the principal use of the Rural Resources Zone reflecting the highly dispersed and variable nature of the Region's productive rural resources. Each of the zones contains regionally consistent core elements in the provisions that respond to the regional strategies.

- 2.2.2 The Dorset Interim Planning Scheme furthers the Regional Land Use Strategy of Northern Tasmania through the application of zoning and suitable land uses that align with and give effect to the regional planning policy platforms described within the Strategy. Local provisions for use and development have been included in the planning scheme as additional standards where these are considered necessary to deliver sensible, desired outcomes specific to Dorset circumstances.

Settlements and Activity Centres

Dorset Council occupies a substantial geographic area of the northeast of Tasmania, maintaining a distinct settlement regime based on historic settlement patterns that have evolved over time to take advantage of opportunities to (i) exploit resources, (ii) produce and/or provide services, (iii) provide ease of access to main settlements and (iv) enjoy amenity. The contemporary characteristics and function of settlements in Dorset are conducive to regional and local service provision; and in this context, the Inner Residential, Central Business and Commercial zones under the Planning Directive 1 Template have not been used in this planning scheme.

Urban Growth Boundary areas have been designated for Branxholm, Bridport, Derby, Gladstone, Legerwood, Musselroe Bay, Nabowla, Pioneer, Ringarooma, Scottsdale, Tomahawk and Winnaleah. More than 10 years of urban land supply is provided inside the urban growth boundary areas.

Scottsdale is the service focus and highest order of settlement of Dorset; and is identified as a District Centre within the regional settlement hierarchy and a District Service Centre within the regional activity centre hierarchy. Residential land within the urban growth boundary area of Scottsdale is identified within the General Residential Zone. The central business area of the township, concentrated adjacent to and within proximity of King Street, is identified within the General Business Zone. Historic mixed use land areas within the township are identified within the Urban Mixed Use Zone.

Bridport is a service provider and next highest order of settlement of Dorset; and is identified as a Rural Town within the regional settlement hierarchy and a Rural Town Centre within the regional activity centre hierarchy. Residential land within the urban growth boundary area of Bridport is primarily identified within the General Residential Zone. The business hub area of the township, concentrated adjacent to Main Street, is

identified within the Local Business Zone. The mixed use land pattern situated between the central business area and outlying residential area is identified within the Urban Mixed Use Zone.

Derby is identified as a Rural Village within the regional settlement hierarchy and a Local Centre within the regional activity centre hierarchy. Land within the urban growth boundary area of Derby is identified within the Village Zone. Additional settlements bearing similar settlement and activity characteristics to Derby are Branhholm, Gladstone, Legerwood, Nabowla, Pioneer, Ringarooma and Winnaleah. These are also identified within the Village Zone.

Planning Directive 1 also provides for Particular Purposes zones for long term strategic outcomes or for those sites and activities that cannot 'fit' within the normal zoning regime. A Particular Purpose Zone has been developed for the small coastal settlements of Musselroe Bay and Tomahawk, to accommodate appropriate use and development opportunities that are sensitive to surrounding conservation and natural areas.

Historical development patterns of established rural residential areas, depending upon their respective context and attributes, are identified within either the Rural Living, Environmental Living or Low Density Residential zones. Low Density Residential Zone areas adjoining the settlements of Bridport and Derby are included in the respective urban growth boundary area of each.

Infrastructure

Key road, rail and wastewater treatment infrastructure is zoned Utilities. Impacts on the state road and rail system are managed by the Road and Railway Assets Code. As of 2011, utilisation of the Scottsdale Sewerage Treatment Plant was estimated at 17% of capacity; while utilisation of the Bridport Sewerage Treatment Plant was estimated at 80% of capacity. Land use surrounding sewerage facilities will be tested against the Environmental Impacts and Attenuation Code.

The Musselroe Wind Farm is zoned Rural Resource; acknowledging the uses of the land for electricity generation, tourism and agriculture.

Economic Development

As of 2011, Dorset had the greatest area of dairy properties, plantation forestry and mining in the Northern Tasmania region. Promoting ongoing sustainable use and development of this endowment of agricultural land and natural productive resources, while protecting outstanding natural values and assets, is the cornerstone imperative of the Dorset community.

Rural balance land is zoned Rural Resource Zone unless particular protection of natural assets is warranted via application of zoning; in which case such land is zoned Environmental Management Zone.

The premier industrial location of the municipality is Scottsdale, which possesses a number of industrial precincts both within and proximately separated from the township. Precincts situated within the township area are zoned Light Industrial; providing industrial and other opportunities that can be appropriately managed to minimise impact upon amenity of other uses. The Ling Siding and Tonganah precincts are separated from the township and located to the southeast thereof, surrounded by

rural balance land and adjacent to major transport networks. These precincts are zoned General Industrial and will provide opportunity for expansion of existing uses and flexibility of uses to attract new industrial and non-industrial uses into the future.

The small industrial precinct located to the east of the township area of Bridport is zoned Light Industrial; providing opportunity for industrial and other uses that can be appropriately managed to minimise impact upon amenity of surrounding sensitive uses. Port infrastructure at Bridport, supporting boat building and shipping services, is zoned Port and Marine.

Tourism is an increasingly important component of the Dorset economy; and flexibility for tourism development growth is provided in most zones. Dorset's tourism assets are plentiful, encompassing outstanding natural environment experiences and landscapes, recreation and sport, food and wine and cultural and built heritage. Barnboughle Dunes and Barnboughle Lost Farm golf courses are a key attractor in the regional tourism network and are zoned within the Major Tourism Zone, enabling an appropriate degree of certainty for future investment in improvements and value adding to these assets. Provisions are included in the planning scheme to appropriately manage the interface with surrounding agricultural activities.

Social Infrastructure and Community

Social infrastructure has historically established over time within Dorset settlement nodes, responding to the needs of the communities therein and in surrounding areas.

A broad variety of facilities for education, health, emergency services, aged care, religion and culture, as well as community meeting spaces and recreation and sport areas, are situated throughout many of Dorset's settlements; with the greatest concentration of these located within the township areas of Scottsdale and Bridport. Zoning of these facilities, services and spaces recognises the prevailing intent of the use thereupon. To this end, Community Purpose, Open Space and Recreation zones and associated uses have been applied to land containing these features within these key settlements so as to provide an appropriate degree of certainty for future investment in improvements and value adding. In lower order settlements, such features are zoned either Village or Rural Living depending upon the broader land use context of the subject settlement.

In Scottsdale and Bridport (south of Main Street), housing density and variety in housing type is encouraged by development standards and desired future character statements within the General Residential Zone.

Cultural heritage and archaeological protection is provided for in the Local Historic Heritage code.

Environment

Dorset is endowed with a variety of environs possessing unique natural values and assets of local, state, national and international significance. Protection of Dorset's natural assets of significance is delivered through application of the Environmental Management Zone.

Various codes provide specific provisions for use and development in consideration of environmental protection and management outcomes, including the Biodiversity Code, Water Quality Code, Recreation and Open Space Code, Environmental Impacts and

Attenuation Code and Coastal Code. Natural hazards are managed by codes through a risk management approach.

Development within areas of scenic significance, particularly the tourist road corridor of Tasman Highway and the Bridport local scenic management area will be tested against the Scenic Management Code.

3 Planning Scheme Objectives

3.0.1 Sustainable Settlements

- a) Provide land for future residential development that recognises changing demographic trends and associated lifestyle opportunities.
- b) Encourage population growth in the townships of Scottsdale and Bridport and promote population retention and incremental growth in lower order settlements.
- c) Population growth and development in settlements is to respect the distinctive character and defining attributes of the respective settlement.
- d) Maintain clear separations between settlements in the Municipality.
- e) Maintain compact and contained residential development in coastal settlements in order to avoid ribbon development and creation of new coastal development nodes.
- f) Focus growth to settlements which maximises use of existing utility services/infrastructure.
- g) Steer growth and development to settlements where major road infrastructure is established and accessible.
- h) Encourage population growth and development to settlements that will advance the economic base of the Municipality and offer protection and growth of employment.
- i) Sensitively accommodate sustainable population growth in settlements where environmental features and scenic landscapes can be protected.
- j) Facilitate appropriate residential opportunities in settlements where there is limited threat to people and property through wildfire, flooding and landslip.
- k) Encourage population growth in settlements where established community services and facilities already exist.

3.0.2 Sustainable Infrastructure

- a) Promote protection of water supply catchments by encouraging development where reticulated sewer systems are available.
- b) Provide a safe, affordable, efficient and effective network of roads and alternative transport services within the Municipality.
- c) Encourage development in areas that can be serviced by existing infrastructure systems.
- d) Stormwater should be managed to ensure that pollution and erosion does not occur.

- e) Recognise that Dorset is one of the richest regions in Australia in relation to diversity of renewable resources and promote the Municipality for investment in the renewable energy sector.

3.0.3 Economic Growth

- a) Maintain and enhance the role of Scottsdale as the key service focus for the Municipality.
- b) Enhance and promote Bridport as a tourist and life-styler destination while protecting the essential qualities of the town.
- c) Support and encourage the provision of local retail and commercial facilities in rural villages and should contribute to the character, streetscape and amenity of the areas in which they are located.
- d) Maintain protection of agricultural land – which remains a key land use and economic driver in the Municipality.
- e) Foster appropriate, sustainable economic development opportunities in areas of the Municipality that have tourism, recreation or environmental attractions.
- f) Encourage sustainable, innovative and diverse economic development through efficient deployment of resources and services, emphasising value-adding of agriculture and natural productive resources with minimal impact on environmental values and quality of life.
- g) Promote redevelopment and revitalisation of industrial precincts and facilitate appropriate adaptive reuse of vacant buildings and abandoned development areas.
- h) Support the development of appropriate access, interpretation and visitor facilities to maximise the tourism potential of natural areas and features, including conservation areas, forest reserves, state forests, national parks and RAMSAR wetlands.

3.0.4 Sustainable Community

- a) Encourage development which retains and attracts younger people and supports older residents.
- b) Ensure that existing health services are maintained and as necessary, enhanced to meet existing and future needs of the community.
- c) Ensure adequate provision of recreation and leisure services and facilities to all residents.
- d) Promote the provision of, and access to, all levels of education within the Municipality for all residents, including vocational and tertiary education.
- e) Support the appropriate management of the cultural heritage of the Municipality, including Aboriginal heritage, European heritage and the mosaic of cultural and agricultural landscapes dispersed through the upper and middle catchment areas.
- f) Foster and maintain community organisations and self-help groups within the Municipality and acknowledge the valuable contribution they make to the community.
- g) Promote adaptive reuse of historic and heritage buildings where it will contribute to their survival and ongoing management.

3.0.5 Environmental Quality and Protection

- a) Recognise the integrated nature of natural processes within the Dorset catchment areas.
- b) Ensure that use and development of resources contributes to the protection of biological diversity and the maintenance of ecological processes and life-support systems within the Municipality.
- c) Protect the fertility and productivity of agricultural soils and ensure that use and development does not reduce the carrying capacity of productive soils.
- d) Manage water resources within Dorset in a manner which takes into account the total water resource capacity and the need to maintain environmental flows.
- e) Establish and maintain an understanding of point and diffuse sources with potential to pollute waterways within Dorset, and ensure use and development minimises the impacts of these inputs on water quality.
- f) Protect the values of riparian and wetlands environments through assessment of impacts of development or proposed land use on wetlands and waterways, with the aim of protecting their water quality, biodiversity and ecosystem integrity

Part B

Administration

4 Interpretation

4.1 Planning Terms and Definitions

4.1.1 Terms in this planning scheme have their ordinary meaning unless they are defined in the Act or specifically defined in subclause 4.1.3 or in a code in Part E or a specific area plan in Part F.

4.1.2 In this planning scheme a reference to a Use Table is a reference to the Use Table in a zone in Part D or specific area plan in Part F.

4.1.3 In this planning scheme, unless the contrary intention appears:

Act	means the <i>Land Use Planning and Approvals Act 1993</i> .
access	means land over which a vehicle enters or leaves a road from land adjoining a road.
access strip	means land, the purpose of which is to provide access to a road.
adult sex product shop	means use of land to sell or hire sexually explicit material, including but not limited to: <ul style="list-style-type: none"> (a) publications classified as restricted under the <i>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</i>; and (b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.
agency	means: <ul style="list-style-type: none"> (a) a department or other agency of Government of the State or of the Commonwealth; or (b) an authority of the State or of the Commonwealth established for a public purpose.
agricultural land	means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.
agricultural use	means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture, intensive tree

	farming and plantation forestry.
AHD	means the Australian Height Datum (Tasmania) being the vertical geodetic datum as described in Chapter 8 of the Geodetic Datum of Australia Technical Manual version 2.3(1).
amenity	means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.
amusement parlour	<p>means use of land for a building that contains:</p> <ul style="list-style-type: none"> (a) 3 or more coin, card, or token operated amusement machines; (b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by 3 or more people simultaneously; (c) 2 or more coin, card, or token operated billiard, snooker, or pool tables; or (d) the conduct of laser games or similar. <p>It does not include gambling machines or premises included in the Hotel industry use class as described in Table 8.2.</p>
ancillary dwelling	<p>means an additional dwelling:</p> <ul style="list-style-type: none"> (a) with a floor area not greater than 60m²; (b) that is appurtenant to a single dwelling; and (c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.
animal pound	means use of land for an enclosure for confining stray or homeless animals.
animal saleyard	means use of land to buy and sell farm animals, and hold such animals for purchase or sale.
annual exceedance probability	means the probability of an event with a certain magnitude being exceeded in any one year.
applicable standard	means as defined in subclause 7.5.2.
application	means an application for a permit made under this planning scheme.
aquaculture	means use of land to keep or breed aquatic animals, or cultivate or propagate aquatic plants, and includes the use of tanks or impoundments on land.

art and craft centre	means use of land to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings and sculpture.
basement	means a storey either below ground level or that projects no more than one metre above finished ground level.
bed and breakfast establishment	means part of a dwelling used by its resident to provide, on a short-term commercial basis, accommodation and breakfast for persons away from their normal place of residence.
biodiversity	means biological diversity as defined under the <i>Nature Conservation Act 2002</i> .
boarding house	means use of land for a dwelling in which lodgers rent one or more rooms, generally for extended periods, and some parts of the dwelling are shared by all lodgers.
boat and caravan storage	means use of land to store boats, caravans, or vehicle-towed boat trailers.
building	means as defined in the Act.
building area	means the area shown on a plan or plan of subdivision to indicate where all buildings will be located.
building envelope	means the three-dimensional space within which buildings are to occur.
building height	means the vertical distance from natural ground level at any point to the uppermost part of a building directly above that point, excluding minor protrusions such as aerials, antennae, solar panels, chimneys and vents.
building line	means a line drawn parallel to a frontage along the front facade of a building or through the point of a building closest to the frontage, excluding protrusions.
camping and caravan park	means use of land to allow accommodation in caravans, cabins, motor homes, tents or the like and includes amenities provided for residents and persons away from their normal place of residence.
cinema	means use of land to display films, videos or other moving images to persons for reward.
clearance and conversion	means as defined in the <i>Forest Practices Act 1985</i> .
coastal zone	means as described in section 5 of the <i>State Coastal Policy Validation Act</i>

	2003.
communal residence	means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building. Examples include a boarding house, residential college and residential care home.
controlled environment agriculture	means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth medium. Examples include greenhouses, polythene covered structures, and hydroponic facilities.
council	means as defined in the Act.
crop raising	means use of land to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, and vegetables.
curtilage	means the area of land occupied by development including its yard, outbuildings, car parking, driveways, storage areas, landscaping, wastewater disposal areas and land maintained for natural hazard protection.
day respite centre	means use of land for day-time respite care for the aged or persons with disabilities.
declared weeds	means as defined in the <i>Weed Management Act 1999</i> .
demolition	means the intentional damaging, destruction or removal of any building or works in whole or in part.
desired future character	means the desired character for a particular area set out in the planning scheme.
development	means as defined in the Act.
development area	means the area of land occupied by development including its yard, outbuildings, car parking, driveways, storage areas, landscaping and wastewater disposal areas.
dwelling	means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

effective date	means the date on which the planning scheme came into effect.
employment training centre	means use of land to provide education and training to jobseekers and unemployed persons.
environmental harm	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
environmental nuisance	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .
existing ground level	when used in respect of a development, means the level of a site at any point before the development occurs.
existing non-conforming use	means a use which is prohibited under the planning scheme but is one to which ss12(1)-(7) of the Act applies.
fence	includes a masonry or concrete garden wall.
Finished ground level	when used in respect of a development, means the level of a site at any point after the development has been completed.
Forest practices plan	means a Forest Practices Plan certified under the <i>Forest Practices Act 1985</i> .
Frontage	means a boundary of a lot which abuts a road.
Function centre	means use of land, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing.
Funeral parlour	means use of land to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.
Gross floor area	means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.
Habitable building	means a building of Class 1 – 9 of the Building Code of Australia.
Habitable room	means any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.
Habitat corridor	means an area or network of areas, not necessarily continuous, which enables migration, colonisation or interbreeding of flora or fauna species

	between two or more areas of habitat.
Home-based business	<p>means use of part of a dwelling by a resident for non-residential purposes if:</p> <ul style="list-style-type: none"> (a) no more than 50m² of floor area of the dwelling is used for the non-residential purposes; (b) the person conducting the business normally uses the dwelling as their principal place of residence; (c) it does not involve employment of more than 2 workers who do not reside at the dwelling; (d) any load on a utility is no greater than for a domestic use; (e) there is no activity that causes electrical interference to other land; (f) there is, on the site, no storage of hazardous materials; (g) there is, on the site, no display of goods for sale; (h) there is, on the site, no advertising of the business other than 1 sign (non-illuminated) not exceeding 0.2m² in area; (i) there is, on the site, no refuelling, servicing or repair of vehicles not owned by a resident; (j) not more than 2 commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and (k) all vehicles used by the business are parked on the site.
Hostel	means a supervised place of accommodation, usually supplying board and lodging for students, nurses or the like.
hours of operation	means the hours that a use is open to the public or conducting activities related to the use, not including routine activities normally associated with opening and closing or office and administrative tasks.
Intensive animal husbandry	means use of land to keep or breed farm animals, including birds, within a concentrated and confined animal growing operation by importing most food from outside the animal enclosures and includes a cattle feedlot, broiler farm or piggery.
Internal lot	<p>means a lot:</p> <ul style="list-style-type: none"> (a) lying predominantly behind another lot; and (b) having access to a road by an access strip, private road or right of way.
junction	means an intersection between two or more roads at a common level, including the intersections of on and off ramps, and grade-separated roads.

Land	means as defined in the Act.
level crossing	means as defined in section 35 of the <i>Rail Infrastructure Act 2007</i> .
Level 2 Activity	means as defined under the <i>Environmental Management and Pollution Control Act 1994</i>
Liquid fuel depot	means use of land for the storage, wholesale and distribution of liquid fuel.
local historic heritage significance	means the significance in relation to a heritage place or heritage precinct as identified in a code relating to heritage values, or in a report prepared by a suitably qualified person if not identified in the code.
local shop	means the use of land for the sale of grocery or convenience items where the gross floor area does not exceed 200m ² .
Lot	means a piece or parcel of land in respect of which there is only one title other than a lot within the meaning of the <i>Strata Titles Act 1998</i> .
Marina	means use of land to moor boats, or store boats above or adjacent to the water. It includes boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.
Marine farming shore facility	means use of land to provide on-shore support infrastructure and facilities for off-shore aquaculture but does not include the processing of fish.
Market	means use of land to sell goods, including but not limited to foodstuffs, from stalls.
Medical centre	means use of land to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only.
Mezzanine	means an intermediate floor within a room.
Minor protrusion	means awnings, steps, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other
minor utilities	means use of land for utilities for local distribution or reticulation of services and associated infrastructure such as a footpath, cycle path, stormwater channel, water pipes, retarding basin, telecommunication lines or electricity substation and power lines up to but not exceeding 110Kv.
motel	means use of land to provide accommodation in serviced rooms for persons away from their normal place of residence, where provision is

	made for parking of guests' vehicles convenient to their rooms.
motor repairs	means use of land to repair or service motor vehicles, and includes the fitting of motor vehicle accessories.
motor vehicle, boat or caravan sales	means use of land to sell or hire motor vehicles, boats, or caravans. It includes the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories for motor vehicles, boats or caravans.
multiple dwellings	means 2 or more dwellings on a site.
museum	means use of land to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.
native vegetation	means plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes.
natural ground level	means the natural level of a site at any point.
office	means use of land for administration, or clerical, technical, professional or other similar business activities.
outbuilding	means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.
outdoor recreation facility	means use of land for outdoor leisure, recreation, or sport.
overnight camping area	means the use of land which is open to public use for holiday and recreational purposes, which purposes involve primarily the setting up and use of tents for overnight accommodation.
panel beating	means use of land to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.
permit	means as defined in the Act.
planning authority	means the Dorset Council.
plantation forestry	means the use of land for planting, management and harvesting of trees for commercial wood production, but does not include the milling or processing of timber, or the planting or management of areas of a farm for shelter belts, firewood, erosion or salinity control or other environmental

	management purposes, or other activity directly associated with and subservient to another form of agricultural use.
plot ratio	means the gross floor area of all buildings on the site divided by the area of the site.
primary frontage	means, where there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.
primary produce sales	means use of land to sell unprocessed primary produce grown on the land or adjacent land.
prime agricultural land	means agricultural land classified as Class 1, 2 or 3 land using the Class Definitions and methodology from the <i>Land Capability Handbook</i> , Second Edition, C J Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.
private garden	means land adjacent to a dwelling that has been modified with landscaping or vegetation, including ornamental or edible plants, or the like.
private open space	means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling.
protrusion	means a protrusion from a building such as awnings, steps, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services.
public art gallery	means use of land to display works of art including ceramics, furniture, glass, paintings, sculptures and textiles, which land is maintained at the public expense, under public control and open to the public generally.
public land	means land owned or managed by the Crown, a State authority or a council.
public open space	means land for public recreation or public gardens or for similar purposes.
rail authority	means the agency, authority or business enterprise which has responsibility for rail infrastructure in Tasmania.
railway	means as defined in the <i>Rail Infrastructure Act 2007</i> .
refuse disposal	means use of land to dispose of refuse by landfill, incineration, or other means.
regional land use	means as defined in the Act.

strategy	
remand centre	means use of land for an institution to which accused persons are sent for detention while awaiting appearance before a court.
reserve management plan	means a management plan prepared under the <i>National Parks and reserves Management Act 2002</i> or the <i>Living Marine Resources Management Act 1995</i> , or a plan of management prepared for an area reserved under the <i>Crown Lands Act 1976</i> .
residential aged care facility	means use of land for accommodation and personal or nursing care for the aged. It includes recreational, health or laundry facilities and services for residents of the facility.
retirement village	means use of land to provide permanent accommodation for retired people or the aged and includes communal recreational or medical facilities for residents of the village.
ribbon development	means a band of development extending along one or both sides of a road or along the coast.
road	means land over which the general public has permanent right of passage, including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes.
road authority	means for State highways or subsidiary roads, within the meaning of the <i>Roads and Jetties Act 1935</i> , the Minister administering that Act and in relation to all other roads, the Council having the control of such road.
scrap yard	means use of land where disused vehicles, materials and machinery or parts are collected and either sold or prepared for being used again, and includes the use or on selling of scrap materials.
sensitive use	means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school.
service station	means use of land to sell motor vehicle fuel from bowers, and vehicle lubricants and if such use is made of the land, includes: (a) selling or installing of motor vehicle accessories or parts; (b) selling of food, drinks and other convenience goods; (c) hiring of trailers; and (d) servicing or washing of motor vehicles.

serviced apartment	means use of land to provide accommodation for persons, who are away from their normal place of residence, in a furnished, self-contained room or suite of rooms designed for short-term and long-term stays, which provides amenities for daily use such as kitchen and laundry facilities.
setback	means the distance from any lot boundary to a building on the lot.
shipping container storage	means use of land to store shipping containers and if such use is made of the land, includes the cleaning, repair, servicing, painting or fumigation of the shipping containers.
sign	means a device that is intended to give information, advertise or attract attention to a place, product, service or event.
single dwelling	means a dwelling on a lot on which no other dwelling is situated; or a dwelling, and an ancillary dwelling, on a lot on which no other dwelling is situated.
site	means the lot or lots on which a use or development is located or proposed to be located.
site area per dwelling	means the area of the site (excluding any access strip) divided by the number of dwellings.
site coverage	means the proportion of a site (excluding any access strip) covered by roofed buildings.
solar energy installation	means a solar panel, evacuated tube solar collectors, or the like.
solid fuel depot	means use of land to sell solid fuel, such as briquettes, coal, and firewood.
standard	means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.
State authority	means as defined in the Act.
State-reserved land	means: (a) land owned by the Crown or a State authority and reserved for any purpose under the <i>Nature Conservation Act 2002</i> , or the <i>Crown Lands Act 1976</i> ; or (b) fee simple land reserved for any purpose under the <i>Nature Conservation Act 2002</i> where the Director of Parks and Wildlife is the managing authority.

State waters	means as defined in s.5 of the <i>Living Marine Resources Management Act 1995</i> .
storey	means that part of a building between floor levels, excluding a mezzanine level. If there is no floor above, it is the part between the floor level and the ceiling.
streetscape	means the visual quality of a street depicted by road width, street verge planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.
subdivide	means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by: <ul style="list-style-type: none"> (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building; (b) a lease of airspace around or above a building; (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years; (d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or (e) an order adhering existing parcels of land.
subdivision	means the act of subdividing or the lot subject to an act of subdividing.
suitably qualified person	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience in a recognised field of knowledge, expertise or practice with direct relevance to the matter under consideration.
take away food premises	means use of land to prepare and sell food and drink primarily for immediate consumption off the premises.
threatened vegetation	means a threatened native vegetation community that is listed in Schedule 3A of the <i>Nature Conservation Act 2002</i> or a threatened native ecological community that is listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth).
traffic impact assessment (TIA)	means a study prepared by a suitably qualified person that shows the likely effects of traffic generated by use or development on the local environment and on the road or railway networks or both in terms of safety, efficiency and amenity, having regard to present and assumed future conditions. It includes recommendations on measures to be taken to maintain the safety and efficiency of the road or railway networks.

turf growing	means use of land for growing grass which is cut into sods or rolls containing the roots and some soil for direct transplanting.
use	means as defined in the Act.
vehicle crossing	means a driveway for vehicular traffic to enter or leave a road carriageway from land adjoining a road.
veterinary centre	means land used to: (a) diagnose animal diseases or disorders; (b) surgically or medically treat animals; or (c) prevent animal diseases or disorders, and includes keeping animals on the premises for those purposes.
video shop	means use of land to hire out videos, films and computer games.
visitor centre	means land used for the principal purpose of providing information to tourists and may include incidental retail sales and supplementary services to tourism.
wall height	means the vertical distance from natural ground level immediately below the wall to the uppermost part of the wall excluding any roof element.
waste transfer station	means use of land to receive and temporarily store waste before it is disposed of elsewhere.
watercourse	means a defined channel with a natural or modified bed and banks that carries surface water flows.
wetland	means a depression in the land, or an area of poor drainage, that holds water derived from ground water and surface water runoff and supports plants adapted to partial or full inundation and includes an artificial wetland.
wharf	means use of land to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.
winery	means use of land for the manufacture of vineyard products and if land is so used, includes the display and sale of vineyard products, and the preparation and sale of food and drink for consumption on the premises.
works	means as defined in the Act.

Planning authorities can add to this list in accordance with the Planning Directive.

5 Exemptions

- 5.0.1 Use or development described in subclauses 5.1 – 5.10 is exempt from requiring a permit under this planning scheme.
- 5.0.2 Use or development which, under the provisions of the Act, including ss12(1)-(4), a planning scheme is not to prevent, does not require a permit.
- 5.0.3 Excluding the exemption for emergency works at 5.3.1, in the coastal zone, no development listed in Table 5.1 – 5.6 is exempt from this planning scheme if it is to be undertaken on actively mobile landforms as referred to in clause 1.4 of the Tasmanian State Coastal Policy 1996. Development must not be located on actively mobile landforms in the coastal zone, unless for engineering or remediation works to protect land, property and human life in accordance with clause 1.4.1 and 1.4.2 in the State Coastal Policy 1996.

Table 5.1 Exempt use

	Use	Requirements
5.1.1	bee keeping	The use of land for bee keeping.
5.1.2	occasional use	If for infrequent or irregular sporting, social or cultural events.
5.1.3	home occupation	<p>If:</p> <ul style="list-style-type: none"> (a) not more than 40m² of gross floor area of the dwelling is used for non-residential purposes; (b) the person conducting the home occupation normally uses the dwelling as their principal place of residence; (c) it does not involve employment of persons other than a resident; (d) any load on a utility is no more than for a domestic use; (e) there is no activity that causes electrical interference to other land; (f) it does not involve display of goods for sale that are visible from any road or public open space adjoining the site; (g) it involves no more than 1 advertising sign (that must be non-illuminated) and not more than 0.2m² in area; (h) it does not involve refuelling, servicing, detailing or repair of vehicles not owned by the resident on the site; (i) no more than 1 commercial vehicle is on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and <p>any vehicle used solely for non-residential purposes must be parked on the site.</p>

5.1.4	markets	If on public land.
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Table 5.2 Exempt infrastructure use or development

	Use or development	Requirements
5.2.1	dam construction works	Works that are directly associated with construction of a dam approved under the <i>Water Management Act 1999</i> , including the construction of vehicular access, vegetation removal and bulk soil excavations, are exempt if contained on the same site as the dam.
5.2.2	stormwater infrastructure	Provision, removal, maintenance and repair of pipes, open drains and pump stations for the reticulation or removal of stormwater by, or on behalf of, the Crown, a council or a State authority unless a code relating to landslip hazards applies and requires a permit for the use or development.
5.2.3	irrigation pipes	<p>The laying or installation in the Rural Resource Zone or the Significant Agricultural Zone, of irrigation pipes, that are directly associated with, and a subservient part of, an agricultural use, provided no pipes are located within a wetland, unless there is:</p> <ul style="list-style-type: none"> (a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken; (b) a code in this planning scheme which expressly regulates impacts on scenic or landscape values and requires a permit for the use or development that is to be undertaken; (c) a code in this planning scheme which expressly regulates impacts on biodiversity values and requires a permit for the use or development that is to be undertaken; (d) disturbance of more than 1m² of land that has been affected by a potentially contaminating activity; (e) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme; or (f) the removal of any threatened vegetation.

5.2.4	road works	<p>Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including:</p> <ul style="list-style-type: none">(a) widening or narrowing of existing carriageways;(b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development; or(c) repair of bridges, or replacement of bridges of similar size in the same or adjacent location.
5.2.5	vehicle crossings, junctions and level crossings	<p>If:</p> <ul style="list-style-type: none">(a) development of a vehicle crossing, junction or level crossing:<ul style="list-style-type: none">(i) by the road or rail authority; or(ii) in accordance with the written consent of the relevant road or rail authority; or(b) use of a vehicle crossing, junction or level crossing by a road or railway authority.

5.2.6	minor communications infrastructure	<p>If:</p> <ul style="list-style-type: none"> (a) development of low impact facilities as defined in Parts 2 and 3 of the <i>Telecommunications (Low-Impact Facilities) Determination 2018</i>; (b) works involved in the inspection of land to identify suitability for telecommunications infrastructure; (c) development of a facility that has been granted a facility installation permit by the Australian Communications and Media Authority; (d) works involved in the maintenance of telecommunication infrastructure; (e) works meeting the transitional arrangements as defined in Part 2 of Schedule 3 of the <i>Telecommunications Act 1997</i>; (f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles; (g) the connection of a line forming part of a telecommunications network to a building, caravan or mobile home including drop cabling of optic fibre networks; or (h) works involved in the installation, for purposes in connection with the installation of the National Broadband Network, of a: <ul style="list-style-type: none"> (i) galvanised steel service pole, no more than 6.6m in height above existing ground level, and 0.2m in diameter; or (ii) timber service pole, no more than 10.2m in height above existing ground level, and 0.42m in diameter, <p>unless a code relating to the protection of airports applies and requires a permit for the use or development.</p>
5.2.7	provision of linear and minor utilities and infrastructure	<p>If by or on behalf of the State Government, a Council, a Statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a Statutory authority, of electricity, gas, sewerage, and water reticulation to individual streets, lots or buildings, unless there is:</p> <ul style="list-style-type: none"> (a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken; (b) disturbance of more than 1m² of land that has been affected by a potentially contaminating activity; (c) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme; (d) the removal of any threatened vegetation; or (e) land located within 30m of a wetland or watercourse.

5.2.8	upgrades of linear and minor utilities and infrastructure	<p>If minor upgrades by or on behalf of the State government, a Council, or a statutory authority or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of infrastructure (excluding stormwater infrastructure under subclause 5.2.2 and road works under subclause 5.2.4) such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines including:</p> <p>(a) minor widening or narrowing of existing carriageways; or</p> <p>(b) making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices and markings, street lighting and landscaping,</p> <p>unless the following apply:</p> <p>(c) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken; or</p> <p>(d) the removal of any threatened vegetation.</p>
5.2.9	maintenance and repair of linear and minor utilities and infrastructure	<p>If by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, maintenance and repair of :</p> <p>(a) electricity, gas, sewerage, and water reticulation to individual streets, lots or buildings; and</p> <p>(b) infrastructure (excluding stormwater infrastructure under subclause 5.2.2 and road works under subclause 5.2.4) such as roads, rail lines, drains, sewers, power lines and pipelines.</p>
5.2.10	minor infrastructure	<p>Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, waste or recycling bins, public art, and the like by, or on behalf of, the Crown, a council or a State authority.</p>
5.2.11	navigation aids	<p>Provision, maintenance and modification of any sort of marker which aids in navigation of nautical or aviation craft such as lighthouses, buoys, fog signals, landing lights, beacons, and the like, unless a code relating to the protection of airports applies and requires a permit for the use or development.</p>
5.2.12	electric car charger	<p>Provision and maintenance if in a car park.</p>

Table 5.3 Exempt building and works

	Use or development	Requirements
5.3.1	emergency works	Urgent works, that are undertaken for public safety or to protect property or the environment as a result of an emergency situation, that are required or authorised by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority.
5.3.2	maintenance and repair of buildings	<p>maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does:</p> <p>(a) not contravene a condition of an existing permit which applies to the site; and</p> <p>(b) involve a place or precinct listed in a heritage code that is part of this scheme.</p>
5.3.3	temporary buildings or works	The erection of temporary buildings or works to facilitate development for which a permit has been granted or for which no permit is required provided they are not occupied for residential use and are removed within 14 days of completion of development.
5.3.4	unroofed decks	<p>If:</p> <p>(a) not attached to or abutting a habitable building; and</p> <p>(b) the floor level is less than 1m above existing ground level,</p> <p>unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.</p>
5.3.5	outbuildings	<p>Construction or placement of an outbuilding if:</p> <p>(a) it is not between a frontage and the building line, or if on a lot with no buildings, the setback from the frontage is not less than the relevant Acceptable Solution requirement; and</p> <p>(b) the area of the new outbuilding that is roofed is not more than:</p> <p>(i) 10m² if:</p> <ol style="list-style-type: none"> there is not more than one other outbuilding on the lot; the total area of all outbuildings on the lot that are roofed will not be more than 20m²; no side of the new outbuilding is longer than 3.2m; and the building height of the new outbuilding is not more than 2.4m; or <p>(ii) 18m² if:</p>

	Use or development	Requirements
		<ul style="list-style-type: none"> a. there is no other outbuilding on the lot; b. the roof span of the new outbuilding is not more than 3m; c. the building height of the new outbuilding is not more than 2.4m; d. the new outbuilding is not less than 0.9m from an existing building on the lot; e. the new outbuilding has a setback of not less than 0.9m from any boundary; and f. the change in existing ground level as a result of cut or fill is not more than 0.5m, <p>unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.</p>
5.3.6	buildings and works in the Rural Resource Zone or Significant Agricultural Zone	<p>If for:</p> <ul style="list-style-type: none"> (a) the construction of buildings or works, other than a dwelling, that are directly associated with, and a subservient part of, an agricultural use if: <ul style="list-style-type: none"> (i) individual buildings do not exceed 100m² in gross floor area; (ii) the setback from all property boundaries is not less than 30m; (iii) no part of the building or works are located within 30m of a wetland or watercourse; (iv) no part of the building or works encroach within any service easement or within 1m of any underground service; and (v) the building or works are not located on prime agricultural land, <p>unless there is:</p> <ul style="list-style-type: none"> (b) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken; (c) a code in this planning scheme which expressly regulates impacts on scenic or landscape values and requires a permit for the use or development that is to be undertaken; (d) a code in this planning scheme which expressly regulates impacts on biodiversity values and requires a permit for the use or development that is to be undertaken; (e) disturbance of more than 1m² of land that has been affected by a potentially contaminating activity; (f) excavation or fill of more than 0.5m depth in a salinity hazard

	Use or development	Requirements
		area or landslip hazard area shown in the planning scheme; or (g) the removal of any threatened vegetation.
5.3.7	demolition of exempt buildings	The demolition in whole or in part of a building, the erection of which would be exempt under this planning scheme.
5.3.8	garden structures	Garden structures, such as a pergola, garden arch, trellis or frame, if: (a) the total area is no greater than 20m ² ; (b) the height is no more than 3m above ground level; and (c) it is uncovered or covered by an open-weave permeable material that allows water through, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.

Table 5.4 Vegetation exemptions

	Use or development	Requirements
5.4.1	vegetation removal for safety or in accordance with other Acts	If for: (a) clearance and conversion of a threatened native vegetation community, or the disturbance of a vegetation community, in accordance with a forest practices plan certified under the <i>Forest Practices Act 1985</i> , unless for the construction of a building or the carrying out of any associated development; (b) harvesting of timber or the clearing of trees, or the clearance and conversion of a threatened native vegetation community, on any land to enable the construction and maintenance of electricity infrastructure in accordance with the <i>Forest Practices Regulations 2017</i> ; (c) fire hazard management in accordance with a bushfire hazard management plan approved as part of a use or development; (d) fire hazard reduction required in accordance with the <i>Fire Service Act 1979</i> or an abatement notice issued under the <i>Local Government Act 1993</i> ; (e) fire hazard management works necessary to protect existing assets and ensure public safety in accordance with a plan for fire hazard management endorsed by the Tasmania Fire Service, Sustainable Timbers Tasmania, the Parks and Wildlife Service, or council; (f) clearance within 2m of lawfully constructed buildings or infrastructure including roads, tracks, footpaths, cycle paths,

	Use or development	Requirements
		<p>drains, sewers, power lines, pipelines and telecommunications facilities, for maintenance, repair and protection;</p> <p>(g) safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building; or</p> <p>(h) within 1.5m of a lot boundary for the purpose of erecting or maintaining a boundary fence.</p>

5.4.2	planting, clearing or modification of vegetation on pasture or cropping land	<p>If for the landscaping and the management of vegetation on pasture or cropping land, other than for plantation forestry on prime agricultural land, provided the vegetation is not protected by permit condition, an agreement made under Part 5 of the Act, covenant or other legislation, unless there is:</p> <ul style="list-style-type: none"> (a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development to be undertaken; (b) a code in this planning scheme which expressly regulates impacts on scenic or landscape values and requires a permit for the use or development that is to be undertaken; (c) a code in this planning scheme which expressly regulates impacts on biodiversity values and requires a permit for the use or development that is to be undertaken; (d) disturbance of more than 1m² of land that has been affected by a potentially contaminating activity; (e) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme; (f) the removal of any threatened vegetation; or (g) land located within 30m of a wetland or watercourse.
5.4.3	landscaping and vegetation management	<p>Landscaping and vegetation management within a private garden, public garden or park, or within State-reserved land or a council reserve, if:</p> <ul style="list-style-type: none"> (a) the vegetation is not protected by legislation, a permit condition, an agreement made under section 71 of the Act, or a covenant; or (b) the vegetation is not specifically listed and described as part of a historic heritage place or a significant trees in the relevant interim planning scheme, <p>unless the management is incidental to the general maintenance.</p>
5.4.4	vegetation rehabilitation works	<p>The planting, clearing or modification of vegetation for:</p> <ul style="list-style-type: none"> (a) soil conservation or rehabilitation works including Landcare activities and the like, provided that ground cover is maintained and erosion is managed; (b) the removal or destruction of declared weeds or environmental weeds listed under a strategy or management plan approved by a council; (c) water quality protection or stream bank stabilisation works approved by the relevant State authority or a council; (d) the implementation of a vegetation management agreement or a natural resource, catchment, coastal, reserve or property

		<p>management plan or the like, provided the agreement or plan has been endorsed or approved by the relevant State authority or a council; or</p> <p>(e) the implementation of a mining and rehabilitation plan approved under the terms of a permit, an Environment Protection Notice, or rehabilitation works approved under the <i>Mineral Resources Development Act 1995</i>.</p>
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Table 5.5 Renewable energy exemptions

	Use or development	Requirements
5.5.1	ground mounted solar energy installations	If covering an area of not more than 18m ² , unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.
5.5.2	roof mounted solar energy installations	Unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.

Table 5.6 Miscellaneous exemptions

	Use or development	Requirements
5.6.1	use or development in a road reserve or on public land	<p>If:</p> <p>(a) for outdoor dining facilities, signboards, roadside vendors and stalls on a road that is managed by a relevant council; or</p> <p>(b) a community garden on public land used for growing vegetables, fruit or ornamentals.</p>
5.6.2	fences (excluding fences within 4.5m of a frontage in the General Residential Zone or Inner Residential Zone)	<p>The construction or demolition of:</p> <p>(a) side and rear boundary fences not adjoining a road or public reserve or not within 4.5m of the site's primary frontage and not more than a total height of 2.1m above natural ground level;</p> <p>(b) boundary fences adjoining a road or public reserve or within 4.5m of the site's primary frontage (excluding a fence under subclause 5.6.3) and not more than a total height of 1.2m above natural ground level;</p> <p>(c) fencing of agricultural land or for protection of wetlands and watercourses;</p> <p>(d) fencing for security purposes, no higher than 2.8m, that is within the Port and Marine Zone;</p> <p>(e) fencing for security purposes, no higher than 2.8m, at an airport,</p>

	Use or development	Requirements
		<p>unless there is:</p> <p>(f) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken;</p> <p>(g) the removal of any threatened vegetation; or</p> <p>(h) land located within 30m of a wetland or watercourse.</p>
5.6.3	fences within 4.5m of a frontage in the General Residential Zone or Inner Residential Zone	<p>Fences (including free-standing walls) within 4.5m of a frontage, if located in the General Residential Zone or Inner Residential Zone if not more than a height of:</p> <p>(a) 1.2m above existing ground level if the fence is solid; or</p> <p>(b) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights),</p> <p>unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.</p>
5.6.4	temporary fencing	If for public safety, construction works or occasional sporting, social or cultural events.
5.6.5	retaining walls	<p>Retaining walls, excluding any land filling, if:</p> <p>(a) it has a setback of not less than 1.5m from any boundary; and</p> <p>(b) it retains a difference in ground level of less than 1m,</p> <p>unless a code relating to historic heritage values, significant trees, or landslip hazards, applies and requires a permit for the use or development.</p>
5.6.6	hot water cylinders	If attached, or located, to the side or rear of a building, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development.
5.6.7	minor structures	<p>If:</p> <p>(a) they are at least 1m from any boundary, minor attachments to the side or rear of a building that are incidental to any use or development such as heat pumps, rain water tanks with a capacity of less than 45 kilolitres and on a stand no higher than 1.2m, and air-conditioners; or</p> <p>(b) they are incidental to any use or development including:</p> <p>(i) a maximum of 2 masts for telecommunications or flagpoles provided each are no more than 6m in length;</p> <p>(ii) one satellite dish no more than 2m in diameter,</p> <p>unless there is a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development</p>

	Use or development	Requirements
		that is to be undertaken.
5.6.8	strata division	Division by strata titles of lawfully constructed or approved buildings for a use granted a permit under this planning scheme or previously lawfully approved.

6 Limited Exemptions

This Clause number is not used in this planning scheme.

7 Planning Scheme Operation

7.1 Special Provisions

7.1.1 Part C sets out provisions, for certain types of use or development that are not specific to any zone, specific area plan, or area to which a code applies.

7.1.2 Where there is a conflict between a provision in a zone, specific area plan or code and a special provision in Part C, the special provision in Part C prevails.

7.2 Operation of Zones

7.2.1 The planning scheme area is divided into zones in respect of which the primary controls for the use or development of land are set out.

7.2.2 The planning scheme maps show how land is zoned.

7.2.3 Part D sets out the zones and the use and development standards applying to each zone.

7.3 Operation of Codes

7.3.1 Part E specifies codes that identify areas or planning issues which require compliance with additional provisions set out in the codes.

7.3.2 Overlays on the maps may be used to indicate the areas where codes apply.

7.3.3 Codes set out provisions for:

(a) particular types of use or development that may apply to more than one zone; and

(b) matters that affect land that cannot be described by zone boundaries.

7.3.4 Where there is a conflict between a provision in a code and a provision in a zone, the code provision prevails.

7.4 Operation of Specific Area Plans

7.4.1 Part F sets out specific area plans, which plans identify areas either within a single zone or covered by a number of zones, and set out more detailed planning provisions for use or development in those areas.

- 7.4.2 Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails.

7.5 Compliance with Applicable Standards

- 7.5.1 A use or development must comply with each applicable standard in a zone, specific area plan or code.

- 7.5.2 A standard in a zone, specific area plan or code is an applicable standard if:

- (a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and
- (b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

- 7.5.3 Compliance for the purposes of subclause 7.5.1 consists of complying with the acceptable solutions or the performance criterion for that standard.

- 7.5.4 The planning authority may consider the relevant objective in an applicable standard to help determine whether a use or development complies with the performance criterion for that standard.

8 Assessment of an Application for Use or Development

8.1 Application Requirements

- 8.1.1 An application must be made for any use or development for which a permit is required under this planning scheme.

- 8.1.2 An application must include:

- (a) a signed application form;
- (b) any written permission and declaration of notification required under s.52 of the Act and, if any document is signed by the delegate, a copy of the delegation;
- (c) details of the location of the proposed use or development;
- (d) a copy of the current certificate of title for all land to which the permit sought is to relate, including the title plan; and
- (e) a full description of the proposed use or development.

- 8.1.3 In addition to the information that is required by clause 8.1.2, a planning authority may, in order to enable it to consider an application, require such further or additional information as the planning authority considers necessary to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or a specific area plan, applicable to the use or development including:

- (a) any schedule of easements if listed in the folio of the title and appear on the plan, where applicable;
- (b) a site analysis and site plan at a scale acceptable to the planning authority showing, where applicable:
 - (i) the existing and proposed use(s) on the site;
 - (ii) the boundaries and dimensions of the site;

- (iii) topography including contours showing AHD levels and major site features;
 - (iv) natural drainage lines, watercourses and wetlands on or adjacent to the site;
 - (v) soil type;
 - (vi) vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
 - (vii) the location and capacity and connection point of any existing services and proposed services;
 - (viii) the location of easements on the site or connected to the site;
 - (ix) existing pedestrian and vehicle access to the site;
 - (x) the location of existing and proposed buildings on the site;
 - (xi) the location of existing adjoining properties, adjacent buildings and their uses;
 - (xii) any natural hazards that may affect use or development on the site;
 - (xiii) proposed roads, driveways, parking areas and footpaths within the site;
 - (xiv) any proposed open space, common space, or facilities on the site; and
 - (xv) proposed subdivision lot boundaries;
- (c) where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 as required by the planning authority showing, where applicable:
- (i) the internal layout of each building on the site;
 - (ii) the private open space for each dwelling;
 - (iii) external storage spaces;
 - (iv) parking space location and layout;
 - (v) major elevations of every building to be erected;
 - (vi) the relationship of the elevations to existing ground level, showing any proposed cut or fill;
 - (vii) shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites; and
 - (viii) materials and colours to be used on roofs and external walls.

8.2 Categorising Use or Development

8.2.1 Each proposed use or development must be categorised into one of the use classes in Table 8.2.

8.2.2 A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.

8.2.3 If a use or development fits a description of more than one use class, the use class most specifically describing the use applies.

- 8.2.4 If a use or development does not readily fit any use class, it must be categorised into the most similar use class.
- 8.2.5 If more than one use or development is proposed, each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a use class.

Table 8.2 Use Classes

Use Class	Description
Bulky goods sales	use of land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden and landscape suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales.
Business and professional services	use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.
Community meeting & entertainment	use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.
Custodial facility	use of land, other than psychiatric facilities, for detaining or reforming persons committed by the courts or during judicial proceedings. Examples include a prison, remand centre and any other type of detention facility.
Crematoria and cemeteries	use of land for the burial or cremation of human or animal remains, and if land is so used, the use includes a funeral chapel.
Domestic animal breeding, boarding or training	use of land for breeding, boarding or training domestic animals. Examples include an animal pound, cattery and kennel.
Educational and occasional care	use of land for educational or short-term care purposes. Examples include a childcare centre, day respite facility, employment training centre, kindergarten, primary school, secondary school and tertiary institution.
Emergency services	use of land for police, fire, ambulance and other emergency services including storage and deployment of emergency vehicles and equipment. Examples include ambulance station, fire station and police station.
Equipment and machinery sales and hire	use of land for displaying, selling, hiring or leasing plant, equipment or machinery, associated with, but not limited to, cargo-handling, construction, earth-moving, farming, industry and mining.

