

Break O'Day Local Provisions Schedule

Local Provisions Schedule amendments

No.	Effective date	Amendment no	Amendment information	Text/Map
3	21 March 2024	01-23, 04-23, 05-23, 06-23	<p>01-23 Apply the Rural Zone to 89 Upper Scamander Road, Scamander - folios of the of the Register 184514/1, 184514/2, 151750/1 and 137864/1 (including the intersecting reserved road);</p> <p>Apply the Landscape Conservation Zone to 89 Upper Scamander Road, Scamander folios of the of the Register 26754/1; and</p> <p>Apply the Priority Vegetation Area overlay to 89 Upper Scamander Road, Scamander folios of the Register 184514/1, 184514/2, 151750/1, 137864/1 and 26754/1 (including the intersecting reserved road).</p> <p>4-23 - Apply the Rural Living Zone (subdivision category A) to various properties at Bay Close, Binalong Bay Road and Sunshine Court, St Helens.</p> <p>5-23 - Apply the Rural Living Zone (subdivision category C) to various properties at Heritage Road, St Helens</p> <p>6-23 - Apply the Rural Living Zone (subdivision Category C) to various properties at Seabreeze Court, Beaumaris.</p>	Map
2	29 January 2024	02-23 and 03-23	<p>02-23 - Apply the Landscape Conservation Zone to Tasman Highway, Weldborough, folios of the Register 228407/1, 236471/1 and 236472/1.</p> <p>03-23 - Apply the Landscape Conservation Zone to 180 Gillies Road, St Marys, folios of the Register 120232/1, 206762/1 and 120054/1.</p>	Map
1	23 August 2023	Not applicable	Commencement of LPS under section 35M of the <i>Land Use Planning and Approvals Act 1993</i>	Text

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Break O'Day Local Provisions Schedule

BRE-Local Provisions Schedule Title

BRE-1.1 This Local Provisions Schedule is called the Break O'Day Local Provisions Schedule and comprises all the land within the municipal area.

BRE-Effective Date

BRE-1.2 The effective date for this Local Provisions Schedule is 23 August 2023.

BRE-Local Area Objectives

This clause is not used in this Local Provisions Schedule.

BRE-P1.0 Particular Purpose Zone - Ansons Bay Small Lot Residential

BRE-P1.1 Zone Purpose

The purpose of the Particular Purpose Zone - Ansons Bay Small Lot Residential is:

- BRE-P1.1.1 To provide for the amenity of residents in a manner that respects the unique historical character of the waterfront area.
- BRE-P1.1.2 To provide for low impact non-residential uses that fit within the unique character of the waterfront area.
- BRE-P1.1.3 That areas subject to natural hazards are managed in an appropriate way so as to protect private property with minimal impact to natural process.

BRE-P1.2 Local Area Objectives

Reference Number	Area Description	Local Area Objectives
BRE-P1.2.1	Ansons Bay Small Lot Residential, shown on an overlay map as BRE-P1.2.1.	<p>The local area objectives for Particular Purpose Zone - Ansons Bay Small Lot Residential are:</p> <ul style="list-style-type: none"> (a) the area is to remain settled with small buildings that are predominantly residential use with a mixture of full time and part time occupation; (b) the area is to remain unfenced and retain an open welcoming appearance; (c) existing public access to the foreshore is to be retained and enhanced where possible; and (d) the number of jetties is to be kept to a minimum so as not to dominate the view of the foreshore and there are to be no new boatsheds.

BRE-P1.3 Definition of Terms

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

BRE-P1.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Permitted	
Residential	
Discretionary	
Visitor Accommodation	If to change the use of a building existing as at 1 June 2013.
Utilities	
Prohibited	
All other uses	

BRE-P1.5 Use Standards

BRE-P1.5.1 Amenity

Objective:	That non-residential uses are of an appropriate scale and type.	
Acceptable Solutions		Performance Criteria
A1	Vehicles must be parked within the boundary of the site.	P1 Vehicles, including delivery vehicles, must not create a traffic hazard or compromise the mixed use functions of the road.
A2	Goods or materials for a use must not be stored outside or in locations visible from adjacent properties, a road or public land.	P2 No Performance Criterion.
A3	Waste materials of a use must be: (a) stored in a manner and location that is not visible from the road to which the lot has frontage; and	P3 No Performance Criterion.

<p>(b) stored in fully self-contained receptacles designed so that waste does not escape to the environment.</p>	
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BRE-P1.6 Development Standards for Buildings and Works

BRE-P1.6.1 Building design and siting

<p>Objective:</p>	<p>That the siting and design of development:</p> <ul style="list-style-type: none"> (a) furthers the local area objectives for this zone; and (b) protects the residential amenity of adjoining properties by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Site coverage must be not more than 50% of the site and a minimum of 25% of the site must be free from buildings, paving or other impervious surfaces.</p>	<p>P1</p> <p>The proportion of the site covered by buildings must protect the residential amenity of adjoining properties, having 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; (b) the site coverage of adjoining properties; (c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; (d) the capacity of the site to absorb runoff; and (e) the landscape character of the area.
<p>A2</p> <p>Building height must be not more than 6.5m.</p>	<p>P2</p> <p>Buildings must be designed and sited:</p> <ul style="list-style-type: none"> (a) to be consistent with the local area objectives for this zone; and (b) to 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; (ii) the existing degree of overlooking and overshadowing;

	<ul style="list-style-type: none"> (iii) maintaining a reasonable degree of solar access to secluded private open space and habitable room windows such that available sunlight is not reduced to below 3 hours on the 21st of June, or if existing available sunlight is less than 3 hours on 21st June, not reducing the existing levels of available sunlight; (iv) maintaining reasonable privacy to secluded private open space and windows; and (v) existing screening or the ability to implement screening to enhance privacy.
<p>A3</p> <p>Buildings must have a setback from the primary road frontage:</p> <ul style="list-style-type: none"> (a) of not less than 2m; or (b) within the range of the frontage setbacks of buildings on adjoining properties, indicated by the hatched section in Figure BRE-P1.1. 	<p>P3</p> <p>Buildings setback to a road must have regard to:</p> <ul style="list-style-type: none"> (a) the prevailing setbacks of existing buildings on nearby properties; and (b) the visual impact of the building when viewed from the road.
<p>A4</p> <p>Buildings must have a setback from the side and rear boundaries of not less than 1m.</p>	<p>P4</p> <p>Buildings must be designed and sited:</p> <ul style="list-style-type: none"> (a) to further any local area objectives relating to the visual character of the settlement; and (b) to protect the residential amenity of adjoining dwellings by providing appropriate separation, having regard to: <ul style="list-style-type: none"> (i) the surrounding pattern of development; (ii) the existing degree of overlooking and overshadowing; (iii) maintaining a reasonable degree of solar access to secluded private open space and habitable room windows such that available sunlight is not reduced to below 3 hours on 21st of June, or if existing available sunlight is less than 3 hours on 21st June, not reducing the existing levels of available sunlight; (iv) maintaining reasonable privacy to private open space and windows; and

	(v) existing screening or the ability to implement screening to enhance privacy.
A5 Fences are not allowed on front, side or rear boundaries. ¹	P5 Fences must be required for privacy.
A6 Outbuildings must have a gross floor area not more than 80% of the gross floor area of dwellings on the site.	P6 No Performance Criterion.