Use Class	Description
Extractive industry	use of land for extracting or removing material from the ground, other than Resource development, and includes the treatment or processing of those materials by crushing, grinding, milling or screening on, or adjoining the land from which it is extracted. Examples include mining, quarrying, and sand mining.
Food services	use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.
General retail and hire	use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, commercial art gallery, department store, hairdresser, market, primary produce sales, shop, shop front dry cleaner, supermarket and video shop
Hospital services	use of land to provide health care (including preventative care, diagnosis, medical and surgical treatment, rehabilitation, psychiatric care and counselling) to persons admitted as inpatients. If the land is so used, the use includes the care or treatment of outpatients.
Hotel industry	use of land to sell liquor for consumption on or off the premises. If the land is so used, the use may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling. Examples include a hotel, bar, bottle shop, nightclub and tavern.
Manufacturing and processing	use of land for manufacturing, assembling or processing products other than Resource processing. Examples include boat building, brick making, cement works, furniture making, glass manufacturing, metal and wood fabrication, mineral processing and textile manufacturing.
Motor racing facility	use of land (other than public roads) to race, rally, scramble or test vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports.
Natural and cultural values management	use of land to protect, conserve or manage ecological systems, habitat, species, cultural sites or landscapes.

Use Class	Description
Passive recreation	use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.
Pleasure boat facility	use of land to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation. An example is a marina.
Port and shipping	<p>use of land for:</p> <ul style="list-style-type: none"> (a) berthing, navigation, servicing and maintenance of marine vessels which may include loading, unloading and storage of cargo or other goods, and transition of passengers and crew; or (b) maintenance dredging. <p>Examples include berthing and shipping corridors, shipping container storage, hardstand loading and unloading areas, passenger terminals, roll-on roll-off facilities and associated platforms, stevedore and receipt offices, and a wharf.</p>
Recycling and waste disposal	use of land to collect, dismantle, store, dispose of, recycle or sell used or scrap material. Examples include a recycling depot, refuse disposal site, scrap yard, vehicle wrecking yard and waste transfer station.
Research and development	use of land for electronic technology, biotechnology, or any other research and development purposes, other than as part of an educational use.
Residential	use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.
Resource development	use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fish stock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.
Resource processing	use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish

Use Class	Description
	processing, milk processing, winery and sawmilling.
Service industry	use of land for cleaning, washing, servicing or repairing articles, machinery, household appliances or vehicles. Examples include a car wash, commercial laundry, electrical repairs, motor repairs and panel beating.
Sports and recreation	use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.
Storage	use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.
Tourist operation	use of land specifically to attract tourists, other than for accommodation. Examples include a theme park, visitor centre, wildlife park and zoo.
Transport depot and distribution	use of land for distributing goods or passengers, or to park or garage vehicles associated with those activities, other than Port and shipping. Examples include an airport, bus terminal, council depot, heliport, mail centre, railway station, road or rail freight terminal and taxi depot.
Utilities	<p>use of land for utilities and infrastructure including:</p> <ul style="list-style-type: none"> (a) telecommunications; (b) electricity generation; (c) transmitting or distributing gas, oil, or power; (d) transport networks; (e) collecting, treating, transmitting, storing or distributing water; or (f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage. <p>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.</p>

Use Class	Description
Vehicle fuel sales and service	use of land primarily for the sale of motor vehicle fuel and lubricants, and if the land is so used, the use may include the routine maintenance of vehicles. An example is a service station.
Vehicle parking	use of land for the parking of motor vehicles. Examples include single and multi-storey car parks.
Visitor accommodation	use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.

8.3 Qualification of Use

- 8.3.1 A use class may be subject to qualification in a Use Table which provides for conditions or limitations on the use class.

8.4 Requirement for a Permit

- 8.4.1 Except as provided in subclauses 8.5 and 8.6, use or development of land must not be commenced or carried out:
- (a) without a permit granted and in effect in accordance with the Act and the provisions of this planning scheme; or
 - (b) in a manner contrary to the conditions and restrictions of a permit.
- 8.4.2 A change from an individual use to another individual use whether within the same use class or not requires a permit unless the planning scheme specifies otherwise.

8.5 Exempt Use or Development

- 8.5.1 A permit is not required to commence or carry out a use or development if it is exempt from requiring a permit under clauses 5.0 or 6.0.

8.6 No Permit Required

- 8.6.1 A permit is not required to commence or carry out a use or development if:
- (a) the use is within a use class specified in the applicable Use Table as being a use for which no permit is required;
 - (b) the use or development does not rely on a performance criterion to comply with an applicable standard;
 - (c) the use or development is not discretionary or prohibited under any other provision of the planning scheme; and

- (d) A permit for such use and development is not required by a Code.

8.7 Permitted Use or Development

8.7.1 A use or development must be granted a permit if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is permitted;
- (b) the use or development complies with each applicable standard and does not rely on a performance criterion to do so; and
- (c) the use or development is not discretionary or prohibited under any other provision of the planning scheme.

8.8 Discretionary Use or Development

8.8.1 The planning authority has a discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or
- (c) it is discretionary under any other provision of the planning scheme, and the use or development is not prohibited under any other provision of the planning scheme.

8.9 Prohibited Use or Development

8.9.1 A use or development must not be granted a permit if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is prohibited;
- (b) the use or development does not comply with an acceptable solution for an applicable standard and there is no corresponding performance criterion; or
- (c) it is prohibited under any other provision of the planning scheme.

8.10 Determining Applications

8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by ss51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act,

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

8.10.2 In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective or desired future character statement for the applicable zone;

- (c) the purpose of any applicable code; and
- (d) the purpose of any applicable specific area plan.

but only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.

- 8.10.3 In determining an application for any permit the planning authority must not take into consideration matters referred to in clauses 2.0 and 3.0 of the planning scheme.

8.11 Conditions and Restrictions on a Permit

- 8.11.1 When deciding whether to attach conditions to a permit, the planning authority may consider the matters contained in subclauses 8.10.1 and 8.10.2.

- 8.11.2 Conditions and restrictions imposed by the planning authority on a permit may include:

- (a) requirements that specific things be done to the satisfaction of the planning authority;
- (b) staging of a use or development, including timetables for commencing and completing stages;
- (c) the order in which parts of the use or development can be commenced;
- (d) limitations on the life of the permit; and
- (e) requirements to modify the development in accordance with predetermined triggers, criteria or events.

Part C

Special Provisions

9 Special Provisions

9.1 Changes to an Existing Non-conforming Use

9.1.1 Notwithstanding any other provision of this planning scheme, whether specific or general, the planning authority may at its discretion, approve an application:

- (a) to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or
- (b) to extend or transfer a non-conforming use and any associated development, from one part of the site to another part of that site; or
- (c) for a minor development to a non-conforming use,

where there is –

- (a) no detrimental impact on adjoining uses; or
- (b) the amenity of the locality; and
- (c) no substantial intensification of the use of any land, building or work,

In exercising its discretion, the planning authority may have regard to the purpose and provisions of the zone and any applicable codes.

9.2 Development for Existing Discretionary Uses

9.2.1 Notwithstanding clause 8.8.1, proposals for development (excluding subdivision), associated with a use class specified in an applicable Use Table, as a discretionary use, must be considered as if that use class had permitted status in that Use Table, where the proposal for development does not establish a new use, or substantially intensify the use.

9.3 Adjustment of a Boundary

9.3.1 An application for a boundary adjustment is permitted and a permit must be granted if:

- (a) no additional lots are created;
- (b) there is only minor change to the relative size, shape and orientation of the existing lots;
- (c) no setback from an existing building will be reduced below the applicable minimum setback requirement;
- (d) no frontage is reduced below the applicable minimum frontage requirement; and
- (e) no lot boundary that aligns with a zone boundary will be changed.

9.4 Demolition

9.4.1 Unless approved as part of another development or Prohibited by another provision in this planning scheme, or a code relating to historic heritage values applies, an

application for demolition is Permitted and a permit must be granted subject to any conditions and restrictions specified in clause 8.11.2 of the relevant interim planning scheme.

9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place

9.5.1 An application for a use of a place listed on the Tasmanian Heritage Register or as a heritage place in a code relating to historic heritage values that would otherwise be Prohibited is Discretionary.

9.5.2 The planning authority may approve such an application if it would facilitate the restoration, conservation and future maintenance of:

- (a) the local historic heritage significance of the heritage place; or
- (b) the historic cultural heritage significance of the place as described in the Tasmanian Heritage Register.

9.5.3 In determining an application the planning authority must have regard to:

- (a) any statement of historic cultural heritage significance for the place, as described in the Tasmanian Heritage Register;
- (b) any statement of local historic heritage significance and historic heritage values, as described in a code relating to historic heritage values;
- (c) any heritage impact statement prepared by a suitably qualified person setting out the effect of the proposed use and any associated development on:
 - (i) the local historic heritage significance of the heritage place or heritage precinct; and
 - (ii) the historic cultural heritage significance of the place as described in the Tasmanian Heritage Register;
- (d) any conservation plan prepared by a suitably qualified person in accordance with The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance 7th edition, 2013;
- (e) the degree to which the restoration, conservation and future maintenance of the heritage significance of the place is dependent upon the establishment of the proposed use;
- (f) the likely impact of the proposed use on the amenity, or operation, of surrounding uses;
- (g) any Heritage Agreement that may be in place, in accordance with the provisions contained in the *Historic Cultural Heritage Act 1995*;
- (h) the purpose and provisions of the applicable zone; and
- (i) the purpose and provisions of any applicable code.

9.6 Change of Use

9.6.1 A permit is not required for a change of use from an existing lawful use to another use in the same Use Class if:

- (a) the use is not otherwise Prohibited or Discretionary under any provision of the planning scheme;

- (b) the use complies with all applicable standards and does not rely on any Performance Criteria to do so; and
- (c) there is no:
 - (i) increase in the gross floor area of the use;
 - (ii) increase in the requirement for parking spaces under a code relating to parking;
 - (iii) change in the arrangements for site access, parking, or for the loading and servicing of vehicles on the site;
 - (iv) change in arrangements for the use of external areas of the site for display, operational activity or storage;
 - (v) increase in emissions or change in the nature of emissions;
 - (vi) increase in the required capacity of utility services; and
 - (vii) increase in the existing hours of operation if outside the hours of 8.00am to 6.00pm Monday to Sunday inclusive.

9.7 Access and Provision of Infrastructure Across Land in Another Zone

- 9.7.1 If an application for use or development includes access or provision of infrastructure across land that is in a different zone to that in which the main part of the use or development is located, and the access or infrastructure is prohibited by the provisions of the different zone, the planning authority may at its discretion approve an application for access or provision of infrastructure over the land in the other zone, having regard to:
- (a) whether there is no practical and reasonable alternative for providing the access or infrastructure to the site;
 - (b) the purpose and provisions of the zone and any applicable code for the land over which the access or provision of infrastructure is to occur; and
 - (c) the potential for land use conflict with the use or development permissible under the planning scheme for any adjoining properties and for the land over which the access or provision of infrastructure is to occur.

9.8 Buildings Projecting onto Land in a Different Zone

- 9.8.1 If an application for use or development includes a building that projects over land in a different zone, the status of the use for the projecting portion of the building is to be determined in accordance with the provisions of the zone in which the main part of the building is located.

9.9 Port and Shipping in Proclaimed Wharf Areas

- 9.9.1 Notwithstanding any other provision in this planning scheme, an application for a use or development for Port and Shipping within a proclaimed wharf area must be considered as No Permit Required.

Part D

Zones

10 General Residential Zone

10.1 Zone Purpose

10.1.1 Zone Purpose Statements

- 10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- 10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.
- 10.1.1.3 Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.
- 10.1.1.4 To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.
- 10.1.1.5 To ensure that multiple dwellings and other forms of residential development are interspersed with single dwellings in a manner that ensures that single dwellings remain the primary form of dwellings in a road or neighbourhood.

10.1.1 Local Area Objectives

Scottsdale and Bridport will be recognised and maintained as key centres of urban growth.	Subdivision design is to consider the relationship and connectivity between future urban growth areas, support services and open space assets.
The visual character of residential areas comprised of older historic building types is to be protected through the design and location of development.	

10.1.1 Desired Future Character Statements

10.1.3.1 Scottsdale

a) Variety in housing types and aged care will be encouraged in seeking to retain population.	
b) Areas of vacant or underutilised land will be promoted for infill development.	

10.1.3.2 Bridport

a) Variety in housing types will be encouraged at land south of Main Street.	
b) Development of grouped houses or high density	

residential dwellings will be discouraged at land north of Main Street.	
c) Variety in aged care will be encouraged in seeking to retain population	

10.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Residential	If a single dwelling
Permitted	
Use Class	Qualification
Residential	
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Bulky goods sales	If for existing uses
Business and professional services	If a medical centre
Community meeting & entertainment	If not a cinema or function centre
Educational and occasional care	
Food services	If a cafe or takeaway food premises
General retail and hire	If for a local shop
Service Industry	If for a commercial laundry at CT 139225/1

Utilities	If not for minor utilities
Visitor accommodation	
Prohibited	
All other uses	

10.3 Use Standards

10.3.1 Amenity

Objective To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use 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 for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: <ul style="list-style-type: none"> a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.

10.3.2 Residential Character – Discretionary Uses

Objective To ensure that discretionary uses support: <ul style="list-style-type: none"> a) the visual character of the area; and b) the local area objectives, if any. 	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.

A3	Waste material storage for discretionary uses must:	P3	No performance criteria.
a)	not be visible from the road to which the lot has frontage ; and		
b)	use self-contained receptacles designed to ensure waste does not escape to the environment.		

10.3.3 Amenity – Home-Based Business Use

Objective	
To ensure that Home-Based Business activities do not unreasonably impact on nearby properties.	
Acceptable Solutions	Performance Criteria
A1 The use operates between 7.00am and 7.00pm Monday to Friday and 8.00am and 6.00pm Saturday to Sunday.	P1 It must be demonstrated that operation of the activity will 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 criteria.
A3 The use does not include the hiring of materials, goods or appliances from the property.	P3 No performance criteria

10.4 Development Standards for Dwellings

10.4.1 Residential density for multiple dwellings

Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	P1 Multiple dwellings must only have a site area per dwelling that is less than 325m ² , if the development will not exceed the capacity of infrastructure services and: (a) is compatible with the density of existing development on established properties in the area; or (b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.

10.4.2 Setbacks and building envelope for all dwellings

Objective:	The siting and scale of dwellings: (a) provides reasonably consistent separation between dwellings and their frontage within a street; (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and (d) provides reasonable access to sunlight for existing solar energy installations.
Acceptable Solutions	Performance Criteria
A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a	P1 A dwelling must: (a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints;

<p>setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or (e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road. 	<p>and</p> <ul style="list-style-type: none"> (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.
<p>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. 	<p>P2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear 	<p>P3</p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; and

<p>boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>
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Table 10.4.2

Road	Setback (m)

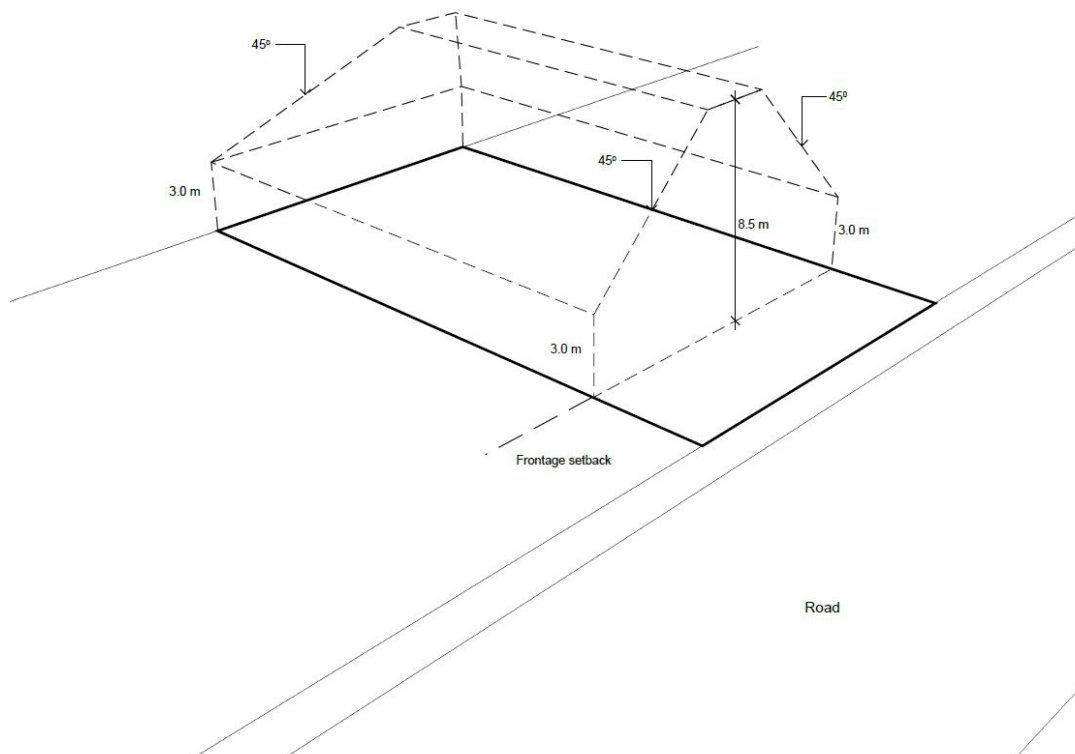


Figure 10.1 Building envelope as required by clause 10.4.2 A3(a)

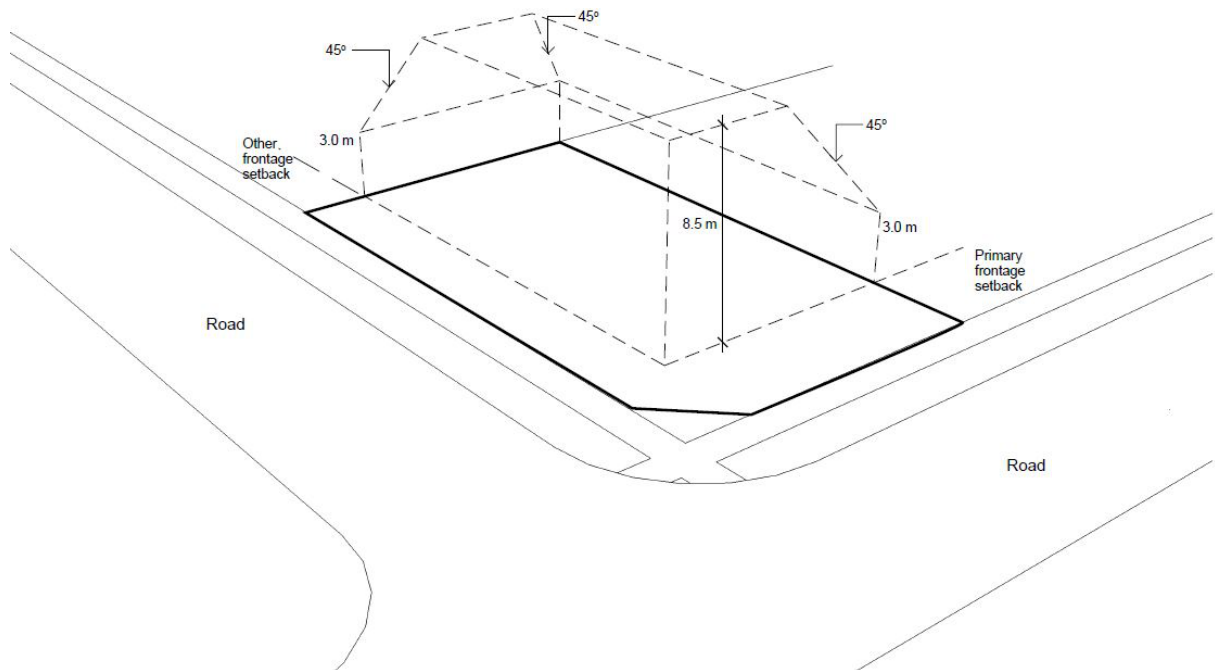


Figure 10.2 Building envelope for corner lots as required by clause 10.4.2 A3(a)

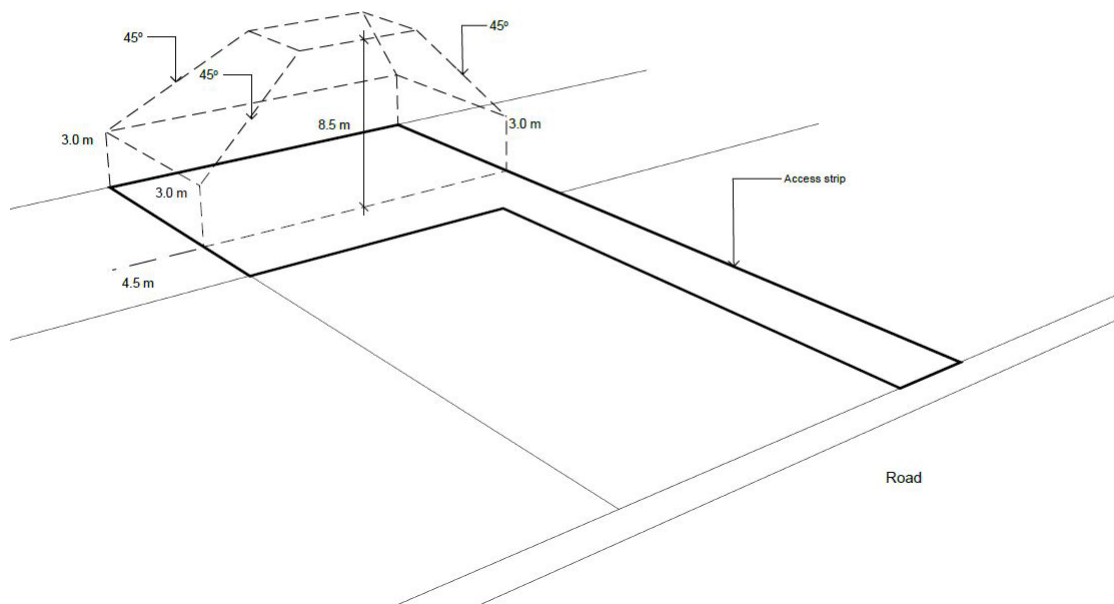


Figure 10.3 Building envelope for internal lots as required by clause 10.4.2 A3(a)

10.4.3 Site coverage and private open space for all dwellings

Objective:	<p>That dwellings are compatible with the amenity and character of the area and provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer). 	<p>P1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
<p>A2</p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is not less than: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a 	<p>P2</p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <ul style="list-style-type: none"> (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.

<p>garage, carport or entry foyer);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north;</p> <p>(d) has a gradient not steeper than 1 in 10; and</p> <p>(e) is not used for vehicle access or parking.</p>	
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10.4.4 Sunlight to private open space of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 10.4):</p> <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling. 		<p>P1</p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 10.4.3 of this planning scheme.</p>

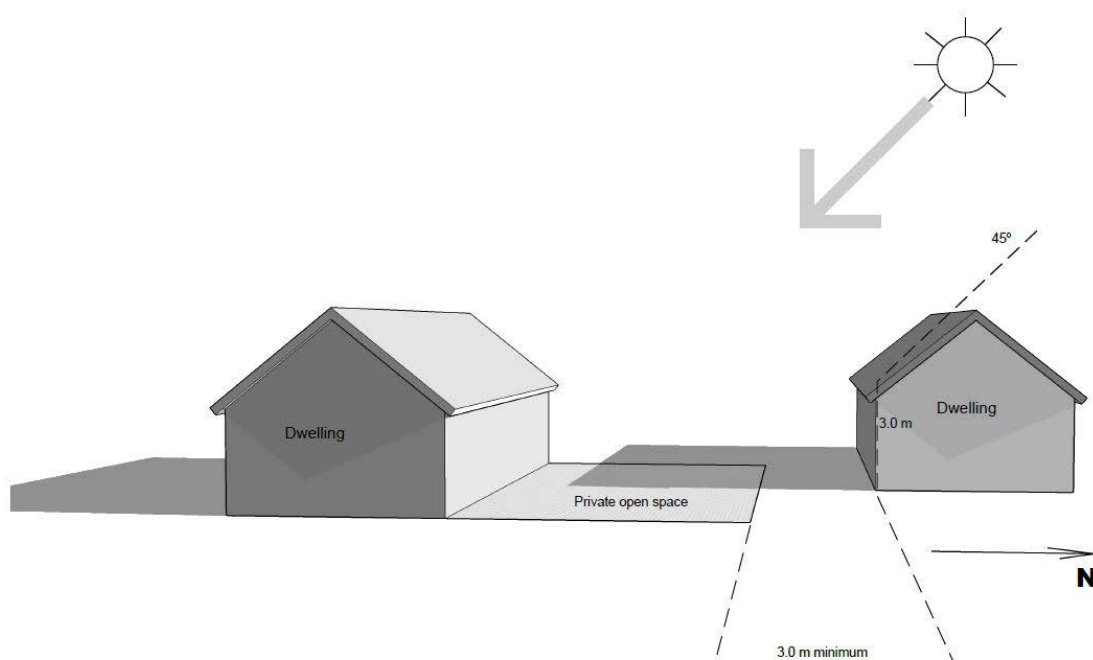


Figure 10.4 Separation from the private open space of another dwelling on the same site as required by clause 10.4.4 A1(a)

10.4.5 Width of openings for garages and carports for all dwellings

Objective:	To reduce the potential for garage or carport openings to dominate the primary frontage.	
Acceptable Solutions	Performance Criteria	
A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	P1 A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.	

10.4.6 Privacy for all dwellings

Objective:	To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	Performance Criteria	
A1	P1	

<p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site. 	<p>A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <ul style="list-style-type: none"> (a) a dwelling on an adjoining property or its private open space; or (b) another dwelling on the same site or its private open space.
<p>A2</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. 	<p>P2</p> <p>A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> (a) a window or glazed door, to a habitable room of another dwelling; and (b) the private open space of another dwelling.

<p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%. 	
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level. 	<p>P3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

10.4.7 Frontage fences for all dwellings

<p>Objective:</p>	<p>The height and transparency of frontage fences:</p> <ul style="list-style-type: none"> (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) is reasonably consistent with that on adjoining properties.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>

A1 No Acceptable Solution ¹ .	P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must: <ul style="list-style-type: none"> (a) provide for security and privacy while allowing for passive surveillance of the road; and (b) be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) the topography of the site; and (ii) traffic volumes on the adjoining road.
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10.4.8 Waste storage for multiple dwellings

Objective:	To provide for the storage of waste and recycling bins for multiple dwellings.
Acceptable Solutions	Performance Criteria
A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m ² per dwelling and is within one of the following locations: <ul style="list-style-type: none"> (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area. 	P1 A multiple dwelling must have storage for waste and recycling bins that is: <ul style="list-style-type: none"> (a) capable of storing the number of bins required for the site; (b) screened from the frontage and any dwellings; and (c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.

¹ An exemption applies for fences in this zone – see Clause 5.0 - Exemptions

10.4.9 Storage for multiple dwellings

<p>Objective:</p> <p>To provide adequate storage facilities for each multiple dwelling.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each multiple dwelling must have access to at least 6 cubic metres of secure storage space.</p>	<p>P1</p> <p>Each multiple dwelling must provide storage suitable to the reasonable needs of residents.</p>

10.4.10 Common Property for multiple dwellings

<p>Objective:</p> <p>To ensure that communal open space, car parking, access areas and site facilities for multiple dwellings are easily identified.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Development for multiple dwellings must clearly delineate public, communal and private areas such as:</p> <ul style="list-style-type: none"> a) Driveways; and b) Site services and any waste collection points. 	<p>P1</p> <p>No performance criteria.</p>

10.4.11 Outbuildings and ancillary structures for the Residential Use Class other than a single dwelling

<p>Objective</p> <p>To ensure:</p> <ul style="list-style-type: none"> a) that outbuildings do not detract from the amenity or established neighbourhood character; and b) that dwellings remain the dominant built form within an area; and c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties. 	
Acceptable Solutions	Performance Criteria
<p>A1 Outbuildings for each multiple dwelling must have a combined gross floor area not exceeding 45m².</p>	<p>P1 Outbuildings for each multiple dwelling must be designed and located having regard to:</p> <ul style="list-style-type: none"> a) visual impact on the streetscape; and

	b) compatibility with the size and location of outbuildings in the neighbourhood.
A2 A swimming pool for private use must be located: a) behind the setback from a primary frontage; or b) in the rear yard.	P2 A swimming pool for private use must designed and located to: a) minimise any visual impact on the streetscape; and b) not unreasonably overlook or overshadow adjoining properties; and c) be compatible with the size and location of approved outbuildings in the neighbourhood.

10.4.12 Site Services for multiple dwellings

<p>Objective:</p> <p>To ensure that:</p> <p>a) site services for multiple dwellings can be installed and easily maintained; and</p> <p>b) site facilities for multiple dwellings are accessible, adequate and attractive.</p>	
Acceptable Solutions	Performance Criteria
A1 Provision for mailboxes must be made at the frontage.	P1 Sufficient space (including easements where required) for mail services must be provided for each multiple dwelling.

10.4.13 Clauses 10.4.10.1 – 10.4.10.9 only apply to development within the Residential Use Class which is not a single dwelling.

10.4.13.1 Streetscape integration and appearance

<p>Objective</p> <p>a) To integrate the layout of residential development with the streetscape; and</p> <p>b) To promote passive surveillance; and</p> <p>c) To provide each residential building with its own sense of identity.</p>	
Acceptable Solutions	Performance Criteria
A1 Residential buildings (other than dwellings), must: a) have a front door and a window to a habitable room in the building wall that faces a road; or b) face an internal driveway or	P1 Residential buildings (other than dwellings) must provide for the observation of roads, internal driveways and any abutting public open spaces.

communal open space area.	
<p>A2 Fences (other than for dwellings) on and within 4.5m of the frontage must be no higher than:</p> <ul style="list-style-type: none"> a) 1.2m if solid; or b) 1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency. 	<p>P2 Fences (other than for dwellings) on and within 4.5m of the frontage must be designed to:</p> <ul style="list-style-type: none"> a) provide for security and privacy of residents while allowing for passive surveillance of the road; or b) be consistent with the height, design and character of neighbouring fences and walls.

10.4.13.2 Site coverage

<p>Objective</p> <ul style="list-style-type: none"> a) To ensure that the site coverage of residential development respects the existing neighbourhood character or desired future character statements, if any; and b) To reduce the impact of increased stormwater run-off on the drainage system; and c) To ensure sufficient area for landscaping and private open space. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 Site coverage (other than for dwellings) must not exceed 50% of the total site; or</p> <p>A1.2 Development (other than for dwellings) must have a minimum of 25% of the site free from buildings, paving or other impervious surfaces.</p>	<p>P1 The proportion of the site covered by buildings or development (other than for dwellings) must have regard to:</p> <ul style="list-style-type: none"> a) the existing site coverage and any constraints imposed by existing development or the features of the site; and b) the site coverage of adjacent properties; and c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; and d) the capacity of the site to absorb run-off; and e) landscaping.

10.4.13.3 Building Height

Objective To ensure that the height of development (other than dwellings) respects the existing neighbourhood character or desired future character statements, if any	
Acceptable Solutions	Performance Criteria
A1 Building height (other than for dwellings) must not exceed 8m.	P1 Building height (other than for dwellings) must be appropriate to the site and the streetscape having regard to the: <ul style="list-style-type: none"> a) effect of the slope of the site on the height of the building; and b) relationship between the proposed building height and the height of existing adjacent buildings; and c) visual impact of the building when viewed from the road and from adjoining properties; and d) degree of overshadowing and overlooking of adjoining properties.

10.4.13.4 Frontage Setbacks

Objective To ensure that the setbacks of buildings (other than dwellings) from the frontage respects the existing neighbourhood character or desired future character statements (if any) and makes efficient use of the site.	
Acceptable Solutions	Performance Criteria
A1.1 The primary frontage setback (other than for dwellings) must be: <ul style="list-style-type: none"> a) a minimum of 5m; or b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 10.4.13.4 below; and 	P1 Frontage setbacks (other than for dwellings) must be appropriate to the location and the amenity of residents having regard to: <ul style="list-style-type: none"> a) the prevailing setbacks of existing buildings on nearby lots; and b) the visual impact of the building when viewed from the road; and c) retention of vegetation within the front setback; and d) the efficient use of the site.

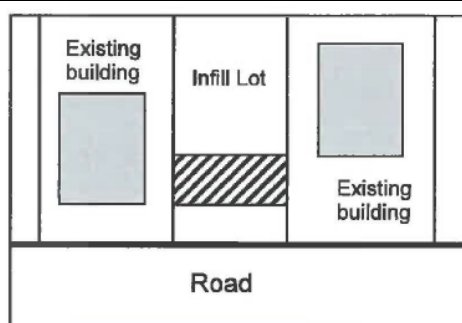


Figure 10.4.13.4 - Primary Frontage

Setback for Infill Lots

A1.2 Other frontage setbacks (other than for dwellings) must be a minimum of 3m.

10.4.13.5 Rear and Side Setbacks

Objective

To ensure that the height and setback of buildings (other than dwellings) from a boundary respects the existing neighbourhood character and limits unreasonable adverse impacts on the amenity and solar access of adjoining dwellings.

Acceptable Solutions	Performance Criteria
<p>A1 Buildings (other than dwellings) must be set back from the rear boundary:</p> <ul style="list-style-type: none"> a) 4m if the lot has an area less than 1000m²; or b) 5m if the lot has an area equal to or greater than 1000m² 	<p>P1 Building setback to the rear boundary (other than for dwellings) must be appropriate to the location, having regard to the:</p> <ul style="list-style-type: none"> a) ability to provide adequate private open space; and b) character of the area and location of dwellings on lots in the surrounding area; and c) impact on the amenity solar access and privacy of habitable room windows and private open space of existing dwellings; and d) size and proportions of the lot.
<p>A2.1 Buildings (other than dwellings) must be set back from side boundaries:</p> <ul style="list-style-type: none"> a) a minimum of 3m with 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 to a 	<p>P2 Building setbacks to the side boundary (other than for dwellings) must be appropriate to the location, having regard to the:</p> <ul style="list-style-type: none"> a) ability to provide adequate private open space; and b) character of the area and location of dwellings on lots in the surrounding area; and c) impact on the amenity, solar access

<p>maximum building height of 8.5m above natural ground level, and</p> <p>A2.2 Buildings (other than dwellings) must be set back from side boundaries a minimum of 1.5m from a side boundary or built to the side boundary provided the:</p> <ul style="list-style-type: none"> a) wall is built against an existing boundary wall; or b) 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>and privacy of habitable room windows and private open space of existing dwellings; and</p> <p>d) size and proportions of the lot.</p>
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10.4.13.6 Location of Car Parking

<p>Objective</p> <ul style="list-style-type: none"> a) To provide convenient parking for resident and visitor vehicles; and b) To avoid parking and traffic difficulties in the development and the neighbourhood; and c) To protect residents from vehicular noise within developments. 	
Acceptable Solutions	Acceptable Solutions
<p>A1 Driveways or car parks of residential buildings (other than dwellings) must be located at least 1.5m from the windows of habitable rooms.</p>	<p>P1 Driveways or car parking spaces (other than for dwellings) must be designed to protect the amenity of the adjoining habitable rooms having regard to the:</p> <ul style="list-style-type: none"> a) width of the driveway; and b) location of the existing dwellings; and c) number of car spaces served by the driveway; and d) need for physical screening and/or landscaping.
<p>A3 The total width of the door or doors on a garage facing a road frontage (other than for dwellings) must:</p> <ul style="list-style-type: none"> a) be not more than 6m; or b) the garage must be located within the rear half of the lot when measured from the front boundary. 	<p>P3 The width of garage doors facing a road (other than for dwellings) should not be a visually dominant element in the streetscape and must be designed having regard to the:</p> <ul style="list-style-type: none"> a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site.

10.4.13.7 Overlooking

Objective To minimise: <ul style="list-style-type: none"> a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and b) any adverse impact on the amenity of the adjoining and the subject site. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 A habitable room window, balcony, terrace, deck or patio (other than for dwellings) with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at finished ground level) of the window, balcony, terrace, deck or patio must be:</p> <ul style="list-style-type: none"> a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or b) have sill heights of at least 1.7m above floor level; or c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or d) have permanently fixed external screens to at least 1.8m above floor level; and e) obscure glazing and screens must be no more than 25% transparent. <p>Views must be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above floor level, indicated in Figure 10.4.13.7; or</p> <p>A1.2 New habitable room windows, balconies, terraces, decks or patios (other than for dwellings) that face a property boundary must have a visual barrier at least 1.8 metres high and the floor level of the habitable room, balconies, terraces, decks or patios is less than 0.6m above the ground level</p>	<p>P1 Buildings (other than dwellings) must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the:</p> <ul style="list-style-type: none"> a) setback of the existing and proposed building; and b) location of windows and private open spaces areas within the development and the adjoining sites; and c) level and effectiveness of physical screening by fences or vegetation; and d) topography of the site; and e) characteristics and design of houses in the immediate area.

at the boundary.	
<p>A2 Screens used to obscure a view (other than from dwellings) must be:</p> <ul style="list-style-type: none"> a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and b) permanent, fixed and durable 	<p>P2 No performance criteria.</p>

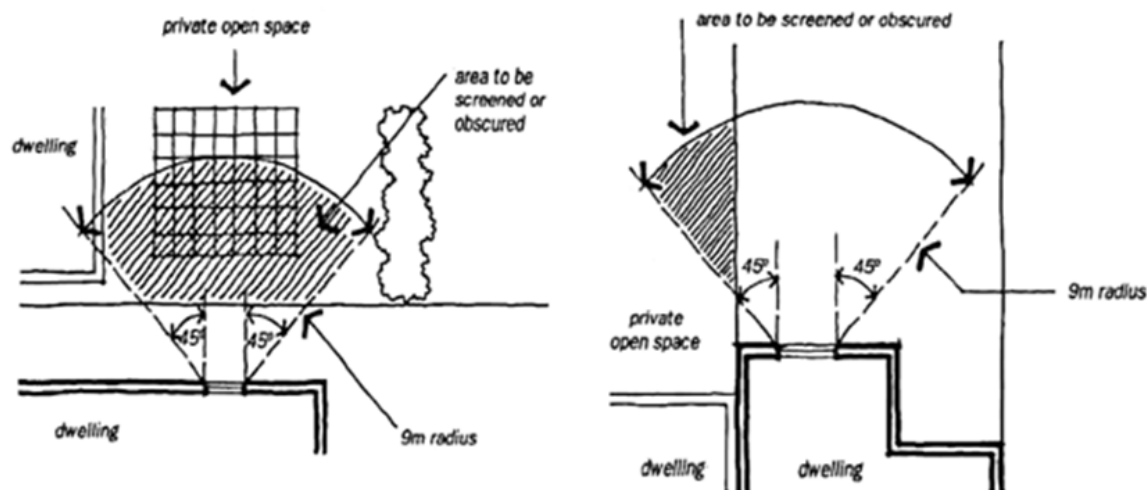


Figure 10.4.13.7

10.4.13.8 Landscaping

<p>Objective</p> <ul style="list-style-type: none"> a) To provide appropriate landscaping that respects the landscape character of the neighbourhood; and b) To encourage the retention of mature vegetation on the site. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 Landscaping (other than for dwellings) must be provided to the frontage and within the development including:</p> <ul style="list-style-type: none"> a) the retention or planting of vegetation; and b) the protection of any predominant landscape features of the neighbourhood; and c) pathways, lawn area or landscape beds. 	<p>P1 Landscaping (other than for dwellings) must:</p> <ul style="list-style-type: none"> a) provide a safe, attractive and functional environment for residents; and b) respond to the landscape character of the neighbourhood; and c) have regard to any mature vegetation.

10.4.13.9 Common Property

Objective To ensure that communal open space, car parking, access areas and site facilities are easily identified.	
Acceptable Solutions	Performance Criteria
A1 Development (other than for dwellings) must clearly delineate public, communal and private areas such as: a) driveways; and b) landscaped areas; and c) site services, bin areas and any waste collection points	P1 No performance criteria.

10.4.14 Non Residential Development

Objective To ensure that all non residential development undertaken in the Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 Development must be designed to protect the amenity of surrounding residential uses and must have regard to: a) the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings; and b) the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents; and: c) the height of development having regard to: i) the effect of the slope of the site on the height of the building; and ii) the relationship between the proposed building height and the height of existing adjacent and

	<p>buildings; and</p> <p>iii) the visual impact of the building when viewed from the road and from adjoining properties; and</p> <p>iv) the degree of overshadowing and overlooking of adjoining properties; and</p> <p>d) the level and effectiveness of physical screening by fences or vegetation; and</p> <p>e) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries; and</p> <p>f) the location and impacts of illumination of the site; and</p> <p>g) passive surveillance of the site; and</p> <p>h) landscaping to integrate development with the streetscape.</p>
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10.4.15 Subdivision

10.4.15.1 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Lots must:</p> <p>a) have at least the area specified in a table to this zone which:</p> <p>i) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>ii) has new boundaries aligned from buildings that satisfy the setback standards; or</p> <p>b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) be for the provision of utilities; or</p> <p>d) be for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) be to align existing titles with zone</p>	<p>P1 No performance criteria.</p>

	boundaries and no additional lots are created.		
A2	Each lot must have a frontage of at least 4 metres.	P2	No performance criteria.

10.4.15.2 Provision of Services

Objective To provide lots with appropriate levels of utility services.			
Acceptable Solutions		Performance Criteria	
A1	Each lot must be connected to a reticulated: a) water supply; and b) sewerage system.	P1	Each lot created must be: a) in a locality for which reticulated services are not available or capable of being connected; and b) capable of accommodating an on-site wastewater management system.
A2	Each lot must be connected to a reticulated stormwater system.	P2	Stormwater must be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to: a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and d) overland flow paths for overflows during extreme events both internally and externally for the

	subdivision, so as to not cause a nuisance.
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10.4.15.3 Solar Orientation of Lots

Objective To provide for solar orientation of lots and solar access for future dwellings.	
Acceptable Solutions	Performance Criteria
A1 At least 50% of lots must have a long axis within the range of: a) north 20 degrees west to north 30 degrees east; or b) east 20 degrees north to east 30 degrees south.	P1 Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.
A2 The long axis of residential lots less than 500m ² , must be within 30 degrees east and 20 degrees west of north.	P2 Lots less than 500 m ² must provide adequate solar access to future dwellings, having regard to the: a) size and shape of the development of the subject site; and b) topography; and c) location of access way(s) and roads.

10.4.15.4 Clause 10.4.15.4 is deleted pursuant to Urgent Amendment DOR UA1/2014

10.4.15.5 Integrated Urban Landscape

Objective To provide attractive and continuous landscaping in roads and public open spaces that contribute to the: a) character and identity of new neighbourhoods and urban places; or b) to existing or preferred neighbourhood character, if any.	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, public open space or other reserves.	P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that: a) it has regard to existing, significant features; and b) accessibility and mobility through public spaces and roads are protected or enhanced; and c) connectivity through the urban environment is protected or enhanced; and d) the visual amenity and attractiveness

	<p>of the urban environment is enhanced; and</p> <p>e) it furthers the local area objectives, if any.</p>
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10.4.15.6 Walking and Cycling Network

<p>Objective</p> <p>a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and</p> <p>b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.</p> <p>c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road, footpath or public open space.</p>	<p>P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</p> <p>a) link to any existing pedestrian and cycling networks; and</p> <p>b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</p> <p>c) provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and</p> <p>d) promote surveillance along roads and from abutting dwellings.</p>

10.4.15.7 Neighbourhood Road Network

<p>Objective</p> <p>a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and</p> <p>b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.</p>	
Acceptable Solutions	Performance Criteria

<p>A1 The subdivision must not create any new road.</p>	<p>P1 The neighbourhood road network must:</p> <ul style="list-style-type: none"> a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and d) provide safe and efficient access to activity centres for commercial and freight vehicles; and e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and h) take into account of any identified significant features.
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10.4.15.8 Table 1 – General Residential Zone

Minimum lot area	
Bridport – all lots north of Main Street	550m ²
Bridport – all lots east of Brid River	450m ² if reticulated water and sewage services are provided to the site, otherwise no additional lots.
Bridport – all other lots	450m ²
Scottsdale	450m ²

11 Inner Residential Zone

This zone was not used in this planning scheme.

12 Low Density Residential Zone

12.1 Zone Purpose

12.1.1 Zone Purpose Statements

- 12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.
- 12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.
- 12.1.1.3 To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.

12.1.2 Local Area Objectives

- (a) Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes.
- (b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape.
- (c) The retention of remnant vegetation is the preferred means to integrate and screen development to reduce the visual impact of buildings and access driveways from roads and neighbouring properties

12.1.3 Desired Future Character Statements

12.1.3.1 Bridport – Henry Street

There are no desired future character statements for the zone

12.1.3.2 Derby

- (a) The low density zone adjoins the northwestern area of the village and is contained by surrounding vegetation along steeper elevations to the south.
- (b) Future development is to be sympathetic to the historical character of the township and maintain a low level of visibility through unobtrusive siting and design

12.1.3.3 Bridport – Sandy Points Road

- (a) The area is located behind a ridge to the west of Bridport township.
- (b) Housing is separated by moderate to large distances, either openly visible on cleared land adjacent to Sandy Point Road or obscured within remnant vegetation.
- (c) Single dwellings are to remain the prevailing built element in the area.
- (d) The low impact character of the area is to be maintained in the location of development, maintaining vegetation cover and the existing pattern of separation distances where possible

12.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	

Passive recreation	
Permitted	
Use Class	Qualification
Residential	If for a single dwelling, ancillary dwelling or home-based business
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	If a medical centre
Community meeting & entertainment	If not a cinema or function centre
Emergency services	
General retail and hire	If for a local shop
Sports and recreation	
Utilities	If not for minor utilities
Visitor accommodation	If for bed and breakfast establishment, holiday cabin or holiday unit
Prohibited	
All other uses	

12.3 Use Standards

12.3.1 Amenity

Objective	
To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use 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 for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the

	amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
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12.3.2 Low Density Residential Character

Objective To ensure that discretionary uses support the: a) visual character of the area; and b) local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.
A3 Waste material storage for discretionary uses must: a) not be visible from the road to which the lot has frontage ; and b) use self-contained receptacles designed to ensure waste does not escape to the environment.	P3 No performance criteria.

12.3.3 Amenity – Home-Based Business Use

Objective To ensure that Home-Based Business activities do not unreasonably impact on nearby properties.	
Acceptable Solutions	Performance Criteria
A1 The use operates between 7.00am and 7.00pm Monday to Friday and 8.00am and 6.00pm Saturday to Sunday.	P1 It must be demonstrated that operation of the activity will 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 criteria.
A3 The use does not include the hiring of materials, goods or appliances from the property.	P3 No performance criteria

12.4 Development Standards

12.4.1 Clauses 12.4.1.1 – 12.4.1.6 only apply to development within the Residential Use Class.

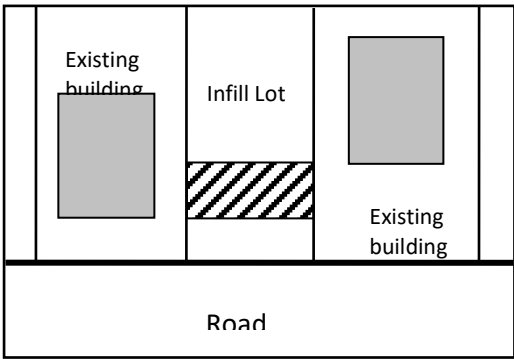
12.4.1.1 Site Coverage

Objective a) To ensure that the site coverage respects the existing or preferred neighbourhood character: and b) To reduce the impact of increased stormwater runoff on the drainage system; and c) To ensure sufficient area for landscaping and private open space.	
Acceptable Solutions	Performance Criteria
A1 The site coverage must not exceed 30% of the site.	P1 The site coverage must have regard to the: a) size and shape of the site; and b) existing buildings and any constraints imposed by existing development or the features of the site; and c) site coverage of adjacent properties; and d) effect of the visual bulk of the building and whether it respects the neighbourhood character; and e) capacity of the site to absorb runoff; and f) landscape character of the area and the need to remove vegetation to accommodate development.

12.4.1.2 Building Height

Objective To ensure that the height of dwellings respects the existing or desired future character statements.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 8 metres.	P1 Building height must be appropriate to the site and the streetscape having regard to the: a) effect of the slope of the site on the height of the building; and b) relationship between the proposed building height and the height of existing adjacent buildings; and c) visual impact of the building when viewed from a road.