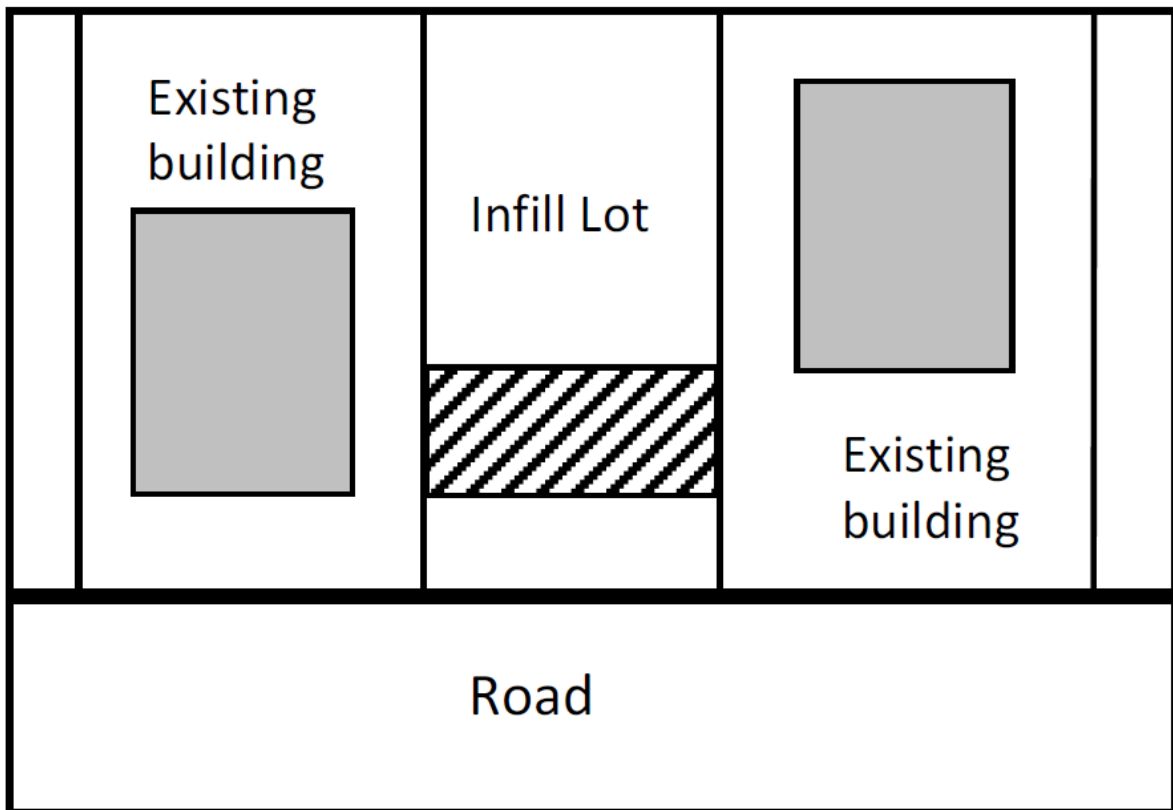


Figure BRE-P1.1 - Primary Frontage Setback for Infill Lots

BRE-P1.6.2 Solar efficiency

Objective:	That all dwellings have adequate access to sunlight.	
Acceptable Solutions	Performance Criteria	
A1	P1	

¹ An exemption applies for fences in this zone – see Table 4.6.

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Buildings on the site or adjoining sites must not cause overshadowing and reduction of sunlight to habitable rooms and private open space to less than 3 hours between 9.00am and 5.00pm on 21 st June.	Buildings must not result in unreasonable loss of solar access for adjoining residential buildings.
A2 Outbuildings must not be constructed so as to obstruct solar access to north and east facing windows of an existing dwelling on the same site as the outbuildings.	P2 No Performance Criterion.

BRE-P1.6.3 Privacy

Objective:	That siting and design of buildings meets projected user requirements for visual privacy, and protects the visual privacy of nearby residents in their dwellings.
Acceptable Solutions	Performance Criteria
A1 Direct views of windows of habitable rooms, external doorways, balconies, decks or patios of neighbouring dwellings must be screened with vegetation or seperated not less than 9m.	P1 Direct views of windows of habitable rooms, external doorways, balconies, decks or patios of neighbouring dwellings must be minimised by appropriately designed and located screening that is consistent with the local area objectives for this zone.

BRE-P1.6.4 Stormwater disposal

Objective:	That stormwater discharge from new development does not result in adverse impacts on surrounding land or the environment.
Acceptable Solutions	Performance Criteria
A1 All runoff from buildings is to be detained by on-site water storage systems and the overflow released in a manner that does not cause erosion or flooding to adjoining properties.	P1 No Performance Criterion.

BRE-P1.6.5 Development in areas at risk from natural hazards

Objective:	That natural hazards are identified and addressed at the time of development.	
Acceptable Solutions		Performance Criteria
A1	Buildings must be on land where the boundary is setback away from evidence of coastal erosion a distance equal to, or greater than, the vertical distance from the top of the cliff to the natural ground level at the bottom of the cliff, measured at the cliff top adjacent to the centre of the site boundary.	P1 Buildings on land where the boundary is setback from evidence of coastal erosion less than the vertical distance from the top of the cliff to the natural ground level at the bottom of the cliff, measured at the cliff top adjacent to the centre of the site boundary, must reduce the risk to life and property to a low or very low Risk Level Implication in accordance with <i>Practice Note Guidelines for Landslide Risk Management 2007</i> as demonstrated in a report from a suitably qualified person.

BRE-P1.6.6 Vegetation control

Objective:	That vegetation along the foreshore remains and weeds are prevented from being planted.	
Acceptable Solutions		Performance Criteria
A1	Vegetation must not be removed unless it is within the building footprint.	P1 Vegetation must not be removed outside the building footprint unless it can be demonstrated that removal is required to minimise the impacts from natural hazards.
A2	Plants, as listed in Table BRE-P1.8.1, must not be planted.	P2 No Performance Criterion.

BRE-P1.7 Development Standards for Subdivision

BRE-P1.7.1 Subdivision

Objective:	That alterations to the existing pattern of subdivision along the foreshore are minimised and that frontage to a road is maintained.	
Acceptable Solutions		Performance Criteria
A1	Lots must be: (a) for the consolidation of a lot with another lot provided no additional titles are created; or	P1 No Performance Criterion.

(b) to align existing titles with zone boundaries provided no additional lots are created.	
A2 All lots must have a frontage not less than 4m to a road, or access to a road via a right-of-way with a width not less than 4m.	P2 No Performance Criterion.

BRE-P1.8 Tables

BRE-P1.8.1 Environmental weeds

D - Weeds declared under the *Weed Management Act 1999*

L - Weeds declared locally

L	<i>Acacia pycnantha</i>	Golden Wattle
L	<i>Acacia baileyana</i>	Cootamundra Wattle
D	<i>Acacia nilotica ssp. Indica</i>	Prickly Acacia
L	<i>Acer pseudoplatanus</i>	Sycamore Maple
L	<i>Achillea millefolium</i>	Yarrow
D	<i>Acroptilon repens</i>	Creeping Knapweed
L	<i>Allium triquetrum</i>	Three-Cornered Garlic
D	<i>Allium vineale</i>	Crow Garlic
L	<i>Aloe species</i>	Aloe
D	<i>Alternanthera philoxeroides</i>	Alligator Weed
D	<i>Amaranthus albus</i>	Tumbleweed
D	<i>Amelichloa caudata (=achnatherum caudatum)</i>	Espartillo
D	<i>Amsinckia species</i>	Amsinckia Species
D	<i>Annona glabra</i>	Pond Apple
D	<i>Anthemis cotula</i>	Stinking Mayweed
L	<i>Arctotheca calendula</i>	Capeweed
D	<i>Asparagus asparagoides (=Myrsiphyllum asparagoides)</i>	Bridal Creeper
D	<i>Asparagus scandens</i>	Asparagus Fern
D	<i>Asphodelus fistulosus</i>	Onion Weed
D	<i>Bassia scoparia (=Kochia scoparia)</i>	Kochia
D	<i>Berberis darwinii</i>	Darwins Barberry
D	<i>Berkheya rigida</i>	African Thistle
D	<i>Bifora testiculata</i>	Bifora
L	<i>Briza maxima</i>	Large Quaking Grass
D	<i>Cabomba caroliniana</i>	Fanwort
D	<i>Calluna vulgaris</i>	Heather
D	<i>Cardaria draba</i>	White Weed (Hoary Cress)
D	<i>Carduus nutans</i>	Nodding Thistle
D	<i>Carduus pycnocephalus</i>	Slender Thistle
D	<i>Carduus tenuiflorus</i>	Slender Thistle
D	<i>Carex albula</i>	New Zealand Sedge
D	<i>Carex buechananii</i>	Leather Leaf Sedge
D	<i>Carex flagellifera</i>	New Zealand Sedge
D	<i>Carex testacea</i>	New Zealand Sedge
D	<i>Carthamus lanatus L.</i>	Saffron Thistle
D	<i>Cenchrus incertus (= Cenchrus pauciflorus)</i>	Spiny Burrgrass
D	<i>Cenchrus longispinus</i>	Spiny Burrgrass
D	<i>Centaurea calcitrapa</i>	Star Thistle
D	<i>Centaurea eriophora</i>	Mallee Cockspur
D	<i>Ceratophyllum demersum</i>	Hornwort
D	<i>Chamaecytisus palmensis</i>	Tree Lucerne
D	<i>Chondrilla juncea</i>	Skeleton Weed
D	<i>Chrysanthemoides monilifera</i> (including subspecies)	Boneseed, Bitou Bush