12.4.1.3 Frontage Setbacks

Objective To ensure that the setbacks of dwellings from the road respect the existing or preferred neighbourhood character and make efficient use of the site.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Primary frontage setbacks must be a minimum:</p> <p>a) of 6 metres; and</p> <p>b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 12.4.1.3 below; and</p>  <p>Figure 12.4.1.3 – Primary Frontage Setback for Infill Lots</p> <p>A1.2 Buildings must be set back a minimum of 4 metres from the any other frontage.</p>	<p>P1 Buildings are set back from the primary frontage an appropriate distance having regard to:</p> <p>a) the efficient use of the site; and</p> <p>b) the safety of road users; and</p> <p>c) the prevailing setbacks of existing buildings on nearby lots; and</p> <p>d) the visual impact of the building when viewed from the road; and</p> <p>e) retention of vegetation within the front setback.</p>

12.4.1.4 Rear and Side Setbacks

Objective To ensure that the:	
<p>a) height and setback of dwellings from a boundary respects the existing neighbourhood character and limits adverse impact on the amenity and solar access of adjoining dwellings; and</p> <p>b) separation of buildings is consistent with the preferred low density character and local area objectives, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings must be set back 5m from the rear boundary.</p>	<p>P1 Building setback to the rear boundary must be appropriate to the location, having regard to the:</p> <p>a) ability to provide adequate private open</p>

	<p>space for the dwelling; and</p> <p>b) character of the area and location of dwellings on lots in the surrounding area; and</p> <p>c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and</p> <p>d) impact on the solar access of habitable room windows and private open space of adjoining dwellings; and</p> <p>e) locations of existing buildings and private open space areas; and</p> <p>f) size and proportions of the lot.</p>
<p>A2 Buildings must be set back from side boundaries 3 metres.</p>	<p>P2 Building setback to the side boundary must be appropriate to the location, having regard to the:</p> <p>a) ability to provide adequate private open space for the dwelling; and</p> <p>b) character of the area and location of dwellings on lots in the surrounding area; and</p> <p>c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and</p> <p>d) impact on the solar access of habitable room windows and private open space of adjoining dwellings; and</p> <p>e) locations of existing buildings and private open space areas; and</p> <p>f) size and proportions of the lot; and</p> <p>g) extent to which the slope and retaining walls or fences reduce or increase the impact of the proposed variation.</p>

12.4.1.5 Location of Car Parking

Objective	
a) To provide convenient parking for resident and visitor vehicles; and b) To minimise the impacts of garage doors to the neighbourhood.	
Acceptable Solutions	Performance Criteria
A1 A garage or carport must be located: a) within 10 metres of the dwelling it serves; and b) with a setback equal to or greater than the setback of the dwelling from the primary road frontage.	P1 Car parking facilities must be: a) close and convenient to dwellings and residential buildings; and b) located to minimise visual impact to the streetscape; and c) provided in a form that is appropriate to the area and development.
A2 The total width of the door or doors on a garage facing a road frontage must: a) be not more than 6m; or b) the garage must be located within the rear half of the lot when measured from the front boundary.	P2 The width of garage doors should not be a visually dominant element in the streetscape and must be designed having regard to the: a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site.

12.4.1.6 Outbuildings and Ancillary Structures

Objective To ensure that:	
a) outbuildings do not detract from the amenity or established neighbourhood character; and b) dwellings remain the dominant built form within an area.	
Acceptable Solutions	Performance Criteria
A1 Outbuildings must not have a: <ul style="list-style-type: none"> a) combined gross floor area of greater than 100 m²; and b) maximum wall height of greater than 3.5 metres; and c) maximum building height greater than 4.5 metres. 	P1 Outbuildings must be designed and located having regard to: <ul style="list-style-type: none"> a) visual impact on the streetscape; and b) any adverse impacts on native vegetation; and c) overshadow adjoining properties; and d) compatibility with the size and location of outbuildings in the neighbourhood.
A2 A swimming pool for private use must be located: <ul style="list-style-type: none"> a) behind the primary frontage setback; or b) in the rear yard. 	P2 A swimming pool for private use must be designed and located to: <ul style="list-style-type: none"> a) minimise any visual impact on the streetscape; and b) not unreasonably overlook or overshadow adjoining properties; and c) be compatible with the size and location of approved outbuildings in the neighbourhood.

12.4.2 Clause 12.4.2.1 only applies to development other than the Residential Use Class.

12.4.2.1 Non Residential Buildings

Objective To ensure that all non residential development undertaken in the Low Density Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 Development must be designed to protect the amenity of surrounding residential uses and: <ul style="list-style-type: none"> a) the proportion of the site covered by buildings must have regard to the: <ul style="list-style-type: none"> i) size and shape of the site; and ii) site coverage of existing buildings and any constraints imposed by existing development or the features of the site; and

	<ul style="list-style-type: none"> iii) site coverage of adjacent properties; and iv) effect of the visual bulk of the building and whether it respects the neighbourhood character; and v) capacity of the site to absorb runoff; and vi) landscape character of the area and the need to remove vegetation to accommodate development; and b) the building height must have regard to the: <ul style="list-style-type: none"> i) effect of the slope of the site on the height of the building; and ii) relationship between the proposed building height and the height of existing adjacent buildings; and iii) visual impact of the building when viewed from the road and from adjoining properties; and iv) degree of overshadowing and overlooking of adjoining properties; and c) the setback of the building to a road frontage must be appropriate to the location and the character of the area having regard to: <ul style="list-style-type: none"> i) the prevailing setbacks of existing buildings on nearby lots; and ii) the visual impact of the building when viewed from the road; and iii) treatment of development within front setback; and d) the setback of the building to side and rear boundaries must prevent unreasonable impacts on the solar access and privacy of habitable room windows and private open space of adjoining dwellings; and e) traffic circulation and parking areas must be located away from residential boundaries; and f) landscaping must integrate development having regard to: <ul style="list-style-type: none"> i) the level and effectiveness of physical screening by fences or
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	<p>vegetation; and</p> <p>ii) the location and impacts of illumination of the site; and</p> <p>iii) passive surveillance of the site.</p>
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12.4.3 Subdivision

12.4.3.1 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>To ensure:</p> <p>a) the area and dimensions of lots are appropriate for the zone; and</p> <p>b) the conservation of natural values, vegetation and faunal habitats; and</p> <p>c) the design of subdivision protects adjoining subdivision from adverse impacts; and</p> <p>d) each lot has road, access, and utility services appropriate for the zone.</p>			
Acceptable Solutions	Performance Criteria		
<p>A1 Subdivision of land within the localities listed in Table 12.4.3.1 must</p> <p>a) have a minimum area in accordance with Table 12.4.3.1 below; and</p> <p>Table 12.4.3.1 – Lot Size</p> <table border="1"> <tr> <td>Bridport - Sandy Points Road</td><td>1 ha</td></tr> </table> <p>b) be able to contain a 50 metre diameter circle with the centre of the circle not more than 50 metres from the frontage; and</p> <p>c) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</p> <p>d) be required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>e) be for the provision of public utilities; or</p> <p>f) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>g) to align existing titles with zone boundaries and no additional lots are created.</p>	Bridport - Sandy Points Road	1 ha	<p>P1 Boundary adjustments must:</p> <p>a) not create any additional titles; and</p> <p>b) provide for each lot, sufficient useable area and dimensions to allow for:</p> <p>i) a dwelling to be erected in a convenient, appropriate and hazard free location; and</p> <p>ii) appropriate disposal of wastewater and stormwater; and</p> <p>iii) on-site parking and manoeuvrability; and</p> <p>iv) adequate private open space; and</p> <p>c) be suitable for use and development having regard to:</p> <p>i) the topographical or natural features of the site; and</p> <p>ii) the ability of vegetation to provide buffering; and</p> <p>iii) any features of natural or cultural significance; and</p> <p>iv) the presence of any natural hazards; and</p> <p>v) local area objectives and desired future character statements, if any.</p>
Bridport - Sandy Points Road	1 ha		
A2.1 Land within the following areas must not	P2 Boundary adjustments must:		

<p>be subdivided:</p> <p>Derby</p> <p>Bridport – Henry Street</p> <p>except;</p> <p>a) where required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the provision of utilities; or</p> <p>d) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) to align existing titles with zone boundaries and no additional lots are created.</p> <p>A2.2 Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<p>a) not create any additional titles; and</p> <p>b) provide for each lot, sufficient useable area and dimensions to allow for:</p> <p>ii) a dwelling to be erected in a convenient, appropriate and hazard free location; and</p> <p>ii) appropriate disposal of wastewater and stormwater; and</p> <p>iii) on-site parking and manoeuvrability; and</p> <p>iv) adequate private open space; and</p> <p>c) be suitable for use and development having regard to:</p> <p>i) the topographical or natural features of the site; and</p> <p>ii) the ability of vegetation to provide buffering; and</p> <p>iii) any features of natural or cultural significance; and</p> <p>iv) the presence of any natural hazards; and</p> <p>v) local area objectives and desired future character statements, if any.</p>
<p>A3 Each lot must have a frontage of at least 4 metres.</p>	<p>P3 No performance criteria.</p>

13 Rural Living Zone

13.1 Zone Purpose

13.1.1 Zone Purpose Statements

- 13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.
- 13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.
- 13.1.1.3 To provide for rural lifestyle opportunities in strategic locations to maximise efficiencies for services and infrastructure.
- 13.1.1.4 To provide for a mix of residential and low impact rural uses.

13.1.2 Local Area Objectives

13.1.1.1 Branxholm

<ul style="list-style-type: none"> a) Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes. b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape. 	<p>Infill development will only be supported. No additional lot creation for residential use will be allowed.</p>
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13.1.1.2 Bridport

<ul style="list-style-type: none"> a) Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes. b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape. c) The retention of remnant vegetation is the preferred means to integrate and screen development to reduce the visual impact of buildings and access driveways from roads and neighbouring properties. 	<p>Infill development will only be supported. No additional lot creation for residential use will be allowed.</p>
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13.1.1.3 Derby

<ul style="list-style-type: none"> a) Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes. b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape. c) The retention of remnant vegetation is the preferred means to integrate and screen development to reduce the visual impact of buildings and access driveways from roads and neighbouring properties. 	<p>Infill development will only be supported. No additional lot creation for residential use will be allowed.</p>
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13.1.1.4 Gladstone

<p>a) Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes.</p> <p>b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape.</p>	<p>Infill development will only be supported. No additional lot creation for residential use will be allowed.</p>
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13.1.1.5 Herrick

<p>To provide for modest infill development in the identified development cluster with appropriate setbacks and treatment of the interface to agricultural activities and to respect the historical pattern and form of development.</p>	<p>Infill development will only be supported. No additional lot creation for residential use will be allowed.</p>
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13.1.1.6 Legerwood

<p>Provide for modest infill development in the identified development cluster with appropriate setbacks and treatment of the interface to agricultural activities and to respect the historical pattern and form of development.</p>	<p>Infill development will only be supported. No additional lot creation for residential use will be allowed.</p>
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13.1.1.7 Lietinna

<p>a) Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes.</p> <p>b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape.</p>	<p>Infill development will only be supported. No additional lot creation for residential use will be allowed.</p>
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13.1.1.8 Nabowla

<p>a) Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes.</p> <p>b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape.</p> <p>c) The retention of remnant vegetation is the preferred means to integrate and screen development to reduce the visual impact of buildings and access driveways from roads and neighbouring properties.</p>	<p>Infill development will only be supported. No additional lot creation for residential use will be allowed.</p>
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13.1.1.9 Scottsdale – East Minstone Road

<p>a) Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes.</p> <p>b) Where development is visible, ensure that materials</p>	<p>Future subdivision will be determined on the basis of capacity for on-site servicing, access, potential for conflict with</p>
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are non-reflective and the design integrates with the landscape.	adjoining land uses, prevailing development density characteristics and any potential natural hazards as specified in the Codes.
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13.1.1.10 Scottsdale – Ringarooma Road

Provide for modest infill development in the identified development cluster with appropriate setbacks and treatment of the interface to agricultural activities and to respect the historical pattern and form of development.	Infill development will only be supported. No additional lot creation for residential use will be allowed.
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13.1.1.11 Scottsdale – West Minstone Road / King Street

Provide for modest infill development in the identified development cluster with appropriate setbacks and treatment of the interface to agricultural activities and to respect the historical pattern and form of development.	Infill development will only be supported. No additional lot creation for residential use will be allowed.
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13.1.2 Desired Future Character Statements

13.1.2.1 Branxholm

The rural living area at Branxholm is characterised by a small cluster of titles and associated buildings on cleared undulating land.	
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13.1.2.2 Bridport

<p>(a) The rural living area west of Emily Street and west of Bridport Road is characterised by cleared, mildly sloping pasture on larger lots, with some lots retaining small stands of remnant vegetation.</p> <p>(b) The rural living area east of Emily Street, east of Bridport Road and adjacent to Waterhouse Road is characterised by cleared, relatively flat pasture on larger lots, with some lots retaining modest stands of remnant vegetation.</p> <p>(c) Housing is separated by moderate distances, either openly visible on cleared land or obscured within remnant vegetation.</p> <p>(d) Development is visible from the road of most lots, with some obscured by vegetation.</p>	
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13.1.2.3 Derby

<p>a) The rural living area at Derby is characterised by predominantly forested hills with some cleared areas of pasture and a dispersed pattern of residential uses.</p> <p>b) Housing is separated by large distances, either openly</p>	
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visible on cleared land proximate to Banks Road or obscured within remnant vegetation.	
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13.1.2.4 Gladstone

<p>a) The rural living area at Gladstone is characterised by cleared mildly sloping pasture with development visible from roads and neighbouring properties.</p> <p>b) Development is visible from the road of most lots, with some obscured by vegetation.</p>	
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13.1.2.5 Herrick

<p>a) The rural living area at Herrick is characterised by cleared mildly sloping pasture with development visible from roads and neighbouring properties.</p> <p>b) Development is visible from the road of most lots, with some obscured by vegetation.</p>	
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13.1.2.6 Legerwood

<p>a) The rural living area at Legerwood is characterised by cleared mildly sloping pasture with development visible from roads and neighbouring properties.</p> <p>b) Development is visible from the road of most lots, with some obscured by vegetation.</p>	
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13.1.2.7 Lietinna

<p>a) Lietinna is characterised by a combination of forested hills, undulating pastures in lower elevations and a dispersed pattern of residential uses.</p> <p>b) Housing is separated by moderate distances, either openly visible on cleared land or obscured within vegetation on the hills.</p>	
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13.1.2.8 Nabowla

<p>a) Nabowla is characterised by a combination of forested hills, undulating pastures in lower elevations and a dispersed pattern of residential uses.</p> <p>b) Housing is separated by moderate distances, either openly visible on cleared land or obscured within vegetation on the hills.</p>	
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13.1.2.9 Scottsdale – East Minstone Road

<p>a) The rural living area adjacent to East Minstone Road and Pennells Road is characterised by cleared, mildly sloping pasture, with development visible from roads and</p>	
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neighbouring properties.	
b) Housing is separated by moderate distances.	

13.1.2.10 Scottsdale – Ringarooma Road

Scottsdale – Ringarooma Road The rural living area adjacent to Ringarooma Road is characterised by cleared, sloping pasture with development visible from roads and neighbouring properties.	
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13.1.2.11 Scottsdale – West Minstone Road / King Street

Scottsdale – West Minstone Road / King Street The rural living area adjacent to Ringarooma Road is characterised by cleared, sloping pasture with development visible from roads and neighbouring properties.	
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13.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Residential	If for a single dwelling, ancillary dwelling or home-based business
Resource development	If for grazing
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Community meeting & entertainment	
Domestic animal breeding, boarding or training	If not for kennel
Educational and occasional care	
Manufacturing and processing	
Resource development	If not for grazing
Resource processing	If directly associated with produce from the subject site.
Sports and recreation	If not for firing range

Tourist operation	
Utilities	If not for minor utilities
Visitor accommodation	
Prohibited	
All other uses	

13.3 Use Standards

13.3.1 Amenity

Objective To ensure that 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 The use must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour, dust and illumination.
A2 Commercial vehicles for discretionary uses must only operate between 6.00am and 10.00pm.	P2 Commercial vehicle movements for non-residential uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.

13.3.2 Rural Living Character

Objective To ensure that non-residential uses support the: <ul style="list-style-type: none"> a) visual character of the area; and b) local area objectives, if any. 	
Acceptable Solutions	Performance Criteria
A1 Use must: <ul style="list-style-type: none"> a) If for permitted or no permit required uses; or. b) not exceed a combined gross floor area of 250m² over the site. 	P1.1 Uses must not be for general retail and hire, and P1.2 Business and professional services must be for a veterinary centre or similar animal care services and breeding; and P1.3 The size and appearance of the use must not dominate the residential character of the area; and P1.4 The use must be consistent with the local area objectives for visual character, if any.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P2 Commercial vehicles, including delivery vehicles, must not create a traffic hazard or compromise the function of the road.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P3 Storage of materials or equipment must be consistent with the local area objectives for visual character.
A4 Waste material storage for discretionary uses must: <ul style="list-style-type: none"> a) not be visible from the road to which the lot has frontage ; and b) use self-contained receptacles designed to ensure waste does not escape to the environment. 	P4 No performance criteria.

13.3.3 Amenity – Home-Based Business Use

Objective To ensure that Home-Based Business activities do not unreasonably impact on nearby properties.	
Acceptable Solutions	Performance Criteria
A1 The use operates between 7.00am and 7.00pm Monday to Friday and 8.00am and 6.00pm Saturday to Sunday.	P1 It must be demonstrated that operation of the activity will 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 criteria.

A3 The use does not include the hiring of materials, goods or appliances from the property.	P3 No performance criteria
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13.4 Development Standards

13.4.1 Building Design and Siting

<p>Objective</p> <p>To ensure that siting and design:</p> <p>a) protects the amenity of adjoining lots; and</p> <p>b) is consistent with the local area objectives and desired future character statements for the area, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Site coverage must not exceed:</p> <p>a) 50% of the total site if the lot has an area less than 1000m²;or</p> <p>b) 30% of the total site if the lot has an area equal to or greater than 1000m² and less than 5000m²;or</p> <p>c) 10% of the total site if the lot has an area equal to or greater than 5000m².</p>	<p>P1 Site coverage must have regard to:</p> <p>a) the size of the site; and</p> <p>b) existing buildings and any constraints imposed by existing development or the features of the site; and</p> <p>c) the site coverage of adjacent properties; and</p> <p>d) the effect of the visual bulk of the building and whether it respects the landscape character; and</p> <p>e) the capacity of the site to absorb runoff; and</p> <p>f) the landscape character of the area and the need to remove vegetation to accommodate development, and;</p> <p>g) the local area objectives, if any.</p>
<p>A2 Building height must not exceed 8 metres.</p>	<p>P2 Building height must be appropriate to the site and the streetscape having regard to the:</p> <p>a) effect of the slope on the height of the building; and</p> <p>b) the character of the surrounding landscape and height of adjoining buildings; and</p> <p>c) amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.</p>
<p>A3 Buildings must be set back a minimum distance of 15 metres from a frontage.</p>	<p>P3 Building frontage setbacks must have regard to:</p> <p>a) the prevailing setbacks of existing buildings on nearby lots and pattern of</p>

	<p>development in the surrounding area; and</p> <p>b) the visual impact of the building when viewed from the road; and</p> <p>c) retention of vegetation within the front setback; and</p> <p>d) consistency with the local area objectives, if any.</p>
<p>A4 Buildings must be set back a minimum of:</p> <p>a) 15 metres to side and rear boundaries; and</p> <p>b) 200m to the Rural Resource Zone where a sensitive use is proposed.</p>	<p>P4 Buildings must be sited so that side and rear setbacks:</p> <p>a) protect the amenity of adjoining dwellings by providing separation that is consistent with the character of the surrounding area having regard to the:</p> <p>i) impact on the amenity and privacy of habitable room windows and private open space; and</p> <p>ii) impact on the solar access of habitable room windows and private open space; and</p> <p>iii) locations of existing buildings and private open space areas; and</p> <p>iv) size and proportions of the lot; and</p> <p>v) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation; and</p> <p>vi) local area objectives, if any; and</p> <p>b) protect agricultural uses on adjoining lots from constraints.</p>
<p>A5 The development is for permitted or no permit required uses.</p>	<p>P5 Development must not be obtrusive and must complement the character of the surrounding area having regard to:</p> <p>a) landscaping; and</p> <p>b) building form and materials; and</p> <p>c) local area objectives, if any.</p>

13.4.2 Subdivision

<p>Objective</p> <p>To ensure that subdivision:</p> <p>a) Provides for appropriate wastewater disposal, and stormwater management in consideration of the characteristics or constraints of the land; and</p> <p>b) Provides area and dimensions of lots that are appropriate for the zone; and</p>
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<p>c) Provides frontage to a road at a standard appropriate for the use; and</p> <p>d) Furthers the local area objectives and desired future character statements for the area, if any.</p>					
Acceptable Solutions	Performance Criteria				
<p>A1.1 Subdivision of land within the localities listed in Table 13.4.2 must have a minimum lot size in accordance with that specified in Table 13.4.2;</p> <p>Table 13.4.2 – Minimum Lot Size</p> <table border="1" data-bbox="301 580 761 792"> <thead> <tr> <th>Locality</th><th>Minimum Lot size</th></tr> </thead> <tbody> <tr> <td>Scottsdale – East Minstone Road</td><td>2 ha</td></tr> </tbody> </table> <p>or</p> <p>b) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the provision of utilities; or</p> <p>d) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) to align existing titles with zone boundaries and no additional lots are created.</p> <p>A1.2 Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	Locality	Minimum Lot size	Scottsdale – East Minstone Road	2 ha	<p>P1 Subdivision must:</p> <p>a) be to facilitate protection of a place of Aboriginal, natural or cultural heritage; or</p> <p>b) provide for each lot, sufficient useable area and dimensions to allow for:</p> <p>i) a dwelling to be erected in a convenient, appropriate and hazard free location; and</p> <p>ii) appropriate disposal of wastewater and stormwater; and</p> <p>iii) on-site parking and manoeuvrability; and</p> <p>iv) adequate private open space; and</p> <p>v) vehicular access from the carriageway of the road to a building area on the lot, if any; or</p> <p>c) be suitable for use and development having regard to:</p> <p>i) the topographical or natural features of the site; and</p> <p>ii) the ability of vegetation to provide buffering; and</p> <p>iii) any features of natural or cultural significance; and</p> <p>iv) the presence of any natural hazards; and</p> <p>v) local area objectives and desired future character statements, if any.</p>
Locality	Minimum Lot size				
Scottsdale – East Minstone Road	2 ha				
<p>A2.1 Land within the following areas must not be subdivided:</p> <p>Branxholm</p> <p>Bridport</p> <p>Derby</p> <p>Gladstone</p> <p>Herrick</p> <p>Legerwood</p> <p>Lietinna</p>	<p>P2 Boundary adjustments must:</p> <p>a) not create any additional titles; and</p> <p>b) provide for each lot, sufficient useable area and dimensions to allow for:</p> <p>iii) a dwelling to be erected in a convenient, appropriate and hazard free location; and</p> <p>ii) appropriate disposal of wastewater and stormwater; and</p> <p>iii) on-site parking and manoeuvrability;</p>				

<p>Nabowla</p> <p>Scottsdale – Ringarooma Road</p> <p>Scottsdale – West Minstone Road / King Street</p> <p>except;</p> <p>a) where required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the provision of utilities; or</p> <p>d) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) to align existing titles with zone boundaries and no additional lots are created.</p> <p>A2.2 Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<p>and</p> <p>iv) adequate private open space; and</p> <p>v) vehicular access from the carriageway of the road to a building area on the lot, if any; and</p> <p>c) be suitable for use and development having regard to:</p> <p>i) the topographical or natural features of the site; and</p> <p>ii) the ability of vegetation to provide buffering; and</p> <p>iii) any features of natural or cultural significance; and</p> <p>iv) the presence of any natural hazards; and</p> <p>v) local area objectives and desired future character statements, if any.</p>
<p>A3 Each lot must have a frontage of at least 4 metres.</p>	<p>P3 Each lot must provide permanent, legal access of an appropriate width to:</p> <p>a) accommodate vehicle passage and drainage within the boundaries of the lot;</p> <p>b) provide for vehicle passage without unreasonable adverse impacts on adjoining land uses; and</p> <p>c) provide for safe entry and exit to the lot from a road at the relevant standard.</p>

14 Environmental Living Zone

14.1 Zone Purpose

14.1.1 Zone Purpose Statements

14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterized by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

14.1.1.2 To provide for a mix of low impact activities that is sensitive to the natural environment.

14.1.2 Local Area Objectives

a) Ensure that development presents a very low level of impact which avoids areas of biodiversity value and achieves unobtrusive siting and design.	Infill development will only be supported. No additional lot creation for residential use will be allowed.
b) The environmental living zone acknowledges the existing pattern of development and recognises infrastructure, topographical and natural hazard constraints.	

14.1.3 Desired Future Character Statements

a) Environmental living areas are characterised by substantial and/or significant stands of remnant vegetation.	
b) Contiguous vegetation cover is to be maintained.	

14.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Residential	If for a single dwelling, ancillary dwelling or home-based business
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification

Domestic animal breeding, boarding or training	If on existing cleared land
Utilities	If not for minor utilities
Visitor accommodation	If for bed and breakfast establishment, holiday flat, or holiday unit
Prohibited	
All other uses	

14.3 Use Standards

14.3.1 Amenity

Objective To ensure that discretionary uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 Development must be for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour, dust and illumination.
A2 Operating hours for commercial vehicles for discretionary uses must be between 6.00am and 10.00pm.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.

14.3.2 Environmental Living Character

Objective To ensure that uses support the visual character of the area and local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Discretionary uses must not exceed a combined gross floor area of 200m ² of the site.	P1 Discretionary uses must be of size and appearance that: <ul style="list-style-type: none"> a) does not dominate the character of the area; and b) is consistent with the local area objectives for visual character, if any.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P2 Commercial vehicle parking for discretionary uses, including delivery vehicles, must not compromise the visual character or amenity of the local area.
A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties,	P3 Storage of materials or equipment must be consistent with the local area objectives for visual character.

	the road or public land.		
A4	Waste material storage for discretionary uses must: a) not be visible from the road to which the lot has frontage ; and b) use self-contained receptacles designed to ensure waste does not escape to the environment.	P4	No performance criteria.

14.3.3 Amenity – Home-Based Business Use

Objective To ensure that Home-Based Business activities do not unreasonably impact on nearby properties.			
Acceptable Solutions		Performance Criteria	
A1	The use operates between 7.00am and 7.00pm Monday to Friday and 8.00am and 6.00pm Saturday to Sunday.	P1	It must be demonstrated that operation of the activity will 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 criteria.
A3	The use does not include the hiring of materials, goods or appliances from the property.	P3	No performance criteria.

14.4 Development Standards

14.4.1 Building Design and Siting

Objective To ensure that the design and siting of buildings responds appropriately to the landscape and natural values of the site, causes minimal disturbance to the environment and provide solar access and privacy for residents.			
Acceptable Solutions		Performance Criteria	
A1	Not more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.	P1	Site coverage and the proportion of the site used for development has regard to: a) the size of the site; and b) the need for driveways; and c) the management of natural hazards or environmental qualities of the site; and d) any constraints imposed by existing development or the features of the site; and e) the site coverage of adjacent properties; and

	<ul style="list-style-type: none"> f) the effect of the visual bulk of the building and whether it respects the landscape character; and g) the capacity of the site to absorb runoff; and h) the landscape character of the area and the need to remove vegetation to accommodate development; and i) consistency with the local area objectives, if any.
A2 Building height must not exceed 6.8 metres.	<p>P2 Building height must:</p> <ul style="list-style-type: none"> a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.
A3 Buildings must be set back a minimum distance of 10 metres from a frontage.	<p>P3 Building frontage setbacks must have regard to:</p> <ul style="list-style-type: none"> a) the prevailing setbacks of existing buildings on nearby lots and pattern of development in the surrounding area; and b) the visual impact of the building when viewed from the road; and c) retention of vegetation within the front setback; and d) consistency with the local area objectives, if any.
<p>A4 Buildings must be set back a minimum of:</p> <ul style="list-style-type: none"> a) 10 metres to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed. 	<p>P4 Buildings must be set back adequately to protect:</p> <ul style="list-style-type: none"> a) the amenity of adjoining dwellings by providing separation that is consistent with the character of the surrounding area having regard to: <ul style="list-style-type: none"> i) the impact on the amenity and privacy of habitable room windows and private open space; and ii) the impact on the solar access of habitable room windows and private open space; and iii) the locations of existing buildings and private open space areas; and iv) the size and proportions of the lot; and

	<p>v) the extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation; and</p> <p>vi) local area objectives, if any; and</p> <p>b) agricultural uses on adjoining lots from likely constraint; and</p> <p>c) the impact of the proposal on environmental qualities of the site.</p>
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14.4.2 Landscaping

Objective To ensure that the natural values of the site are retained in a manner that contributes to the broader landscape of the area by directing new development to land that is already cleared.	
Acceptable Solutions	Performance Criteria
A1 Development must be located on land where the native vegetation cover has been removed or significantly disturbed.	P1 New development must be located in a manner that minimises vegetation removal.

14.4.3 Subdivision

Objective					
To ensure that subdivision is appropriate to the intended use or development of the lots and that the natural values identified on the subject land are not diminished.					
Acceptable Solutions	Performance Criteria				
<p>A1.1 Land within the following areas must not be subdivided:</p> <table><tr><th>Locality</th></tr><tr><td>Cape Portland</td></tr><tr><td>Derby</td></tr><tr><td>Musselroe Bay</td></tr></table> <p>except;</p> <p>a) where required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the provision of utilities; or</p> <p>d) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) to align existing titles with zone boundaries and no additional lots are</p>	Locality	Cape Portland	Derby	Musselroe Bay	<p>P1 Boundary adjustments must:</p> <p>a) not create any additional titles; and</p> <p>b) provide for each lot, sufficient useable area and dimensions to allow for:</p> <p>i) a dwelling to be erected in a convenient, appropriate and hazard free location; and</p> <p>ii) appropriate disposal of wastewater and stormwater; and</p> <p>iii) on-site parking and manoeuvrability; and</p> <p>iv) adequate private open space; and</p> <p>v) vehicular access from the carriageway of the road to a building area on the lot, if any; and</p> <p>c) be suitable for use and development having regard to:</p>
Locality					
Cape Portland					
Derby					
Musselroe Bay					

<p>created.</p> <p>A1.2 Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<ul style="list-style-type: none"> i) the topographical or natural features of the site; and ii) the ability of vegetation to provide buffering; and iii) any features of natural or cultural significance; and iv) the presence of any natural hazards; and v) local area objectives and desired future character statements, if any.
<p>A2 Each lot must have a frontage of at least 4 metres.</p>	<p>P2 Each lot must provide permanent, legal access of an appropriate width to:</p> <ul style="list-style-type: none"> a) accomodate 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.

15 Urban Mixed Use Zone

15.1 Zone Purpose

15.1.1 Zone Purpose Statements

15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.

15.1.1.2 To provide for a diverse range of urban uses that support the role of activity centres by creating demand, vitality and viability within adjacent activity centres.

15.1.2 Local Area Objectives

a)	Provide for flexibility to respond to opportunity and allow interchangeability of land uses to maximise economic investment and retain population.	New development is to be designed so that it does not detract historic character or adjoining residential amenity.
b)	Promote reuse of historic character buildings and redevelopment of other underutilised buildings.	
c)	Promote restructuring of underutilised land.	

15.1.3 Desired Future Character Statements

15.1.3.1 Bridport

a)	Development will retain a low impact presence in consideration of the amenity of adjoining and surrounding residential uses.	
b)	Development of grouped houses or high density residential dwellings will be discouraged at land north of Main Street.	

15.1.3.2 Scottsdale

Development will be maintained at a scale and density sympathetic to any on-site or adjoining heritage characteristics.	
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15.2 Use Table

No Permit Required	
Use Class	Qualification
Food services	
Permitted	
Use Class	Qualification
Educational and occasional care	
Hotel industry	
Research and development	
Residential	If for: a) existing uses; or b) home based business in an existing dwelling
Service industry	If not for motor repairs or panel beating.
Tourist operation	
Transport depot and distribution	If for public transport related uses
Utilities	If for minor utilities
Vehicle Fuel Sales and Service	If for existing uses
Visitor accommodation	
Discretionary	
Use Class	Qualification
Bulky goods sales	
Business and professional services	
Community meeting & entertainment	
Emergency services	
Equipment and Machinery Sales	If not in Bridport
General retail and hire	
Manufacturing and processing	
Passive recreation	
Residential	If not for: a) existing uses; or

	b) home based business in an existing dwelling
Service industry	If for motor repairs or panel beating
Storage	
Utilities	If not for minor utilities
Vehicle parking	
Visitor accommodation	
Prohibited	
All other uses	

15.3 Use Standards

15.3.1 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.	
Acceptable Solutions	Performance Criteria
A1 Operating hours for commercial vehicles for non residential uses must be between 6.00am and 10.00pm.	P1 Operating hours of commercial vehicles for non residential uses must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, odour, dust and illumination.
A2 Signage must not be illuminated or floodlit outside the hours of 6.00am to 10.00pm.	P2 Illuminated or floodlit signage must demonstrate that the amenity of sensitive uses within the surrounding area will not be detrimentally impacted upon.

15.3.2 Residential Use

Objective To ensure residential uses are facilitated for at desirable densities.	
Acceptable Solution	Performance Criteria
A1 Uses in the Residential Use Class must not occur on a lot less than 450m ² .	P1 No performance criteria.

15.3.3 Amenity – Home-Based Business Use

Objective To ensure that Home-Based Business activities do not unreasonably impact on nearby properties.	
Acceptable Solutions	Performance Criteria
A1 The use operates between 7.00am and	P1 It must be demonstrated that operation of

	7.00pm Monday to Friday and 8.00am and 6.00pm Saturday to Sunday.	the activity will 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 criteria.
A3	The use does not include the hiring of materials, goods or appliances from the property.	P3 No performance criteria.

15.4 Development Standards

15.4.1 Clauses 15.4.1.1 – 15.4.1.6 only apply to development within the Residential Use Class which is a single dwelling.

15.4.1.1 15.4.1.1 Setback from a frontage for single dwellings

<p>Objective</p> <p>To ensure that the setback to frontages:</p> <ul style="list-style-type: none"> a) assist in the establishment of the streetscape character; and b) enhance residential amenity; and c) are consistent with the statements of desired future character; and d) provide a transition space between the road and private dwelling allowing mutual passive surveillance for community safety; and e) respond to slope and other physical characteristics of a lot and assist in attenuation of traffic noise. 	
Acceptable Solutions	Performance Criteria
<p>A1 Unless within a building area shown on a plan of subdivision, the wall of a single dwelling (excluding minor protrusions extending less than 1.5 metres) must have a setback to a frontage that is:</p> <ul style="list-style-type: none"> a) a minimum 4.5m from primary frontage; and a minimum 3m to a frontage other than primary frontage; or b) a distance which is not more or less than the maximum and minimum setbacks of the dwellings on immediately adjoining lots; or c) not less than the existing dwelling setback if less than 4.5m. 	<p>P1 The setback to frontage must:</p> <ul style="list-style-type: none"> a) provide transitional space between the road and private dwelling allowing mutual passive surveillance; and 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; and c) provide measures to ensure that noise generated by traffic will not adversely impact on residential amenity and vehicular egress provides for safe use of the road; and d) have regard to streetscape qualities or assist the integration of new development into the streetscape or be consistent with the statements of desired future character.

15.4.1.2 Site Coverage and Rear Setback for Single Dwellings

Objective To ensure that the location and extent of building site coverage: <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; and b) assists with the management of stormwater; and c) provides for setback to the rear boundary; and d) has regard to streetscape qualities or is consistent with the statements of desired future character. 	
Acceptable Solutions	Performance Criteria
A1 A maximum site coverage of 50% excluding building eaves and access strips where less than 7.5m wide.	P1 Site coverage must: <ul style="list-style-type: none"> a) provide for useful areas of open space for gardens and outdoor recreation purposes; and b) allow areas to be retained for the absorption of rainwater into the ground; and c) have regard to streetscape qualities or be consistent with the statements of desired future character.
A2 A minimum rear setback of 4m unless the lot is an internal lot.	P2 The location of buildings in relation to the rear boundary must: <ul style="list-style-type: none"> a) allow for adequate visual separation between neighbouring dwellings; and b) maximise solar access to habitable rooms; and c) facilitate provision of private open space.

15.4.1.3 Building envelope for single dwellings

<p>Objective</p> <p>To ensure that the siting and scale of single dwellings:</p> <ul style="list-style-type: none"> a) allows for flexibility in design to meet contemporary dwelling requirements; and b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and c) has regard to streetscape qualities or is consistent with the statements of desired future character. 	
Acceptable Solutions	Performance Criteria
<p>A1 All single dwellings (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 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 figures 15.4.1.3A and B); 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 The siting and scale of single dwellings must be designed to:</p> <ul style="list-style-type: none"> a) ensure there is no unreasonable loss of amenity on adjoining lots 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 where greater than above; and ii) overlooking and loss of privacy; and iii) visual impacts when viewed from adjoining lots; and iv) pedestrian areas caused by excessive building bulk; and b) take into account steep slopes and other topographical constraints; and c) have regard to streetscape qualities or be consistent with the statements of desired future character.
<p>A2 For internal lots, all single dwellings must be contained within a building envelope (excluding minor protrusions extending less than 1.5m) determined by a minimum 3m setback to all boundaries, excluding the access strip, and a maximum building height of 5.5m.</p>	<p>P2 The siting and scale of single dwellings on internal lots must be designed to:</p> <ul style="list-style-type: none"> a) ensure there is no unreasonable loss of amenity on adjoining lots 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 where greater than above; and

	<ul style="list-style-type: none"> ii) overlooking and loss of privacy; and iii) visual impacts when viewed from adjoining lots; and iv) pedestrian areas caused by excessive building bulk; and <p>b) take into account steep slopes and other topographical constraints.</p>
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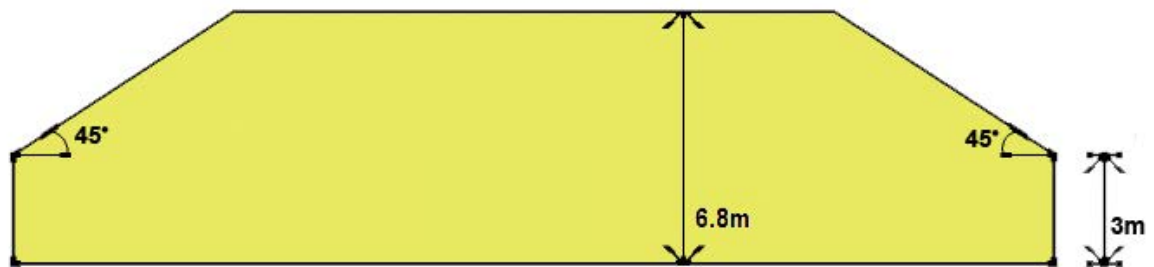


Figure 15.4.1.3A Building envelope described by acceptable solution A1(b).

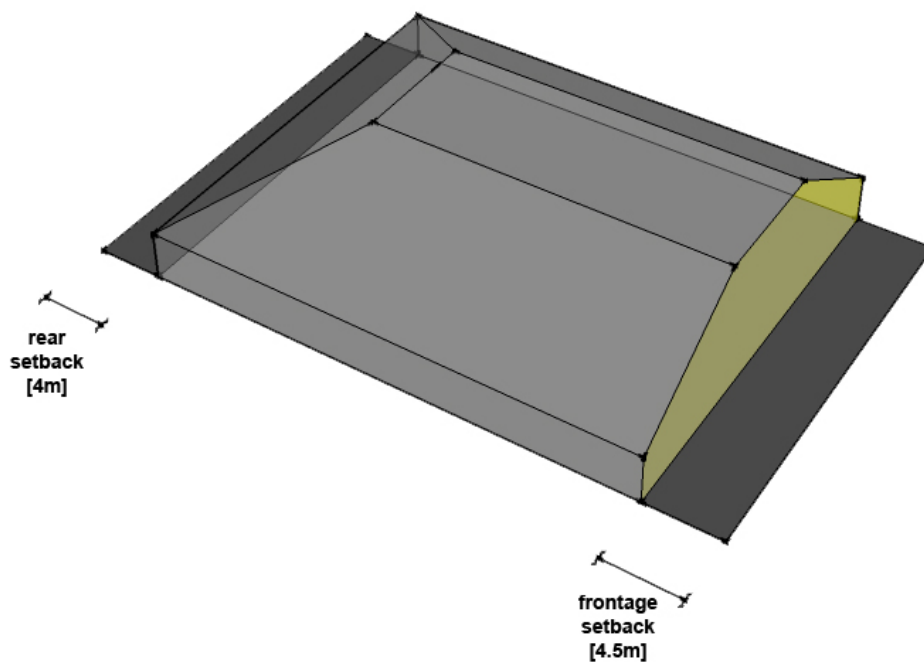


Figure 15.4.1.3B Building envelope described by acceptable solution A1(b) in relation to front and rear setbacks.

15.4.1.4 Frontage setback and width of garages and carports for single dwellings

Objective To ensure that the location and size of garages or carports: <ul style="list-style-type: none"> a) do not dominate the façade of the dwelling or dominate the streetscape; and b) are consistent with the statements of desired future character; and c) do not restrict mutual passive surveillance of the road and dwelling; and d) provides for safe vehicular access to and egress from the site. 	
Acceptable Solutions	Performance Criteria
A1 Garages or carports within 12m of the frontage whether free-standing or part of the dwelling: <ul style="list-style-type: none"> 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 b) must have: <ul style="list-style-type: none"> i) a setback to frontage measured to the door, post or supporting column no less than that required for a single dwelling in Clause 15.4.1.1 A1; or ii) a setback to the primary frontage of a minimum 0.5m if the ground slopes up or down for 10m from the frontage at more than 1:5. 	P1 The siting and design of garages and carports must: <ul style="list-style-type: none"> a) complement the character of the dwelling; and b) not dominate the frontage of the lot through location and visual bulk; and c) retain mutual passive surveillance between dwelling and road; and d) provide for safe vehicular movements between road and site; and e) have regard to streetscape qualities or be consistent with the statements of desired future character.

15.4.1.5 Privacy for single dwellings

Objective To ensure 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.	
Acceptable Solutions	Performance Criteria
A1 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: <ul style="list-style-type: none"> a) have a minimum side setback of 3m and minimum rear setback of 4m; or b) have a minimum rear setback of 4m and be screened by a solid, non-transparent wall to a minimum height of 1.7m above the floor level. 	P1 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 lot to the habitable rooms and balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation or off-set or by use of solid or translucent screening.
A2 Windows of habitable rooms which have a floor level more than 1m above natural ground level must: <ul style="list-style-type: none"> a) have a minimum side setback of 3m; or b) be offset a minimum 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or c) have a minimum window sill height of 1.7m. 	P2 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 lot to the windows of habitable rooms, balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation and off-set or by use of solid or translucent screening.

15.4.1.6 Frontage fences for single dwellings

Objective To ensure 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 dwelling; and b) enhances streetscapes or is consistent with the statements of desired future character. 	
Acceptable Solutions	Performance Criteria
A1 The maximum building height of fences on and within 4.5m of a frontage must be: <ul style="list-style-type: none"> a) 1.2m if solid; or b) 1.8m provided that the part of the fence above 1.2m has openings which provide a minimum 50% transparency. 	P1 Fences on and within 4.5m of a frontage must be designed to: <ul style="list-style-type: none"> a) provide for security and privacy of residents while allowing for mutual passive surveillance of the road; and b) take account of the prevailing height, design and character of neighbouring fences; and c) attenuate noise from high volume traffic; and d) take account of steep slope or other topographical constraints; and e) have regard to streetscape qualities or be consistent with the statements of desired future character.

15.4.2 Clauses 15.4.2.1 – 15.4.2.14 only apply to development within the Residential Use Class which is not a single dwelling.

15.4.2.1 Density Control

Objective To ensure that: <ul style="list-style-type: none"> a) dwellings occur at a density appropriate to the character of the zone; and b) multiple dwellings and other forms of residential development are interspersed with single dwellings in a manner that ensures that single dwellings remain the primary form of dwellings in a road or neighbourhood. 	
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings are constructed with a minimum site area per dwelling of 400m ² .	P1 Multiple dwellings must not be constructed at a density that detracts from the prevailing character of a streetscape or neighbourhood.
A2 Multiple dwellings must not be constructed on more than 2 adjoining lots.	P2 No performance criteria.

15.4.2.2 Streetscape integration and appearance

Objective	
a) To integrate the layout of residential development with the streetscape; and b) To promote passive surveillance; and c) To provide each dwelling with its own sense of identity.	
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings and residential buildings, must: a) have a front door and a window to a habitable room in the building wall that faces a road; or b) face an internal driveway or communal open space area.	P1 Multiple dwellings and residential buildings must provide for the observation of roads, internal driveways and any abutting public open spaces.
A2 Fences on and within 4.5m of the frontage must be no higher than: a) 1.2m if solid; or b) 1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency.	P2 Fences on and within 4.5m of the frontage must be designed to: a) provide for security and privacy of residents while allowing for passive surveillance of the road; or b) be consistent with the height, design and character of neighbouring fences and walls.

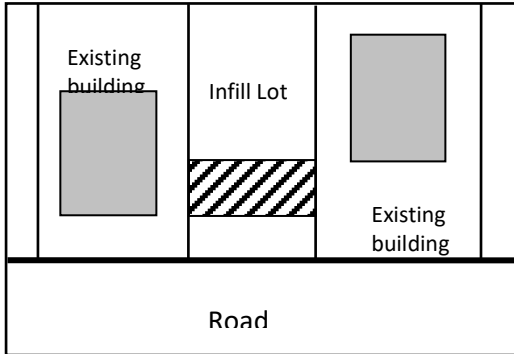
15.4.2.3 Site coverage

Objective	
a) To ensure that the site coverage of residential development respects the existing neighbourhood character or desired future character statements, if any; and b) To reduce the impact of increased stormwater run-off on the drainage system; and c) To ensure sufficient area for landscaping and private open space.	
Acceptable Solutions	Performance Criteria
A1.1 Site coverage of buildings must not exceed 50% of the total site; or A1.2 At least 25% of the site must be free of development area.	P1 The proportion of the site covered by buildings or development must have regard to: a) the existing site coverage and any constraints imposed by existing development or the features of the site; and b) the site coverage of adjacent properties; and c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; and d) the capacity of the site to absorb run-off; and e) landscaping.

15.4.3 Building Height

Objective To ensure that the height of development respects the existing neighbourhood character or desired future character statements, if any.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 6.8m.	P1 Building height must be appropriate to the site and the streetscape having regard to the: <ul style="list-style-type: none"> a) effect of the slope of the site on the height of the building; and b) relationship between the proposed building height and the height of existing adjacent buildings; and c) visual impact of the building when viewed from the road and from adjoining properties; and d) degree of overshadowing and overlooking of adjoining properties.

15.4.3.1 Frontage Setbacks

Objective To ensure that the setbacks of buildings from the frontage respects the existing neighbourhood character or desired future character statements (if any) and makes efficient use of the site.	
Acceptable Solutions	Performance Criteria
A1.1 The primary frontage setback must be: <ul style="list-style-type: none"> a) a minimum of 4.5m; or b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 15.4.2.5 below; and  <p style="text-align: center;">Figure 15.4.2.5 – Primary Frontage Setback for Infill Lots</p>	P1 Frontage setbacks must be appropriate to the location and the amenity of residents having regard to: <ul style="list-style-type: none"> a) the prevailing setbacks of existing buildings on nearby lots; and b) the visual impact of the building when viewed from the road; and c) retention of vegetation within the front setback; and d) the efficient use of the site.
A1.2 Other frontage setbacks must be a minimum of 3m.	

15.4.3.2 Rear and Side Setbacks

Objective	
To ensure that the height and setback of buildings from a boundary respects the existing neighbourhood character and limits unreasonable adverse impacts on the amenity and solar access of adjoining dwellings.	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings must be set back from the rear boundary:</p> <p>a) 4m if the lot has an area less than 1000m²; or</p> <p>b) 5m if the lot has an area equal to or greater than 1000m².</p>	<p>P1 Building setback to the rear boundary must be appropriate to the location, having regard to the:</p> <p>a) ability to provide adequate private open space for the dwelling; and</p> <p>b) character of the area and location of dwellings on lots in the surrounding area; and</p> <p>c) impact on the amenity solar access and privacy of habitable room windows and private open space of existing dwellings; and</p> <p>d) size and proportions of the lot.</p>
<p>A2.1 Buildings must be set back from side boundaries:</p> <p>a) a minimum of 3m with a maximum building height of 5.5m; or</p> <p>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 to a maximum building height of 6.8m above natural ground level, and</p> <p>A2.2 Buildings must be set back from side boundaries a minimum of 1.5m from a side boundary or built to the side boundary provided the:</p> <p>i) wall is built against an existing boundary wall; or</p> <p>ii) 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>	<p>P2 Building setbacks to the side boundary must be appropriate to the location, having regard to the:</p> <p>a) ability to provide adequate private open space for the dwelling; and</p> <p>b) character of the area and location of dwellings on lots in the surrounding area; and</p> <p>c) impact on the amenity, solar access and privacy of habitable room windows and private open space of existing dwellings; and</p> <p>d) size and proportions of the lot.</p>

15.4.3.3 Location of Car Parking

Objective	
a) To provide convenient parking for resident and visitor vehicles; and b) To avoid parking and traffic difficulties in the development and the neighbourhood; and c) To protect residents from vehicular noise within developments.	
Acceptable Solutions	Performance Criteria
A1 Shared driveways or car parks of other dwellings and residential buildings must be located at least 1.5m from the windows of habitable rooms.	P1 Shared driveways or car parking spaces must be designed to protect the amenity of the adjoining habitable rooms having regard to the: a) width of the driveway; and b) location of the existing dwellings; and c) number of car spaces served by the driveway; and d) need for physical screening and/or landscaping.
A2 A garage or carport must be located: a) within 10 metres of the dwelling it serves; and b) with a setback equal to or greater than the setback of the dwelling to the frontage; or c) in line with or behind the front facade where the dwelling is facing an internal driveway.	P2 Car parking facilities must be: a) reasonably close and convenient to the use it serves; and b) located to minimise visual impact to the streetscape.
A3 The total width of the door or doors on a garage facing a road frontage must: a) be not more than 6m; or b) the garage must be located within the rear half of the lot when measured from the front boundary.	P3 The width of garage doors facing a road should not be a visually dominant element in the streetscape and must be designed having regard to the: a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site.

15.4.2.8 Overlooking

<p>Objective</p> <p>To minimise:</p> <p>a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and</p> <p>b) any adverse impact on the amenity of the adjoining and the subject site.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at finished ground level) of the window, balcony, terrace, deck or patio must be:</p> <p>a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or</p> <p>b) have sill heights of at least 1.7m above floor level; or</p> <p>c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or</p> <p>d) have permanently fixed external screens to at least 1.8m above floor level; and</p> <p>e) obscure glazing and screens must be no more than 25% transparent.</p> <p>Views must be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above floor level, indicated in Figure 15.4.2.8; or</p> <p>A1.2 New habitable room windows, balconies, terraces, decks or patios that face a property boundary must have a visual barrier at least 1.8 metres high and the floor level of the habitable room, balconies, terraces, decks or patios is less than 0.6m above the ground level at the boundary.</p>	<p>P1 Buildings must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the:</p> <p>a) setback of the existing and proposed building; and</p> <p>b) location of windows and private open spaces areas within the development and the adjoining sites; and</p> <p>c) level and effectiveness of physical screening by fences or vegetation; and</p> <p>d) topography of the site; and</p> <p>e) characteristics and design of houses in the immediate area.</p>

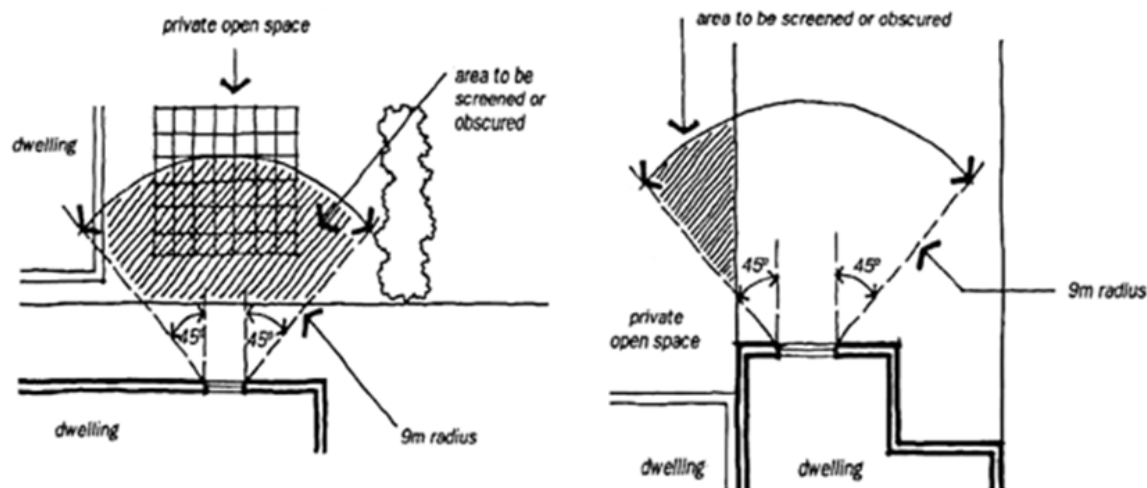


Figure 15.4.2.8

15.4.2.9 Private Open Space

Objective			
To provide adequate and useable private open space for the reasonable recreation and service needs of residents.			
Acceptable Solutions		Performance Criteria	
A1	Each multiple dwelling must have private open space:	P1	Multiple dwellings must be provided with sufficient private open space to meet the reasonable recreational needs of the residents having regard to the:
a)	with a continuous area of 40m ² and a minimum dimension of at least 4m; and	a)	useability of the private open space, including its size and accessibility; and
b)	directly accessible from, and adjacent to, a habitable room, other than a bedroom; and	b)	availability of and access to public or communal open space; and
c)	with a gradient not steeper than 1:16; and	c)	orientation of the lot to the road.
d)	located on the side or rear of the dwelling; or		
e)	where all bedrooms and living areas are wholly above ground floor, a balcony of 8m ² with a minimum dimension of 2m; or a roof-top area of 10m ² with a minimum width of 2m and direct access from a living room.		
A2.1	Private open space must receive a minimum of 4 hours of direct sunlight on 21 June to 50% of the designated private open space area; or	P2	Private open space must receive adequate solar access having regard to:
A2.2	The southern boundary of private open space must be set back from any wall 2m	a)	topography of the site; and
		b)	site constraints including orientation and shape of the site; and

high or greater on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall as indicated in Figure 15.4.2.9.	c) location and size of buildings on adjoining sites.
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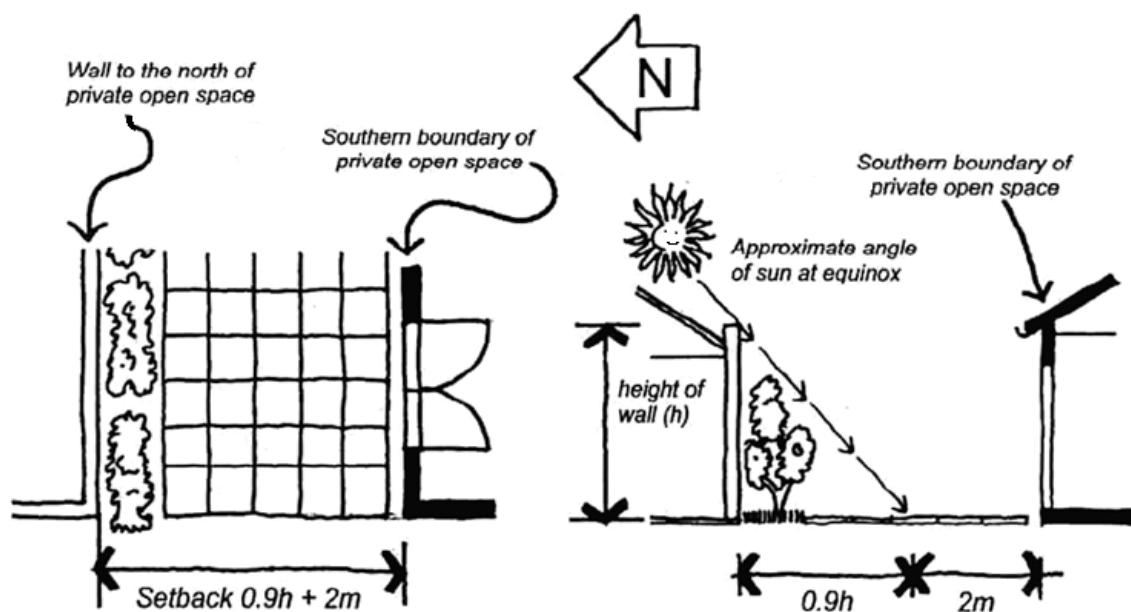


Figure 15.4.2.9

15.4.2.10 Landscaping

Objective	
a) To provide appropriate landscaping that respects the landscape character of the neighbourhood; and b) To encourage the retention of mature vegetation on the site.	
Acceptable Solutions	Performance Criteria
A1 Landscaping must be provided to the frontage and within the development including: a) the retention or planting of vegetation; and b) the protection of any predominant landscape features of the neighbourhood; and c) pathways, lawn area or landscape beds.	P1 Landscaping must: a) provide a safe, attractive and functional environment for residents; and b) respond to the landscape character of the neighbourhood; and c) have regard to any mature vegetation.

15.4.2.11 Storage

Objective
To provide adequate storage facilities for each dwelling.

Acceptable Solutions	Performance Criteria
A1 Each dwelling must have access to at least 6 cubic metres of secure storage space.	P1 Each dwelling must provide storage suitable to the reasonable needs of residents.

15.4.2.12 Common Property

<p>Objective</p> <p>To ensure that communal open space, car parking, access areas and site facilities are easily identified.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Development must clearly delineate public, communal and private areas such as:</p> <ul style="list-style-type: none"> a) driveways; and b) landscaping areas; and c) site services, bin areas and any waste collection points. 	<p>P1 No performance criteria.</p>

15.4.2.13 Outbuildings and Ancillary Structures

<p>Objective</p> <p>To ensure:</p> <ul style="list-style-type: none"> a) that outbuildings do not detract from the amenity or established neighbourhood character; and b) that dwellings remain the dominant built form within an area; and c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties. 	
Acceptable Solutions	Performance Criteria
<p>A1 Outbuildings for each dwelling must have a:</p> <ul style="list-style-type: none"> a) combined gross floor area not exceeding 45m²; and b) wall height no greater than 2.7m; and c) maximum height not greater than 3.5m. 	<p>P1 Outbuildings for each dwelling must be designed and located having regard to:</p> <ul style="list-style-type: none"> a) visual impact on the streetscape; and b) overshadowing of adjoining properties; and c) compatibility with the size and location of outbuildings in the neighbourhood.
<p>A2 A swimming pool for private use must be located:</p> <ul style="list-style-type: none"> a) behind the setback from a primary frontage; or b) in the rear yard. 	<p>P2 A swimming pool for private use must be designed and located to:</p> <ul style="list-style-type: none"> a) minimise any visual impact on the streetscape; and b) not unreasonably overlook or overshadow adjoining properties; and c) be compatible with the size and location of approved outbuildings in the neighbourhood.

15.4.2.14 Site Services

<p>Objective</p> <p>To ensure that:</p> <ul style="list-style-type: none"> a) site services can be installed and easily maintained; and b) site facilities are accessible, adequate and attractive. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 A minimum of 2.0m² per dwelling must be provided for bin and recycling enclosures and be located behind a screening fence.</p> <p>A1.2 Provision for mailboxes must be made at the frontage.</p>	<p>P1 Sufficient space (including easements where required) and facilities for waste, recycling and mail services must be provided for each dwelling.</p>

15.4.3 Clause 15.4.3.1 only applies to development other than the Residential Use Class.

15.4.3.1 Building Design and Siting

<p>Objective</p> <p>a) To protect the residential amenity of adjoining lots by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents; and</p> <p>b) To ensure that development is visually compatible with surrounding areas; and</p> <p>c) To ensure that the siting and design of development furthers the local area objectives and desired future character statements for the area, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Site coverage must not exceed 75%.</p>	<p>P1 The proportion of the site covered by buildings must have regard to the:</p> <p>a) existing site coverage and any constraints imposed by existing development or the features of the site; and</p> <p>b) site coverage of adjacent properties; and</p> <p>c) effect of the visual bulk of the building and whether it respects the neighbourhood character; and</p> <p>d) capacity of the site to absorb runoff; and</p> <p>e) landscape character of the area.</p>

A2 Building height must:

- a) not exceed 6.8 metres at Bridport; or
- b) not exceed 8.5 metres at Scottsdale; or
- c) be between the maximum heights of the two adjoining buildings, shown as the shaded area in Figure 15.4.3A below.

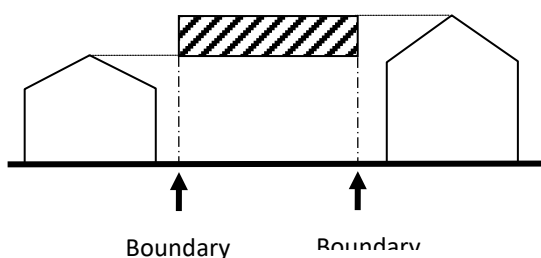


Figure 15.4.3A – Building Height

Note: Shaded area relates to height only and does not indicate setbacks to side boundaries.

P2 Building height must:

- a) be consistent with the local area objectives, if any; and
- b) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:
 - i) the surrounding pattern of development; and
 - ii) the existing degree of overlooking and overshadowing; and
 - iii) the impact on the adjoining property of a reduction in 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 no increase to existing overshadowing where greater than above; and
- iv) maintaining reasonable privacy to private open space and windows; and
- v) existing screening or the ability to implement screening to enhance privacy.

A3 Primary frontage setbacks must be:

- a) a minimum distance of 3 metres; or
- c) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 15.4.3B below; and

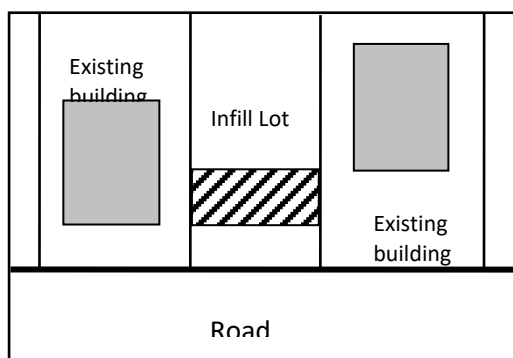


Figure 15.4.3B – Primary Frontage Setback for Infill Lots

P3 Buildings must be set back from the frontage an appropriate distance having regard to:

- a) the efficient use of the site; and
- b) the safety of road users; and
- c) the prevailing setbacks of existing buildings on nearby lots; and
- d) the visual impact of the building when viewed from the road; and
- e) retention of vegetation within the front setback.

<p>c) for corner lots, side walls must be set back a minimum of 3m from the secondary frontage.</p>	
<p>A4 Buildings must be set back from the side and rear boundaries a minimum distance of 1.5 m.</p>	<p>P4 Buildings are sited so that side and rear setbacks:</p> <p>a) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <ul style="list-style-type: none"> i) the surrounding pattern of development; and ii) the existing degree of overlooking and overshadowing; and iii) the reduction of sunlight to habitable rooms and private open space to no less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and iv) maintaining reasonable privacy to private open space and windows; and v) existing screening or the ability to implement screening to enhance privacy; and <p>b) be consistent with the statements of desired future character.</p>
<p>A5 The entrance of a building must be:</p> <p>a) clearly visible from the road or publically accessible areas on the site; and</p> <p>b) provide a safe access for pedestrians.</p>	<p>P5 No performance criteria.</p>
<p>A6 Fences on and within 3m of the frontage must be no higher than:</p> <p>a) 1.2m if solid; or</p> <p>b) 1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency.</p>	<p>P6 Fences on and within 3m of the frontage must be designed to:</p> <p>a) provide for security and privacy of residents while allowing for passive surveillance of the road; or</p> <p>b) be consistent with the height, design and character of neighbouring fences and</p>

	walls.
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15.4.4 Subdivision

Objective	
<p>a) To achieve subdivision that provides for a range of residential, commercial, retail, community service and other uses which complement the mixed-use function of the locality; and</p> <p>b) To encourage higher densities in urban locations that support walking and cycling and public transport; and</p> <p>c) To encourage residential development that respects the neighbourhood character; and</p> <p>d) To ensure the area and dimension of lots are appropriate for the characteristics of the locality; and</p> <p>e) To ensure each lot has road access, water supply, and wastewater and stormwater disposal appropriate for the zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <p>a) have a minimum area of at least</p> <p>i) 300 m² if not for a residential use; and</p> <p>ii) 450 m² if for a residential use; and</p> <p>b) be able to contain a 15 metre diameter circle with the centre of the circle not more than 15 metres from the frontage; and</p> <p>c) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.; or</p> <p>A1.2 Lots must be:</p> <p>a) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>b) for the provision of utilities; or</p> <p>c) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>d) to align existing titles with zone boundaries and no additional lots are created.</p>	<p>P1 Subdivision must demonstrate that it:</p> <p>a) respects the existing neighbourhood character or the ability to achieve a preferred neighbourhood character; and</p> <p>b) responds to and integrates with the surrounding urban environment; and</p> <p>c) is consistent with desired future character statements and local area objectives, if any.</p>
A2 Each lot must have a frontage of at least 6 metres.	P2 No performance criteria.
A3 Each lot must be connected to a:	P3 No performance criteria.
a) reticulated water supply; and	

<p>b) reticulated sewerage system; and c) reticulated stormwater system.</p>	
<p>A4 Subdivision is not located on the boundary of a residential zone.</p>	<p>P4 The subdivision layout must be designed to mitigate adverse environmental impacts and minimise potential for disturbance or loss of amenity on adjoining residential zones having regard to:</p> <ul style="list-style-type: none"> a) lot layout, design; and b) orientation; and c) access considerations; and d) topography; and e) the need for landscape buffers; and f) provision for attenuation distance or physical separation.

16 Village Zone

16.1 Zone Purpose

16.1.1 Zone Purpose Statements

- 16.1.1.1 To provide for small rural centres with a mix of residential, community services and commercial activities.
- 16.1.1.2 To provide for low impact, non residential uses that support the function of the settlement.
- 16.1.1.3 To provide for the amenity of the residents in a manner appropriate to the mixed use characteristics and needs of a particular settlement.

16.1.2 Local Area Objectives

16.1.2.1 Branxholm

a)	Promote reuse of historic character buildings and redevelopment of other underutilised buildings.	New development is to be designed such that it does not detract from historic character or adjoining residential amenity.
b)	Ensure development complements the visual character of the village's older building types and historic fabric.	

16.1.2.2 Derby

a)	Provide for use and development where the visual quality of the Main Street streetscape is protected.	New development is to be designed such that it does not dominate, or detract from, local historic character, heritage character and adjoining residential amenity.
b)	Promote reuse of historic character buildings and redevelopment of other underutilised buildings.	
c)	Ensure development complements the visual character of the village's older building types and historic fabric.	

16.1.2.3 Gladstone

a)	Provide for use and development where the visual quality of the Main Street streetscape is protected.	New development is to be designed such that it does not detract from historic character or adjoining residential amenity.
b)	Promote reuse of historic character buildings and redevelopment of other underutilised buildings.	
c)	Ensure development complements the visual character of the village's older building types and historic fabric.	

16.1.2.4 Legerwood

a)	Provide for use and development where the visual quality of the Main Street streetscape is protected.	New development is to be designed such that it does not detract from historic character or adjoining residential amenity.
b)	Promote reuse of historic character buildings and redevelopment of other underutilised buildings.	

a) Ensure development complements the visual character of the village's older building types and historic fabric.	
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16.1.2.5 Nabowla

Support infill development within the area.	New development is to be designed such that it does not dominate or detract from historic character or adjoining residential character.
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16.1.2.6 Pioneer

a) Provide for use and development where the visual quality of the Main Road streetscape is protected.	New development is to be designed such that it does not dominate or detract from historic character or adjoining residential character.
b) Support infill development within the area.	

16.1.2.7 Ringarooma

a) Provide for use and development where the visual quality of the Main Street streetscape is protected.	New development is to be designed such that it does not dominate, or detract from, local historic character, heritage character and adjoining residential amenity.
b) Promote reuse of historic character buildings and redevelopment of other underutilised buildings.	
c) Ensure development complements the visual character of the village's older building types and historic fabric.	

16.1.2.8 Winnaleah

a) Provide for use and development where the visual quality of the Main Street streetscape is protected.	a) New development is to be designed such that it does not dominate, or detract from, local historic character, heritage character and adjoining residential amenity.
b) Promote reuse of historic character buildings and redevelopment of other underutilised buildings.	
c) Ensure development complements the visual character of the village's older building types and historic fabric.	b) Subdivision must act to consolidate the village cluster.
d) Support infill development within the area.	

16.1.3 Desired Future Character Statements

16.1.3.1 Branxholm

The village area of Branxholm reflects an historical mixed use pattern as an agricultural and forestry service centre; with residential and community uses interspersed with a small clustering of local businesses.	
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16.1.3.2 Derby

<p>a) Derby reflects an historical mixed use pattern as a mining and forestry service centre, characterised by a linear pattern of development that is adjacent and proximate to the Tasman Highway.</p> <p>b) The visual character of the village area is to be protected through design and location of development that is consistent in appearance with prevailing traditional built form and associated materials.</p> <p>c) The streetscape along Main Street is considered to be a key visual asset to the character of the town and is to be maintained.</p>	
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16.1.3.3 Gladstone

<p>a) Gladstone village is represented by a concentrated strip development of residential uses interspersed with local businesses and historic character buildings that complement the character of the settlement.</p> <p>b) The streetscape along Main Street is considered to be a key visual asset to the character of the town and is to be maintained.</p>	
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16.1.3.4 Legerwood

<p>a) The village area of Legerwood reflects an historical pattern as an agricultural service centre, with residential uses interspersed with a clustering of disparate local businesses.</p> <p>b) The streetscape along Main Street is a key visual asset to the character of the town and is to be maintained.</p>	
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16.1.3.5 Nabowla

The village area of Nabowla reflects the historical pattern of settlement as a small rural service centre, characterised by a small clustering of residential uses.	
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16.1.3.6 Pioneer

a)	Pioneer village is represented by a concentrated strip development of predominantly residential uses and historic character buildings that complement the character of the settlement.	
b)	The streetscape along Main Road is considered to be a key visual asset to the character of the town and is to be maintained.	

16.1.3.7 Ringarooma

a)	The village area of Ringarooma reflects an historical mixed use pattern as an agricultural and forestry service centre, with residential and community uses interspersed with a small clustering of local businesses.	
b)	The streetscape along Main Street is a key visual asset to the character of the town and is to be maintained.	

16.1.3.8 Winnaleah

a)	The village area of Winnaleah reflects an historical mixed use pattern as an agricultural service centre, with residential and community uses interspersed with a small clustering of local businesses.	
b)	The streetscape along Main Street is a key visual asset to the character of the town and is to be maintained.	

16.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Residential	If for a single dwelling or home-based business
Permitted	
Use Class	Qualification
Business and professional services	
Community meeting & entertainment	
Crematoria and cemeteries	If for an existing cemetery
Educational and occasional care	

Emergency services	
Food services	
General retail and hire	
Hospital services	
Hotel industry	
Residential	If not for a single dwelling or home-based business
Service industry	
Sports and recreation	
Storage	
Utilities	If for minor utilities
Vehicle fuel sales and service	
Visitor accommodation	
Discretionary	
Use Class	Qualification
Bulky goods sales	
Crematoria and cemeteries	If for expansion of an existing cemetery
Equipment and machinery sales and hire	
Manufacturing and processing	If for craft and cottage industries or artist's studio
Tourist operation	
Utilities	If not for minor utilities
Prohibited	
All other uses	

16.3 Use Standards

16.3.1 Amenity

Objective	
To ensure 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 will not be unduly impacted upon by

	noise from operations or deliveries from the site.
A3 Commercial vehicles are parked within the boundary of the property.	P3 Parking of commercial vehicles, including delivery vehicles, are not to create a traffic hazard or compromise the mixed use functions of the road.

16.3.2 Village Character

Objective To ensure that non-residential uses are of an appropriate scale and type to support the objectives for the settlement.	
Acceptable Solutions	Performance Criteria
A1 Non-residential use must not exceed a combined gross floor area of 250m ² over the site.	P1.1 The use is not within the classes of [insert local]; and P1.2 The size and appearance of the use does not dominate the character of the area; and P1.3 The proposal is consistent with the local area objectives for visual character, if any.
A2 Goods or materials must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 Storage of goods or materials is consistent with the local area objectives for visual character, if any.
A3 Waste materials must be stored in: a) a manner and location that is not visible from the road to which the lot has frontage; and b) fully self-contained receptacles designed to ensure waste does not escape to the environment.	P3 No performance criteria.

16.3.3 Amenity – Home-Based Business Use

Objective To ensure that Home-Based Business activities do not unreasonably impact on nearby properties.	
Acceptable Solutions	Performance Criteria
A1 The use operates between 7.00am and 7.00pm Monday to Friday and 8.00am and 6.00pm Saturday to Sunday.	P1 It must be demonstrated that operation of the activity will 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 criteria.
A3 The use does not include the hiring of	P3 No performance criteria

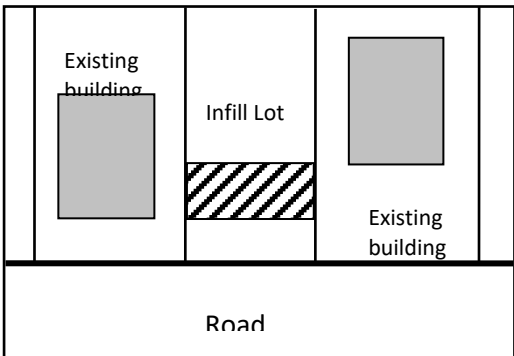
materials, goods or appliances from the property.	
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16.4 Development Standards

16.4.1 Clause 16.4.1.1 only applies to development other than the Residential Use Class.

16.4.1.1 Building Design and Siting

Objective	
a) To protect the residential amenity of adjoining lots by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents; and b) To ensure that the siting and design of development furthers the local area objectives and desired future character statements for the area, if any.	
Acceptable Solutions	Performance Criteria
A1 Site coverage must not exceed 50%.	P1 The proportion of the site covered by buildings must have regard to the: <ul style="list-style-type: none"> a) existing site coverage and any constraints imposed by existing development or the features of the site; and b) site coverage of adjacent properties; and c) effect of the visual bulk of the building and whether it respects the village character; and d) capacity of the site to absorb runoff; and e) landscape character of the area.
A2 Building height must: <ul style="list-style-type: none"> a) not exceed 6.8 metres; or b) be between the maximum heights of the two adjoining buildings, shown as the shaded area in Figure 16.4.1.1A below. <div data-bbox="256 1520 798 1769" data-label="Diagram"> </div> <p>Figure 16.4.1.1A – Building Height</p> <p><i>Note: Shaded area relates to height only and does not indicate setbacks to side boundaries.</i></p>	P2 Building height must: <ul style="list-style-type: none"> a) be consistent with the local area objectives, if any; and b) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to: <ul style="list-style-type: none"> i) the surrounding pattern of development; and ii) the existing degree of overlooking and overshadowing; and iii) the impact on the adjoining property of a reduction in 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 no increase to existing overshadowing where greater than above; and iv) maintaining reasonable privacy to

	<p>private open space and windows; and</p> <p>v) existing screening or the ability to implement screening to enhance privacy.</p>
<p>A3 Primary frontage setbacks must be:</p> <p>a) a minimum distance of 6m; or</p> <p>b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 16.4.1.1B below; and</p>  <p>Figure 16.4.1.1B – Primary Frontage Setback for Infill Lots</p> <p>c) for corner lots, side walls must be set back a minimum of 3m from the secondary frontage.</p>	<p>P3 Buildings must be set back from the frontage an appropriate distance having regard to:</p> <p>a) the efficient use of the site; and</p> <p>b) the safety of road users; and</p> <p>c) the prevailing setbacks of existing buildings on nearby lots; and</p> <p>d) the visual impact of the building when viewed from the road; and</p> <p>e) retention of vegetation within the front setback.</p>
<p>A4 Buildings must be set back from the side and rear boundaries a minimum distance of 3m.</p>	<p>P4 Buildings are sited so that side and rear setbacks:</p> <p>a) protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</p> <p>i) the surrounding pattern of development; and</p> <p>ii) the existing degree of overlooking and overshadowing; and</p> <p>iii) the reduction of sunlight to habitable rooms and private open space to no less than 3 hours between 9.00 am and 5.00 pm on June 21 or no increase to existing overshadowing where greater than above; and</p> <p>iv) maintaining reasonable privacy to private open space and windows; and</p> <p>v) existing screening or the ability to</p>

	<p>implement screening to enhance privacy; and</p> <p>b) further the objectives relating to the visual character of the village.</p>
<p>A5 The entrance of a building must be:</p> <p>a) clearly visible from the road or publically accessible areas on the site; and</p> <p>b) provide a safe access for pedestrians.</p>	<p>P5 No performance criteria.</p>
<p>A6 Fences on and within 3m of the frontage must be no higher than:</p> <p>a) 1.2m if solid; or</p> <p>b) 1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency.</p>	<p>P6 Fences on and within 3m of the frontage must be designed to:</p> <p>a) provide for security and privacy of residents while allowing for passive surveillance of the road; or</p> <p>b) be consistent with the height, design and character of neighbouring fences and walls.</p>

16.4.2 Clauses 16.4.2.1 – 16.4.2.6 only apply to development within the Residential Use Class which is a single dwelling.

16.4.2.1 Setback from a frontage for single dwellings

<p>Objective</p> <p>To ensure that the setback to frontages:</p> <ul style="list-style-type: none"> a) assist in the establishment of the streetscape character; and b) enhance residential amenity; and c) are consistent with the statements of desired future character; and d) provide a transition space between the road and private dwelling allowing mutual passive surveillance for community safety; and e) respond to slope and other physical characteristics of a lot and assist in attenuation of traffic noise. 	
Acceptable Solutions	Performance Criteria
<p>A1 Unless within a building area shown on a plan of subdivision, the wall of a single dwelling (excluding minor protrusions extending less than 1.5 metres) must have a setback to a frontage that is:</p> <ul style="list-style-type: none"> a) a minimum 4.5m from primary frontage; and a minimum 3m to a frontage other than primary frontage; or b) a distance which is not more or less than the maximum and minimum setbacks of the dwellings on immediately adjoining lots; or c) not less than the existing dwelling setback if less than 4.5m. 	<p>P1 The setback to frontage must:</p> <ul style="list-style-type: none"> a) provide transitional space between the road and private dwelling allowing mutual passive surveillance; and 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; and c) provide measures to ensure that noise generated by traffic will not adversely impact on residential amenity and vehicular egress provides for safe use of the road; and d) have regard to streetscape qualities or assist the integration of new development into the streetscape or be consistent with the statements of desired future character.

16.4.2.2 Site Coverage and Rear Setback for Single Dwellings

Objective To ensure that the location and extent of building site coverage: <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; and b) assists with the management of stormwater; and c) provides for setback to the rear boundary; and d) has regard to streetscape qualities or is consistent with the statements of desired future character. 	
Acceptable Solutions	Performance Criteria
A1 A maximum site coverage of 50% excluding building eaves and access strips where less than 7.5m wide.	P1 Site coverage must: <ul style="list-style-type: none"> a) provide for useful areas of open space for gardens and outdoor recreation purposes; and b) allow areas to be retained for the absorption of rainwater into the ground; and c) have regard to streetscape qualities or be consistent with the statements of desired future character.
A2 A minimum rear setback of 4m unless the lot is an internal lot.	P2 The location of buildings in relation to the rear boundary must: <ul style="list-style-type: none"> a) allow for adequate visual separation between neighbouring dwellings; and b) maximise solar access to habitable rooms; and c) facilitate provision of private open space.

16.4.2.3 Building envelope for single dwellings

Objective To ensure that the siting and scale of single dwellings: <ul style="list-style-type: none"> a) allows for flexibility in design to meet contemporary dwelling requirements; and b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and c) has regard to streetscape qualities or is consistent with the statements of desired future character. 	
Acceptable Solutions	Performance Criteria
A1 All single dwellings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:	P1 The siting and scale of single dwellings must be designed to: <ul style="list-style-type: none"> a) ensure there is no unreasonable loss of amenity on adjoining lots by:

<p>a) determined by a minimum setback of 3m from side boundaries and minimum 4m from the rear boundary and a maximum building height of 5.5m; or</p> <p>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 figures 16.4.2.3A and B); and walls are set back:</p> <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. 	<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 where greater than above; and ii) overlooking and loss of privacy; and iii) visual impacts when viewed from adjoining lots; and iv) pedestrian areas caused by excessive building bulk; and <p>b) take into account steep slopes and other topographical constraints; and</p> <p>c) have regard to streetscape qualities or be consistent with the statements of desired future character.</p>
<p>A2 For internal lots, all single dwellings must be contained within a building envelope (excluding minor protrusions extending less than 1.5m) determined by a minimum 3m setback to all boundaries, excluding the access strip, and a maximum building height of 5.5m.</p>	<p>P2 The siting and scale of single dwellings on internal lots must be designed to:</p> <ul style="list-style-type: none"> a) ensure there is no unreasonable loss of amenity on adjoining lots 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 where greater than above; and ii) overlooking and loss of privacy; and iii) visual impacts when viewed from adjoining lots; and iv) pedestrian areas caused by excessive building bulk; and b) take into account steep slopes and other topographical constraints.

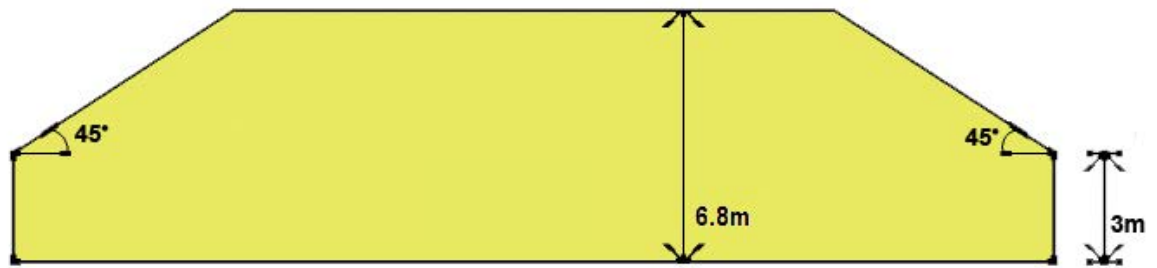


Figure 16.4.2.3A Building envelope described by acceptable solution A1(b).

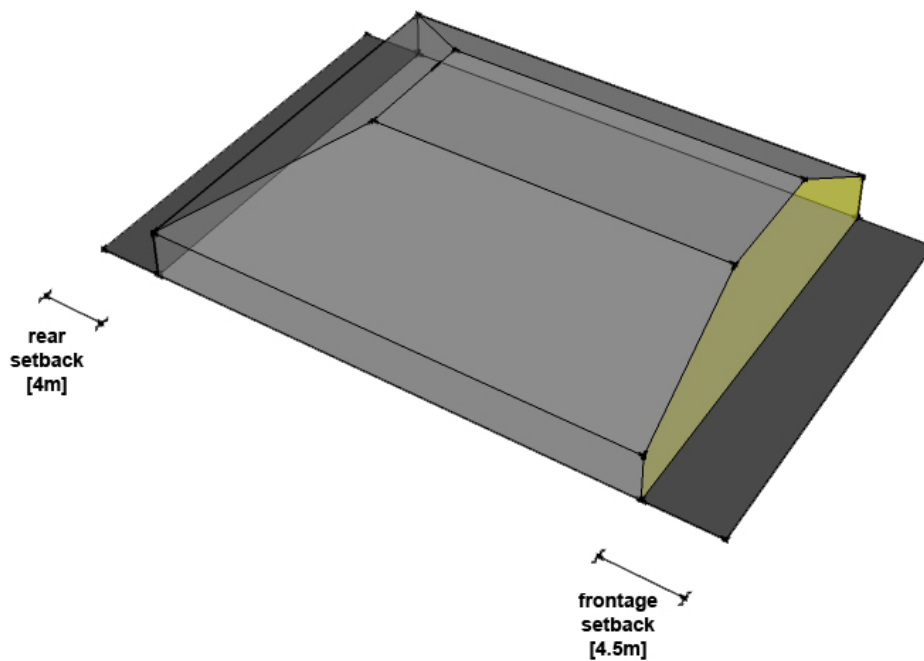


Figure 16.4.2.3B Building envelope described by acceptable solution A1(b) in relation to front and rear setbacks.

16.4.2.4 Frontage setback and width of garages and carports for single dwellings

Objective To ensure that the location and size of garages or carports: <ul style="list-style-type: none"> a) do not dominate the façade of the dwelling or dominate the streetscape; and b) are consistent with the statements of desired future character; and c) do not restrict mutual passive surveillance of the road and dwelling; and d) provides for safe vehicular access to and egress from the site. 	
Acceptable Solutions	Performance Criteria
A1 Garages or carports within 12m of the frontage whether free-standing or part of the dwelling: <ul style="list-style-type: none"> 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 b) must have: <ul style="list-style-type: none"> i) a setback to frontage measured to the door, post or supporting column no less than that required for a single dwelling in Clause 16.4.2.1 A1; or ii) a setback to the primary frontage of a minimum 0.5m if the ground slopes up or down for 10m from the frontage at more than 1:5. 	P1 The siting and design of garages and carports must: <ul style="list-style-type: none"> a) complement the character of the dwelling; and b) not dominate the frontage of the lot through location and visual bulk; and c) retain mutual passive surveillance between dwelling and road; and d) provide for safe vehicular movements between road and site; and e) have regard to streetscape qualities or be consistent with the statements of desired future character.

16.4.2.5 Privacy for single dwellings

Objective To ensure 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.	
Acceptable Solutions	Performance Criteria
A1 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: <ul style="list-style-type: none"> a) have a minimum side setback of 3m and minimum rear setback of 4m; or b) have a minimum rear setback of 4m and be screened by a solid, non-transparent wall to a minimum height of 1.7m above the floor level. 	P1 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 lot to the habitable rooms and balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation or off-set or by use of solid or translucent screening.
A2 Windows of habitable rooms which have a floor level more than 1m above natural ground level must: <ul style="list-style-type: none"> a) have a minimum side setback of 3m; or b) be offset a minimum 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or c) have a minimum window sill height of 1.7m. 	P2 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 lot to the windows of habitable rooms, balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation and off-set or by use of solid or translucent screening.

16.4.2.6 Frontage fences for single dwellings

Objective To ensure 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 dwelling; and b) enhances streetscapes or is consistent with the statements of desired future character. 	
Acceptable Solutions	Performance Criteria
A1 The maximum building height of fences on and within 4.5m of a frontage must be: <ul style="list-style-type: none"> a) 1.2m if solid; or b) 1.8m provided that the part of the fence above 1.2m has openings which provide a minimum 50% transparency. 	P1 Fences on and within 4.5m of a frontage must be designed to: <ul style="list-style-type: none"> a) provide for security and privacy of residents while allowing for mutual passive surveillance of the road; and b) take account of the prevailing height, design and character of neighbouring fences; and c) attenuate noise from high volume traffic; and d) take account of steep slope or other topographical constraints; and e) have regard to streetscape qualities or be consistent with the statements of desired future character.

16.4.3 Clauses 16.4.3.1 – 16.4.3.14 only apply to development within the Residential Use Class which is not a single dwelling.

16.4.3.1 Density Control

Objective To ensure that: <ul style="list-style-type: none"> a) dwellings occur at a density appropriate to the character of the zone; and b) multiple dwellings and other forms of residential development are interspersed with single dwellings in a manner that ensures that single dwellings remain the primary form of dwellings in a road or neighbourhood. 	
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings are constructed with a minimum site area per dwelling of 400m ² .	P1 Multiple dwellings must not be constructed at a density that detracts from the prevailing character of a streetscape or neighbourhood.
A2 Multiple dwellings must not be constructed on more than 2 adjoining lots.	P2 No performance criteria.

16.4.3.2 Streetscape integration and appearance

Objective a) To integrate the layout of residential development with the streetscape; and b) To promote passive surveillance; and c) To provide each dwelling with its own sense of identity.	
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings and residential buildings, must: a) have a front door and a window to a habitable room in the building wall that faces a road; or b) face an internal driveway or communal open space area.	P1 Multiple dwellings and residential buildings must provide for the observation of roads, internal driveways and any abutting public open spaces.
A2 Fences on and within 4.5m of the frontage must be no higher than: a) 1.2m if solid; or b) 1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency.	P2 Fences on and within 4.5m of the frontage must be designed to: a) provide for security and privacy of residents while allowing for passive surveillance of the road; or b) be consistent with the height, design and character of neighbouring fences and walls.

16.4.3.3 Site coverage

Objective a) To ensure that the site coverage of residential development respects the existing neighbourhood character or desired future character statements, if any; and b) To reduce the impact of increased stormwater run-off on the drainage system; and c) To ensure sufficient area for landscaping and private open space.	
Acceptable Solutions	Performance Criteria
A1.1 Site coverage of buildings must not exceed 50% of the total site; or A1.2 At least 25% of the site must be free of development area.	P1 The proportion of the site covered by buildings or development must have regard to: a) the existing site coverage and any constraints imposed by existing development or the features of the site; and b) the site coverage of adjacent properties; and c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; and d) the capacity of the site to absorb run-off; and e) landscaping.

16.4.3.4 Building Height

Objective To ensure that the height of development respects the existing neighbourhood character or desired future character statements, if any.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 6.8m.	P1 Building height must be appropriate to the site and the streetscape having regard to the: <ul style="list-style-type: none"> a) effect of the slope of the site on the height of the building; and b) relationship between the proposed building height and the height of existing adjacent buildings; and c) visual impact of the building when viewed from the road and from adjoining properties; and d) degree of overshadowing and overlooking of adjoining properties.

16.4.3.5 Frontage Setbacks

Objective To ensure that the setbacks of buildings from the frontage respects the existing neighbourhood character or desired future character statements (if any) and makes efficient use of the site.	
Acceptable Solutions	Performance Criteria
A1.1 The primary frontage setback must be: <ul style="list-style-type: none"> a) a minimum of 4.5m; or b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 16.4.3.5 below; and <div data-bbox="231 1512 746 1865" data-label="Diagram"> <p>The diagram shows a cross-section of a street. At the bottom is a horizontal line labeled 'Road'. Above the road, there are three rectangular areas representing building footprints. The leftmost and rightmost are labeled 'Existing building'. The middle one is labeled 'Infill Lot'. The setback of the infill lot from the road is indicated by a hatched area, showing it must be within the range of the setbacks of the existing buildings.</p> </div> <p>Figure 16.4.3.5 – Primary Frontage Setback for Infill Lots</p>	P1 Frontage setbacks must be appropriate to the location and the amenity of residents having regard to: <ul style="list-style-type: none"> a) the prevailing setbacks of existing buildings on nearby lots; and b) the visual impact of the building when viewed from the road; and c) retention of vegetation within the front setback; and d) the efficient use of the site.
A1.2 Other frontage setbacks must be a minimum of 3m.	

16.4.3.6 Rear and Side Setbacks

Objective To ensure that the height and setback of buildings from a boundary respects the existing neighbourhood character and limits unreasonable adverse impacts on the amenity and solar access of adjoining dwellings.	
Acceptable Solutions	Performance Criteria
A1 Buildings must be set back from the rear boundary: a) 4m if the lot has an area less than 1000m ² ; or b) 5m if the lot has an area equal to or greater than 1000m ² .	P1 Building setback to the rear boundary must be appropriate to the location, having regard to the: a) ability to provide adequate private open space for the dwelling; and b) character of the area and location of dwellings on lots in the surrounding area; and c) impact on the amenity solar access and privacy of habitable room windows and private open space of existing dwellings; and d) size and proportions of the lot.
A2.1 Buildings must be set back from side boundaries: a) a minimum of 3m with 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 to a maximum building height of 6.8m above natural ground level, and A2.2 Buildings must be set back from side boundaries a minimum of 1.5m from a side boundary or built to the side boundary provided the: i) wall is built against an existing boundary wall; or ii) wall or walls have a maximum total length of 9m or one third of the boundary with the adjacent property, whichever is the lesser.	P2 Building setbacks to the side boundary must be appropriate to the location, having regard to the: a) ability to provide adequate private open space for the dwelling; and b) character of the area and location of dwellings on lots in the surrounding area; and c) impact on the amenity, solar access and privacy of habitable room windows and private open space of existing dwellings; and d) size and proportions of the lot.

16.4.3.7 Location of Car Parking

Objective a) To provide convenient parking for resident and visitor vehicles; and b) To avoid parking and traffic difficulties in the development and the neighbourhood; and c) To protect residents from vehicular noise within developments.	
Acceptable Solutions	Performance Criteria
A1 Shared driveways or car parks of other dwellings and residential buildings must be located at least 1.5m from the windows of habitable rooms.	P1 Shared driveways or car parking spaces must be designed to protect the amenity of the adjoining habitable rooms having regard to the: a) width of the driveway; and b) location of the existing dwellings; and c) number of car spaces served by the driveway; and d) need for physical screening and/or landscaping.
A2 A garage or carport must be located: a) within 10 metres of the dwelling it serves; and b) with a setback equal to or greater than the setback of the dwelling to the frontage; or c) in line with or behind the front facade where the dwelling is facing an internal driveway.	P2 Car parking facilities must be: a) reasonably close and convenient to the use it serves; and b) located to minimise visual impact to the streetscape.
A3 The total width of the door or doors on a garage facing a road frontage must: a) be not more than 6m; or b) the garage must be located within the rear half of the lot when measured from the front boundary.	P3 The width of garage doors facing a road should not be a visually dominant element in the streetscape and must be designed having regard to the: a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site.

16.4.3.8 Overlooking

Objective To minimise: <ul style="list-style-type: none"> a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and b) any adverse impact on the amenity of the adjoining and the subject site. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio must be:</p> <ul style="list-style-type: none"> a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or b) have sill heights of at least 1.7m above floor level; or c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or d) have permanently fixed external screens to at least 1.8m above floor level; and e) obscure glazing and screens must be no more than 25% transparent. <p>Views must be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above floor level, indicated in Figure 16.4.3.8; or</p> <p>A1.2 New habitable room windows, balconies, terraces, decks or patio's that face a property boundary must have a visual barrier at least 1.8 metres high and the floor level of the habitable room, balconies, terraces, decks or patio's is less than 0.6m above the ground level at the boundary.</p>	<p>P1 Buildings must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the:</p> <ul style="list-style-type: none"> a) setback of the existing and proposed building; and b) location of windows and private open spaces areas within the development and the adjoining sites; and c) level and effectiveness of physical screening by fences or vegetation; and d) topography of the site; and e) characteristics and design of houses in the immediate area.

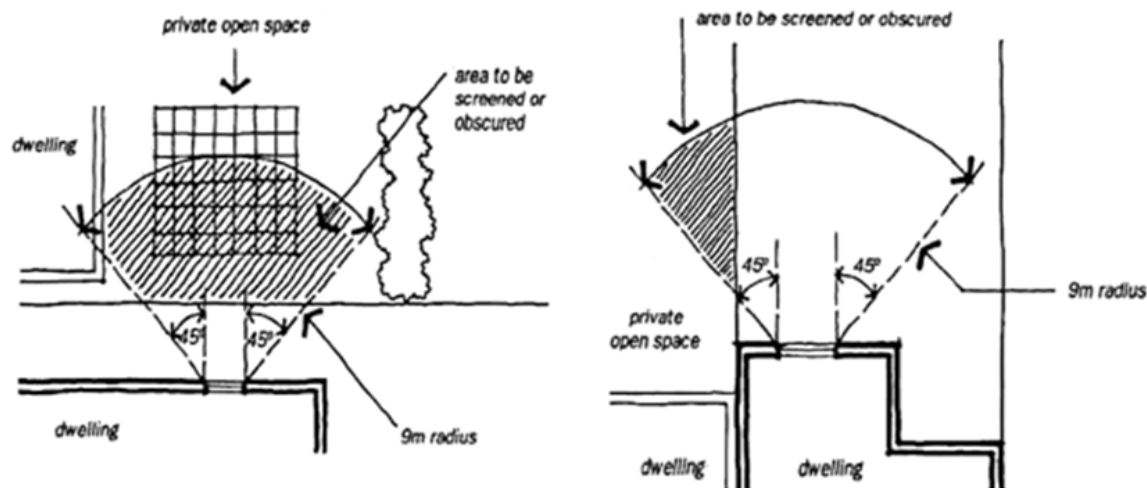


Figure 16.4.3.8

16.4.3.9 Private Open Space

Objective			
To provide adequate and useable private open space for the reasonable recreation and service needs of residents.			
Acceptable Solutions		Performance Criteria	
A1	Each multiple dwelling must have private open space:	P1	Multiple dwellings must be provided with sufficient private open space to meet the reasonable recreational needs of the residents having regard to the:
a)	with a continuous area of 40m ² and a minimum dimension of at least 4m; and	a)	useability of the private open space, including its size and accessibility; and
b)	directly accessible from, and adjacent to, a habitable room, other than a bedroom; and	b)	availability of and access to public or communal open space; and
c)	with a gradient not steeper than 1:16; and	c)	orientation of the lot to the road.
d)	located on the side or rear of the dwelling; or		
e)	where all bedrooms and living areas are wholly above ground floor, a balcony of 8m ² with a minimum dimension of 2m; or a roof-top area of 10m ² with a minimum width of 2m and direct access from a living room.		
A2.1	Private open space must receive a minimum of 4 hours of direct sunlight on 21 June to 50% of the designated private open space area; or	P2	Private open space must receive adequate solar access having regard to:
A2.2	The southern boundary of private open space must be set back from any wall 2m high or greater on the north of the space	a)	topography of the site; and
		b)	site constraints including orientation and shape of the site; and
		c)	location and size of buildings on adjoining

at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall as indicated in Figure 16.4.3.9.	sites.
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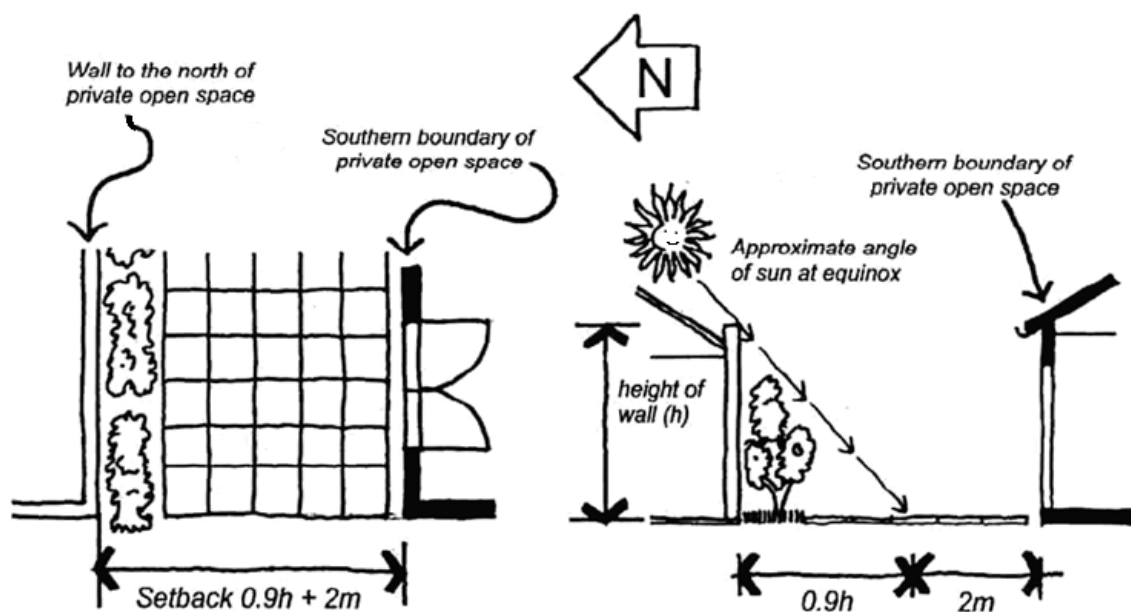


Figure 16.4.3.9

16.4.3.10 Landscaping

Objective	
a) To provide appropriate landscaping that respects the landscape character of the neighbourhood; and b) To encourage the retention of mature vegetation on the site.	
Acceptable Solutions	Performance Criteria
A1 Landscaping must be provided to the frontage and within the development including: a) the retention or planting of vegetation; and b) the protection of any predominant landscape features of the neighbourhood; and c) pathways, lawn area or landscape beds.	P1 Landscaping must: a) provide a safe, attractive and functional environment for residents; and b) respond to the landscape character of the neighbourhood; and c) have regard to any mature vegetation.

16.4.3.11 Storage

Objective To provide adequate storage facilities for each dwelling.	
Acceptable Solutions	Performance Criteria
A1 Each dwelling must have access to at least 6 cubic metres of secure storage space.	P1 Each dwelling must provide storage suitable to the reasonable needs of residents.

16.4.3.12 Common Property

Objective To ensure that communal open space, car parking, access areas and site facilities are easily identified.	
Acceptable Solutions	Performance Criteria
A1 Development must clearly delineate public, communal and private areas such as: a) driveways; and b) landscaping areas; and c) site services, bin areas and any waste collection points.	P1 No performance criteria.

16.4.3.13 Outbuildings and Ancillary Structures

<p>Objective</p> <p>To ensure:</p> <ul style="list-style-type: none"> a) that outbuildings do not detract from the amenity or established neighbourhood character; and b) that dwellings remain the dominant built form within an area; and c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties. 	
Acceptable Solutions	Performance Criteria
<p>A1 Outbuildings for each dwelling must have a:</p> <ul style="list-style-type: none"> a) combined gross floor area not exceeding 45m²; and b) wall height no greater than 2.7m; and c) maximum building height not greater than 3.5m. 	<p>P1 Outbuildings for each dwelling must be designed and located having regard to:</p> <ul style="list-style-type: none"> a) visual impact on the streetscape; and b) overshadowing of adjoining properties; and c) compatibility with the size and location of outbuildings in the neighbourhood.
<p>A2 A swimming pool for private use must be located:</p> <ul style="list-style-type: none"> a) behind the setback from a primary frontage; or b) in the rear yard. 	<p>P2 A swimming pool for private use must be designed and located to:</p> <ul style="list-style-type: none"> a) minimise any visual impact on the streetscape; and b) not unreasonably overlook or overshadow adjoining properties; and c) be compatible with the size and location of approved outbuildings in the neighbourhood.

16.4.3.14 Site Services

<p>Objective</p> <p>To ensure that:</p> <ul style="list-style-type: none"> a) site services can be installed and easily maintained; and b) site facilities are accessible, adequate and attractive. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 A minimum of 2.0m² per dwelling must be provided for bin and recycling enclosures and be located behind a screening fence.</p> <p>A1.2 Provision for mailboxes must be made at the frontage.</p>	<p>P1 Sufficient space (including easements where required) and facilities for waste, recycling and mail services must be provided for each dwelling.</p>

16.4.4 Clauses 16.4.4.1 – 16.4.4.6 only apply to development within the Derby locality.

16.4.4.1 Demolition

<p>Objective</p> <p>To ensure that the demolition or removal of buildings and structures:</p> <ul style="list-style-type: none"> a) does not adversely impact on the historic significance of local places; and b) further the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solution	Performance Criteria
<p>A1 No acceptable solution.</p>	<p>P1.1 Existing buildings, parts of buildings and structures must be retained, except where:</p> <ul style="list-style-type: none"> a) the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or b) the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or c) there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or d) the building or structure does not contribute to the historic significance of Derby village.

16.4.4.2 Roof Form and Materials

<p>Objective</p> <p>To ensure that roof form and materials for buildings:</p> <ul style="list-style-type: none"> a) are designed to be sympathetic to, and not detract from, the historic significance of local places; and b) further the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solution	Performance Criteria
<p>A1.1 Roof materials must be corrugated steel with a traditional profile (such as Custom Orb).</p> <p>A1.2 Roof form must be hip style, or hip and gable.</p>	<p>P1.1 Roof form and materials must:</p> <ul style="list-style-type: none"> a) be sympathetic to the historic significance, design and period of construction of the dominant existing buildings on the site; and b) ensure that roof form and materials of building additions and alterations to the front or sides of an existing building do

	<p>not detract from the historic significance of the building.</p> <p>P1.2 Flat roofs must only be constructed for:</p> <ul style="list-style-type: none"> a) rear extensions or skillion sections of primary buildings; or b) outbuildings and ancillary structures.
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16.4.4.3 Wall materials

<p>Objective</p> <p>To ensure that wall materials:</p> <ul style="list-style-type: none"> a) are designed to be sympathetic to, and not detract from, the historic significance of local places; and b) further the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solution	Performance Criteria
<p>A1 Wall materials for buildings must be in timber weatherboards or a weather-board cladding product with a narrow traditional profile of up to 200mm.</p>	<p>P1 Wall material for buildings and structures must:</p> <ul style="list-style-type: none"> a) be complementary to wall materials of the dominant buildings on the site; and b) not be constructed of brick, plastic, vinyl or fibreglass cladding products.

16.4.4.4 Windows

<p>Objective</p> <p>To ensure that windows:</p> <ul style="list-style-type: none"> a) are designed to be sympathetic to, and not detract from, the historic significance of local places; and b) further the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solution	Performance Criteria
<p>A1 Windows facing onto Main Street must:</p> <ul style="list-style-type: none"> a) be timber framed; and b) replicate, for alterations to an existing building, the existing style, size and position of any windows that are being replaced. 	<p>P1 Windows facing onto Main Street must:</p> <ul style="list-style-type: none"> a) be framed of appropriate materials, styles and sizes that do not detract from the historic significance of the building; and b) be positioned to be complementary to the Main Street streetscape.

16.4.4.5 Outbuildings and Structures for Sites with Frontage to Main Street

Objective To ensure that outbuildings and structures: <ul style="list-style-type: none"> a) are designed to be sympathetic to, and not detract from, the historic significance of local places; and b) further the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solution	Performance Criteria
A1 Outbuildings and structures must be set back an equal or greater distance from Main Street than the principal buildings on the site.	P1 New outbuildings and structures must be designed and located to be subservient to the primary buildings on the site.

16.4.5 Subdivision

Objective <ul style="list-style-type: none"> a) Provides for appropriate wastewater disposal and stormwater management in consideration of the particular characteristics or constraints of the land; and b) To ensure the area and dimensions of lots are appropriate for the mixed use characteristics of the locality; and c) To encourage residential development that respects the village character; and d) Provides frontage to a road at a standard appropriate for the use; and e) To further the local area objectives and desired future character statements for the area, if any. 																			
Acceptable Solutions	Performance Criteria																		
A1 Each lot must: <ul style="list-style-type: none"> a) have a minimum area in accordance with Table 16.4.2 below; and <p style="text-align: center;">Table 16.4.2 – Lot Size</p> <table border="1"> <tbody> <tr><td>Branxholm</td><td>1500m²</td></tr> <tr><td>Derby</td><td>1500m²</td></tr> <tr><td>Gladstone</td><td>1000m²</td></tr> <tr><td>Herrick</td><td>1500m²</td></tr> <tr><td>Legerwood</td><td>1000m²</td></tr> <tr><td>Nabowla</td><td>1500m²</td></tr> <tr><td>Pioneer</td><td>1000m²</td></tr> <tr><td>Ringarooma</td><td>1000m²</td></tr> <tr><td>Winnaleah</td><td>1000m²</td></tr> </tbody> </table> <ul style="list-style-type: none"> b) be able to contain a 15 metre diameter circle with the centre of the circle not 	Branxholm	1500m ²	Derby	1500m ²	Gladstone	1000m ²	Herrick	1500m ²	Legerwood	1000m ²	Nabowla	1500m ²	Pioneer	1000m ²	Ringarooma	1000m ²	Winnaleah	1000m ²	P1 Subdivision must: <ul style="list-style-type: none"> a) 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 accordance with the setback standards; and ii) on-site parking and manoeuvrability for domestic vehicles; and iii) adequate private open space; and iv) vehicular access from the road to a building area on the lot, if any; and b) have regard to: <ul style="list-style-type: none"> i) the topographical or natural features of the site; and ii) the pattern of existing development; and iii) the ability of vegetation to provide
Branxholm	1500m ²																		
Derby	1500m ²																		
Gladstone	1000m ²																		
Herrick	1500m ²																		
Legerwood	1000m ²																		
Nabowla	1500m ²																		
Pioneer	1000m ²																		
Ringarooma	1000m ²																		
Winnaleah	1000m ²																		

<p>more than 15 metres from the frontage; or</p> <p>c) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>d) for the provision of utilities; or</p> <p>e) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>f) to align existing titles with zone boundaries and no additional lots are created; and</p> <p>A1.2 Lots must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<p>buffering; and</p> <p>iv) any features of natural, historical or cultural significance; and</p> <p>v) the presence of any natural hazards; and</p> <p>c) have regard to the local area objectives and desired future character statements, if any.</p>
<p>A2 Each lot must have a frontage of at least 4 metres.</p>	<p>P2 Subdivision must provide appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</p>
<p>A3 Each lot must be connected to a:</p> <p>a) reticulated water supply; and</p> <p>b) reticulated sewerage system.</p>	<p>P3 Each new lot created must be:</p> <p>a) in a locality for which reticulated services are not available or capable of being connected; and</p> <p>b) capable of accommodating an on-site wastewater management system.</p>
<p>A4 Each lot must be connected to a reticulated stormwater system.</p>	<p>P4 If the proposed site is unable to be connected to a reticulated stormwater system then all runoff from the subdivision can only be released from the site in a manner that will not cause an environmental nuisance, and that will prevent erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <p>i) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</p> <p>ii) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same</p>

	<p>as those identified at the pre-development levels of the subdivision; and</p> <p>iii) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and</p> <p>iv) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</p>
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17 Community Purpose Zone

17.1 Zone Purpose

17.1.1 Zone Purpose Statements

17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.

17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities to serve the function of settlements and local communities.

17.1.2 Local Area Objectives

Provide for key social, health and education services and support ongoing investment in such community infrastructure

17.1.3 Desired Future Character Statements

There are no desired future character statements for the zone

17.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Community meeting & entertainment	
Crematoria and cemeteries	
Educational and occasional care	
Emergency services	
Hospital services	
Recycling and waste disposal	If for municipal waste transfer station or refuse disposal site.
Residential	If for residential aged care facility
Sports and recreation	
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	
Food services	
Tourist operation	If for a visitor centre

Utilities	If not for minor utilities
Prohibited	
All other uses	

17.3 Use Standards

17.3.1 Zone Character

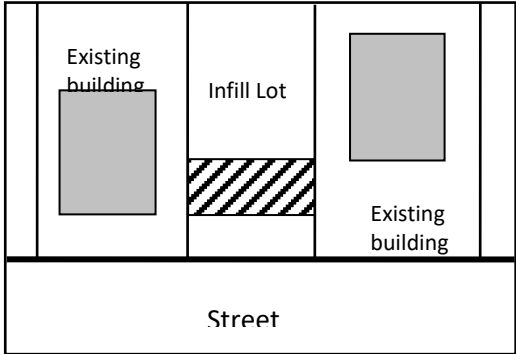
Objective To ensure that all uses accord with the objectives for the zone or a community facility.	
Acceptable Solutions	Performance Criteria
A1 Storage of materials or equipment external to a building must not be visible from the road to which the lot has frontage.	P1 Storage of materials or equipment does not visually detract from the character of the area.
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P2 No performance criteria.

17.3.2 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of surrounding residential areas in terms of noise, emissions, operating hours or transport/traffic.	
Acceptable Solutions	Performance Criteria
A1 For development within 20 metres of a residential zone, the operating hours of the use must be between 6am and 10pm.	P1 The operating hours must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement and illumination.

17.4 Development Standards

17.4.1 Building Design and Siting

<p>Objective</p> <p>To ensure that the siting and design of development;</p> <p>a) protects the amenity of surrounding uses; and</p> <p>b) furthers the local area objectives and desired future character statements, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building height must not exceed 8 metres.</p>	<p>P1.1 Building height must:</p> <p>a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or</p> <p>b) respond to the site context and the local area objectives, if any, for the provision of community uses; and</p> <p>P1.2 Building height must protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate for the use, having regard to:</p> <p>i) the form of the building; and</p> <p>ii) the contours or slope of the land; and</p> <p>iii) existing screening or the ability to implement/establish screening.</p>
<p>A2 Buildings must be set back from the frontage a minimum distance of 6 metres or for infill lots, within the range of the front setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 17.4.1 below.</p> <p>Figure 17.4.1 – Front Setback for Infill Lots</p> 	<p>P2 Building frontage setbacks must:</p> <p>a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or</p> <p>b) respond to the site context and the local area objectives, if any, for the provision of community uses.</p>

<p>A3 Buildings must be set back from the side and rear boundaries a minimum distance of 3 metres.</p>	<p>P3 Side and rear building setbacks must:</p> <ul style="list-style-type: none">a) protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate for the use; andb) have regard to:<ul style="list-style-type: none">i) the form of the building; andii) the contours or slope of the land; andiii) existing screening or the ability to implement/establish screening.
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17.4.2 Subdivision

Objectives a) To facilitate the establishment and continued use of community facilities at a size and scale appropriate to the needs of the community; and b) To ensure that appropriate road access, wastewater, stormwater, energy and communication services are provided as appropriate for the use; and c) To further the local area objectives and desired future character statements for the area, if any.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 The subdivision must: a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a Council, or b) be a combined application for subdivision and subsequent development and use of the land; and c) facilitate the provision or augmentation of public services, utilities or recreational use; and d) have regard to: i) the topographical or natural features of the site; and ii) the pattern of existing development; and iii) the ability of vegetation to provide buffering; and iv) any features of natural, historical or cultural significance; and v) the presence of any natural hazards; and e) provide sufficient area and dimension having regard to the: i) nature of the proposed use and development; and ii) need to accommodate vehicles on the lot; and iii) proximity of neighbouring residential development; and f) provide access and services appropriate to the intended use, and; g) have regard to the local area objectives and desired future character statements, if any.

18 Recreation Zone

18.1 Zone Purpose

18.1.1 Zone Purpose Statements

- 18.1.1.1 To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.

18.1.2 Local Area Objectives

Provide for the ongoing use of, and support investment in, organised recreational services and facilities

18.1.3 Desired Future Character Statements

There are no desired future character statements for the zone

18.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Crematoria and cemeteries	If for existing crematoria or cemeteries
Sports and recreation	
Discretionary	
Use Class	Qualification
Community meeting and entertainment	
Crematoria and cemeteries	If for existing crematoria or cemeteries
Emergency services	
Pleasure boat facility	If for a marina
Tourist operation	
Utilities	
Visitor accommodation	
Prohibited	
All other uses	

18.3 Use Standards

18.3.1 Amenity

Objective To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 Operating hours must be between: a) 8.00 am and 10.00 pm where adjoining residential use; and b) 6.00 am and 12.00 am midnight where not adjoining residential use.	P1 The amenity of residential uses within the surrounding area must not be unduly impacted upon by operating hours and vehicle movements.
A2.1 The proposal must not include flood lighting where it adjoins the General Residential Zone, Low Density Residential Zone, Rural Living Zone or Urban Mixed Use Zone; and A2.2 External security lighting must be contained within the boundaries of the site.	P2 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
A3 If for permitted or no permit required uses.	P3 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour and dust.

18.3.2 Recreation Zone Character

Objective To ensure that discretionary uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property in locations that are not visible from the road or public land.	P1 Vehicle parking is located and screened from roads and public lands to minimise visual impacts.
A2 Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.

18.4 Development Standards

18.4.1 Building Design and Siting

Objective To ensure that the design and siting of buildings: <ul style="list-style-type: none"> a) conserves the recreation character of the area: and b) minimise disturbance to adjoining uses. 	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 7m.	P1 Building height must: <ul style="list-style-type: none"> a) not be a dominant feature in the streetscape or landscape when viewed from a road; and b) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.
A2 Buildings must be set back 10m from all boundaries.	P2 Building setbacks must: <ul style="list-style-type: none"> a) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking; and b) conserve the recreation values of the area, having regard to existing uses and developments on the site and in the area.

18.4.2 Landscaping

Objective To ensure that the recreation values of the site are retained in a manner that contributes to the broader landscape of the area.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 Applications must demonstrate how the recreation and landscape values of the site and area will be managed by a landscape and site management plan that sets out: <ul style="list-style-type: none"> a) any retaining walls; and b) retention of any existing native vegetation where it is feasible to do so or required to be retained by another provision of this scheme; and c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and d) any fencing; and

	<ul style="list-style-type: none"> e) vegetation plantings to be used and where; and f) any pedestrian movement paths; and g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.
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18.4.3 Subdivision

Objective To ensure that subdivision is appropriate for the intended use of the lots.	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be: <ul style="list-style-type: none"> a) to provide for development in the Utilities Use Class; or b) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a Council; or c) for the consolidation of a lot with another lot with no additional titles created; or d) to align existing titles with zone boundaries and no additional lots are created. 	P1 The subdivision is for the provision or augmentation of: <ul style="list-style-type: none"> a) passive recreation; or b) sports and recreation; or c) community services; or d) recreation-based tourist operation.
A2 If for utilities uses.	P2 All new lots must provide appropriate pedestrian links to the surrounding locality where appropriate.
A3 The lot must have a minimum frontage of 4.0m.	P3 No performance criteria.
A4 Each lot must be connected to a: <ul style="list-style-type: none"> a) reticulated water supply; and b) reticulated sewerage system; and c) reticulated stormwater system. 	P4 Any lots created for building purposes are of sufficient size to allow for on-site disposal of any waste and storm water.

19 Open Space Zone

19.1 Zone Purpose

19.1.1 Zone Purpose Statements

- 19.1.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

19.1.2 Local Area Objectives

Provide for the continued provision of, and support investment in, public facilities in a manner that is appropriate to the proximity of surrounding residential uses

19.1.3 Desired Future Character Statements

There are no desired future character statements for the zone

19.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Not used in this zone	
Discretionary	
Use Class	Qualification
Community meeting & entertainment	
Emergency services	
Food services	
General retail and hire	If for commercial art gallery, market or primary produce sales
Sports and recreation	
Tourist operation	
Utilities	
Vehicle Parking	
Prohibited	
All other uses	

19.3 Use Standards

19.3.1 Amenity

Objective To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby uses.	
Acceptable Solutions	Performance Criteria
A1 Operating hours must be between: a) 8.00 am and 10.00 pm where adjoining residential use; and b) 6.00 am and 12.00 am midnight where not adjoining residential use.	P1 The amenity of residential uses within the surrounding area must not be unduly impacted upon by operating hours and vehicle movements.
A2.1 The proposal must not include flood lighting where it adjoins the General Residential Zone, Low Density Residential Zone, Rural Living Zone or Urban Mixed Use Zone; and A2.2 External security lighting must be contained within the boundaries of the site.	P2 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
A3 If for permitted or no permit required uses.	P3 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour and dust.

19.3.2 Open Space Character

Objective To ensure that uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 The use must: a) be for natural and cultural values management or passive recreation; or b) not exceed a combined gross floor area of 250m ² over the site.	P1.1 The size and appearance of the use must: a) not dominate the character of the area; and b) be consistent with the local area objectives for visual character, if any.
A2 Commercial vehicles for discretionary uses must be: a) parked within the boundary of the property; and b) in locations that are not visible from the road or public land.	P2 Commercial vehicle parking must be located and screened from roads and public lands to minimise visual impacts.
A3 Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.	P3 No performance criteria.

19.4 Development Standards

19.4.1 Building Design and Siting

<p>Objective</p> <p>To ensure that the design and siting of buildings:</p> <p>a) responds appropriately to the open space and natural values of the site; and</p> <p>b) has minimal disturbance to the environment and any adjoining sensitive uses.</p>	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 5m.	<p>P1 Building height must:</p> <p>a) not be a dominant feature in the streetscape or landscape when viewed from a road; and</p> <p>b) protect the amenity of adjoining dwellings and sensitive uses are protected from unreasonable impacts of overshadowing and overlooking.</p>
A2 Buildings must be set back 10m from all boundaries.	<p>P2 Building setbacks must:</p> <p>a) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking; and</p> <p>b) conserve the open space and natural values of the area, having regard to existing uses and developments on the site and in the area.</p>
A3 The site coverage must not exceed 20%.	P3 No performance criteria.

19.4.2 Landscaping

Objective <p>To ensure that the open space and natural values of the site are retained in a manner that contributes to the broader landscape of the area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 If for natural and cultural values management or passive recreation.</p>	<p>P1 Applications must demonstrate how the open space, natural and landscape values of the site and area will be managed by a landscape and site management plan that sets out:</p> <ul style="list-style-type: none"> a) any retaining walls; and b) retaining any existing native vegetation where it is feasible to do so or required to be retained by another provision of this scheme; and c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and d) any fencing; and e) vegetation plantings to be used and where; and f) any pedestrian movement paths; and g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.

19.4.3 Subdivision

Objectives To ensure that subdivision is appropriate for the intended use of the lots.	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be: a) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a Council; or b) for the consolidation of a lot with another lot with no additional titles created; or c) to align existing titles with zone boundaries and no additional lots are created.	P1 The subdivision must: a) be a combined application for subdivision and subsequent development and use of the land; and b) facilitate the provision or augmentation of public services, utilities or recreational use; and c) respond to the local area objectives and desired future character for the zone, if any.
A2 If for utilities or emergency services.	P2 All new lots must provide appropriate pedestrian links to the surrounding locality.
A3 The lot must have a minimum frontage of 4.0m.	P3 No performance criteria.
A4 Each lot must be connected to a: a) reticulated water supply; and b) reticulated sewerage system; and c) reticulated stormwater system.	P4 Any lots created for building purposes are of sufficient size to allow for on-site disposal of any waste and storm water.

20 Local Business Zone

20.1 Zone Purpose

20.1.1 Zone Purpose Statements

- 20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.
- 20.1.1.2 To limit use and development that would have the effect of elevating a centre to a higher level in the retail and business hierarchy. Limits are imposed on the sizes of premises to ensure that the established hierarchy is not distorted.
- 20.1.1.3 To maintain or improve the function, character, appearance and distinctive qualities of each of the identified local business centres and to ensure that the design of development is sympathetic to the setting and compatible with the character of each of the local business centres in terms of building scale, height and density.
- 20.1.1.4 To minimise conflict between adjoining commercial and residential activities.
- 20.1.1.5 To ensure that vehicular access and parking is designed so that the environmental quality of the local area is protected and enhanced.
- 20.1.1.6 To provide for community interaction by encouraging developments such as cafes, restaurants, parks and community meeting places.

20.1.2 Local Area Objectives

- (a) Limit new uses at ground level with road frontage to only those uses associated with business, professional and retail services;
- (b) Provide for reuse of a local business site

20.1.3 Desired Future Character Statements

There are no desired future character statements for the zone

20.2 Use Table

No Permit Required	
Use Class	Qualification
Business and professional services	
Food services	
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Community meeting & entertainment	
General retail and hire	

Hotel industry	
Research and development	
Utilities	If for minor utilities
Vehicle fuel sales and service	If for existing uses
Visitor accommodation	
Discretionary	
Use Class	Qualification
Bulky goods sales	
Educational and occasional care	
Emergency services	
Manufacturing and processing	
Residential	If for existing uses or a dwelling
Service industry	If not for panel beating
Sport and Recreation	
Storage	
Tourist operation	
Transport depot and distribution	
Utilities	If not for minor utilities
Vehicle parking	
Prohibited	
All other uses	

20.3 Use Standards

20.3.1 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.	P1 Commercial vehicles (except for visitor accommodation and recreation) must not unreasonably impact on the amenity of any adjoining General Residential and Urban Mixed Use zones, having regard to: <ul style="list-style-type: none"> a) traffic, the hours of delivery and despatch of goods and materials; and b) hours of operation; and c) light spill.

20.4 Development Standards

20.4.1 Siting, Design and Built Form

Objective To ensure that development is visually compatible with surrounding area.	
Acceptable Solutions	Performance Criteria
A1 The entrance of a building must: <ul style="list-style-type: none"> a) be clearly visible from the road or publically accessible areas on the site; and b) provide a safe access for pedestrians. 	P1 No performance criteria.
A2 Building height must not exceed: <ul style="list-style-type: none"> a) 6.8 m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots. 	P2 Building height must: <ul style="list-style-type: none"> a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
A3.1 Buildings must be: <ul style="list-style-type: none"> a) set back from all boundaries a minimum distance of 2 metres; or b) the same as or less than the setback of an immediately adjoining building. 	P3 Building setbacks must: <ul style="list-style-type: none"> a) provide for enhanced levels of public interaction or public activity; and b) ensure the efficient use of the site; and c) be consistent with the established

A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any.
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20.4.2 Subdivision

<p>Objective</p> <p>Subdivision must ensure:</p> <ul style="list-style-type: none"> a) maintenance of the complexity and diversity of the built environment and pedestrian connectivity; and b) that new lots have sufficient land area for the physical demands of allowable uses; and c) the development of local business centres for retailing and other complementary commercial, entertainment, residential and community uses; and d) each lot has appropriate frontage, access and services; and e) appropriate transition to adjoining zones, especially residential areas. 	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot must:</p> <ul style="list-style-type: none"> a) have a minimum area of at least: <ul style="list-style-type: none"> i) 300m²; and b) be able to contain a 10.0m diameter circle with the centre of the circle not more than 5.0m from the frontage; or c) required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or d) for the consolidation of a lot with another lot with no additional titles created; or e) to align existing titles with zone boundaries and no additional lots are created; or f) be for the provision of public utilities. 	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) provide each lot with sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> i) the siting and construction of allowable premises; and ii) vehicles providing for supplies, waste removal and emergency services and public transport; and b) demonstrate that the layout would not unduly prejudice the future use or development of the subject or adjoining land; and c) respond to the existing neighbourhood character and integrate with the surrounding road network; and d) be consistent with the local area objectives, if any.
<p>A2 Each lot must have a frontage of at least 5m.</p>	<p>P2 Subdivision must provide appropriate frontage to a road having regard to the:</p> <ul style="list-style-type: none"> a) nature of vehicles likely to access the site; and b) area and dimension of the lot and the ability to manoeuvre vehicles on the site; and c) road network and visibility; and d) pattern of surrounding frontages.

A3	Each lot must be connected to a: a) reticulated water supply; and b) reticulated sewerage system.	P3	No performance criteria.
A4	Each lot must be connected to a reticulated stormwater system.	P4	Each new lot created must be capable of disposal of stormwater to a legal discharge point.
A5	Subdivision must not be located on the boundary of the General Residential Zone or Urban Mixed Use Zone.	P5	The subdivision layout must be designed to mitigate adverse environmental impacts and minimise potential for nuisance or loss of amenity having regard to: a) lot layout and design; and b) orientation; and c) access considerations; and d) topography or physical separation to surrounding sensitive land uses.

21 General Business Zone

21.1 Zone Purpose

21.1.1 Zone Purpose Statements

21.1.1.1 To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.

21.1.1.2 To create through good urban design:

- a) an attractive and safe environment; and
- b) activity at pedestrian levels with active road frontages offering interest and engagement to shoppers and; and
- c) appropriate provision for car parking, pedestrian access and traffic circulation.

21.1.2 Local Area Objectives

Maintain and promote Scottsdale as the key service centre for consumer needs

21.1.3 Desired Future Character Statements

Maintain the streetscape alignment of buildings along King Street and ensure new development is complementary to heritage fabric

21.2 Use Table

No Permit Required	
Use Class	Qualification
Business and professional services	
Food services	
General retail and hire	If not: a) a full line department store or b) single retail tenancy where the use exceeds 500m ²
Passive recreation	
Natural and cultural values management	
Permitted	
Use Class	Qualification
Bulky goods sales	
General retail and hire	If for a: a) full line department store or b) single retail tenancy where the use exceeds 500m ²
Hotel industry	
Research and development	

Utilities	If for minor utilities
Vehicle fuel sales and service	
Visitor accommodation	
Discretionary	
Use Class	Qualification
Community meeting & entertainment	
Educational and occasional care	
Emergency services	
Manufacturing and processing	
Residential	If for existing uses
Service industry	Must incorporate a shopfront for customer service
Sport and recreation	
Storage	
Tourist operation	
Transport depot and distribution	
Utilities	If not for minor utilities
Vehicle parking	
Prohibited	
All other uses	

21.3 Use Standards

21.3.1 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.	P1 Commercial vehicles (except for visitor accommodation and recreation) must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, odour, dust and illumination.
A2 If for permitted or no permit required uses.	P2 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.

21.4 Development Standards

21.4.1 Siting, Design and Built Form

Objective To ensure that buildings are visually compatible with surrounding development.	
Acceptable Solutions	Performance Criteria
A1 The entrance of a building must be: a) clearly visible from the road or publically accessible areas on the site; and b) provide a safe access for pedestrians.	P1 No performance criteria.
A2 Building height must not exceed: a) 8 metres; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2 Building height must: a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
A3.1 Buildings must be: a) set back from all boundaries a minimum distance of 2 metres; b) the same as or less than the setback of an immediately adjoining building; A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	P3 Building setbacks must: a) provide for enhanced levels of public interaction or public activity; and b) ensure the efficient use of the site; and c) be consistent with the established setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any.

21.4.2 Subdivision

<p>Objective</p> <p>Subdivision must ensure:</p> <ul style="list-style-type: none"> a) maintenance of the complexity and diversity of the built environment and pedestrian connectivity; and b) that new lots have sufficient land area for the physical demands of allowable uses; and c) the intensive development of business centres for retailing and other complementary commercial, entertainment, residential and community uses; and d) each lot has appropriate frontage, access and services; and e) appropriate transition to adjoining zones, especially residential areas . 	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> a) have a minimum area of at least: <ul style="list-style-type: none"> i) 200m²; and b) be able to contain a 10.0m diameter circle with the centre of the circle not more than 5.0m from the frontage; or c) required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) for the consolidation of a lot with another lot with no additional titles created; or d to align existing titles with zone boundaries and no additional lots are created; or e) be for the provision of public utilities. 	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> i) the siting and construction of allowable premises; and ii) vehicles providing for supplies, waste removal and emergency services and public transport; and b) demonstrate that the layout would not unduly prejudice the future use or development of the site or adjoining lots; and c) respect the existing neighbourhood character and respond to and integrate with the surrounding road network; and d) be consistent with the local area objectives, if any.
<p>A2 Each lot must have a frontage of at least 5m.</p>	<p>P2 Subdivision must provide appropriate frontage to a road having regard to the:</p> <ul style="list-style-type: none"> a) nature of vehicles likely to access the site; and b) area and dimension of the lot and the ability to manoeuvre vehicles on the lot; and c) road network and visibility; and d) pattern of surrounding frontages.
<p>A3 Each lot must be connected to a:</p> <ul style="list-style-type: none"> a) reticulated water supply; and b) reticulated sewerage system; and c) reticulated stormwater system. 	<p>P3 No performance criteria.</p>

A4	Subdivision must not adjoin the general residential or urban mixed use zones.	P4	The subdivision layout must be designed to mitigate environmental nuisance and loss of amenity having regard to: <ul style="list-style-type: none">a) lot layout and design; andb) orientation; andc) access considerations; andd) topography or physical separation to surrounding sensitive land uses.
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22 Central Business Zone

This zone was not used in this planning scheme.

23 Commercial Zone

This zone was not used in this planning scheme.

24 Light Industrial Zone

24.1 Zone Purpose

24.1.1 Zone Purpose Statements

- 24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.
- 24.1.1.2 To focus light industrial use and development into appropriate areas suitable for its needs.
- 24.1.1.3 To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.

24.1.2 Local Area Objectives

Bridport a) Provide for strategic positioning of industrial pursuits in a manner that will not unreasonably compromise adjacent residential use of land. b) Encourage appropriate landscaping along Waterhouse Road that enhances the visual amenity of the area.	Uses that are located adjacent to residential uses will be limited to those having lower impact.
Scottsdale a) Provide for strategic positioning of industrial pursuits in a manner that will not unreasonably compromise existing or future use of land to the north of Scott Street, the west of Spotswood Drive, the south of William Street and the south of Coplestone Street for residential growth. b) Encourage appropriate landscaping that enhances the visual amenity of the area.	Uses that are located adjacent to residential uses will be limited to those having lower impact.

24.1.3 Desired Future Character Statements

Development sites are to be an appropriately finished presentation through grassed or vegetated areas and non-reflective building materials

24.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	If by an agency, or a corporation all the shares of which are held by Councils
Passive recreation	If by an agency, or a corporation all the shares of which are held by Councils
Permitted	
Use Class	Qualification

Equipment and machinery sales and hire	
Research and development	
Service industry	
Storage	
Transport depot and distribution	
Utilities	
Vehicle fuel sales and service	
Discretionary	
Use Class	Qualification
Bulky goods	If for garden or landscape supplies, hardware or trade (wholesale) supplies
Business and professional services	
Community meeting & entertainment	
Crematoria and cemeteries	If for crematoria
Domestic animal breeding, boarding or training	
Emergency services	
Food services	If for a cafe or takeaway food premises
Manufacturing and processing	
Recycling and waste disposal	
Resource processing	If not for animal saleyards or abattoir
Vehicle fuel sales and service	
Vehicle parking	
Prohibited	
All other uses	

24.3 Use Standards

24.3.1 Emissions

Objective	
To ensure that emissions to air, land and water are reduced to the greatest extent practicable in consideration of proximity to sensitive uses.	
Acceptable Solutions	Performance Criteria
A1 Use or development not listed in Clause	P1 The use must not cause or be likely to

	E12.6.2 or E12.6.3 must be set back from residential uses a minimum distance of 50 metres.		cause an adverse impact to the amenity of sensitive uses through emissions including noise, smoke, odour, dust and illumination.
A2	All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of: a) by a licensed waste removal operator; or b) in accordance with a management plan approved by the Environment Protection Authority.	P2	No performance criteria.

24.4 Development Standards

24.4.1 Building Design and Siting

Objective To ensure that the site and layout, building design and form is visually compatible with surrounding development.			
Acceptable Solutions		Performance Criteria	
A1	Building height must not exceed: a) 10 metres; or b) the average of the heights of buildings on immediately adjoining titles.	P1	Building height must: a) be complementary to the streetscape immediately surrounding the site; and b) avoid unreasonable levels of shading to the road, public places or adjoining properties.
A2	Buildings must be set back a minimum distance of 10 metres from a frontage.	P2	Frontage setbacks must be: a) in keeping with or to enhance the streetscape character; and b) consistent with the local area objectives, if any.
A3.1 A3.2	Buildings must be set back from side boundaries a minimum distance of 3 metres; and Buildings must be set back from rear boundaries a minimum distance of 3 metres.	P3	The setback to the side and rear boundary must: a) provide adequate access to the site; and b) not result in unreasonable loss of amenity to adjoining uses having regard to the: i) bulk and form of the building; and ii) impact on the solar access of habitable room windows and private open space; and iii) size and proportions of the lot; and iv) extent to which the slope, retaining walls, fences or existing vegetation

	screening reduce or increase the impact of the proposed variation.
A4 Site coverage must not exceed 50%.	<p>P4 The proportion of the site covered by buildings must have regard to the:</p> <ul style="list-style-type: none"> a) existing site coverage and any constraints imposed by existing development or the features of the site; and b) site coverage of adjacent properties; and c) effect of the visual bulk of the building and whether it respects the neighbourhood character; and d) capacity of the site to absorb runoff; and e) landscape character of the area.

24.4.3 Landscaping

<p>Objective</p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> a) To provide appropriate landscaping that respects and complements the landscape character of the neighbourhood. b) To enhance the appearance of development, provide screening and separate incompatible uses. c) To encourage the retention of mature vegetation on the site. 	
Acceptable Solution	Performance Criteria
<p>A1 Landscaping must be provided to the frontage and within the development including:</p> <ul style="list-style-type: none"> a) the retention or planting of trees; and b) provision for the replacement of any significant trees; and c) the protection of any predominant landscape features of the neighbourhood; and d) the locations and species of plants; and e) pathways, lawn area or landscape beds. 	<p>P1 Landscaping must:</p> <ul style="list-style-type: none"> a) provide a safe, attractive and functional environment for residents; b) respond to the landscape character of the neighbourhood; and c) have regard to any mature vegetation.

24.4.4 Subdivision

<p>Objective</p> <p>To ensure that subdivision:</p>
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<p>a) provides appropriate lot area and dimensions; and</p> <p>b) provides each lot with appropriate access and services; and</p> <p>c) does not compromise the sustainable development of adjoining properties.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot must:</p> <p>a) have a minimum area of at least</p> <p>i) 2000m²; and</p> <p>b) be able to contain a 20m diameter circle; or</p> <p>b) required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>d) to align existing titles with zone boundaries and no additional lots are created; or</p> <p>e) be for the provision of public utilities.</p> <p>A1.2 Lots must have new boundaries aligned from buildings that satisfy the setback standards.</p>	<p>P1 Subdivision must:</p> <p>a) provide for each lot sufficient useable area and dimensions to allow for:</p> <p>i) the siting and construction of allowable premises; and</p> <p>ii) vehicles providing for supplies, waste removal, emergency services and public transport; and</p> <p>b) demonstrate that the layout would not unduly prejudice the future use or development of the subject or adjoining land; and</p> <p>c) have regard to:</p> <p>i) the topographical or natural features of the site; and</p> <p>ii) potential to provide buffering; and</p> <p>iii) any features of natural or cultural significance; and</p> <p>iv) the presence of any natural hazards; and</p> <p>v) the nature of surrounding development; and</p> <p>d) be consistent with the local area objective, if any.</p>
<p>A2 Each lot must have a frontage of at least 20 metres.</p>	<p>P2 Subdivision must provide appropriate frontage to a road having regard to the:</p> <p>a) nature of vehicles likely to access the site; and</p> <p>b) area and dimension of the lot and the ability to manoeuvre vehicles on the site; and</p> <p>c) road network and visibility; and</p> <p>d) topographical features of the site.</p>
<p>A3 Subdivision must not adjoin the general residential, village, low density residential, urban mixed use, environmental living or rural living zones.</p>	<p>P3 The subdivision layout must be designed to mitigate adverse environmental impacts and minimise potential for nuisance or loss of amenity having regard to:</p> <p>a) lot layout and design; and</p>

	<ul style="list-style-type: none"> b) orientation; and c) access considerations; and d) topography; and e) the need for landscape buffers; and f) separation to surrounding sensitive land uses.
<p>A4 Each lot must be connected to a:</p> <ul style="list-style-type: none"> a) reticulated water supply; and b) reticulated sewerage system. 	<p>P4 Each new lot created must be:</p> <ul style="list-style-type: none"> a) in a locality for which reticulated services are not available or capable of being connected; and b) capable of accommodating an on-site wastewater management system.
<p>A5 Each lot must be connected to a reticulated stormwater system.</p>	<p>P5 Stormwater must be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <ul style="list-style-type: none"> a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.

25 General Industrial Zone

25.1 Zone Purpose

25.1.1 Zone Purpose Statements

- 25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.
- 25.1.1.2 To focus industrial use and development into appropriate areas suitable for its needs.
- 25.1.1.3 To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.

25.1.2 Local Area Objectives

- (a) Provide economic opportunity and support future development of a broad range of industrial activities;
- (b) Development is to respect the visual amenity of the Tasman Highway corridor as a primary tourist route of north-east Tasmania

25.1.3 Desired Future Character Statements

The current general industrial use of land proximate to the Tasman Highway reflects an historic pattern of development which has established due to proximity to Scottsdale and central location to key transit routes. The area is to be maintained as the key location for general industrial use and development

25.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	If by an agency, or a corporation all the shares of which are held by Councils
Passive recreation	If by an agency, or a corporation all the shares of which are held by Councils
Permitted	
Use Class	Qualification
Bulky goods sales	
Equipment and machinery sales and hire	
Manufacturing and processing	
Recycling and waste disposal	
Research and development	
Resource processing	If not for animal saleyards or abattoir
Service industry	
Storage	

Transport depot and distribution	
Utilities	If for minor utilities
Vehicle fuel sales and service	
Vehicle parking	
Discretionary	
Use Class	Qualification
Crematoria and cemeteries	If for crematoria
Emergency services	
Food services	If for café or takeaway food premises
Motor racing facility	
Resource processing	If for animal saleyards or abattoir
Utilities	If not for minor utilities
Prohibited	
All other uses	

25.3 Use Standards

25.3.1 Emissions

Objective To ensure that emissions to air, land and water are reduced to the greatest extent practicable in consideration of proximity to sensitive uses.	
Acceptable Solutions	Performance Criteria
A1 Use not listed in Table E11.1 Attenuation Distances or E11.2 Attenuation Distances for Sewerage Treatment Plants must be set back from sensitive uses a minimum distance of 100 metres.	P1 The use must not cause or be likely to cause an adverse impact to the amenity of sensitive uses through emissions including noise, smoke, odour, dust and illumination.
A2 All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of: (a) by a licensed waste removal operator; or (b) in accordance with a management plan approved by the Environment Protection Authority.	P2 No performance criteria.

25.4 Development Standards

25.4.1 Building Design and Siting

Objective To ensure that the site and layout, building design and form is visually compatible with surrounding development.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed: a) 10.0m; or b) the average of the heights of buildings on immediately adjoining lots.	P1 Building height must: a) be complementary to the streetscape immediately surrounding the site; and b) avoid unreasonable levels of shading to the road, public places or adjoining properties.
A2 Buildings must be set back a minimum distance of: a) 10 metres from a frontage other than Tasman Highway; or b) 30 metres from the Tasman Highway.	P2 The proposal must be: a) in keeping with or enhances the streetscape character; and b) consistent with the local area objectives, if any.
A3 Buildings must be set back from side and rear boundaries a minimum distance of 3 metres.	P3 The setback to the side and rear boundary must: a) provide adequate access to the site; and b) not result in unreasonable loss of amenity to the occupiers of adjoining uses having regard to the: <ul style="list-style-type: none"> i) bulk and form of the building; and ii) impact on the solar access of habitable room windows and private open space; and iii) size and proportions of the lot; and iv) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation.
A4 Site coverage must not exceed 40%.	P4 The proportion of the site covered by buildings must have regard to the: <ul style="list-style-type: none"> a) existing site coverage and any constraints imposed by existing development or the features of the site; and b) site coverage of adjacent properties; and c) capacity of the site to absorb runoff; and d) landscape character of the area.

25.4.2 Subdivision

<p>Objective</p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> a) provides appropriate lot area and dimensions; and b) provides each lot with appropriate access and services; and c) does not compromise the sustainable development of adjoining properties. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> a) have a minimum area of at least: <ul style="list-style-type: none"> i) 3000m²; or ii) the area specified in a table to this zone; and b) be able to contain a 20m diameter circle; or c) be required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) be for the consolidation of a lot with another lot with no additional titles created; or d) be to align existing titles with zone boundaries and no additional lots are created; or e) be for the provision of public utilities; and <p>A1.2 Lots must have new boundaries aligned from buildings that satisfy the relevant Acceptable Solutions for setbacks.</p>	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> i) the likely parking demand for industrial premises; and ii) vehicles providing for supplies, waste removal, emergency services and public transport; and b) demonstrate that the layout would not unduly prejudice the future use or development of the subject or adjoining land; and c) have regard to: <ul style="list-style-type: none"> i) the topographical or natural features of the site; and ii) potential to provide buffering; and iii) any features of natural or cultural significance; and iv) the presence of any natural hazards; and v) the nature of surrounding development; and d) be consistent with the local area objectives, if any.
<p>A2 Each lot must have a frontage of at least 30 metres.</p>	<p>P2 Subdivision must provide appropriate frontage to a road having regard to the:</p> <ul style="list-style-type: none"> a) nature of vehicles likely to access the lot; and b) area and dimension of the lot and the ability to manoeuvre vehicles on the lot; and c) road network and visibility; and d) topographical features of the site.
<p>A3 Subdivision does not adjoin the general residential, village, low density residential, urban mixed use,</p>	<p>P3 The subdivision layout must be designed to mitigate adverse environmental impacts and minimise potential for nuisance or loss of</p>

<p>environmental living and rural living zones.</p>	<p>amenity having regard to:</p> <ul style="list-style-type: none"> a) lot layout and design; and b) orientation; and c) access considerations; and d) topography; and e) the need for landscape buffers; and f) separation to surrounding sensitive land uses.
<p>A4 Each lot must be connected to a reticulated:</p> <ul style="list-style-type: none"> a) water supply; and b) sewerage system. 	<p>P4 Each new lot created must be:</p> <ul style="list-style-type: none"> a) in a locality for which reticulated services are not available or capable of being connected; and b) capable of accommodating an on-site wastewater management system.
<p>A5 Each lot must be connected to a reticulated stormwater system.</p>	<p>P5 Stormwater must be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <ul style="list-style-type: none"> a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.

26 Rural Resource Zone

26.1 Zone Purpose

26.1.1 Zone Purpose Statements

26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.

26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

26.1.2 Local Area Objectives

(a) Primary Industries

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability

The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context

Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromise.

(b) Tourism

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

(c) Rural Communities

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

26.1.3 Desired Future Character Statements

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive

26.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Resource development	If not for: a) plantation forestry on prime agricultural land; or b) controlled environment agriculture on prime agricultural land; or c) intensive animal husbandry on prime agricultural land ; or d) a dwelling; or e) forestry or plantation forestry on non-prime agricultural land.
Utilities	If for existing uses and the curtilage does not increase by more than 30% as at the effective date and not located on prime agricultural land
Permitted	
Use Class	Qualification
Business and professional services	If for a veterinary centre or similar specialist animal breeding or care services
Community meeting & entertainment	If for existing premises used for public purposes
Crematoria and cemeteries	If for crematoria and not on prime agricultural land
Domestic animal breeding, boarding or training	If not on prime agricultural land
Extractive industries	If not: a) located on prime agricultural land or; b) for a Level 2 Activity
Food services	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
Hotel industry	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
Residential	If for existing uses or home-based business in an existing dwelling

Resource development	If not for: a) plantation forestry on prime agricultural land; or b) controlled environment agriculture on prime agricultural land, unless dependent upon the soil as a growth medium; or c) intensive animal husbandry on prime agricultural land.
Resource processing	If directly associated with produce from the subject site
Sports and recreation	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
Visitor accommodation	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
Discretionary	
Use Class	Qualification
Bulky goods sales	If for rural supplies, landscape supplies and timber yard
Business and professional services	If not for a veterinary centre or similar specialist animal breeding or care services
Educational and occasional care	If providing education services for the resource development use class
Emergency Services	
Equipment and machinery sales and hire	
Extractive industries	If located on prime agricultural land, or If for a Level 2 Activity
Food services	If: a. not for existing uses or b. the curtilage increases by more than 30% as at the effective date
General retail and hire	
Hotel industry	If for: a) existing uses and the curtilage increases by more than 30% as at the effective date; or b) cellar door sales, micro-breweries or micro-distilleries
Manufacturing and processing	If for existing uses
Motor racing facility	If not a new facility on prime agricultural land
Recycling and waste disposal	
Residential	If for single dwelling
Research and development	If directly associated with resource development

Resource development	If: a) for controlled environment agriculture or intensive animal husbandry on prime agricultural land; or b) not for plantation forestry on prime agricultural land.
Resource processing	If not directly associated with produce from the subject site
Service industry	
Sports and recreation	If: a) not for existing uses or b) the curtilage increases by more than 30% as at the effective date
Storage	If for freezing and cool storage or wood yard
Tourist operation	
Transport depot	
Utilities	If: a) for existing uses on prime agricultural land; or b) not for existing uses; or c) the curtilage increases by more than 30% as at the effective date.
Vehicle fuels sales and service	
Visitor accommodation	If: a) not for existing uses or b) the curtilage increases by more than 30% as at the effective date
Prohibited	
All other uses	

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

Objective	
a)	To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
b)	To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.
c)	To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
d)	Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
e)	Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
f)	The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	<p>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</p> <p>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.</p>
A2 If for permitted or no permit required uses.	<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <ul style="list-style-type: none"> i) amount of land alienated/converted is minimised; and ii) location is reasonably required for operational efficiency; and <p>P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</p>

<p>A3 If for permitted or no permit required uses.</p>	<p>P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</p> <ul style="list-style-type: none"> a) the amount of land converted is minimised having regard to: <ul style="list-style-type: none"> i) existing use and development on the land; and ii) surrounding use and development; and iii) topographical constraints; or b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as: <ul style="list-style-type: none"> i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry; or c) the location of the use on the site is reasonably required for operational efficiency.
<p>A4 If for permitted or no permit required uses.</p>	<p>P4 It must be demonstrated that:</p> <ul style="list-style-type: none"> a) emissions are not likely to cause an environmental nuisance; and b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and c) the capacity of the local road network can accommodate the traffic generated by the use.
<p>A5 The use must:</p> <ul style="list-style-type: none"> a) be permitted or no permit required; or b) be located in an existing building. 	<p>P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</p> <ul style="list-style-type: none"> a) the impacts on skylines and ridgelines; and b) visibility from public roads; and c) the visual impacts of storage of materials or equipment; and d) the visual impacts of vegetation clearance or retention; and e) the desired future character statements.

26.3.2 Dwellings

<p>Objective</p> <p>To ensure that dwellings are:</p> <p>a) incidental to resource development; or</p> <p>b) located on land with limited rural potential where they do not constrain surrounding agricultural operations.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Development must be for the alteration, extension or replacement of existing dwellings; or</p> <p>A1.2 Ancillary dwellings must be located within the curtilage of the existing dwelling on the property; or</p> <p>A1.3 New dwellings must be within the resource development use class and on land that has a minimum current capital value of \$1 million as demonstrated by a valuation report or sale price less than two years old.</p>	<p>P1.1 A dwelling may be constructed where it is demonstrated that:</p> <p>a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to:</p> <ul style="list-style-type: none"> i) scale; and ii) complexity of operation; and iii) requirement for personal attendance by the occupier; and iv) proximity to the activity; and v) any other matters as relevant to the particular activity; or <p>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to:</p> <ul style="list-style-type: none"> i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and <p>P1.2 A dwelling may be constructed where it is demonstrated that wastewater treatment for the proposed dwelling can be achieved within the lot boundaries, having regard to the rural operation of the property and provision of reasonable curtilage to the proposed dwelling.</p>

26.3.3 Irrigation Districts

Objective To ensure that land within irrigation districts proclaimed under Part 9 of the <i>Water Management Act 1999</i> is not converted to uses that will compromise the utilisation of water resources.	
Acceptable Solutions	Performance Criteria
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> .	P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to: <ul style="list-style-type: none"> a) the location and amount of land to be used; and b) the operational practicalities of irrigation systems as they relate to the land; and c) any management or conservation plans for the land.

26.4 Development Standards

26.4.1 Building Location and Appearance

Objective To ensure that the: <ul style="list-style-type: none"> a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and b) development of buildings is unobtrusive and complements the character of the landscape. 	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed: <ul style="list-style-type: none"> a) 8m for dwellings; or b) 12m for other purposes. 	P1 Building height must: <ul style="list-style-type: none"> a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.
A2.1 Buildings must be set back a minimum of: <ul style="list-style-type: none"> a) 50m where a non sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling. 	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to: <ul style="list-style-type: none"> a) the topography of the land; and b) buffers created by natural or other features; and c) the location of development on adjoining lots; and

	<ul style="list-style-type: none"> d) the nature of existing and potential adjoining uses; and e) the ability to accommodate a lesser setback to the road having regard to: <ul style="list-style-type: none"> i) the design of the development and landscaping; and ii) the potential for future upgrading of the road; and iii) potential traffic safety hazards; and iv) appropriate noise attenuation.
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26.4.2 Subdivision

<p>Objective</p> <p>To ensure that subdivision is only to:</p> <ul style="list-style-type: none"> a) improve the productive capacity of land for resource development and extractive industries; or b) enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; or c) facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development. 	
Acceptable Solutions	Performance Criteria
<p>A1 Lots must be:</p> <ul style="list-style-type: none"> a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or b) for the consolidation of a lot with another lot with no additional titles created; or c) to align existing titles with zone boundaries and no additional lots are created. 	<p>P1 The subdivision</p> <ul style="list-style-type: none"> a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished.

27 Significant Agricultural Zone

This zone was not used in this planning scheme.

28 Utilities Zone

28.1 Zone Purpose

28.1.1 Zone Purpose Statements

28.1.1.1 To provide land for major utilities installations and corridors.

28.1.1.2 To provide for other compatible uses where they do not adversely impact on the utility.

28.1.2 Local Area Objectives

There are no local area objectives for the zone

28.1.3 Desired Future Character Statements

There are no desired future character statements for the zone

28.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Utilities	If for minor utilities
Permitted	
Use Class	Qualification
Recycling and waste disposal	
Transport depot and distribution	If a bus terminal or taxi depot/stand or railway station within the road/rail corridor If for an airport
Utilities	If not for minor utilities
Vehicle parking	If a 'park and ride' facility
Discretionary	
Use Class	Qualification
Extractive industries	
Passive recreation	
Sports and recreation	
Prohibited	
All other uses	

28.3 Use Standards

28.3.1 Capacity of existing utilities

Objective To ensure that uses do not compromise the capacity of utility services.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The proposal must not unreasonably compromise or reduce the operational efficiency of the utility having regard to: <ul style="list-style-type: none"> a) existing land use practices; and b) the location of the use in relation to the utility; and c) any required buffers or setbacks; and d) the management of access.

28.4 Development Standards

28.4.1 Building Design and Siting

Objective To ensure that the siting and design of development: <ul style="list-style-type: none"> a) considers the impacts to adjoining lots; and b) furthers the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solutions	Performance Criteria
A1 Height must not exceed: <ul style="list-style-type: none"> a) 10m; or b) 15 m for ancillary antenna and masts for communication devices. 	P1.1 Height must: <ul style="list-style-type: none"> a) minimise the visual impact having regard to: <ul style="list-style-type: none"> i) prevailing character of the landscape or urban pattern of the surrounding area; and ii) form and materials; and iii) the contours or slope of the land; and iv) existing screening or the ability to implement/establish screening through works or landscaping; and v) the functional requirements of the proposed development or use; and b) protect the amenity of residential uses in the area from unreasonable impacts having regard to: <ul style="list-style-type: none"> i) the surrounding pattern of development; and ii) the existing degree of overlooking and overshadowing; and

	<p>iii) methods to reduce visual impact or.</p> <p>P1.2 Where development is unavoidably prominent in the landscape, it must provide a significant community benefit.</p>
<p>A2 Buildings must be set back from all boundaries a minimum distance of 3m.</p>	<p>P2 Building setbacks must:</p> <p>a) complement existing building setbacks in the immediate area; and</p> <p>b) minimise adverse impacts on adjoining land uses having regard to:</p> <p>i) the form of the building; and</p> <p>ii) the contours or slope of the land; and</p> <p>iii) methods to reduce visual impact; and</p> <p>c) protect the amenity of adjoining residential uses from unreasonable impacts of overshadowing and overlooking having regard to:</p> <p>i) the surrounding pattern of development; and</p> <p>ii) the existing degree of overlooking and overshadowing; and</p> <p>iii) methods to reduce overlooking and overshadowing.</p>

28.4.2 Subdivision

Objective a) To ensure that land is available for public and private utility services; and b) To further the local area objectives and desired future character statements for the area, if any.	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be for a utility use.	P1.1 Subdivision must: a) be required for public use by the Crown, public authority or a Council; or b) be a combined application for subdivision and subsequent development and use of the land; and P1.2 Subdivision must have regard to: a) the topographical or natural features of the site; and b) the pattern of existing development; and c) the ability of vegetation to provide buffering; and d) any features of natural, historical or cultural significance; and e) the presence of any natural hazards; and f) to the local area objectives and desired future character statements for the zone, if any; and P1.3 Subdivision must provide services appropriate to the intended use.
A2 The lot must have a minimum frontage of 3.6m.	P2 Subdivision must provide appropriate, permanent access by a right of carriageway registered over all relevant titles.

29 Environmental Management Zone

29.1 Zone Purpose

29.1.1 Zone Purpose Statements

29.1.1.1 To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.

29.1.1.2 To only allow for complementary use or development where consistent with any strategies for protection and management.

29.1.2 Local Area Objectives

There are no local area objectives for the zone

29.1.3 Desired Future Character Statements

There are no desired future character statements for the zone

29.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Emergency services	
Extractive industry	
Resource development	If for existing uses and the curtilage does not increase by more than 30% as at the effective date
Sports and recreation	
Tourist operation	
Utilities	If not for minor utilities
Visitor accommodation	
Prohibited	
All other uses	

29.3 Use Standards

29.3.1 Reserved Land

Objective To ensure that development recognises and reflects relevant values of land reserved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i> .	
Acceptable Solutions	Performance Criteria
A1 Use on reserved land is in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i> .	P1 No performance criteria.

29.4 Development Standards

29.4.1 Building Design and Siting

Objective To ensure that the design and siting of buildings responds appropriately to the natural values of the site and causes minimal disturbance to the environment.	
Acceptable Solutions	Performance Criteria
A1 The curtilage for development must: <ul style="list-style-type: none"> a) not exceed 20% of the site; or b) be in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i>. 	P1 An area greater than 20% of the site may be used where the development is for a driveway or for the management of natural hazards.
A2 Building height must: <ul style="list-style-type: none"> a) not exceed 6m; or b) be in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i>. 	P2 Building height must blend with the surrounding landscape and not be individually prominent.
A3 Buildings must be set back <ul style="list-style-type: none"> a) a minimum of 10m to all boundaries; or b) in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i> or <i>Nature Conservation Act 2002</i>. 	P3 Building setback must protect the natural values of the site or reduce the risk from natural hazards.

<p>A4 Buildings for a sensitive use must be set back a minimum of 200m to the rural resource zone.</p>	<p>P4 Buildings for sensitive use must be designed and sited to protect uses in the rural resource zone from likely constraint, having regard to the:</p> <ul style="list-style-type: none"> a) locations of existing buildings; and b) size and proportions of the lot; and c) nature of the rural resources that are, or may potentially be conducted; and d) extent to which the topography or existing vegetation screening may reduce or increase the impact of the proposed variation.
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29.4.2 Landscaping

<p>Objective</p> <p>To ensure that the natural values of the site are retained in a manner that contributes to the broader landscape of the area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<p>P1 Development must be accompanied by a landscape and site management plan that sets out how the entire site will be managed having regard to:</p> <ul style="list-style-type: none"> a) any retaining walls; and b) retaining any existing native vegetation where it is feasible to do so or required to be retained by another provision of this scheme; and c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and d) any fencing; and e) vegetation plantings to be used and where; and f) any pedestrian movement paths; and g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.

29.4.3 Subdivision

Objective To ensure that subdivision: <ul style="list-style-type: none"> a) is appropriate to the protection of the natural values identified on the subject land; and b) provides for the intended use of the lots. 	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be: <ul style="list-style-type: none"> a) for the consolidation of a lot with another lot with no additional titles created; or b) to align existing titles with zone boundaries and no additional lots are created. 	P1 The lots must be used for: <ul style="list-style-type: none"> a) utilities; or b) in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i>; or c) use by the public under the <i>Crown Lands Act 1976</i>; or d) a purpose that is consistent with the local area objectives , if any.
A2 The lot must have a minimum frontage of 6 metres.	P2 Subdivision must provide appropriate access by a: <ul style="list-style-type: none"> a) right of carriageway registered over all relevant titles; or b) lease over any public land for the life of the use and development.
A3 No Acceptable Solutions.	P3 Any lot created for building purposes must be: <ul style="list-style-type: none"> a) of sufficient size to allow for on-site disposal of any waste water if reticulated services are unavailable to the lot; or b) connected to reticulated services where available and needed for the development.

30 Major Tourism Zone

30.1 Zone Purpose

30.1.1 Zone Purpose Statements

30.1.1.1 To provide for major tourist sites, including those located outside activity centres.

30.1.1.2 To provide opportunities for use and development that complements or enhances the tourist operations in the zone.

30.1.2 Local Area Objectives

Provide for certainty in the operation of and the continued investment in the Barnboughe Dune and Lost Farm golf courses and associated facilities.	The allowable uses identified, together with associated development standards, provide for the specific requirements of the facilities whilst managing the interface with surrounding agricultural uses.
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30.1.3 Desired Future Character Statements

Retain an appropriate level of visibility of development through unobtrusive siting and design, including materials and finishes.	
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30.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Utilities	If for minor utilities
Permitted	
Use Class	Qualification
Food services	If not a take-away food premises
Hotel industry	If not a bottle shop
Resource development	
Sports and recreation	
Tourist operation	
Visitor accommodation	
Discretionary	
Use Class	Qualification
Community meeting & entertainment	
General retail and hire	If for local shop
Transport depot and distribution	If for passenger distribution
Utilities	If not for minor utilities

Vehicle parking	
Prohibited	
All other uses	

30.3 Use Standards

30.3.1 Use and amenity

<p>Objective</p> <p>To ensure that all use:</p> <p>a) accords with the local area objectives, if any, for the zone or tourist facility; and</p> <p>b) is not detrimental to the amenity of surrounding residential areas in terms of noise, emissions, operating hours, transport or traffic.</p>	
Acceptable Solution	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<p>P1 It must be demonstrated that the use does not:</p> <p>a) compromise the operational efficiency of any tourism use within the zone; and</p> <p>b) adversely impact on the amenity and use of public land.</p>

30.4 Development Standards

30.4.1 Building Design and Siting

Objective To ensure that the design and siting of development: <ul style="list-style-type: none"> a) protects the amenity of surrounding uses; and b) furthers the local area objectives and desired future character statements, if any. 	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 6 metres.	P1 Building height must: <ul style="list-style-type: none"> a) respond to the site context and the local area objectives, if any, for the provision of tourist uses and development; and b) protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate to the uses, having regard to: <ul style="list-style-type: none"> i) the form of the building; and ii) the contours or slope of the land; and iii) existing screening or the ability to implement/establish screening.
A2 Frontage setbacks must be a minimum of: <ul style="list-style-type: none"> a) 10 metres; and b) 200m to the rural resource zone where a sensitive use is proposed. 	P2 Frontage setbacks must: <ul style="list-style-type: none"> a) complement the character of the surrounding landscape and streetscape; and b) provide mitigation for a sensitive use to the rural resource zone; and c) respond to the site context and the local area objectives, if any, for the provision of tourist uses.
A3 Side and rear setbacks must be a minimum of: <ul style="list-style-type: none"> a) 10 metres; and b) 200m to the rural resource zone where a sensitive use is proposed. 	P3 Side and rear setbacks must protect the amenity of adjoining sensitive, having regard to: <ul style="list-style-type: none"> a) the form of the building; and b) the contours or slope of the land; and c) existing screening or the ability to implement/establish screening; and d) the impacts of overshadowing and overlooking.

30.4.2 Subdivision

Objective	
a) To facilitate the establishment and continued use of tourist facilities and complementary uses at a size and scale appropriate to the locality; and b) To ensure that appropriate road access, wastewater, stormwater, energy and communication services are provided as appropriate for the use; and c) To further the local area objectives and desired future character statements, if any.	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be: a) for the consolidation of a lot with another lot with no additional titles created; or b) to align existing titles with zone boundaries and no new lots are created.	P1.1 The subdivision must: a) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a Council; or b) be a combined application for subdivision and subsequent development and use of the land; and P1.2 The subdivision must have regard to: a) the topographical or natural features of the site; and b) the pattern of existing development; and c) the ability of vegetation to provide buffering; and d) any features of natural, historical or cultural significance; and e) the presence of any natural hazards; and f) the local area objectives and desired future character statements, if any; and P1.3 The subdivision must provide sufficient area and dimension having regard to the: a) nature of the proposed use and development; and b) need to accommodate vehicles on the site; and c) proximity of neighbouring residential development; and P1.4 The subdivision must provide services appropriate to the intended use.
A2 The lot must have a minimum frontage of 3.6m.	P2 Subdivision must provide appropriate, permanent access by a right of carriageway registered over all relevant titles.

31 Port and Marine Zone

31.1 Zone Purpose

31.1.1 Zone Purpose Statements

- 31.1.1.1 To provide for port and marine activity related to shipping and other associated transport facilities and supply and storage.

31.1.2 Local Area Objectives

To provide for other uses that support, supply or facilitate port and/or marine activity; and	
To provide for the efficient movement and operation of commercial shipping, water-based transport and maritime industries.	
a) Buildings must be complementary to the streetscape immediately surrounding the site and avoid unreasonable levels of shading to the road, public places or adjoining properties.	
b) Development must be in keeping with, or enhance, the streetscape character.	

31.1.3 Desired Future Character Statements

There are no desired future character statements for the zone

31.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Utilities	If for minor utilities
Permitted	
Use Class	Qualification
Bulky goods sales	If for boat sales
Emergency services	
Pleasure boat facility	
Port and shipping	
Sports and recreation	If for marine, aquatic or aviation based operations
Storage	
Tourist operation	If for marine, aquatic or aviation based operations
Transport depot and distribution	

Utilities	If not for minor utilities
Vehicle parking	
Discretionary	
Use Class	Qualification
Bulky goods sales	If not for boat sales
Business and professional services	If for consulting room, office or travel agency
Educational and occasional care	
Equipment and machinery sales and hire	
Food services	
General retail and hire	If for local shop or primary produce sales
Manufacturing and processing	
Resource processing	If for aquaculture
Service industry	
Tourist operation	If not for marine, aquatic or aviation based operations
Vehicle fuel sales and service	
Prohibited	
All other uses	

31.3 Use Standard

31.3.1 Emissions

Objective To ensure that emissions are contained within the site or are managed in such a way as to not cause a loss of amenity to surrounding sensitive uses or impact detrimentally on the environment.	
Acceptable Solutions	Performance Criteria
A1 All waste materials and by-products produced through operations on the site must: <ul style="list-style-type: none"> a) where stored on site, be in a covered building with connection to reticulated waste and storm water services; or b) be removed and disposed of in accordance with a management plan approved by the Environment Protection Authority; or c) be removed and disposed of by a licensed waste removal operator or disposed of in an approved land fill. 	P1 A waste management plan demonstrates how the storage and on-site handling of waste and by-products of the activity will be managed to: <ul style="list-style-type: none"> a) minimise impacts to the environment; and b) contain and treat emissions from the materials being held or stockpiled on the site (particularly waste and storm water); and c) prevent views of the subject materials from outside of the site.
A2.1 The proposal must not include flood lighting where it adjoins the General Residential Zone, Low Density Residential Zone, Urban Mixed Use Zone, Environmental Management Zone or Open Space Zone; and A2.2 External security lighting must be contained within the boundaries of the site.	P2 External lighting must demonstrate that: <ul style="list-style-type: none"> a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.

31.3.2 Amenity

<p>Objective</p> <p>To ensure:</p> <p>(a) recognition is provided for the reasonable impacts of the allowed uses within the zone and to surrounding zones; and</p> <p>(b) use in the zone does not significantly impact on the amenity of sensitive uses in adjoining zones.</p>	
Acceptable Solutions	Performance Criteria
A1 Use must be setback at least 40 metres from the boundary of the General Residential zone or a sensitive use in other zones.	P1 Use must not cause unreasonable disturbances or loss of amenity to sensitive uses in adjoining zones.
A2 Outside storage areas must be screened from adjacent roads and properties.	P2 Outside storage areas must not cause loss of amenity through unsightly appearance of storage areas.

31.4 Development Standards

31.4.1 Building Appearance and Streetscape Character

<p>Objective</p> <p>To ensure that building appearance from roads is visually compatible with surrounding development and maintains amenity.</p>	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 10m.	P1 Building height must be consistent with the local area objectives, if any.
A2 All buildings and storage areas must be setback a minimum of 10m from the frontage.	P2 Buildings and storage areas must be setback to be consistent with the local area objectives, if any.
A3 All buildings must be setback a minimum of 10m from all boundaries aside from the frontage.	P3 Buildings must be setback a sufficient distance from adjoining properties to minimise visual intrusion or detrimental impacts to the streetscape or landscape appearance.
A4 Storage areas must not be located between the building and the frontage.	P4 Storage areas are sited and designed in a manner that will not have an adverse impact on visual amenity.

31.4.2 Environmental Impacts

Objective To ensure that the environmental impacts are regulated to minimise off-site impacts to adjoining areas and they are managed in accordance with environmental best practice.	
Acceptable Solutions	Performance Criteria
A1 All wastewater must be disposed of into a reticulated sewerage system.	P1 All wastewater is treated by an on-site system suitable to the nature and volume of the discharges generated by the activity.
A2 All stormwater from hardstand areas must be directed to Council's reticulated stormwater system.	P2 Surface water from hardstand areas (excluding pontoons, jetties and marinas) is treated to minimise pollution to receiving environments.
A3 If for permitted or no permit required uses.	P3 A plan for managing by-products and wastes demonstrates how impacts to the environment will be minimised.
A4 The development is for the redevelopment of an existing marina or slipway facility.	P4 The marina or slipway is: a) located in an area characterised by other structures such as jetties, ramps and boatsheds; and b) consistent with the local area objectives, if any.
A5 Non-domestic marinas provide at least one wastewater pump out facility.	P5 No performance criteria.

31.4.3 Subdivision

Objective To ensure that the subdivision of land allows for the siting and design of development consistent with the intended function of the facility and its location.	
Acceptable Solutions	Performance Criteria
A1.1 Each lot must: a) have a minimum area of at least: i) 8000m ² ; and b) be able to contain a 20m diameter circle; and A1.2 Lots must have new boundaries aligned from buildings that satisfy the acceptable solutions of the relevant setback standards.	P1 Lots must have sufficient useable area and dimensions to allow for: a) the intended function for the relevant lot; and b) on-site parking and manoeuvrability; and c) waste disposal.
A2 Lots less than the requirements of A1 must be: a) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a	P2 No performance criteria.

<p>municipality; or</p> <p>b) for the provision of utilities; or</p> <p>c) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>d) to align existing titles with zone boundaries and no additional lots are created.</p>	
<p>A3 Each lot must have a frontage of at least 10 metres.</p>	<p>P3 Subdivision must provide appropriate, permanent access by a right of carriageway registered over all relevant titles.</p>
<p>A4 Each lot must be connected to a reticulated:</p> <p>a) water supply; and</p> <p>b) sewerage system.</p>	<p>P4 Each new lot created must be:</p> <p>a) in a locality for which reticulated services are not available or capable of being connected; and</p> <p>b) capable of accommodating an on-site wastewater management system.</p>
<p>A5 Each lot must be connected to a reticulated stormwater system.</p>	<p>P5 Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <p>a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</p> <p>b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision, and</p> <p>c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and</p> <p>d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</p>

32 Particular Purpose Zone – Tomahawk and Musselroe Bay / Poole Defined Settlement Areas

32.1 Zone Purpose

32.1.1 Zone Purpose Statements

32.1.1.1 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.

32.1.1.2 To support infill development on existing lots.

32.1.1.3 To encourage use and development that is sensitive to the residential amenity of the areas.

32.1.1.4 To provide for low impact, non-residential uses that support the function of the settlement.

32.1.2 Local Area Objectives

There are no local area objectives for the zone

32.1.3 Desired Future Character Statements

There are no desired future character statements for the zone

32.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Residential	If for single dwelling, ancillary dwelling or home-based business
Discretionary	
Use Class	Qualification
Emergency services	
General retail and hire	If for local shop
Storage	If for boat and caravan storage
Tourist operation	If for charter tours
Visitor accommodation	If for bed and breakfast establishment, holiday flat or holiday unit
Utilities	
Prohibited	
All other uses	

32.3 Use Standards

32.3.1 Amenity – Non-Residential Uses

Objective To ensure 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 will not be 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, is not to create a traffic hazard or compromise the mixed use function of the road.
A4 Waste materials must be stored in: <ul style="list-style-type: none"> a) a manner and location that is not visible from the road to which the lot has frontage ; and b) fully self-contained receptacles designed to ensure waste does not escape to the environment. 	P4 No performance criteria.

32.3.2 Amenity – Home-Based Business Use

Objective To ensure that Home-Based Business activities do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 The use operates between 7.00am and 7.00pm Monday to Friday and 8.00am and 6.00pm Saturday to Sunday.	P1 It must be demonstrated that operation of the activity will 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 criteria.

32.4 Development Standards

32.4.1 Clauses 32.4.1.1 – 32.4.1.4 apply to all development.

32.4.1.1 Setback from a frontage

<p>Objective</p> <p>To ensure that the setback to frontages:</p> <ul style="list-style-type: none"> a) assist in the establishment of the streetscape character; and b) enhance residential amenity; and c) provide a transition space between the road and private buildings allowing mutual passive surveillance for community safety; and d) respond to slope and other physical characteristics of a lot and assist in attenuation of traffic noise. 	
Acceptable Solutions	Performance Criteria
<p>A1 All buildings (excluding minor protrusions extending less than 1.5m) must have a setback to a frontage that is:</p> <ul style="list-style-type: none"> a) a minimum 6m from primary frontage; and a minimum 3m to a frontage other than primary frontage; or b) a distance which is not more or less than the maximum and minimum setbacks of the buildings on immediately adjoining lots; or c) not less than the existing building setback if less than 6m. 	<p>P1 The setback to frontage must:</p> <ul style="list-style-type: none"> a) provide transitional space between the road and private building allowing mutual passive surveillance; and 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; and c) provide measures to ensure that noise generated by traffic will not adversely impact on residential amenity and vehicular egress provides for safe use of the road; and d) have regard to streetscape qualities or assist the integration of new development into the streetscape.

32.4.1.2 Site Coverage and Rear Setback

Objective To ensure that the location and extent of building site coverage: <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; and b) assists with the management of stormwater; and c) provides for setback to the rear boundary. 	
Acceptable Solutions	Performance Criteria
A1 A maximum site coverage of 50% excluding building eaves and access strips where less than 7.5m wide.	P1 Site coverage must: <ul style="list-style-type: none"> a) provide for useful areas of open space for gardens and outdoor recreation purposes; and b) allow areas to be retained for the absorption of rainwater into the ground; and c) have regard to streetscape qualities.
A2 A minimum rear setback of 4m.	P2 The location of buildings in relation to the rear boundary must: <ul style="list-style-type: none"> a) allow for adequate visual separation between neighbouring buildings; and b) maximise solar access to habitable rooms; and c) facilitate provision of private open space.

32.4.1.3 Building envelope

Objective To ensure that the siting and scale of buildings: <ul style="list-style-type: none"> a) allows for flexibility in design to meet contemporary building requirements; and b) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and c) has regard to streetscape qualities. 	
Acceptable Solutions	Performance Criteria
A1 All buildings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes: <ul style="list-style-type: none"> a) determined by a minimum setback of 3m from side boundaries and minimum 4m from the rear boundary and a maximum building height of 5.5m; or 	P1 The siting and scale of single buildings must be designed to: <ul style="list-style-type: none"> a) ensure there is no unreasonable loss of amenity on adjoining lots 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

<p>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 figures 32.4.1.3A and B); and walls are set back:</p> <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. 	<ul style="list-style-type: none"> pm on June 21 or by increasing existing overshadowing where greater than above; and ii) overlooking and loss of privacy; and iii) visual impacts when viewed from adjoining lots; and <ul style="list-style-type: none"> b) take into account steep slopes and other topographical constraints; and c) have regard to streetscape qualities.
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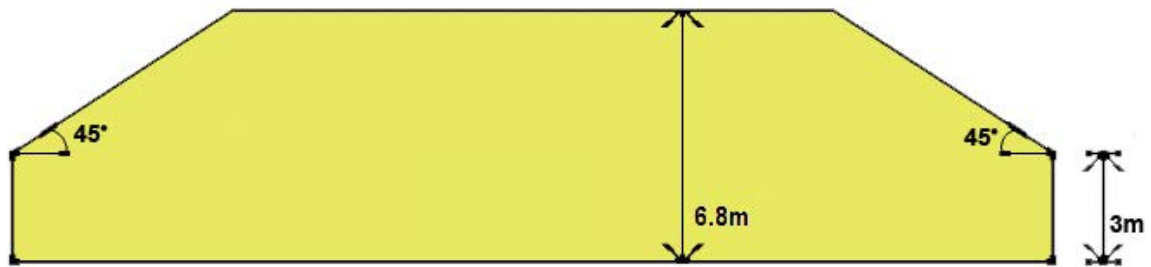


Figure 32.4.1.3A Building envelope described by acceptable solution A1(b).

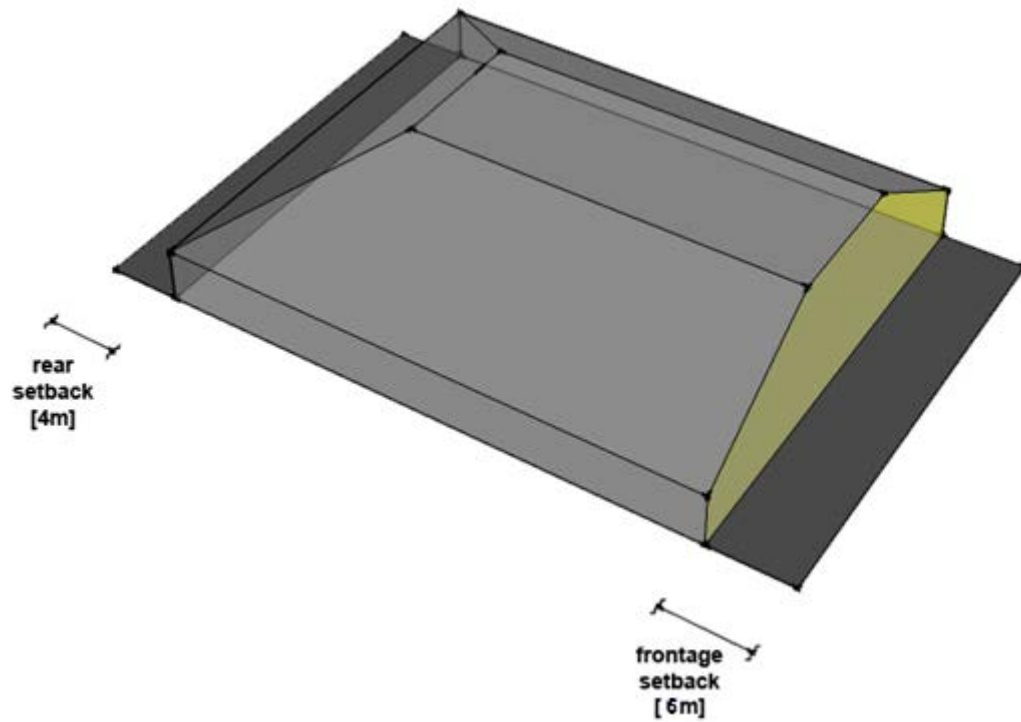


Figure 32.4.1.3B Building envelope described by acceptable solution A1(b) in relation to front and rear setbacks.

32.4.1.4 Frontage fences

Objective To ensure 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 The maximum building height of fences on and within 4.5m of a frontage must be: <ul style="list-style-type: none"> a) 1.2m if solid; or b) 1.8m provided that the part of the fence above 1.2m has openings which provide a minimum 50% transparency. 	P1 Fences on and within 4.5m of a frontage must be designed to: <ul style="list-style-type: none"> a) provide for security and privacy of residents while allowing for mutual passive surveillance of the road; and b) take account of the prevailing height, design and character of neighbouring fences; and c) attenuate noise from high volume traffic; and d) take account of steep slope or other topographical constraints; and e) have regard to streetscape qualities.

32.4.2 Clauses 32.4.2.1 – 32.4.2.3 only apply to development within the Residential Use Class.

32.4.2.1 Frontage setback and width of garages and carports

<p>Objective</p> <p>To ensure that the location and size of garages or carports:</p> <ul style="list-style-type: none"> a) do not dominate the façade of the dwelling or dominate the streetscape; and b) do not restrict mutual passive surveillance of the road and dwelling; and c) provides for safe vehicular access to and egress from the site. 	
Acceptable Solution	Performance Criteria
<p>A1 Garages or carports within 12m of the frontage whether free-standing or part of the dwelling:</p> <ul style="list-style-type: none"> 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 b) must have a setback to frontage measured to the door, post or supporting column no less than that required for a building in Clause 32.4.1.1 A1. 	<p>P1 The siting and design of garages and carports must:</p> <ul style="list-style-type: none"> a) complement the character of the dwelling; and b) not dominate the frontage of the lot through location and visual bulk; and c) retain mutual passive surveillance between dwelling and road; and d) provide for safe vehicular movements between road and site; and e) have regard to streetscape qualities.

32.4.2.2 Privacy

Objective To ensure 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.	
Acceptable Solutions	Performance Criteria
A1 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: <ul style="list-style-type: none"> a) have a minimum side setback of 3m and minimum rear setback of 4m; or b) have a minimum rear setback of 4m and be screened by a solid, non-transparent wall to a minimum height of 1.7m above the floor level. 	P1 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 lot to the habitable rooms and balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation or off-set or by use of solid or translucent screening.
A2 Windows of habitable rooms which have a floor level more than 1m above natural ground level must: <ul style="list-style-type: none"> a) have a minimum side setback of 3m; or b) be offset a minimum 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or c) have a minimum window sill height of 1.7m. 	P2 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 lot to the windows of habitable rooms, balconies, decks and roof gardens on adjacent lots must be avoided or minimised through their separation and off-set or by use of solid or translucent screening.

32.4.2.3 Water Storage

Objective To provide adequate water storage for each new single dwelling.	
Acceptable Solution	Performance Criteria
A1 A new single dwelling must have a system of roof catchment and tank storage for rainwater with a minimum capacity of 45,000 litres.	P1 No Performance Criteria.

32.4.3 Subdivision

Objective To ensure 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
<p>A1.1 Land must not be subdivided, except;</p> <ul style="list-style-type: none"> a) where required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) for the provision of utilities; or d) for the consolidation of a lot with another lot with no additional titles created; or e) to align existing titles with zone boundaries and no additional lots are created. <p>A1.2 Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<p>P1 Boundary adjustments must:</p> <ul style="list-style-type: none"> a) not create any additional titles; and b) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> ii) a dwelling to be erected in a convenient, appropriate and hazard free location; and ii) appropriate disposal of wastewater and stormwater; and iii) on-site parking and manoeuvrability; and 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; and ii) the ability of vegetation to provide buffering; and iii) any features of natural or cultural significance; and iv) the presence of any natural hazards.
<p>A2 Each lot must have a frontage of at least 4 metres.</p>	<p>P2 Each lot 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.

Part E

Codes

E1.0 Bushfire-Prone Areas Code

E1.1 Purpose of the Bushfire-Prone Areas Code

- E1.1.1 The purpose of this code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

E1.2 Application of this Code

- E1.2.1 This code applies to:

- (a) subdivision of land that is located within, or partially within, a bushfire-prone area; and
- (b) a use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use.

- E1.2.2 A permit is required for all use and development to which this code applies that is not exempt from this code under clause E1.4.

E1.3 Definition of terms in this Code

- E1.3.1 In this code, unless the contrary intention appears:

Term	Definition
accredited person	means as defined in the Act.
bushfire attack level (BAL)	means the bushfire attack level as defined in <i>Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas</i> .
bushfire hazard management plan	means as defined in the Act.
bushfire protection measures	means the measures that might be used to reduce the risk of bushfire attack and the threat to life and property in the event of bushfire.
bushfire-prone area	means: <ul style="list-style-type: none">(a) land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or(b) where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.
bushfire-prone vegetation	means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.
carriageway	means the section of road formation which is used by traffic, and includes all the area of the traffic lane pavement together

	with the formed shoulders.
contiguous	means separated by less than 20 metres.
fire fighting water point	means the point where a fire appliance is able to connect to a water supply for fire fighting purposes. This includes a coupling in the case of a fire hydrant, offtake or outlet, or the minimum water level in the case of a static water body.
fire hydrant	means as defined in <i>Australian Standard AS 2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning</i> .
group home	means use of land for residential accommodation for people with disabilities.
hardstand	means as defined in <i>Australian Standard AS 2419.1-2005 Fire hydrant installations, Part 1: System design, installation and commissioning</i> .
hazard management area	means the area, between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for fire fighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.
hazardous use	means a use where: (a) the amount of hazardous chemicals used, handled, generated or stored on a site exceeds the manifest quantity as specified in the <i>Work Health and Safety Regulations 2012</i> ; or (b) explosives are stored on a site and where classified as an explosives location or large explosives location as specified in the <i>Explosives Act 2012</i> .
hose lay	means the distance between two points established by a fire hose laid out on the ground, inclusive of obstructions.
property access	means the carriageway which provides vehicular access from the carriageway of a road onto land, measured along the centre line of the carriageway, from the edge of the road carriageway to the nearest point of the building area.
respite centre	means use of land for respite care for the sick, aged or persons with disabilities.
static water supply	means water stored in a tank, swimming pool, dam, or lake, that is available for fire fighting purposes at all times.
tolerable risk	means the lowest level of likely risk from the relevant hazard: (a) to secure the benefits of a use or development in a relevant hazard area; and (b) which can be managed through: (i) routine regulatory measures; or (ii) by specific hazard management measures for the intended life of each use or development.
TFS	means Tasmania Fire Service.
vulnerable use	means a use that is within one of the following Use Classes: (a) Custodial Facility; (b) Educational and Occasional Care; (c) Hospital Services;

	(d) Residential if for respite centre, residential aged care home, retirement home, and group home.
water corporation	means the corporation within the meaning of the <i>Water and Sewerage Corporation Act 2012</i> .

E1.4 Use or development exempt from this Code

The following use or development is exempt from this code:

- (a) any use or development that the TFS or an accredited person, having regard to the objective of all applicable standards in this code, certifies there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures; and
- (b) adjustment of a boundary in accordance with clause 9.3 of this planning scheme.

E1.5 Use Standards

E1.5.1 Vulnerable uses

Objective: Vulnerable uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the vulnerable use and the bushfire hazard.	
Acceptable solutions	Performance criteria
A1 No Acceptable Solution.	P1 A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: <ul style="list-style-type: none"> (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy and bushfire hazard management plan; and (e) other advice, if any, from the TFS.
A2 An emergency management strategy, endorsed by the TFS or accredited person, that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use considering: <ul style="list-style-type: none"> (a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (b) the ability of occupants of the vulnerable use 	P2 No Performance Criterion.

<p>to:</p> <ul style="list-style-type: none"> (i) protect themselves and defend property from bushfire attack; (ii) evacuate in an emergency; and (iii) understand and respond to instructions in the event of a bushfire; and <p>(c) any bushfire protection measures available to reduce risk to emergency service personnel.</p>	
<p>A3</p> <p>A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.</p>	<p>P3</p> <p>No Performance Criterion.</p>

E1.5.2 Hazardous uses

<p>Objective: Hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.</p>	
Acceptable solutions	Performance criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>A hazardous use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:</p> <ul style="list-style-type: none"> (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy and bushfire hazard management plan as specified in A2 and A3 of this Standard; and (e) other advice, if any, from the TFS.
<p>A2</p> <p>An emergency management strategy, endorsed by the TFS or an accredited person, that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the bushfire-prone vegetation 	<p>P2</p> <p>No Performance Criterion.</p>

<p>including the type, fuel load, structure and flammability; and</p> <p>(b) available fire protection measures to:</p> <ul style="list-style-type: none"> (i) prevent the hazardous use from contributing to the spread or intensification of bushfire; (ii) limit the potential for bushfire to be ignited on the site; (iii) prevent exposure of people and the environment to the hazardous chemicals, explosive or emissions as a consequence of bushfire; and (iv) reduce risk to emergency service personnel. 	
<p>A3</p> <p>A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.</p>	<p>P3</p> <p>No Performance Criterion.</p>

E1.6 Development Standards

E1.6.1 Subdivision: Provision of hazard management areas

<p>Objective: Subdivision provides for hazard management areas that:</p> <ul style="list-style-type: none"> (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision. 	
Acceptable solutions	Performance criteria
<p>A1</p> <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation 	<p>P1</p> <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <ul style="list-style-type: none"> a) the dimensions of hazard management areas; b) a bushfire risk assessment of each lot at any stage of staged subdivision; c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; d) the topography, including site slope; e) any other potential forms of fuel and ignition

<p>and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of <i>Australian Standard AS 3959:2018 Construction of buildings in bushfire-prone areas</i>; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of <i>Australian Standard AS 3959:2018 Construction of buildings in bushfire-prone areas</i>; and</p> <p>(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	<p>sources;</p> <p>f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</p> <p>g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</p> <p>h) any advice from the TFS.</p>
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E1.6.2 Subdivision: Public and fire fighting access

<p>Objective: Access roads to, and the layout of roads, tracks and trails, in a subdivision:</p> <p>(a) allow safe access and egress for residents, fire fighters and emergency service personnel;</p> <p>(b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;</p> <p>(c) are designed and constructed to allow for fire appliances to be manoeuvred;</p> <p>(d) provide access to water supplies for fire appliances; and</p> <p>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</p>	
Acceptable solutions	Performance criteria
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location</p>	<p>P1</p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including:</p> <p>(i) two way traffic;</p>

<p>of property access to building areas is included in a bushfire hazard management plan that:</p> <ul style="list-style-type: none"> (i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and (ii) is certified by the TFS or accredited person. 	<ul style="list-style-type: none"> (ii) all weather surfaces; (iii) height and width of any vegetation clearances; (iv) load capacity; (v) provision of passing bays; (vi) traffic control devices; (vii) geometry, alignment and slope of roads, tracks and trails; (viii) use of through roads to provide for connectivity; (ix) limits on the length of cul-de-sacs and dead-end roads; (x) provision of turning areas; (xi) provision for parking areas; (xii) perimeter access; and (xiii) fire trails; <ul style="list-style-type: none"> (b) the provision of access to: <ul style="list-style-type: none"> (i) bushfire-prone vegetation to permit the undertaking of hazard management works; and (ii) fire fighting water supplies; and (c) any advice from the TFS.
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Table E1: Standards for roads

Element		Requirement
A.	Roads	<p>Unless the development standards in the zone require a higher standard, the following apply:</p> <ul style="list-style-type: none"> (a) two-wheel drive, all-weather construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; (h) curves have a minimum inner radius of 10m; (i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7 metres in width; (j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and (k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with <i>Australian Standard AS1743:2018 Road signs-Specifications</i>.

Table E2 Standards for property access

Element		Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30m or greater; or access is required for a fire appliance to a fire fighting water point.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (a) all-weather construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width of 4m; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 0.5m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and (j) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> (i) a turning circle with a minimum outer radius of 10m; or (ii) a property access encircling the building; or (iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.
C.	Property access length is 200m or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (a) the requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length provided every 200m.
D.	Property access length is greater than 30m, and access	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (a) complies with requirements for B above; and

	is provided to 3 or more properties.	(b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.
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Table E3 Standards for fire trails

Element		Requirement
A.	All fire trails	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> (a) all-weather, 4-wheel drive construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width of 4m; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed fire trails, and 10 degrees (1:5.5 or 18%) for unsealed fire trails; (j) gates if installed at fire trail entry, have a minimum width of 3.6m, and if locked, keys are provided to TFS; and (k) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> (i) a turning circle with a minimum outer radius of 10m; or (ii) A hammerhead “T” or “Y” turning head 4m wide and 8m long.
B.	Fire trail length is 200m or greater.	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> (a) the requirements for A above; and (b) passing bays of 2m additional carriageway width and 20m length provided every 200m.

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

Objective: Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.	
Acceptable solutions	Performance criteria
A1 In areas serviced with reticulated water by the water corporation: <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; (b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire. 	P1 No Performance Criterion.
A2 In areas that are not serviced by reticulated water by the water corporation: <ul style="list-style-type: none"> (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; (b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire. 	P2 No Performance Criterion.

Table E4 Reticulated water supply for fire fighting

Element		Requirement
A.	Distance between building area to be protected and water supply.	The following requirements apply: (a) the building area to be protected must be located within 120m of a fire hydrant; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Design criteria for fire hydrants	The following requirements apply: (a) fire hydrant system must be designed and constructed in accordance with <i>TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA 2nd Edition</i> ; and (b) fire hydrants are not installed in parking areas.
C.	Hardstand	A hardstand area for fire appliances must be: (a) no more than 3m from the hydrant, measured as a hose lay; (b) no closer than 6m from the building area to be protected; (c) a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

Table E5 Static water supply for fire fighting

Element		Requirement
A.	Distance between building area to be protected and water supply.	<p>The following requirements apply:</p> <ul style="list-style-type: none"> (a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and (b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Static Water Supplies	<p>A static water supply:</p> <ul style="list-style-type: none"> (a) may have a remotely located offtake connected to the static water supply; (b) may be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; (c) must be a minimum of 10,000l per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; (d) must be metal, concrete or lagged by non-combustible materials if above ground; and (e) if a tank can be located so it is shielded in all directions in compliance with section 3.5 of <i>Australian Standard AS 3959:2018 Construction of buildings in bushfire-prone areas</i>, the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by: <ul style="list-style-type: none"> (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6mm thickness.

C.	Fittings, pipework and accessories (including stands and tank supports)	<p>Fittings and pipework associated with a fire fighting water point for a static water supply must:</p> <ul style="list-style-type: none"> (a) have a minimum nominal internal diameter of 50mm; (b) be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) be metal or lagged by non-combustible materials if above ground; (d) if buried, have a minimum depth of 300mm; (e) provide a DIN or NEN standard forged Storz 65mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) ensure the coupling is accessible and available for connection at all times; (g) ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length); (h) ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and (i) if a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> (i) visible; (ii) accessible to allow connection by fire fighting equipment; (iii) at a working height of 450 – 600mm above ground level; and (iv) protected from possible damage, including damage by vehicles.
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D.	Signage for static water connections.	<p>The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must:</p> <ul style="list-style-type: none"> (a) comply with water tank signage requirements within <i>Australian Standard AS 2304:2019 Water storage tanks for fire protection systems</i>; or (b) comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service.
E.	Hardstand	<p>A hardstand area for fire appliances must be:</p> <ul style="list-style-type: none"> (a) no more than 3m from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) no closer than 6m from the building area to be protected; (c) a minimum width of 3m constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

E2 Potentially Contaminated Land Code

E2.1 Purpose of the Code

E2.1.1 The purpose of this provision is to:

- a) ensure that use or development of potentially contaminated land does not adversely impact on human health or the environment.

E2.2 Application of this Code

E2.2.1 This code applies to use or development of land for a sensitive use to be undertaken on a site previously used for an activity listed in Table E2.1 Potentially Contaminating Activities.

E2.3 Definition of Terms

Contaminated land	means the condition of land where any chemical substance or waste has been added at or above background level and represents, or potentially represents, an adverse health or environmental impact.
Contaminant management plan	means a plan prepared by an appropriately qualified person that details how contaminated soil and water will be managed during development works to ensure negligible risk of adverse affects on human health and the environment.
Remediation action plan	means a report prepared by an appropriately qualified person following the completion of assessment work and detailing the remediation work proposed and the expected outcomes of this work in relation to the proposed use of the site.
Site investigation report	means a report prepared by an appropriately qualified person on the investigation of contaminated land and includes detailed information on the nature and distribution of contaminants on the land and decontamination methods to be undertaken.
Potentially contaminated land	land that has been used by an activity listed in Table E2.1 Potentially Contaminating Activities.

E2.4 Use or Development Exempt from this Code

E2.4.1 Intensification of existing use or development listed in Table E2.1 Potentially Contaminating Activities that do not involve sensitive uses.

E2.5 Use Standards

E2.5.1 Use of Potentially Contaminated Land

Objective

To ensure that the use of contaminated land does not adversely impact on human health.	
Acceptable Solution	Performance Criteria
<p>A1.1 Use must not be located on potentially contaminated land; or</p> <p>A1.2 Use of potentially contaminated land must be accompanied by sign off of the Environment Protection Authority pursuant to EPA Bulletin 112, that the land:</p> <p>a) is not contaminated; or</p> <p>b) has been remediated appropriate to the use.</p>	<p>P1 Use of potentially contaminated land must demonstrate that human health and safety and the environment are not at risk as a result of the use through:</p> <p>a) a site investigation report by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>b) where the site investigation report indicates the presence of contaminants that require management a:</p> <p>i) contaminant Management plan; and</p> <p>ii) remediation action plan;</p> <p>by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>c) completion of the decontamination process prior to the commencement of the use.</p>

E2.6 Development Standards

E2.6.1 Development of Potentially Contaminated Land

<p>Objective</p> <p>To ensure that the development of contaminated land does not adversely impact on human health, safety or the environment.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Development must not be located on potentially contaminated land; or</p> <p>A1.2 Development of potentially contaminated land must be accompanied by advice of the Environment Protection</p>	<p>P1 Development of potentially contaminated land that has not been decontaminated must demonstrate that human health and safety and the environment are not at risk as a result of</p>

<p>Authority that the land:</p> <p>a) is not contaminated; or</p> <p>b) has been remediated appropriate to the use.</p>	<p>the development through:</p> <p>a) a site investigation report by a person who meets the competencies established under Schedule B (10) of the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>b) where the site investigation report indicates the presence of contaminants that require management, a:</p> <p>i) contaminant Management plan; and</p> <p>ii) remediation action plan;</p> <p>by a person who meets the competencies established under <i>Schedule B (10) of the National Environment Protection (Assessment of Site Contamination) Measure 1999</i>; and</p> <p>c) completion of the decontamination process prior to the commencement of the development.</p>
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Table E2.1 Potentially Contaminating Activities

<p>Acid/alkali plant and formulation landfill sites</p> <p>Airports</p> <p>Asbestos production or disposal</p> <p>Battery recycling and manufacture</p> <p>Bottling works</p> <p>Breweries</p> <p>Brickworks</p> <p>Cement Works</p> <p>Cemeteries</p> <p>Ceramic works</p> <p>Chemical manufacture and formulation</p> <p>Pharmaceutical manufacture and formulation</p> <p>Chemical storage</p> <p>Coal handling and storage</p> <p>Defence works</p> <p>Drum reconditioning works</p> <p>Dry cleaning establishments</p>	<p>Horticulture</p> <p>Intensive agriculture</p> <p>Iron and steel works</p> <p>Laboratories</p> <p>Lime works</p> <p>Marinas and associated boat yards</p> <p>Metal treatment</p> <p>Mining and extractive industries</p> <p>Orchards and vineyards</p> <p>Petroleum product or oil storage</p> <p>Paint formulation and manufacture</p> <p>Pesticide disposal sites</p> <p>Pesticide manufacture and formulation</p> <p>Power stations</p> <p>Railway yards</p> <p>Rifle ranges</p> <p>Rubber or plastic works</p>
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Electroplating and heat treatment premises	Sawmills and joinery works
Electrical transformers	Scrap yards
Ethanol production plants	Service stations
Engine works	Sheep and cattle dips
Explosives industries	Sites of incidents involving spillage of hazardous material
Sites of fires involving hazardous materials	Spray mixing sites
Fertiliser manufacturing plants	Smelting and refining
Foundry operations	Transport/storage depots
Gas works	Tyre manufacturing and retreading works
Tanning and associated trades	Waste treatment plants
Glass manufacturing works	Wood storage and treatment
Golf courses	Wood preservation
Herbicide manufacture	

E3 Landslip Code

E3.1 Purpose of the Code

E3.1.1 The purpose of this provision is to:

- a) ensure that use and development subject to risk from land instability is appropriately located and that adequate measures are taken to protect human life and property; and
- b) ensure that use and development does not cause, or have the cumulative potential to cause an increased risk of land instability.

E3.2 Application of this Code

E3.2.1 This code applies to use or development of land:

- a) mapped as landslip hazard area on the planning scheme maps; or
- b) even if not mapped under subparagraph (a) if:
 - i) it is potentially subject to a landslip hazard; or
 - ii) it is identified in a report prepared by a suitably qualified person in accordance with the development application which is lodged or required in response to a request under Section 54 of the Act as actually or potentially subject to a landslip hazard.

E3.3 Definition of Terms

Landslide	means the movement of a mass of rock, debris, or earth (soil) down a slope.
Landslip risk management assessment	means an assessment and report prepared by a suitably qualified person, in accordance with the <i>Australian Geomechanics Society – Practice Note Guidelines for Landslide Risk Management 2007</i> .

E3.4 Use or Development Exempt from this Code

E3.4.1 The following use or development is exempt from this code:

- a) use without development;
- b) development for forestry in accordance with a certified *Forest Practices Plan*.

E3.5 Use Standards

Not used in this scheme.

E3.6 Development Standards

E3.6.1 Development on Land Subject to Risk of Landslip

Objective To ensure that development is appropriately located through avoidance of areas of landslip risk, or where avoidance is not practicable, suitable measures are available to protect life and property.	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	P1 Development must demonstrate that the risk to life and property is mitigated to a low or very low risk level in accordance with the risk assessment in E3.6.2 through submission of a landslip risk management assessment.

E3.6.2 Risk Assessment

- (a) Where an assessment of risk under the risk assessment table for a development is required under E3.6.1, it is to be classified through the determination of consequence contained in the criteria in (b) together with the likelihood of landslip occurrence contained in (c).

Table E3.1 Risk Assessment

Likelihood	Consequence				
	Catastrophic	Major	Moderate	Minor	Insignificant
Almost certain	Very high	Very high	Very high	High	Medium or low*
Likely	Very high	Very high	High	Medium	Low
Possible	Very high	High	Medium	Medium	Very low
Unlikely	High	Medium	Low	Low	Very Low
Rare	Medium	Low	Low	Very Low	Very Low
Barely credible	Low	Very Low	Very Low	Very Low	Very Low

AGS Practice Note Guidelines for Landslide Risk Management 2007

* May be subdivided such that a consequence of less than 0.1% is Low Risk.

Risk Level Implications

Very high risk	Unacceptable without treatment. Extensive detailed investigation and research, planning and implementation of treatment options essential to reduce risk to Low. May be too expensive and not practical. Work likely to cost more than the value of the property.
High risk	Unacceptable without treatment. Detailed investigation, planning and implementation of treatment options required to reduce risk to low. Work would cost a substantial sum in relation to the value of the property.
Medium risk	May be tolerated in certain circumstances (subject to Council's approval on tolerable risk) But requires investigation, planning and implementation of treatment options to reduce the risk to low. Treatment options to reduce risk to low should be implemented as soon as practicable.
Low risk	Usually acceptable to regulators. Where treatment has been required to reduce the risk to this level, ongoing maintenance is required.
Very low risk	Acceptable. Manage by normal slope maintenance procedures.

(b) Consequence Criteria

Catastrophic	Structure completely destroyed and/or large scale damage requiring major engineering works for stabilisation. Could cause at least one adjacent property major consequence damage.
Major	Extensive damage to most of structure, and /or extending beyond site boundaries requiring significant stabilisation works. Could cause at least one adjacent property medium consequence damage.
Moderate	Moderate damage to some of structure and/or significant part of site requiring large stabilisation works. Could cause at least one adjacent property minor consequence damage.
Minor	Limited damage to part of structure, and/or part of site requiring some reinstatement stabilisation works.
Insignificant	Little damage.

(c) Likelihood – Annual Probability

Almost certain	The event is expected to occur over the design life.
Likely	The event will probably occur under adverse conditions over the design life.
Possible	The event could occur under adverse conditions over the design life.
Unlikely	The event might occur under very adverse circumstances over the design life.
Rare	The event is conceivable but only under exceptional circumstances over the design life.
Barely credible	The event is inconceivable or fanciful over the design life.

E4 Road and Railway Assets Code

E4.1 Purpose of Code

E4.1.1 The purpose of this provision is to:

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and
- b) maintain opportunities for future development of road and rail infrastructure; and
- c) reduce amenity conflicts between roads and railways and other use or development.

E4.2 Application of Code

E4.2.1 This code applies to use or development of land that:

- a) requires a new access, junction or level crossing; or
- b) intensifies the use of an existing access, junction or level crossing; or
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 - i) a future road or railway; or
 - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

E4.3. Definition of Terms

E4.3.1 In this code, unless the contrary intention appears:

Category 1 – Trunk Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 2 – Regional Freight Route means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 3 – Regional Access Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 4 – Feeder Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Category 5 – Other Road means as defined in *Tasmania State Road Hierarchy (DIER, 2007)*

Future road or railway means a future road or railway shown on the plans of this planning scheme.

Junction means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.

Limited access road means a road proclaimed as limited access under Section 52A of the *Roads and Jetties Act 1935*.

E4.4 Use or development exempt from this Code

E4.4.1 There are no exemptions from this Code.

E4.5 Requirements for a Traffic Impact Assessment (TIA)

E4.5.1 A TIA is required to demonstrate compliance with performance criteria.

E4.5.2 A TIA for roads must be undertaken in accordance with *Traffic Impact Assessment Guidelines*, Department of Infrastructure, Energy and Resources September 2007. Australian Guidelines and Australian Standards are to be used as the basis for any required road or junction design.

E4.5.3 A TIA must be accompanied by written advice as to the adequacy of the TIA from the:

- a) road authority in respect of a road; and
- b) rail authority in respect of a railway.

E4.5.4 The Council must consider the written advice of the relevant authority when assessing an application which relies on performance criteria to meet an applicable standard

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

<p>Objective</p> <p>To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solution	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT)	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited

movements at the existing access or junction by more than 10%.	<p>access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
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E4.7 Development Standards

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

<p>Objective</p> <p>To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <p>a) ensure the safe and efficient operation of roads and railways; and</p> <p>b) allow for future road and rail widening, realignment and upgrading; and</p> <p>c) avoid undesirable interaction between roads and railways and other use or development.</p>	
Acceptable Solution	Performance Criteria
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p>

	<p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
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E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solution	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not</p>

	<p>practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
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E4.7.3 Management of Rail Level Crossings

<p>Objective</p> <p>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Where land has access across a railway:</p> <p>a) development does not include a level crossing; or</p> <p>b) development does not result in a material change onto an existing level crossing.</p>	<p>P1 Where land has access across a railway:</p> <p>a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and</p> <p>b) the proposal is dependent upon the site due to unique resources, characteristics or location attributes and the use or development will have social and economic benefits that are of State or regional significance; or</p> <p>c) it is uneconomic to relocate an existing use to a site that does not require a level crossing; and</p> <p>d) an alternative access or junction is not practicable.</p>

E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings

<p>Objective</p> <p>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>

Acceptable Solution	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>

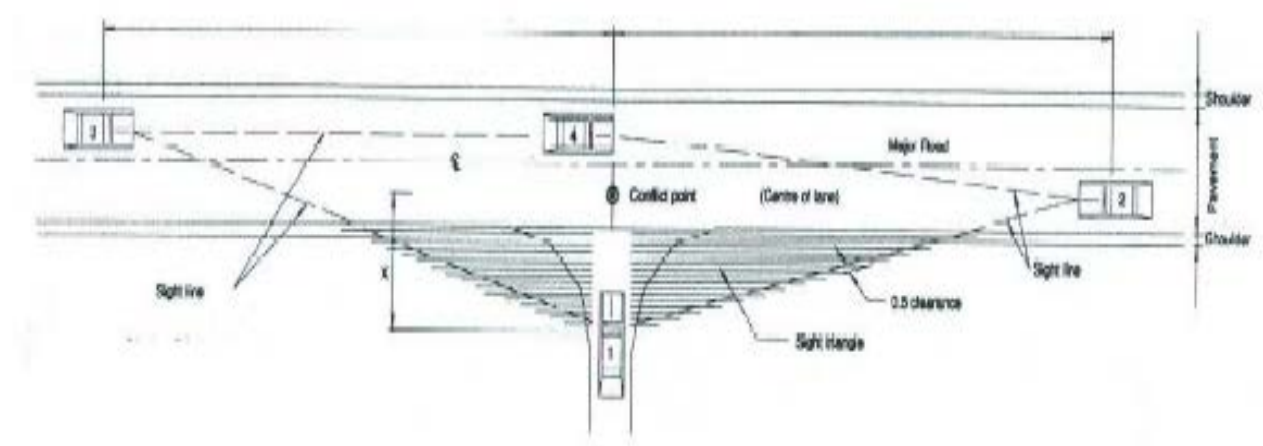


Figure E4.7.4 Sight Lines for Accesses and Junctions

X is the distance of the driver from the conflict point. For category 1, 2 and 3 roads X = 7m minimum and for other roads X = 5m minimum.

Table E4.7.4 Safe Intersection Sight Distance (SISD)

Vehicle Speed	Safe Intersection Sight Distance (SISD) Metres, for speed limit of:	
km/h	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175

90		210
100		250
110		290

Notes:

- (a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- (b) For safe intersection sight distance (SISD):
 - (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
 - (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.5.4 and the access junction;
 - (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.5.4;
 - (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
 - (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

E5 Flood Prone Areas Code

E5.1 Purpose of the Code

E5.1.1 The purpose of this provision is to:

- a) ensure that use or development subject to risk from flooding is appropriately located and that adequate measures are taken to protect human life and property and to prevent adverse effects on the environment.
- b) determine the potential impacts of flooding through the assessment of risk in accordance with the Australian Standard.

E5.2 Application of this Code

E5.2.1 This code applies to use or development of land:

- a) mapped as flood risk on the planning scheme maps; or
- b) even if not mapped under subparagraph (a) if it is:
 - i) potentially subject to flooding at a 1% annual exceedance probability; or
 - ii) less than the height indicated on the coastal inundation risk height map; or
 - iii) identified in a report prepared by a suitably qualified person in accordance with the development application which is lodged or required in response to a request under Section 54 of the Act as actually or potentially subject to flooding at a 1% annual exceedance probability.

E5.3 Definition of Terms

Flooding	means the situation that results when land that is usually dry is covered with water as a result of watercourses overflowing, significant overland flows or water flowing into land associated with a rising tide and/or storms, and may include a combination of these factors.
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1% Annual Exceedance Probability (AEP) Flood Level	means the level which has a 1% probability of being exceeded in any year.
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E5.4 Use or Development Exempt from this Code

E5.4.1 The following use or development is exempt from this code:

- a) use and development for agriculture (not including development for dairies and controlled environment agriculture) and agricultural infrastructure such as farm tracks, culverts and the like.
- b) use and development for Forestry.

- c) extensions to existing development where floor area does not increase by more than 10% over the floor area which existed as at the effective date.
- d) development of outbuildings where the level of the 1% AEP flood is not higher than 300 millimetres above the point where the wall attaches to the footing.

E5.5 Use Standards

E5.5.1 Use and flooding

<p>Objective</p> <p>To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.</p>	
Acceptable Solution	Performance Criteria
A1 The use must not include habitable rooms.	P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.
A2 Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.

E5.6 Development Standards

E5.6.1 Flooding and Coastal Inundation

<p>Objective</p> <p>To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.</p>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	<p>P1.1 It must be demonstrated that development:</p> <p>a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in</p>

	<p>E5.7 a); or</p> <p>b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7.</p> <p>P1.2 development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.</p> <p>P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that:</p> <p>a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and</p> <p>b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures;</p> <p>c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and</p> <p>d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.</p>
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E5.7 Risk Assessment

- (a) Where an assessment of risk under the Risk Consequence and Likelihood Matrix Table for a use or development is required, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of flood occurrence contained in c).

Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood Matrix Table

Likelihood	Consequences
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	Catastrophic	Major	Moderate	Minor	Insignificant
Moderate	High	High	High	Medium	Low
Unlikely	High	Medium	Medium	Low	Low
Rare	High	Medium	Medium	Low	Low

b) Consequence Criteria

Catastrophic loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.

Major extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.

Moderate Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, public park shelters and the like. Replacement of significant property components such as cladding, flooring, linings, hard paved surfaces. Moderate environmental damage with a short-term natural or remedial recovery time.

Minor Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.

Insignificant No injury, low loss – cleaning but no replacement of habitable building components, some repair of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.

Inundation of the site, but ground based access is still readily available and habitable buildings are not inundated, including incorporated garages.

c) Likelihood – Annual Exceedance Probability

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare

E6 Car Parking and Sustainable Transport Code

E6.1 Purpose of Code

E6.1.1 The purpose of this provision is to:

- (a) ensure that an appropriate level of car parking facilities are provided to service new land use and development having regard to the operations on the land and the nature of the locality; and
- (b) ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas; and
- (c) ensure access for cars and cyclists and delivery of people and goods is safe and adequate; and
- (d) ensure that parking does not adversely impact on the amenity of a locality and achieves high standards of urban design; and
- (e) ensure that the design of car and bicycle parking space and access meet appropriate design standards; and
- (f) provide for the implementation of parking precinct plans.

E6.2 Application of Code

E6.2.1 This code applies to all use and development of land.

E6.3 Required Application Information

E6.3.1 In addition to the normal requirements of development applications and where car parking or sustainable transport facilities are required to be provided, a plan drawn to scale and dimensioned must be provided as part of the application showing:

- (a) all car spaces to be provided on the site (or being relied on as part of the development); and
- (b) access strips and manoeuvring and circulation spaces; and
- (c) all access strips onto the site from roads; and
- (d) details of the existing and proposed surface treatments for all car parking access strips and manoeuvring and circulation spaces; and
- (e) all facilities proposed for cycling or public transport users.

E6.3.2 Council may also require a Traffic Impact Assessment from a suitably qualified person to accompany a development application where it is assessed as having the potential to adversely impact on the traffic circulation, safety or network efficiency in the surrounding area.

E6.4 Definition of Terms

Category 1 Road	means a major State road, carrying high passenger and freight volumes that are the primary routes linking major population centres, major ports and airports including category 1 (Trunk Road)
Category 2 Road	means a State road, linking regional and urban population centres and production catchments including category 2 (Regional Freight) and category 3 (Regional Access) roads.
Category 3 Road	means an arterial road, which comprises the main inter-regional route connecting rural towns to regional centres. In urban areas, they comprise high volume routes connecting to major transport corridors, including category 4 (Feeder Roads) and category 5 (Other roads).
Category 4 Road	means a collector road, which connects the local road network to arterial roads and which serve both through and local traffic.
Category 5 Road	means all other roads, being those that predominately cater for local short distance travel and access to abutting land.
Parking Precinct Plan	<p>means a strategic plan relating to the parking of cars, bicycles and other vehicles within a defined area which is incorporated into the planning scheme and listed as additional component to this Code. A Parking Precinct Plan must include the following information:</p> <ul style="list-style-type: none">a) the purpose of the plan; andb) the area to which the plan applies; andc) the parking outcomes to be achieved by the plan; andd) an assessment of car parking demand and supply in the precinct area; ande) the locational, financial, landscape and other actions or requirements necessary to implement the parking precinct plan.

Parking Precinct Plans are contained in Table E6.6 to this code.

E6.5 Use or Development Exempt from this Code

E6.5.1 There are no exemptions to this code.

E6.6 Use Standards

E6.6.1 Car Parking Numbers

<p>Objective</p> <p>To ensure that an appropriate level of car parking is provided to service use.</p>	
Acceptable Solution	Performance Criteria

<p>A1 The number of car parking spaces:</p> <ul style="list-style-type: none"> a) will not be less than 90% of the requirements of Table E6.1 (except for dwellings in the General Residential Zone); or b) will not exceed the requirements of Table E6.1 by more than 2 spaces or 5% whichever is the greater (except for dwellings in the General Residential Zone); or c) will be in accordance with an acceptable solution contained within a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone); or. d) If for dwellings in the General Residential Zone, not less than 100% of the requirements of Table E6.1. 	<p>P1 The number of car parking spaces provided must have regard to:</p> <ul style="list-style-type: none"> a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) the availability and frequency of public transport within reasonable walking distance of the site; and e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and i) the recommendations of a traffic impact assessment prepared for the proposal; and j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: <ul style="list-style-type: none"> i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the
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	land.
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E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

<p>Objective</p> <p>To ensure that car parking spaces and access strips are constructed to an appropriate standard.</p>	
Acceptable Solution	Performance Criteria
<p>A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <ul style="list-style-type: none"> a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces. 	<p>P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.</p>

E6.7.2 Design and Layout of Car Parking

<p>Objective</p> <p>To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:</p> <ul style="list-style-type: none"> a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply: <ul style="list-style-type: none"> i) there are three or more car 	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.

<p>parking spaces; and</p> <p>ii) where parking is more than 30m driving distance from the road; or</p> <p>iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road; and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	
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E6.7.3 Car Parking Access, Safety and Security

<p>Objective</p> <p>To ensure adequate access, safety and security for car parking and for deliveries.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <p>a) secured and lit so that unauthorised persons cannot enter or;</p> <p>b) visible from buildings on or adjacent to the site during the times when parking occurs.</p>	<p>P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:</p> <p>a) levels of activity within the vicinity; and</p> <p>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</p>

E6.7.4 Parking for Persons with a Disability

<p>Objective</p> <p>To ensure adequate parking for persons with a disability.</p>	
Acceptable Solution	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 No performance criteria.</p>

A2	Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2	No performance criteria.
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E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

<p>Objective</p> <p>To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.</p>			
Acceptable Solution		Performance Criteria	
A1	<p>For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</p>	P1	<p>For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</p>

E6.8 Provisions for Sustainable Transport

E6.8.1 Pedestrian Walkways

<p>Objective</p> <p>To ensure pedestrian safety is considered in development</p>	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.

Table E6.1: Parking Space Requirements

Use	Parking Requirement
	Vehicle
Bulky goods sales	1 space per employee + 1 space per 100m ² net floor area
Business and professional services:	
bank, office, real estate agency, travel agent	1 space per employee + 1 space per 50m ² net floor area
funeral parlour	1 space per employee + 1 visitor space + 1 space per 4 chapel seats
call centre	1 space per employee
Doctors' surgery, clinic, consulting room, veterinary surgery	4 spaces per professional practitioner
Emergency services	
Community meeting and entertainment:	
fire/ambulance station	1 space per employee
art gallery, church, conference centre, dancing school, exhibition centre, library, cinema, theatre, function centre, hall, indoor recreation, gymnasium, cemetery, crematorium	1 space per 20m ² of public area or 1 space per 4 seats whichever is greater
Corrective institution	1 space per 2 employees + 1 space per 5 inmates
Crematoria and cemetery	1 space per employee + 1 visitor space + 1 space per 4 chapel seats
Domestic animal breeding, boarding or training	1 space per staff member + 2 visitor spaces
Educational and occasional care	1 space per employee + 1 space per 6 tertiary or training students

Equipment and machinery sales and hire	1 space per 50m ² net floor area
Extractive industry	1 space per 2 employees
Food services (restaurant, cafe, take-away)	1 space per 15m ² net floor area + 6 queuing spaces for drive-through
Retail and hire (amusement centre, betting agency, department store, market, supermarket, video shop)	1 space per 30m ² net floor area
Hospital services	1 space per 4 beds + 1 space per doctor + 1 space per 2 employees
Hotel industry (hotel, bottle shop, tavern)	1 space per 20m ² of net public area + 1 space per bedroom + 6 spaces for drive-in bottle shop
Manufacturing and processing (boat-building, brick, cement works, furniture, glass, metal, wood and textile making)	1 space per 200m ² net floor area or 2 spaces per 3 employees (whichever is greater)
Minor utilities	No requirements set
Motor racing facility	1 space per 5 visitor seats
Natural and cultural values management	No requirements set
Passive recreation	No requirements set
Recycling and waste disposal (scrap, car wrecking yard, refuse disposal/transfer station)	1 space per 500 m ² of the site + 1 space per employee
Research and development	1 space per 100m ² or 2 spaces per 3 staff whichever is greater
Residential:	

If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling
If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	2 spaces per dwelling
visitor parking for multiple dwellings in the General Residential Zone	1 dedicated space per 4 dwellings (rounded up to the nearest whole number); or If on an internal lot or located at the head of a cul-de-sac, 1 dedicated space per 3 dwellings (rounded up to the nearest whole number)
Residential use in any other zone or any other residential use in the General Residential Zone	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 dwellings
Resource development:	
Aquaculture	2 spaces per 3 employees
Other	No requirement
Resource processing (abattoir, fish/cheese/milk processing)	2 spaces per 3 employees
Service industry (car wash, commercial laundry, repair garage, panel beater)	1 space per 80m ² or 2 spaces per 3 employees whichever is greater
Sports and Recreation:	
golf course	4 spaces per golf hole
bowling green,	6 spaces per bowling rink
tennis courts (if not associated with a single dwelling)	4 spaces per tennis court + 1 space per 5 spectator places

swimming pool (if not associated with a single dwelling)	1 space per 20m ² of pool + 1 space per 5 spectator places
marina	2 spaces for 3 berths
race course, firing range and other outdoor recreation	No requirements
Sportsground, showground	1 space per 5 spectator places and a drop-off and pickup area
Storage (vehicle/caravan/boat store, cold store, wood yard / fuel depot, warehouse)	1 space per 200m ² of the site or 1 space per 2 employees; whichever is greater
Tourist operation (winery, theme/wildlife park, zoo)	1 space per 200 m ² gross floor area or 1 space per 500m ² of the site; whichever is greater
Transport depot and distribution	10% of the site to be set aside for car spaces and access strips (excluding driveways)
Utilities	No requirement set
Vehicle fuel sales and servicing	4 spaces per service bay
Visitor accommodation (bed and breakfast, camping, caravan park, unit/cabin, backpacker hostel, motel, serviced apartments)	1 space per unit or 1 space per 4 beds whichever is greater

Notes:

1. The number of parking spaces required is to be calculated on the basis of the area of each new or expanded use on the application site and/or the additional number of people capable¹ of using the site, where indicated.
2. Each space is to be individually accessible (not jockey or tandem), except for single dwellings and multiple dwellings where spaces are tandem for individual units only.
3. Fractions of a space are to be rounded to the nearest whole number, so that a full number of spaces is provided for any fraction of a quota of floor area or number of employees.
4. Where a proposal contains multiple use classes, the car parking requirements must be calculated as the sum of the requirements for each individual use component.

¹By statute where appropriate

Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m
6 to 20	4.5m* for initial 7m from road carriageway and 3.0m thereafter	Every 30m
21 and over	5.5m	Not applicable

***Note 1**

1. Carriageways must have an internal radius of at least 4.0 metres at changes of direction or intersections or be wider than 4.2 metres.

Note 2

1. Passing bay area is additional to the required carriageway width.
2. For one-way operation the minimum access width is 3 metres and there is no passing bay requirement.

Table E6.3: Width of Access and Manoeuvring Space adjacent to Parking Spaces

Angle of Car Spaces to Access Strip	Access Strips Widths	Car Park Widths	Car parking length
Parallel	3.6m	2.3m	6.7m
45 degrees	3.5m	2.6m	5.4m
60 degrees	4.9m	2.6m	5.4m
90 degrees	6.4m	2.6m	5.4m
	5.8m	2.8m	5.4m
	5.2m	3.0m	5.4m
	4.8m	3.2m	5.4m

Notes:

1. A building may project into a parking space provided it is at least 2.1 metres above the parking surface level.
2. If entry to the car space is from a road then the width of the access strips may include the road

Table E6.4: Loading bays

Floor area of the Building	Minimum Loading Bay Dimensions	
2600m ² or less in a single occupation	Required Area	27.4m ²
	Required Length	7.6m
	Required Width	3.6m
	Required Height Clearance	4.0m
For every additional 1,800m ² or part thereof of building floor area	An additional 18m ² of area	

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].

Notes

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
 - i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
 - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
 - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

Table E6.6 - Parking Precinct Plans

E7 Scenic Management Code

E7.1 Purpose of the Code

E7.1.1 The purpose of this provision is to:

- a) ensure that siting and design of development protects and complements the visual amenity of defined tourist road corridors; and
- b) ensure that siting and design of development in designated scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape.

E7.2 Application of this Code

E7.2.1 This code applies to use or development of land within the scenic management – tourist road corridor and local scenic management areas.

E7.3 Definitions of Terms

scenic management – tourist road corridor

means the area of land within 100 metres measured from each frontage to the scenic management tourist road corridor indicated on the planning scheme maps, except as follows:

- a) in urban areas within the general residential, urban mixed use, local business, general business, central business, commercial, light industrial, general industrial, community purposes, community purpose, environmental management, low density residential, open space, recreation, rural living, utilities and village zones; and
- b) 200m from each frontage for Midland Highway, Illawarra Road, Lake Leake Road and Esk Main Road.

local scenic management area

means those areas listed in Table E7.1 – local scenic management areas and indicated on the planning scheme maps.

E7.4 Use or Development Exempt from this Code

E7.4.1 The following use or development is exempt from this code:

- a) Use without development, not including plantation forestry; and
- b) Subdivision for a boundary adjustment; and
- c) Road widening.

E7.5 Use Standards

Not used in this Scheme.

OR insert local content.

E7.6 Development Standards

E7.6.1 Scenic Management – Tourist Road Corridor

Objective	
<p>(a) To enhance the visual amenity of the identified tourist road corridors through appropriate:</p> <ul style="list-style-type: none"> i) setbacks of development to the road to provide for views that are significant to the traveller experience and to mitigate the bulk of development; and ii) location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and iii) design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and iv) retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and v) retention of vegetation (native or exotic) that provides amenity value to the road corridor due to being in a natural condition, such as native forest, or of cultural landscape interest such as hedgerows and significant, exotic feature trees; and <p>(b) To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).</p>	
Acceptable Solution	Performance Criteria
<p>A1 Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from the road within the tourist road corridor.</p>	<p>P1 Development (not including subdivision) must be screened when viewed from the road within the tourist road corridor having regard to:</p> <ul style="list-style-type: none"> a) the impact on skylines, ridgelines and prominent locations; and b) the proximity to the road and the impact on views from the road; and c) the need for the development to be prominent to the road; and d) the specific requirements of a resource development use; and e) the retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and f) whether existing native or significant

	<p>exotic vegetation within the tourist road corridor is managed to retain the visual values of a touring route; and</p> <p>g) whether development for forestry or plantation forestry is in accordance with the 'Conservation of Natural and Cultural Values – Landscape' section of the <i>Forest Practices Code</i>; and</p> <p>h) the design and/or treatment of development including:</p> <ul style="list-style-type: none"> i) the bulk and form of buildings including materials and finishes; ii) earthworks for cut or fill; iii) complementing the physical (built or natural) characteristics of the site.
<p>A2 Subdivision must not alter any boundaries within the areas designated as scenic management – tourist road corridor.</p>	<p>P2 Subdivision that alters any boundaries within the areas designated as 'scenic management – tourist road corridor' must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to:</p> <ul style="list-style-type: none"> a) site size; and b) density of potential development on sites created; and c) the clearance or retention of vegetation in combination with requirements for hazard management; and d) the extent of works required for roads or to gain access to sites including cut and fill; and e) the physical characteristics of the site and locality; and f) the scenic qualities of the land that require management.

E7.6.2 Local Scenic Management Areas

<p>Objective</p> <p>a) To site and design buildings, works and associated access strips to be unobtrusive to the skyline and hillsides and complement the character of the local scenic management area; and</p> <p>b) To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Development (not including subdivision) must be in accordance with the scenic management criteria for a local scenic management area identified in Table E7.1 – local scenic management areas.</p>	<p>P1 Development (not including subdivision) must have regard to the:</p> <p>a) character statement and scenic management objectives of the particular area set out in Table E 7.1 – local scenic management areas; and</p> <p>b) impact on skylines, ridgelines and prominent locations; and</p> <p>c) retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and</p> <p>d) design or treatment of development including:</p> <p>i) the bulk and form of buildings including materials and finishes; and</p> <p>ii) earthworks for cut or fill; and</p> <p>iii) complementing the physical (built or natural) characteristics of the site or area.</p>
<p>A2 Subdivision is in accordance with</p> <p>a) a specific area plan; or</p> <p>b) a subdivision plan or scenic management criteria under Table E7.1, if any.</p>	<p>P2 Subdivision must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to:</p> <p>a) the local scenic management area – character statement; and</p> <p>b) site size; and</p> <p>c) density of subsequent development; and</p>

	<p>d) the clearance or retention of vegetation in combination with requirements for hazard management; and</p> <p>e) the extent of works required for roads and to gain access to sites including cut and fill; and</p> <p>f) the physical characteristics of the site and locality;</p> <p>g) any plan over the land through an agreement under S71 of the Act.</p>
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Table E7.1 – Local Scenic Management Areas

Insert name of area - Bridport	
<p>Character Statement</p> <p>The identified area is characterised by a vegetation matrix primarily comprised of (i) <i>Eucalyptus amygdalina</i> coastal forest and woodland, and (ii) Coastal heathland. The area provides an important natural and aesthetical backdrop to the Bridport township.</p>	
<p>Objective</p> <p>To maintain and enhance the treed backdrop of the settlement and to develop a built environment that is in harmony with the natural setting.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from public areas.</p>	<p>P1 Development (not including subdivision) must be reasonably screened when viewed from public areas having regard to:</p> <p>a) the impact on skylines, ridgelines and prominent locations; and</p> <p>b) the specific requirements of the use; and</p> <p>c) the retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and</p> <p>d) whether existing native or significant exotic vegetation within the local scenic management area is managed to retain the visual values of the treed backdrop to Bridport; and</p> <p>e) the design and/or treatment of development including:</p> <p>i) the bulk and form of buildings</p>

	<p>including materials and finishes;</p> <p>ii) earthworks for cut or fill;</p> <p>iii) complementing the physical (built or natural) characteristics of the site.</p>
<p>A2 Subdivision must not alter any boundaries within the area designated as the Bridport local scenic management area.</p>	<p>P2 Subdivision that alters any boundaries within the areas designated as the Bridport local scenic management area must have regard to:</p> <p>a) site size; and</p> <p>b) density of potential development on sites created; and</p> <p>c) the clearance or retention of vegetation in combination with requirements for hazard management; and</p> <p>d) the extent of works required for roads or to gain access to sites including cut and fill; and</p> <p>e) the physical characteristics of the site and locality; and</p> <p>f) the scenic qualities of the Bridport local scenic management area.</p>

E8 Biodiversity Code

E8.1 Purpose of the Code

E8.1.1 The purpose of this provision is to:

- a) protect, conserve and enhance the region's biodiversity in consideration of the extent, condition and connectivity of critical habitats and priority vegetation communities, and the number and status of vulnerable and threatened species; and
- b) ensure that development is carried out in a manner that assists the protection of biodiversity by:
 - i) minimising vegetation and habitat loss or degradation; and
 - ii) appropriately locating buildings and works; and
 - iii) offsetting the loss of vegetation through protection of other areas where appropriate.

E8.2 Application of this Code

E8.2.1 This code applies to use or development of land:

- a) within the area identified as priority habitat on the planning scheme maps; or
- b) for the removal of native vegetation.

E8.3 Definitions of Terms

Priority habitat	means the areas identified on the planning scheme maps as priority habitat.
Flora and fauna report	<p>means a report prepared by a suitably qualified person that must include:</p> <ul style="list-style-type: none">a) a survey of the site identifying the extent, condition and connectivity of the habitat; andb) an assessment of the value of the habitat to contribute to the conservation and protection of species of significance in the bioregion; andc) an assessment of the full range of the impact that the proposed use or development will have on those values; and any mitigation or additional measures that should be incorporated to protect or enhance the values of the habitat.

E8.4 Use or Development Exempt from this Code

E8.4.1 The following use or development is exempt from this code:

- a) Native vegetation removal in the general residential zone for remnant vegetation associated with the residential use or (insert other local zones) or development of land

(but not for subdivision or where subject to an agreement under Section 71 of the Act relating to vegetation management).

- b) Level 2 activities assessed by the Environmental Protection Authority.

E8.5 Use Standards

Not used in this Scheme.

E8.6 Development Standards

E8.6.1 Habitat and Vegetation Management

<p>Objective</p> <p>To ensure that:</p> <p>a) vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and</p> <p>b) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or;</p> <p>A1.2 Development does not clear or disturb native vegetation within areas identified as priority habitat.</p>	<p>P1 Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:</p> <p>a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means of removal; and</p> <p>c) value of riparian vegetation in protecting habitat values; and</p> <p>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, , in proximity to habitat or vegetation; and</p> <p>e) need for and adequacy of proposed vegetation or habitat management; and</p>

	<p>f) conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.</p>
<p>A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.</p>	<p>P2.1 Clearance or disturbance of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities of significance in the bioregion having regard to the:</p> <p>a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</p> <p>b) means of removal; and</p> <p>c) value of riparian vegetation in protecting habitat values; and</p> <p>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, , in proximity to habitat or vegetation; and</p> <p>e) need for and adequacy of proposed vegetation or habitat management; and</p> <p>f) conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.</p>

E9 Water Quality Code

E9.1 Purpose of the Code

E9.1.1 The purpose of this provision is to:

- a) consider the impacts of development to limit adverse effects on the following:
 - i) wetland and watercourse ecosystems; and
 - ii) flow regimes, water levels, biological activity and physical characteristics; and
 - iii) the variety of flora and fauna; and
 - iv) the role of wetlands and watercourses for water supply, flood mitigation, environmental protection, water regulation and nutrient filtering, as resources for recreational activities and as attractive features in the landscape; and
- b) improve the sustainable management of surface water through development.

E9.2 Application of this Code

E9.2.1 This code applies to use or development of land:

- a) within 50 metres of a wetland or watercourse.

E9.3 Definitions of Terms

Soil and water management plan	means a site-specific plan or drawing that details sediment and erosion control measures on a site.
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E9.4 Use or Development Exempt from this Code

E9.4.1 The following use or development is exempt from this code:

- a) forestry subject to a certified forest practices plan;
- b) use for agriculture;
- c) private tracks on agricultural properties that are used for agricultural purposes;
- d) use and development for natural and cultural values management within parks, reserves and State Forest under State Government or Council ownership.
- e) use and development that is connected to reticulated sewer and stormwater.
- f) Level 2 activities assessed by the Environment Protection Authority.

E9.5 Use Standards

Not used in this Scheme.

E9.6 Development Standards

E9.6.1 Development and Construction Practices and Riparian Vegetation

<p>Objective</p> <p>To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Native vegetation is retained within:</p> <p>a) 40m of a wetland, watercourse or mean high water mark</p>	<p>P1 Native vegetation removal must submit a soil and water management plan to demonstrate:</p> <p>a) revegetation and weed control of areas of bare soil; and</p> <p>b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and</p> <p>c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.</p>
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>P2 Disturbance of wetlands must minimise loss of hydrological and biological values, having regard to:</p> <p>(i) natural flow regimes, water quality and biological diversity of any waterway or wetland;</p> <p>(ii) design and operation of any buildings, works or structures on or near the wetland or waterway;</p> <p>(iii) opportunities to establish or retain native riparian vegetation;</p> <p>(iv) sources and types of potential contamination of the wetland or waterway.</p>

A3	A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	P3	A watercourse may be filled, piped, or channelled: <ul style="list-style-type: none"> a) within an urban environment for the extension of an existing reticulated stormwater network; or b) for the construction of a new road where retention of the watercourse is not feasible.
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E9.6.2 Water Quality Management

<p>Objective</p> <p>To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.</p>			
Acceptable Solution		Performance Criteria	
A1	<p>All stormwater must be:</p> <ul style="list-style-type: none"> a) connected to a reticulated stormwater system; or b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) diverted to an on-site system that contains stormwater within the site. 	P1	<p>Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to:</p> <ul style="list-style-type: none"> (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures, on or near the wetland or waterway; (iii) sources and types of potential contamination of the wetland or waterway; (iv) devices or works to intercept and treat waterborne contaminants; (v) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.
A2.1	No new point source discharge directly into a wetland or watercourse.	P2.1	New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge:
A2.2	For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the	a)	do not give rise to pollution as defined

effective date.	<p>under the <i>Environmental Management and Pollution Control Act 1994</i>; and</p> <p>b) are reduced to the maximum extent that is reasonable and practical having regard to:</p> <p>i) best practice environmental management; and</p> <p>ii) accepted modern technology; and</p> <p>c) meet emission limit guidelines from the Board of the Environment Protection Authority in accordance with the <i>State Policy for Water Quality Management 1997</i>.</p> <p>P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.</p>
A3 No acceptable solution.	P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.

E9.6.3 Construction of Roads

<p>Objective</p> <p>To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.</p>	
Acceptable Solution	Performance Criteria
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the <i>Wetlands and Waterways Works Manual</i> , particularly the guidelines for siting and designing stream crossings.

E9.6.4 Access

<p>Objective</p> <p>To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and</p>
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hydrological values of watercourses and wetlands.	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	<p>P1 New access points to wetlands and watercourses are provided in a way that minimises:</p> <ul style="list-style-type: none"> a) their occurrence; and b) the disturbance to vegetation and hydrological features from use or development.
A2 No acceptable solution.	<p>P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.</p>

E9.6.5 Sediment and Erosion Control

<p>Objective</p> <p>To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.</p>	
Acceptable Solution	Performance Criteria
A1 The subdivision does not involve any works.	<p>P1 For subdivision involving works, a soil and water management plan must demonstrate the:</p> <ul style="list-style-type: none"> i) minimisation of dust generation from susceptible areas on site; and ii) management of areas of exposed earth to reduce erosion and sediment loss from the site.

E10 Recreation and Open Space Code

E10.1 Purpose of the Code

E10.1.1 The purpose of this provision is to:

- a) consider the requirements of open space and recreation in the assessment of use or development with emphasis upon:
 - i) the acquisition of land and facilities through the subdivision process; and
 - ii) implementation of local open space strategies and plans to create quality open spaces; and
 - iii) the creation of a diverse range of recreational opportunities via an integrated network of public open space commensurate with the needs of urban communities and rural areas; and
 - iv) achieving an integrated open space network which provides for a diversity of experiences; and
 - v) providing for appropriate conservation and natural values within recreation and open space.

E10.2 Application of this Code

E10.2.1 This code applies to development of land for subdivision in the general residential, general industrial, light industrial, local business, general business, low density residential, village and urban mixed use zones.

E10.3 Definitions of Terms

E10.3.1 Not applicable.

E10.4 Use or Development Exempt from this Code

E10.4.1 There are no exemptions to this code.

E10.5 Use Standards

Not used in this Scheme.

E10.6 Development Standards

E10.6.1 Provision of Public Open Space

<p>Objective</p> <p>a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and</p> <p>b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.</p>	
Acceptable Solution	Performance Criteria
<p>A1 The application must:</p> <p>a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.</p>	<p>P1 Provision of public open space, unless in accordance with Table E10.1, must:</p> <p>a) not pose a risk to health due to contamination; and</p> <p>b) not unreasonably restrict public use of the land as a result of:</p> <ul style="list-style-type: none"> i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and <p>c) be designed to:</p> <ul style="list-style-type: none"> i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the pedestrian connectivity of the broader area; and iii) be cost effective to maintain; and iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and

	<ul style="list-style-type: none"> vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.
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E11 Environmental Impacts and Attenuation Code

E11.1 Purpose of the Code

E11.1.1 The purpose of this provision is to:

- a) ensure appropriate consideration of the potential for environmental harm or environmental nuisance in the location of new sensitive uses; or
- b) ensure the environmental impacts of new development are considered to eliminate, reduce or mitigate potential for environmental harm or environmental nuisance.

E11.2 Application of the code

E11.2.1 The code applies to use or development of land for:

- a) sensitive use located within the attenuation distance of existing or approved uses with the potential to create environmental harm and environmental nuisance or within a buffer area shown on the planning scheme map; and
- b) uses listed in E11.6.2.

E11.3 Definitions

Site specific study	means an environmental impact assessment carried out by a suitably qualified person in accordance with s.74 <i>Environmental Management and Pollution Control Act 1994</i> .
Attenuation distance	means the distance listed in Tables E11.1 and E11.2.

E11.4 Use or Development Exempt from this Code

E11.4.1 The following use or development is exempt from this code:

- a) Level 2 activities assessed by the Environment Protection Authority.

E11.5 Required Application Information

In addition to the requirements of Clause 8.1, all applications for uses listed in Tables E11.1 and E11.2 must provide the following:

A locality plan showing:

- a) the boundaries of the property; and
- b) routes used for transport of goods and materials into and out of the site; and
- c) the locations of any sensitive uses within the relevant attenuation distance as set out in Tables E11.1 and E11.2; and

- d) any water courses within the relevant attenuation distance as set out in Tables E11.1 and E11.2; and

A site plan showing:

- a) areas for storage internally or externally of materials, waste or finished products; and
- b) location of equipment that may produce noise, smoke or odour; and
- c) the location of any equipment for containing, treating or disposing of liquid wastes; and
- d) the location of any points of emissions from the site, e.g. chimneys, exhaust points, storm water drains; and

Description of the development including:

- a) types and quantities of raw materials of the raw materials and the quantities of finished products; and
- b) the stages of development; and
- c) the type and processes of any machinery used as part of the production process; and
- d) the hours of operation; and
- e) the number and frequency of vehicle movements; and
- f) the type and quantities of any hazardous or flammable materials; and
- g) details of process that may give rise to emissions to air, ground and water and details of how these emissions are to be dealt with; and
- h) details of any solid waste created and details of how this is proposed to be dealt with; and
- i) the plans or measures to deal with any accidental spills.

E11.6 Use Standards

E11.6.1 Attenuation Distances

<p>Objective</p> <p>To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.</p>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	P1 Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental

	<p>harm, having regard to the:</p> <ul style="list-style-type: none"> a) degree of encroachment; and b) nature of the emitting operation being protected by the attenuation area; and c) degree of hazard or pollution that may emanate from the emitting operation; and d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.
<p>A2 Uses listed in Tables E11.1 and E11.2 must be set back from any existing sensitive use, or a boundary to the General Residential, Low Density Residential, Rural Living, Major Tourism, Environmental Living, Urban Mixed Use, Village, Local Business, General Business, Community Purpose, Particular Purpose (Tomahawk and Musselroe Bay / Poole Defined Settlement Areas) zones, the minimum attenuation distance listed in Tables E11.1 and E11.2 for that activity.</p>	<p>P2 Uses with the potential to create environmental harm and environmental nuisance must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm having regard to:</p> <ul style="list-style-type: none"> a) the degree of encroachment; and b) the nature of the emitting operation being protected by the attenuation area; and c) the degree of hazard or pollution that may emanate from the emitting operation; and d) use of land irrigated by effluent must comply with <i>National Health and Medical Research Council Guidelines</i>.

E11.7 Development Standards

Not used in this Scheme.

Table E11.1 Attenuation Distances

The attenuation distances in Table E11.1 and Table E11.2 must be measured between the outer edge of the area used by the listed activity and the property boundary of the sensitive use or development, except for extractive industry the attenuation distance must be measured from the boundary of any applicable mining or quarry lease.

ACTIVITY	DIST (M)	ACTIVITY	DIST (m)
Abattoirs (primary)		Disposal sites	
- Large animals, greater than 100 tonnes/ year production (odours, noise)	500	spray irrigation of liquid wastes of animal or vegetative origin (odours, disease vectors)	
- Large animals, less than 100 tonnes/year production (odours, noise).	300	• primary treated	500
- Small animals (e.g. poultry) (odours, noise)	300	• secondary treated	200
Abattoirs (secondary)		Feedlot and holding yard	
- rendering etc (odours)	1000	- cattle and sheep (odours)	3000
Pre-mix bitumen plants (e.g. batching)		Fibreglass manufacturing	
- mobile and static (odours)	500	(odours)	200
Brickworks		Fish processing (primary)	
- (dust, noise)	200	- fish filleting etc.	
Composting (vegetation only)		(odours, noise, lights)	100
- with or without turning (odours)	500	Fish processing (secondary)	
Composting (animal wastes)		- fish meal production etc.	1000
- incorporating human and animal wastes without turning (odours)	500	Flour Mills	
Composting (animal wastes)		- (particulates, noise).	300
- incorporating human and animal wastes, with turning, (odours)	1000	Foundry	
Concrete batching plants		- (odours, particulates, noise)	1000
- (noise, dust)	100	Liquid waste treatment	
Concrete or stone articles		- e.g. treatment lagoons for wash down, processing effluent etc. (odours).	200
- (not pipe extrusion) (noise, dust)	100	Metal fabrication	
		- (noise, odours).	500
		Organic waste treatment	
		- e.g. cattle and pig slurry (odours)	500

ACTIVITY	DIST (M)	ACTIVITY	DIST (m)
Crematoria		Piggery	
- (odours, particulates)	300	- intensive husbandry (odours)	500
Dairy Products		Sawmill	
- (odours)	100	- including wood waste burnt in approved incinerator, wood chipper or use of internal combustion powered chainsaw. (noise, particulates)	300
Disposal Site		Poultry	
- (odours, dust, disease, vectors, visual)	500	- intensive husbandry (odours).	500
- transfer station (except very large stations) (odours, disease, vectors, noise, visual).	150	Smallgoods manufacture	100
- non putrescible wastes (odours, noise)	50	Storage	
Quarry/pit etc.		- petroleum products and crude oil (odours, noise)	
- no blasting, crushing or vibratory screening (noise, dust)	300	• with fixed roofs	300
- blasting (noise, vibration, dust)		• with floating roofs	100
• hard rock.	1000	- wet salted or unprocessed hides (odours)	300
• material other than hard rock.	300	Wood preservation	
- crushing (noise, dust)	750	(odours, noise)	100
- vibratory screening (noise, dust)	500	Wood chipper	
Saleyard		(noise)	300
- stock (odours, noise).	500		

Table E11.2 Attenuation Distances for Sewage Treatment Plants

TYPE OF INSTALLATION	DISTANCE IN METRES			
	Designed capacity dry weather flow			
KL/Day	<275	<1,375	< 5,500	<13,750
Person equivalent	<1,000	<5,000	<20,000	<50,000
Aerobic pondage (septic effluent)	100	-	-	-
Mechanical/biological treatment	100	200	300	400
Sludge drying beds/sludge digesters not within enclosed premises	150	250	300	400
Aerobic ponds	150	350	700	1000
Anaerobic ponds	400	550	700	850
Facultative ponds	300	700	1400	2200
Land disposal of secondary treatment Effluent (iv):				
Spray irrigation	200	200	200	200
Flood irrigation	50	50	50	50

E12 Airports Impact Management Code

E12.1 Purpose of the Code

E12.1.1 The purpose of this provision is to:

- (a) ensure that use or development within identified areas surrounding airports does not unduly restrict the ongoing security, development and use of airport infrastructure; and
- (b) provide for management of the land use implications of those areas relevant to use and development under the scheme.

E12.2 Application of this Code

E12.2.1 This code applies to use or development of land:

- (a) within Australian noise exposure forecast contours on the maps; and
- (b) within prescribed air space.

E12.3 Definition of Terms

ANEF

Australian noise exposure forecast (ANEF) contours are the official forecasts of future noise exposure patterns around an airport that have been endorsed by Airservices Australia.

Prescribed air space

means any airspace above Obstacle Limitation Surfaces (OLS) or Procedure for Air Navigational Services – Aircraft Operation (PANS-OPS) as established by the airport operator.

E12.4 Use or Development Exempt from this Code

E12.4.1 There are no exemptions to this code.

E12.5 Use Standards

E12.5.1 Noise Impacts

<p>Objective</p> <p>To ensure that noise impacts on use within the ANEF contours from aircraft and airports are appropriately managed.</p>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	P1 All new buildings must comply with the <i>Australian Standard 2021-2000 Acoustics - Aircraft Noise Intrusion - Building Siting and Construction</i> .
A2 Sensitive use (whether ancillary to other use or development or not) must not occur within the 25 ANEF contour.	P2 No performance criteria.

E12.6 Development Standards

E12.6.1 Obstacles to Aircraft

<p>Objective</p> <p>To ensure that development does not impact on the safety of prescribed airspace.</p>	
Acceptable Solution	Performance Criteria
A1 Development must be approved pursuant to the <i>Airports Act 1996</i> and the <i>Airport (Protection of Airspace) Regulations 1996</i> and the Manual of Standards.	P1 No performance criteria.

E13 Local Historic Heritage Code

E13.1 Purpose

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and
- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and
- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

E13.2 Application of the Code

E13.2.1 This code applies to use or development of land that is:

- a) within a Heritage Precinct;
- b) a local heritage place;
- c) a place of identified archaeological significance.

E13.3 Use or Development Exempt from this Code

E13.3.1 The following use or development is exempt from this code:

- a) works required to comply with an Emergency Order issued under Section 162 of the *Building Act 2000*;
- b) electricity, optic fibre and telecommunication cables and gas lines to individual buildings which connect above ground or utilise existing service trenches;
- c) internal alterations to buildings if the interior is not included in the historic heritage significance of the place or precinct;

E13.4 Definition of Terms

Acceptable development criteria

means a precinct specific measure that demonstrates an acceptable solution for that design element in that specific precinct.

Conservation plan

means a plan prepared by a heritage professional in accordance with: Kerr, J. S. & National Trust of Australia (New South Wales) 1990, *The conservation*

plan: a guide to the preparation of conservation plans for places of European cultural significance / James Semple Kerr, National Trust New South Wales, Sydney.

Existing character	means the existing character statement set out in [insert Table Reference] which is intended to describe each of the management units. The existing character consists of the units unique or important public view corridors, vistas or natural or built features.
Heritage precinct	means an area described in Table E13.1 Local Heritage Precincts to this code as an area of special aesthetic, historic, scientific (including archaeological), spiritual or social value in which it is desirable to preserve or enhance the streetscape, townscape and/or notable character and significant features of the area.
Heritage professional	means a person with tertiary qualifications in a recognised field of direct relevance to the matter under consideration.
Historic heritage significance	means in relation to a local heritage place or heritage precinct, and its aesthetic, historic, scientific (including archaeological), social or spiritual value.
Local heritage place	means a place entered on the Local Heritage List contained in Table E13.2: Local Heritage Places outside precincts to this code.
Place of archaeological significance	means a place entered on the local archaeological heritage list contained in Table E13.3: Archaeologically significant sites.
Precinct management objective	means a precinct-specific statement of objective used to assist in decision making for discretionary use and development within a precinct.

E13.5 Use Standards

E13.5.1 Alternative Use of heritage buildings

Objective To ensure that the use of heritage buildings provides for their conservation.	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	P1 Notwithstanding Clause 8.9, a permit may

	<p>be granted for any use of a locally listed heritage place where:</p> <ul style="list-style-type: none"> a) it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and b) the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and c) a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.
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E13.6 Development Standards

E13.6.1 Demolition

<p>Objective</p> <p>To ensure that the demolition or removal of buildings and structures does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
<p>A1 No acceptable solution.</p>	<p>P1.1 Existing buildings, parts of buildings and structures must be retained except:</p> <ul style="list-style-type: none"> a) where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or b) the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or c) there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or d) the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any;

	and P1.2 Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
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E13.6.2 Subdivision and development density

<p>Objective</p> <p>To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) be consistent with and reflect the historic development pattern of the precinct or area; and b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and c) not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and d) not require the removal of vegetation, significant trees or garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

E13.6.3 Site Cover

Objective

To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.	
A1 Site coverage must be in accordance with the acceptable development criteria for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 The site coverage must:</p> <ul style="list-style-type: none"> a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

E13.6.4 Height and Bulk of Buildings

<p>Objective</p> <p>To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and</p> <p>P1.2 Extensions proposed to the front or sides of an existing building must not detract from the historic heritage significance of the building; and</p> <p>P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

E13.6.5 Fences

<p>Objective</p> <p>To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of, local heritage places and the ability to achieve management objectives within</p>
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identified heritage precincts.	
Acceptable Solution	Performance Criteria
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 New fences must:</p> <ul style="list-style-type: none"> a) be designed to be complementary to the architectural style of the dominant buildings on the site or b) be consistent with the dominant fencing style in the heritage precinct; and c) not detract from meeting the management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.

E13.6.6 Roof Form and Materials

<p>Objective</p> <p>To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 Roof form and materials for new buildings and structures must:</p> <ul style="list-style-type: none"> a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and b) not detract from meeting the management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.

E13.6.7 Wall materials

<p>Objective</p> <p>To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives</p>	
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within identified heritage precincts.	
Acceptable Solution	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 Wall material for new buildings and structures must:</p> <ul style="list-style-type: none"> a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

E13.6.8 Siting of Buildings and Structures

<p>Objective</p> <p>To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
A1.1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 The front setback for new buildings or structure must:</p> <ul style="list-style-type: none"> a) be consistent with the setback of surrounding buildings; and b) be set at a distance that does not detract from the historic heritage significance of the place; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

E13.6.9 Outbuildings and Structures

<p>Objective</p> <p>To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within</p>	
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identified heritage precincts.	
Acceptable Solution	Performance Criteria
<p>A1 Outbuildings and structures must be:</p> <p>a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and</p> <p>b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.</p>	<p>P1 New outbuildings and structures must be designed and located ;</p> <p>a) to be subservient to the primary buildings on the site; and</p> <p>b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

E13.6.10 Access Strips and Parking

<p>Objective</p> <p>To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Car parking areas for non-residential purposes must be:</p> <p>a) located behind the primary buildings on the site; or</p> <p>b) in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table 1: Heritage Precincts, if any.</p>	<p>P1 Car parking areas for non-residential purposes must not:</p> <p>a) result in the loss of building fabric or the removal of gardens or vegetated areas where this would be detrimental to the setting of a building or its historic heritage significance; and</p> <p>b) detract from meeting the management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.</p>

E13.6.11 Places of Archaeological Significance

<p>Objective</p> <p>To ensure that places identified in Table E13.3 as having archaeological significance are appropriately managed.</p>	
Acceptable Solution	Performance Criteria

A1 No acceptable solution.	<p>P1 For works impacting on places listed in Table E13.3:</p> <ul style="list-style-type: none"> a) it must be demonstrated that all identified archaeological remains will be identified, recorded and conserved; and b) details of survey, sampling and recording techniques technique be provided; and c) that places of identified historic heritage significance will not be destroyed unless there is no prudent and feasible alternative.
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E13.6.12 Tree and Vegetation Removal

<p>Objective</p> <p>To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	<p>P1 The removal of vegetation must not:</p> <ul style="list-style-type: none"> a) unreasonably impact on the historic cultural significance of the place; and b) detract from meeting the management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.

E13.6.13 Signage

<p>Objective</p> <p>To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.</p>	
Acceptable Solution	Performance Criteria
A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m ² .	<p>P1 New signs must be of a size and location to ensure that:</p> <ul style="list-style-type: none"> a) period details, windows, doors and other architectural details are not covered or

	<p>removed; and</p> <p>b) heritage fabric is not removed or destroyed through attaching signage; and</p> <p>c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and</p> <p>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>
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Table E13.1: Local Heritage Precincts

Table E13.2: Local Heritage Places Outside Precincts

Locality	Place	Address

Table E13.3: Archeologically Significant Sites

Locality	Place	Address
Cape Portland	Wildlife Sanctuary located 2 km south of Cape Portland – Aboriginal middens located in dune complex	
Garibaldi	Historic Old Chinese Community Site	
Moorina	Chinese Graves and Graveyard	Amos Road

E14 Coastal Code

E14.1 Purpose of the Code

E14.1.1 The purpose of this provision is to:

- a) consider the impacts of use and development within the coastal environment and limit:
- b) the risk to human life and the built environment as a result of sea level rise, storm surge, shoreline recession and coastal inundation; and
- c) the adverse effects of use and development on the coastal environment; and
- d) the adverse impacts of vegetation removal.

E14.2 Application of this Code

E14.2.1 This code applies to use or development of land:

- a) on land located at or below the height indicated on the coastal inundation height reference map; or
- b) on, within or adjoining the coastal dune system; or
- c) on land adjacent to or on landforms defined as vulnerable to erosion or recession in the *Indicative Mapping of Tasmanian Coastal Vulnerability to Climate Change and Sea Level Rise: Explanatory Report* (Sharples 2006); or
- d) on land, even if not mapped, if it is identified in a report prepared by a suitably qualified person in accordance with the development application which is lodged or required in response to a request under Section 54 of the Act as actual or potential landforms vulnerable to erosion or recession.

E14.3 Definitions of Terms

Coastal dune system

See Figure E14.1 below.

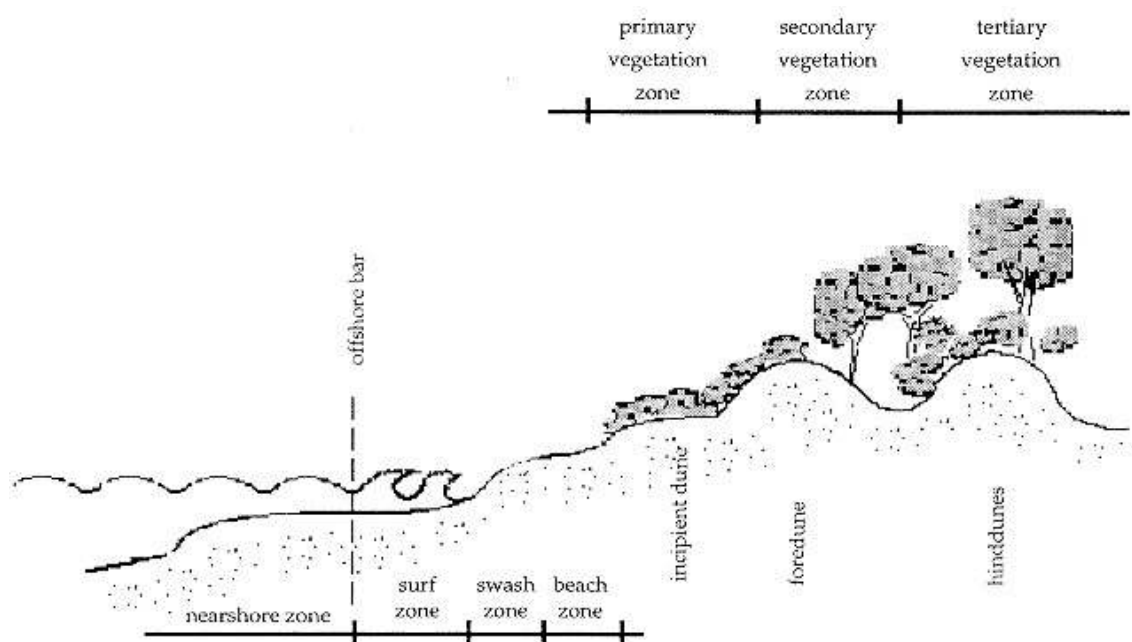


Figure E14.1 – Coastal Dune System

E14.4 Use or Development Exempt from this Code

E14.4.1 The following use or development is exempt from this code:

- a) Remediation works.
- b) Development undertaken by or on behalf of public authorities to provide infrastructure for unrestricted general public use.

E14.5 Use Standards

E14.5.1 Risk to sensitive use

<p>Objective</p> <p>To minimise risk of unnecessary loss of life or damage within the coastal environment as a result of natural coastal processes and hazards such as storm surge, erosion, landslip, littoral drift, dune mobility and sea-level rise.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Sensitive use must not occur:</p> <ol style="list-style-type: none"> a) within the surf zone, swash zone, beach berm, incipient dune or fore dune of a coastal dune system as shown in Figure E14.1; or b) on land identified as vulnerable or prone 	<p>P1.1 Sensitive use that does not require access to the coast must not be located where it is subject to a high risk, in accordance with the risk assessment in E14.7.1; and</p> <p>P1.2 Sensitive use must mitigate the risk to life, property and the environment to a low</p>

to recession.	risk level in accordance with the risk assessment in E14.7.1.
<p>A2 Non-sensitive use must be for:</p> <p>a) allowing public access to the coast, especially beaches; or</p> <p>b) conservation, maintenance of scenic amenity, to allow natural coastal processes to operate or conserve habitat for coastal species.</p>	<p>P2 Non-sensitive use must:</p> <p>a) not be located in an area subject to a high risk in accordance with the risk assessment in E14.7.1; and</p> <p>b) mitigate the risk to a low level in accordance with the risk assessment in E.14.7.1.</p>
<p>A3 Boat sheds must not be used for any purpose other than the storage of boats and associated equipment.</p>	<p>P3 No performance criteria.</p>

E14.6 Development Standards

E14.6.1 Coastal Hazards

<p>Objective</p> <p>To protect life and property from unnecessary risk of loss of life or damage within the coastal environment as a result of natural coastal processes and hazards such as storm surge, erosion, landslip, littoral drift, dune mobility and sea-level rise.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Development must not occur:</p> <p>a) within the surf zone, swash zone, beach berm, incipient dune or fore dune of a coastal dune system as shown in Figure E14.1; or</p> <p>b) on land identified as vulnerable or prone to recession.</p>	<p>P1.1 Development that does not require access to the coast must not be located where it is subject to a high risk, in accordance with the risk assessment in E14.7.1; and</p> <p>P1.2 All development must mitigate the risk to life, property and the environment to a low risk level in accordance with the risk assessment in E14.7.1</p>
<p>A2 Development must not occur on hind dunes or within 30m of the seaward edge of any coastal cliff or bluff.</p>	<p>P2 Development on hind dunes or within 30m of the seaward edge of any coastal cliff or bluff must avoid areas subject to natural hazards such as erosion, dune mobility, flooding and slumping, that may result from storm surge, wave action, human intervention or any other causes.</p>

E14.6.2 Coastal Reserves

Objective To maintain the integrity of coastal reserves and ensure that development does not dominate the natural values of foreshore areas.	
Acceptable Solution	Performance Criteria
A1 Development within coastal reserves must be for public infrastructure or public facilities that are reliant on a coastal location.	P1 Development for private infrastructure within coastal reserves: a) are incidental to infrastructure located on adjoining private land; and b) do not restrict access to the reserve land that they cross; and c) must not unreasonably impact on views from adjoining public land or public facilities to the coast.
A2 Development in coastal reserves must not be located on any coastal headland, bluff or on a ridgeline or skyline that is visible from public beaches or public open spaces accessible to the general public.	P2 Development must blend with the natural landscape to minimise visual impact through the use of appropriate building design (location form, materials, colours and other design mechanisms) and appropriate vegetation screening.

E14.6.3 Public Access

Objective To ensure that development does not restrict public access to coastal and foreshore reserves.	
Acceptable Solution	Performance Criteria
A1 Existing public access points must not be removed.	P1 Public access to the coast and foreshore must not be reduced.
A2 Infrastructure must not impede public access to and along the coastal environment.	P2 No performance criteria.

E14.6.4 Landscaping and Vegetation

<p>Objective</p> <p>To manage the detrimental impacts on coastal vegetation.</p>	
Acceptable Solution	Performance Criteria
A1 Vegetation removal must not occur within 10m of the landward edge of the cliff or bluff.	P1 No performance criteria.
<p>A2 Landscaping must not use:</p> <p>a) declared or environmental weeds; and</p> <p>b) plants with highly invasive reproductive qualities that are not native to the area.</p>	P2 No performance criteria.

E14.6.5 Development of the intertidal area

<p>Objective</p> <p>To manage the impacts of development within the marine environment.</p>	
Acceptable Solution	Performance Criteria
A1 Development must not occur at or below the mean high water mark.	<p>P1 Where development is proposed at or below the mean high water mark, an assessment report prepared by a suitably qualified person must demonstrate how the preparation works, design and siting of structures will allow full tidal flushing and minimise changes to coastal processes including:</p> <p>a) the natural patterns of movement; and</p> <p>b) supply of marine sediments; and</p> <p>c) sand movement; and</p> <p>d) wave action.</p>
A2 Development must not disturb any intertidal area.	P2 Where development involves disturbance to any intertidal area or seabed, an assessment report prepared by a suitably qualified person must demonstrate that:

	<ul style="list-style-type: none"> a) public access to and use of the intertidal area or seabed is maintained once the proposal is completed; and b) any adverse effects on fauna or flora or their habitat is of a temporary nature and does not occur during a critical stage of their lifecycle; and c) the proposal does not result in any significant detriment in terms of: <ul style="list-style-type: none"> i) water turbidity, nutrients or shading; or ii) the achievement of water quality objectives; or iii) adverse off-site effects; or iv) shoreline stability; or v) the amenity values of the inter-tidal area or foreshore.
<p>A3 Deposition of sand, shingle or other natural material must not be used to combat beach or shoreline erosion or improve the amenity value of the foreshore.</p>	<p>P3 Where the deposition of sand, shingle or other natural material is required to combat beach or shoreline erosion or improve the amenity value of the foreshore, a report by a suitably qualified person must demonstrate that the works ensure:</p> <ul style="list-style-type: none"> a) there is no detrimental impact on any existing drainage systems; and b) the deposited material is uncontaminated; and c) the composition of the material is <ul style="list-style-type: none"> i) suitable for the site, will remain on the intertidal area for a reasonable period of time; and ii) will not result in increased ongoing water turbidity or wind borne sediment transport; and d) the deposition will not adversely affect the amenity value of the foreshore or intertidal area through significant changes in beach slope or texture; and e) the deposition will not cause permanent

	adverse effects on marine fauna or flora or recognised cultural values or uses of the area.
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E14.6.6 Specific Development Provisions

<p>Objective</p> <p>To consider the impacts of development associated with the marine environment.</p>	
Acceptable Solution	Performance Criteria
A1 Boat sheds must not impede public access to and along Crown land.	P1 No performance criteria.
<p>A2 Boat sheds are designed with a maximum:</p> <p>a) height of 3m for a skillion roof or 3.5m for a gabled or hip roof; and</p> <p>b) gross floor area of less than 30m².</p>	P2 No performance criteria.
A3 No acceptable solution.	<p>P3 Jetties must:</p> <p>a) be constructed to allow full tidal flushing; and</p> <p>b) not result in significant disturbance of wetlands, seagrasses or other significant habitats; and</p> <p>c) not adversely impact on visual landscape values; and</p> <p>d) not impede public access to and along Crown land; and</p> <p>e) not create a navigational hazard; and</p> <p>f) not cause significant adverse impacts on the coastal environment or coastal process, including changes in wave action or behaviour.</p>

E14.7.1 Risk Assessment

- a) Where an assessment of risk under the risk assessment table for a use or development is required under E14.5.1 and/or E14.6.1, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of occurrence contained in c).

Table E14.1 AS/NZS 4360:2004 Risk Consequence and Likelihood

Likelihood	Consequences				
	Catastrophic	Major	Moderate	Minor	Insignificant
Moderate	High	High	High	Medium	Low
Unlikely	High	Medium	Medium	Low	Low
Rare	High	Medium	Medium	Low	Low

b) Consequence Criteria

Catastrophic	loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.
Major	extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.
Moderate	Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, garages and the like. Replacement of significant property components. Moderate environmental damage with a short-term natural or remedial recovery time.
Minor	Medium loss – repair of outbuildings and repair and minor replacement of building components of buildings where direct access to the coast is required. Minor environmental damage easily remediated.
Insignificant	No injury, low loss – no replacement of habitable building components, some remediation of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.

c) Likelihood – Annual Exceedance Probability

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare

E15 Signage Code

E 15.1 Purpose of the Code

E 15.1.1 The purpose of this code is to:

- a) allow adequate and effective signs appropriate to each locality;
- b) provide for the orderly display of signs;
- c) ensure signs do not cause loss of amenity or adversely affect the natural or built environment;
- d) encourage rationalisation and maintenance of signs;
- e) ensure signs do not adversely affect the safety, appearance or efficiency of a road or pedestrian path;
- f) promote the economic growth of the municipal area by creating appropriate images which are conducive to attracting new business and industrial development.

E 15.2 Application of this Code

E15.2.1 This Code applies to:


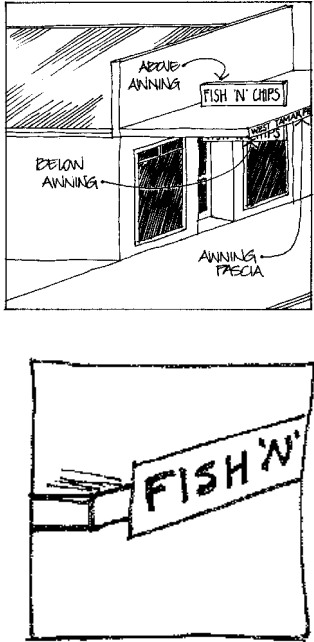

- a) a new sign; and
- b) the renewal or replacements of an existing sign where:
 - (i) the sign is enlarged;
 - (ii) the advertisement is to be renewed or replaced with an animated or internally illuminated sign; or
 - (iii) the renewal or replacement is for a different type of sign.

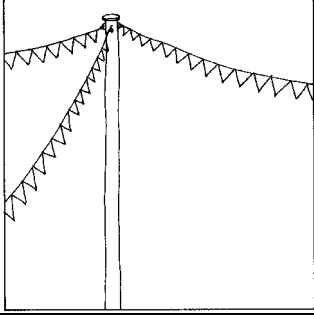
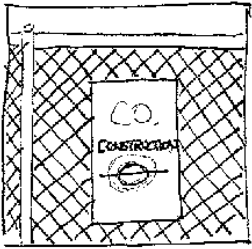

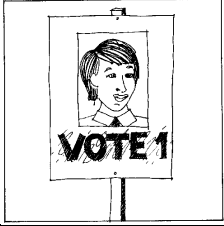
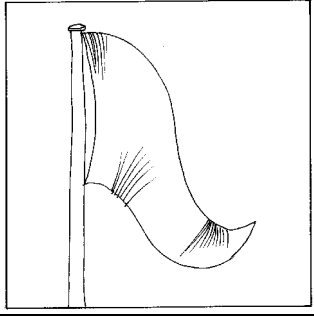
E15.2.2 Each sign must be categorised into one of the definitions listed and described in clauses E15.3 or E15.4.


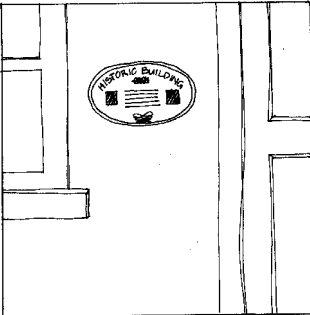
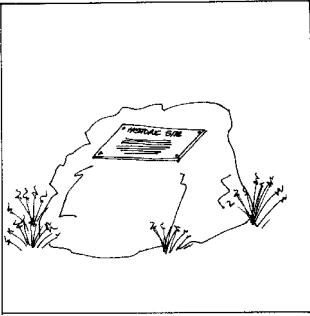
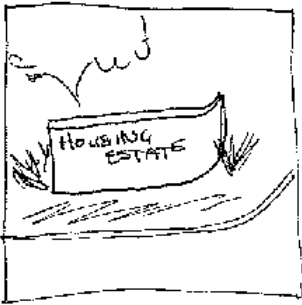
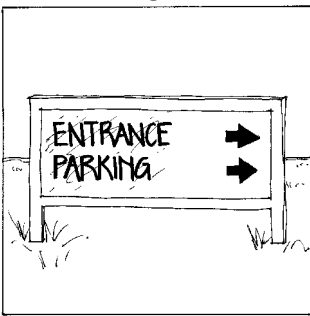
E15.2.3 If a sign fits a definition of more than one defined sign, the most specific defined sign applies.

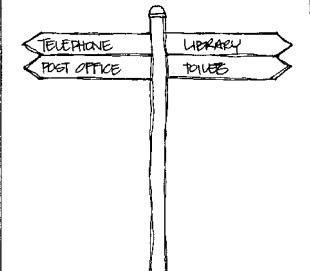
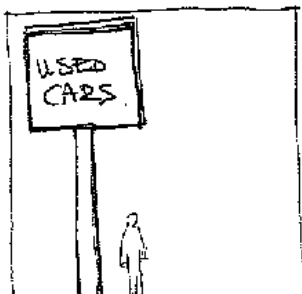
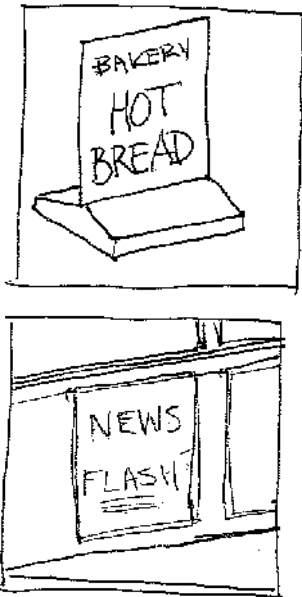
E15.2.4 If a sign does not readily fit any defined sign, it must be categorised as the most similar defined sign.

E15.3 Definition of Terms

Advertising	<p>means any form of publicity which is visible from any road, directing attention to an individual, business, commodity, service, activity, or product.</p>
Animated Sign 	<p>means a sign which can move, contains moving parts, changes its message, flashes or has a moving or flashing border.</p>
Awning Signs 	<p>means a sign attached, painted or otherwise affixed to an awning. It includes the following types:</p> <p>Awning Fascia Sign means a sign painted or attached to the front or side face of an awning.</p> <p>Above Awning Sign means a sign attached to the roof of an awning.</p> <p>Under Awning Sign means a sign attached to the underside of an awning.</p> <p>Created Awning Line Sign means a pre-manufactured sign attached to and extending beyond the fascia of an awning.</p>
Banner Sign 	<p>means a temporary sign of non-rigid material fixed either to a building or structures projecting from a building. It may be attached to supports which are independent of a building.</p>
Bunting Signs	<p>means a series of small flags or pennants suspended from a rope or cable, or a long suspended ribbon of cloth or similar non-rigid material.</p>

	
<p>Construction Sign</p> 	<p>means a temporary sign which identifies architects, engineers, contractors and other individuals or firms involved with construction on the premises, the name of the building or development, the intended purpose of the building or development, and/or the expected completion date and does not exceed 2 square metres in area</p>
<p>Directory Sign</p> 	<p>means a sign listing the names and/or uses, or locations of more than one business, activity, or professional office conducted within a building, group of buildings, or shopping centre. Such a sign contains no other identifying advertising message than that listed above and does not exceed 0.3 metres x 0.3 metres.</p>
<p>Election Sign</p> 	<p>means a temporary sign for a political candidate(s) or registered political party(s) for a Federal, State or Municipal election that does not exceed 1.5 square metres, and is removed 7 days after the date of polling and is not on public land.</p>
<p>Flag Sign</p> 	<p>means a fabric sign hung from a pole. It does not include the flying of a flag representing any nation, state, municipality, culture or people. Nor does it include the flying of a flag for a sporting club or community event provided such flag is only displayed during the course of the event.</p>
<p>Ground Sign</p>	<p>means a low-level sign on a structure which is not part of any building and which is not a pole sign.</p>

	
<p>Historical or Memorial Sign</p>  	<p>means a sign attached to a building or structure of historical or cultural significance, or identifying a place of historical or cultural significance, indicating the date of construction and/or the names of the building or the principals involved in its construction and:</p> <ul style="list-style-type: none"> a) is approved by the relevant authority; b) does not carry any advertising message; and c) may include names of sponsors or logos of sponsors that is a subscript element of the sign.
<p>Identification Sign</p> 	<p>means a sign on the premises bearing the name of a subdivision, group housing project, educational institution, park, church, government funded project, or other public or quasi-public facility, bearing information pertaining only to the premises on which such sign is located and carrying no advertising message.</p>
<p>Incidental Sign</p> 	<p>means a sign which carries no advertising message and is clearly incidental to other signs on the site and is used to direct certain activities to a particular use (e.g. disabled parking, traffic direction, freight entrance etc.), prohibit the parking of unauthorised vehicles or provide other incidental information.</p>
<p>Off-Premises Signs</p>	<p>means a sign which does not relate to the premises on which it is</p>

	<p>located, primarily used for the purposes of directing attention to an activity on another premises that is not advertising and is erected by a State or Local Government body. It includes the following signs:</p> <p>Directional Sign</p> <p>means a sign which identifies the location of a community facility such as a church, public hall, school, public oval or an approved commercial or tourism related facility.</p> <p>Informational Sign</p> <p>means a sign which identifies street and location names, public conveniences, public telephones, walkways or geographical features.</p> <p>Tourist Sign</p> <p>means a sign that provides advanced warning of a tourist operation where the sign is located off premises of the tourist operation that it advertises.</p>
<p>Pole Sign</p> 	<p>means a sign which is independent of a building and supported by one or more vertical columns and its height is greater than its width. The display area may consist of multiple panels which can be replaced.</p>
	<p>means a sign not permanently attached to a building or structure or to the ground. It includes the following sign types:</p> <p>A Frame Sign</p> <p>means a sandwich board that:</p> <ol style="list-style-type: none"> has a maximum height of 1.2 metres; can be located within the road reserve; is limited to one frame per road frontage; is removed when the business is closed; is located within 1 metre of the property boundary if in the road reserve; does not obstruct openings intended as a means of entrance or exit; is located out of the principal pedestrian flows and does not otherwise impede pedestrian movement and is situated a minimum of 1.2 metres from pedestrian traffic; is on display only during the hours of operation of the



business that it relates;

- i) has the support of the landowner; and
- j) is secured to prevent danger to pedestrians and traffic.

T Frame Sign

means a board secured to a base that:

- a) has a maximum height of 1.2 metres;
- b) can be located within the road reserve;
- c) is limited to one frame per road frontage;
- d) is removed when the business is closed;
- e) located within 1 metre of the property boundary if in the road reserve;
- f) does not obstruct openings intended as a means of entrance or exit;
- g) is located out of the principal pedestrian flows and does not otherwise impede pedestrian movement and is situated a minimum of 1.2 metres from pedestrian traffic;
- h) is on display only during the hours of operation of the business that it relates;
- i) has the support of the landowner; and
- j) is secured to prevent danger to pedestrians and traffic

Menu Board Sign


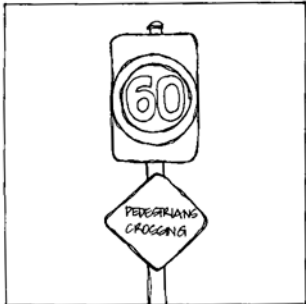

means a sign (usually comprising a blackboard or casing in which posters or flyers can be displayed) designed to allow the advertising message to be readily changed, that


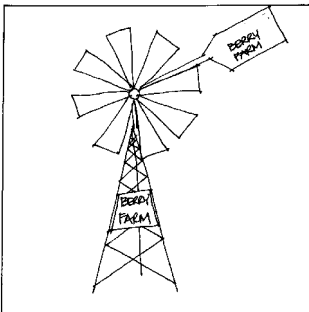
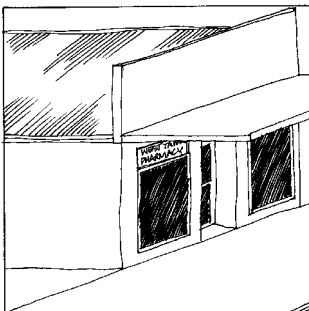
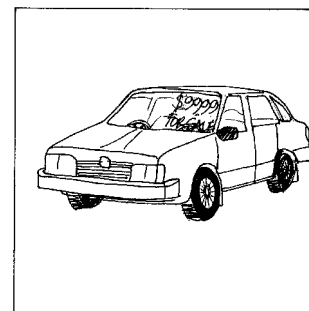
- a) does not exceed 1.0 square metre in area; and
- b) is attached to a building façade to which the sign relates.

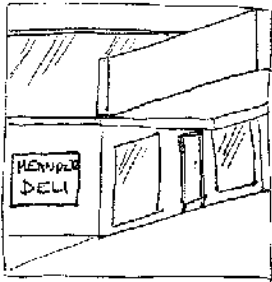
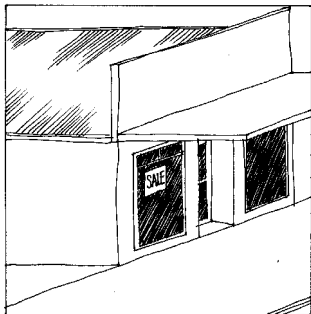

Mobile Sign

means a freestanding sign which can be easily moved around a site, which:

- a) is on the premises to which the sign relates;
- b) is the only mobile sign on the premises;
- c) has a maximum height of 1.5 metres and a maximum width of 1.5 metres;
- d) is not animate or illuminated;
- e) does not obstruct openings intended as a means of entrance or exit; and
- f) is secured to prevent danger to pedestrians and traffic.

	<p>Seasonal Produce Sign</p> <p>means a sign displayed at the entrance of a site, or intersection of the road to the business site, offering primary produce farm gate sales with seasonal availability, which:</p> <ul style="list-style-type: none"> a) has a maximum height of 1.2 metres and a maximum width of 0.8 metres; b) can be located within the road reserve; c) is limited to one frame per business; d) is removed when the business is closed; e) is located within 1 metre of the property boundary if in the road reserve; f) does not obstruct openings intended as a means of entrance or exit; and g) is secured to prevent danger to pedestrians and traffic.
<p>Projecting Wall Sign</p> 	<p>means a sign projecting from the wall of a building.</p>
<p>Public Sign</p> 	<p>means a sign erected by or on behalf of a government body to post a legal notice identifying public property, conveying public information or directing or regulating pedestrian or vehicular traffic.</p>
<p>Real Estate Sign</p> 	<p>means a temporary sign placed upon or adjacent to a building, lot subdivision or parcel of land advertising the lease, rent or sale of the said building, lot or parcel of land and has a maximum display area of 1.5 square metres (residential or rural property) or 3 square metres (commercial or industrial property) .</p>
<p>Roof Signs</p>	<p>means a sign erected on or above a roof or a parapet of a building</p>

	<p>and</p> <p>includes the following types:</p> <p>Sky Sign</p> <p>means a sign positioned on the top of a building so that when it is viewed from the ground the sign has the sky as a backdrop.</p> <p>Written Roof Sign</p> <p>means a sign that is painted or otherwise affixed to the roof cladding of a building.</p>
<p>Structure Sign</p> 	<p>means a sign painted on or otherwise affixed to any structure, such as a storage tank, windmill, tower or similar, which is not a building.</p>
<p>Transom Sign</p> 	<p>means a sign painted or otherwise affixed between a door head and an awning, or similarly above a window and the awning, which projects not more than 0.1 metres from the wall.</p>
<p>Vehicle Sign</p> 	<p>means a sign displayed on a vehicle while in use in the normal conduct of business (i.e. a pizza delivery vehicle, or for sale sign for the sale of that vehicle) that does not include a stationary trailer or vehicle for the purpose or use as a temporary or portable advertising sign.</p>

<p>Wall Sign</p> 	<p>means a sign painted or otherwise attached flat to the wall of a building and either located on the side or rear wall of a building.</p>
<p>Window Sign</p> 	<p>means a sign displayed on a window.</p>
<p>Xmas Light Sign</p> 	<p>means lighting used on commercial sites during December for the display of Christmas decorations and/or messages that does not include advertising.</p>

E15.4 Use or Development Exempt from this Code

- E15.4.1 Construction Sign, Directory Sign, Election Sign, Historical or Memorial Sign, Identification Sign, Incidental Sign, Portable Signs, Public Sign, Real Estate Sign, Transom Sign, Vehicle Sign, Window Sign and Xmas Light Sign provided they meet the standards as described in Table E15.3.
- E15.4.2 Off-Premises Signs (Directional Sign and Informational Sign) provided they meet the standards as described in Table E15.3.
- E15.4.3 Bunting Signs associated with occasional use.
- E15.4.4 A Pole Sign in the General Residential Zone where it is for educational use.

E15.5 Standards for Development

Development must be undertaken in accordance with the following standards:

E15.5.1 Animated Sign

Acceptable Solution	Performance Criteria
A1 No acceptable solution.	<p>P1 An Animated Sign must only be constructed in the Urban Mixed Use Zone, Local Business Zone and General Business Zone and:</p> <ul style="list-style-type: none">a) be located in an area where it will be compatible with the desired future character of the zone, if any; andb) not be visually intrusive; andc) not adversely affect traffic safety; andd) only be animated when the business is open for trade.

E15.5.2 Awning Signs

Acceptable Solution	Performance Criteria
A1 Awning Signs must only be erected in the Urban Mixed Use Zone, Local Business Zone, General Business Zone and Village Zone.	P1 No performance criteria.
A2 Awning Signs must not be illuminated other than by baffled lights.	P2 No performance criteria.
<p>A3.1 An Awning Fascia Sign must be contained within the outline of the fascia and project not more than 0.2 metres from the fascia.</p> <p>A3.2 An Above Awning Sign must be the only Above Awning Sign for the premises and not exceed a height of 0.5 metres above the top of the awning.</p> <p>A3.3 Under Awning Signs must:</p> <ul style="list-style-type: none">a) be the only Under Awning Sign for the tenancy; andb) be no closer than 2.4 metres to the pavement; andc) not project beyond the awning or within 1.5 metres of a side boundary; andd) be no more than 2.5 metres in length and 0.5 metres in height.	<p>P3 Awning Signs must:</p> <ul style="list-style-type: none">a) be compatible with the architectural features of the building; andb) not be visually intrusive; andc) not unreasonably reduce sunlight to windows or private open space of an adjoining property; andd) not compromise traffic or pedestrian safety.

<p>A4 A Created Awning Sign must:</p> <ul style="list-style-type: none"> a) be no closer than 2.4 metres to the pavement; and b) must not extend more than 0.5 metres above the fascia, and is not greater than 50 percent of the length of the fascia. 	<p>P4 A Created Awning Sign must:</p> <ul style="list-style-type: none"> a) be compatible with the architectural features of the building; and b) not be visually intrusive; and c) not unreasonably reduce sunlight to windows or private open space of an adjoining property; and d) not compromise traffic or pedestrian safety.
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E15.5.3 Banner Sign

Acceptable Solution	Performance Criteria
A1 A Banner Sign must only be erected in the Urban Mixed Use Zone, Light Industrial Zone, Local Business Zone and General Business Zone.	P1 No performance criteria.
<p>A2 Signs must:</p> <ul style="list-style-type: none"> a) not be illuminated; and b) have a maximum area of 8 m². 	P2 No performance criteria.
<p>A3 A Banner Sign must:</p> <ul style="list-style-type: none"> a) be a minimum of 5.5 metres above the pavement level if suspended over any road or public space; and b) if horizontal, have a maximum area of 8 m²; and c) if vertical have a maximum area of 2 m²; and d) be removed within twelve weeks from the time it was erected. 	P3 No performance criteria.

E15.5.4 Bunting Signs

Acceptable Solution	Performance Criteria
A1 Bunting signs must only be displayed once for a single period not exceeding 2 months in any one year.	P1 No performance criteria.

E15.5.5 Flag Sign

Acceptable Solution	Performance Criteria
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A1 A Flag Sign must only be erected in the Urban Mixed Use Zone, Light Industrial Zone, Local Business Zone and General Business Zone.	P1 No performance criteria.
A2 A Flag Sign must: a) not be illuminated; and b) have a maximum area of 8 m ² .	P2 No performance criteria.
A3 A Flag Sign must: a) be limited to one Flag Sign per street frontage except for Vehicle Sales and Hire where it is limited to one for every 30 metres of road frontage; and b) have a maximum area of 2 m ² ; and c) have a minimum clearance of 2.4 metres from the pavement level and a maximum height of 6.5 metres.	P3 No performance criteria.

E15.5.6 Ground Signs

Acceptable Solution	Performance Criteria
A1 A Ground Sign must: a) be on the premises or subdivision to which the sign relates; and b) be the only type of ground sign located on the site; and c) have a maximum structure area of 4 m ² ; and d) have a height not greater than 1.5 metres above ground level; and e) not be closer than 1 metre to the front boundary of the site; and f) not be illuminated other than by baffled lights.	P2 A Ground Sign must: a) complement the design of the premises so as to be attractive and informative without dominating the visual landscape; and b) not detract from the streetscape of the locality; and c) not be visually intrusive; and d) not unduly obstruct, or distract, vehicular or pedestrian traffic.

E15.5.7 Identification Signs

Acceptable Solution	Performance Criteria
A1 An Identification Sign must: a) be the only Identification Sign for the premises or subdivision; and b) not exceed 1 m ² in a residential zone or 2 m ² in all other zones; and	P1 No performance criteria.

c) not be illuminated other than by baffled lights	
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E15.5.8 Off-Premises Signs – Tourist Sign

Acceptable Solution	Performance Criteria
A1 No acceptable solution.	<p>P1 An Off-Premises Sign – Tourist Sign must:</p> <ul style="list-style-type: none"> a) only be advertising a tourism accredited development or use; and b) be located at a suitable distance to give advanced warning of the access point to the tourist operation, or at the nearest road junction; and c) locate only one sign on each approach with a maximum total of two signs for each tourist operation; and d) convey business name of tourist operation and estimates distance to access point; and e) not be advertising a tourist operation where the access to this tourist operation is located within a township; and f) be no greater than 4 m² with a maximum dimension of 3 metres; and g) not unduly increase visual clutter.

E15.5.9 Pole Signs

Acceptable Solution	Performance Criteria
<p>A1 A Pole Sign must:</p> <ul style="list-style-type: none"> h) be the only type of Pole Sign on the site; and 	<p>P1 A Pole Sign must:</p> <ul style="list-style-type: none"> a) not unreasonably reduce sunlight to the window or private open space of

<ul style="list-style-type: none"> i) not be illuminated other than by baffled lights; and j) be double sided or erected so the back of the sign is not visible from a public space; and k) have a maximum area of 4 m² per side with no more than 2 display sides; and l) have a maximum height of 3 metres. 	<ul style="list-style-type: none"> an adjoining property; and b) not unreasonably spill light over the site boundary; and c) have a display area and height that are not visually intrusive; and d) not unduly obstruct, or distract, vehicular or pedestrian traffic.
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E15.5.10 Projecting Wall Sign

Acceptable Solution	Performance Criteria
<p>A1 A Projecting Wall Sign must:</p> <ul style="list-style-type: none"> a) be the only Projecting Wall Sign on the premises; b) not project above the gutter line of the building; c) have a minimum clearance of 2.4 metres to the pavement; d) not be animated or internally illuminated; e) not exceed a vertical maximum display area of 2 m², maximum width of 0.5 metres, or horizontal maximum display area of 1 square metre; and f) not project more than 2.5 metres from the building. 	<p>P1 A Projecting Wall Sign must:</p> <ul style="list-style-type: none"> a) complement the design of the premises so as to be attractive and informative without dominating the visual landscape; and b) not detract from the streetscape of the locality; and c) not be visually intrusive; and d) not unduly obstruct, or distract, vehicular or pedestrian traffic.

E15.5.11 Roof Signs

Acceptable Solution	Performance Criteria
<p>A1 Roof signs must only be erected in Urban Mixed Use Zone, Local Business Zone, General Business Zone, Light Industrial Zone and General Industrial Zone.</p>	<p>P1 No performance criteria.</p>
<p>A2.1 Roof signs must:</p> <ul style="list-style-type: none"> a) be the only roof sign on the site; and b) not be animated or internally illuminated. <p>A2.2 Sky signs must:</p> <ul style="list-style-type: none"> a) not protrude above the roof more than 0.5 metres; and b) have an area not greater than 4m²; and 	<p>P2 Roof signs must:</p> <ul style="list-style-type: none"> a) not unreasonably reduce sunlight to the windows or private open space of an adjoining property; and b) respect and not detract from the streetscape of the locality; and c) not unduly increase visual clutter; and d) not unduly obstruct, or distract,

<p>c) not obstruct light or air from any habitable room or building.</p> <p>A2.3 Written Roof Signs must:</p> <p>a) be the lesser of 10 m² or 50 % of the area of the roof; and</p> <p>b) not obstruct light or air from any room or building.</p>	vehicular or pedestrian traffic.
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E15.5.12 Structure Sign

Acceptable Solution	Performance Criteria
A1 A Structure Sign must only be erected in Urban Mixed Use Zone, Local Business Zone, General Business Zone, Rural Resource Zone, Light Industrial Zone, General Industrial Zone and Village Zone.	P1 No performance criteria.
<p>A2 Structure signs must:</p> <p>a) not cover more than 10% of the area of the structure; and</p> <p>b) be the only Structure Sign on the site; and</p> <p>c) be enclosed within the frame of the structure and not protrude beyond the structure's framework; and</p> <p>d) not be illuminated.</p>	P2 No performance criteria.

E15.5.13 Wall Sign

Acceptable Solution	Performance Criteria
A1 A Wall Sign must only be erected in Urban Mixed Use, Local Business and General Business Zones and Light Industrial Zone.	P1 No performance criteria.
<p>A2 A Wall Sign must:</p> <p>a) not extend further than the height of the building; and</p> <p>b) not be illuminated by other than baffled lights; and</p> <p>c) not project further than 0.4 metres from the wall to which it is affixed; and</p> <p>d) have a maximum display area 25% of the area of the wall.</p>	P2 No performance criteria.

Part F

Specific Area Plans

Appendices

Appendix 1 – Referenced and Incorporated Documents

Incorporated Documents		
Document Title	Description	Date
AS2021:2000 Acoustics-Aircraft noise intrusion-building, siting and construction	Australian Standard	2000
National Health and Medical Council Guidelines	National Health and Medical Council Australia	2012
AS/ NZS 1158:2005 Lighting for roads and public spaces	Australian Standard	2005
AS/ NZS 2890.1:2004 Parking facilities: Off-street car parking	Australian Standard	2004
Practical Note Guidelines for Landslide Risk Management 2007	Extract from Journal and News of the Australian Geomechanics Society, Volume 42 No. 1, March 2007.	2007
AS/ NZS 4360:2004 Risk Management: Risk consequence and likelihood	Australian Standard	2004
Traffic Impact Assessment Guidelines	Road & Traffic Division, Department of Infrastructure, Energy and Resources, State of Tasmania	September 2007
Wetlands and Waterways Works Manual	Department of Primary Industries, Parks, Water and Environment, State of Tasmania	2011
General Offset Principles for the RMPS	Department of Primary Industries, Parks, Water and Environment, State of Tasmania	As at effective date
Crime Prevention Through Environmental Design: Guidelines for	Queensland Police, State of Queensland	2007

Incorporated Documents		
Queensland		
Australian Noise Exposure Forecast (ANEF)	Airservices Australia	As at effective date
Obstacle Limitation Surfaces (OLS)	Manual of Standards Part 139 – Aerodromes (F2012C00280), Australian Government ComLaw	April 2012
Procedure for Air Navigational Services – Aircraft Operation (PANS-OPS)	Manual of Standards Part 139 – Aerodromes (F2012C00280), Australian Government ComLaw	April 2012
Tasmanian State Road Hierarchy	Department of Infrastructure, Energy and Resources, State of Tasmania	2007
Indicative Mapping of Tasmanian Coastal Vulnerability to Climate Change and Sea-Level Rise: Explanatory Report (Chris Sharples, 2 nd Edition)	Department of Primary Industries, Parks, Water and Environment, State of Tasmania	May 2006
Referenced Documents		
Document Title	Description	Date

Appendix 2 – Planning Scheme Amendments

Number	Description	Effective Date
DOR UA1/2014	Delete clause 10.4.4.4 Interaction, Safety and Security	10 February 2014
	PD1 modifications	8 January 2014
	PD4.1 modifications	28 February 2014
	PD1 and PD4.1 modifications	18 June 2014
	PD1 minor modifications	17 February 2016
	Insert Interim Planning Directive No 1	23 February 2016
	Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code	23 February 2017
DOR UA2-2017	Urgent Amendments – Dorset Interim Planning Scheme 2013	4 August 2017
	Planning Directive No. 5.1 modifications – Bushfire-Prone Areas Code	1 September 2017
DOR UA3-2017	Amend Clause 9.5 - Access Over Land in Another Zone	25 January 2018
1-2018	Rezone 6 Arnold Place and Lot 303 Hawkes Place, Scottsdale from Open Space to General Residential	18 October 2018
	Interim Planning Directive No. 4 – Exemptions, Application Requirements, Special Provisions and Zone Provisions	22 February 2021
	Planning Directive No. 8 - Exemptions, Application Requirements, Special Provisions and Zone Provisions	22 February 2022
1-2021	Rezone land known as 'Ezzy Park' Emily Street, Bridport (folio of the Register 159544/1) from the General Residential Zone to the Open Space Zone	6 April 2022
	Interim Planning Directive No.5 – Bushfire-Prone Areas Code – application of Bushfire Prone Areas Overlay	23 June 2022
	Modified Planning Directive No. 8 - Exemptions, Application Requirements, Special Provisions and Zone Provisions and Planning Directive No. 5.1 Bushfire-Prone Areas Code	20 July 2022

Appendix 3 – Planning Purposes Notice

Land Use Planning and Approvals Act 1993

PLANNING PURPOSES NOTICE

DORSET INTERIM PLANNING SCHEME 2013

I, ROGER CHARLES JAENSCH, the Minister for Planning, in pursuance of section 30EA(9) of the *Land Use Planning and Approvals Act 1993* (the Act) and on the recommendation of the Tasmanian Planning Commission, revoke the planning purposes notice issued on 28 February 2014; and further, in pursuance of section 30EA(2) of the Act and on the recommendation of the Tasmanian Planning Commission, issue the following planning purposes notice:

- (a) A local provision contained within a code or specific area plan specified in Part 1 of Schedule 1 is, if included in a relevant scheme in relation to the municipal area for the Dorset Council, an overriding local provision where there is a conflict with any common mandatory provision in E1.0 Bushfire Prone Areas Code in the relevant scheme;
- (b) A local provision contained within a code or specific area plan specified in Part 2 of Schedule 1 is, if included in a relevant scheme in relation to the municipal area for the Dorset Council, an overriding local provision where there is a conflict with any common mandatory provision in Clause 10.0 General Residential Zone in the relevant scheme;
- (c) A local provision that:
 - (i) consists of a provision containing the wording set out in Part 3 of Schedule 1; or
 - (ii) is a provision specified in Part 3 of Schedule 1;is, if included in a relevant scheme in relation to the municipal area for the Dorset Council, a conflicting local provision.

Dated this 22nd day of February 2021

ROGER CHARLES JAENSCH

Minister for Planning

Schedule 1

Part 1 – Overriding local provisions – E1.0 Bushfire Prone Areas Code

E7 Scenic Management Code

E8 Biodiversity Code

E9 Water Quality Code

E13 Heritage Code

Part 2 – Overriding local provisions – Clause 10.0 General Residential Zone

E2 Potentially Contaminated Land Code

E3 Landslip Code

E4 Road and Railway Assets Code

E5 Flood Prone Areas Code

E7 Scenic Management Code

E8 Biodiversity Code

E9 Water Quality Code

E11 Environmental Impacts and Attenuation Code

E13 Heritage Code

E14 Coastal Code

Part 3 – Conflicting local provisions

Nil