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D	<i>Cirsium arvense</i>	Californian Thistle
L	<i>Conium maculatum</i>	Hemlock
L	<i>Coprosma repens</i>	Mirror Bush
D	<i>Coprosma robusta</i>	Karamu
D	<i>Cortaderia</i> species	Pampas Grasses
L	<i>Cotoneaster</i> species	Cotoneaster Species
L	<i>Crataegus monogyna</i>	Hawthorn
L	<i>Crocsmia x crocosmiiflora</i>	Montbretia
D	<i>Crupina vulgaris</i>	Common Crupina
D	<i>Cryptostegia grandiflora</i>	Rubber Vine
D	<i>Cuscuta</i> species (excluding <i>Cuscuta tasmanica</i>)	Dodder
D	<i>Cynara cardunculus</i>	Artichoke Thistle
D	<i>Cyperus rotundus</i>	Purple Nut Grass
D	<i>Cyperus esculentus</i>	Yellow Nut Grass/Yellow Nut Sedge
D	<i>Cytisus scoparius</i>	English Broom
D	<i>Cytisus multiflorus</i>	White Spanish Broom
D	<i>Datura</i> species	Datura
L	<i>Delairea odorata</i>	Cape Ivy
L	<i>Digitalis purpurea</i>	Foxglove
D	<i>Dittrichia viscosa</i>	False Yellowhead
D	<i>Echium plantagineum</i>	Paterson's Curse
D	<i>Echium vulgare</i> L.	Viper's Bugloss
D	<i>Egeria densa</i> (= <i>Elodea densa</i>)	Egeria, Dense Water Weed Water
D	<i>Eichhornia crassipes</i>	Hyacinth
D	<i>Eleocharis parodii</i>	Parodi
D	<i>Elodea canadensis</i>	Canadian Pondweed, Elodea
D	<i>Emex australis</i>	Spiny Emex
D	<i>Equisetum</i> species	Horsetail
D	<i>Eragrostis curvula</i>	African Lovegrass
D	<i>Erica lusitanica</i>	Spanish Heath
L	<i>Euphorbia paralias</i>	Sea Spurge
D	<i>Fallopia japonica</i>	Japanese Knotweed
D	<i>Festuca gautieri</i>	Bear Skin Fescue
D	<i>Foeniculum vulgare</i>	Fennel
L	<i>Fuchsia magellanica</i>	Fuchsia
L	<i>Gazania</i> species	Gazania
D	<i>Galium spurium</i>	False Cleavers
D	<i>Galium tricornutum</i>	Three-Horned Bedstraw
D	<i>Genista monspessulana</i>	Montpellier Broom
D	<i>Gymnocoronis spilanthoides</i>	Senegal Tea Plant, Temple Plant
L	<i>Hedera helix</i>	English Ivy
D	<i>Heliotropium europaeum</i>	Common Heliotrope
D	<i>Heracleum mantegazzianum</i>	Giant Hogweed
D	<i>Hieracium</i> species	Hawkweed
D	<i>Hydrilla verticillata</i>	Hydrilla
D	<i>Hymenachne amplexicaulis</i>	Hymenachne
D	<i>Hypericum perforatum</i>	St John's Wort
D	<i>Hypericum tetrapterum</i>	Square Stemmed St John's Wort
L	<i>Ilex aquifolium</i>	Holly
D	<i>Lagarosiphon major</i>	Lagarosiphon, Oxygen Weed
D	<i>Lantana camara</i>	Lantana
D	<i>Leptospermum laevigatum</i>	Coast Tea Tree
D	<i>Leycesteria formosa</i>	Elisha's Tears
L	<i>Lonicera japonica</i>	Japanese Honeysuckle
L	<i>Lupinus arboreus</i>	Tree Lupin
D	<i>Lycium ferocissimum</i>	African Boxthorn
D	<i>Marrubium vulgare</i>	Horehound
D	<i>Miconia</i> species	Miconia
D	<i>Moraea</i> species	Cape Tulips
D	<i>Myriophyllum aquaticum</i> (= <i>M. brasiliense</i>).	Parrot's Feather
D	<i>Nassella neesiana</i>	Chilean Needle Grass
D	<i>Nassella trichotoma</i>	Serrated Tussock
D	<i>Oenanthe pimpinelloides</i>	Meadow Parsley
D	<i>Onopordum</i> species	Onopordum Thistles

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D	<i>Orobanche</i> species (except <i>O. minor</i> and <i>O. cernua</i> var. <i>australiana</i>)	Broomrape
L	<i>Paraserianthes lophantha</i>	Cape Wattle
D	<i>Parkinsonia</i> species	Parkinsonia
D	<i>Parthenium hysterophorus</i>	Parthenium
L	<i>Passiflora mollissima</i>	Banana Passionfruit
D	<i>Pennisetum macrourum</i>	African Feathergrass
D	<i>Pennisetum villosum</i>	Feathertop
L	<i>Polygala myrtifolia</i>	Polygala
L	<i>Pinus radiata</i>	Radiata Pine
L	<i>Pittosporum undulatum</i>	Sweet Pittosporum
D	<i>Prosopis</i> species	Mesquite
L	<i>Psoralea pinnata</i>	Blue Butterfly-Bush
D	<i>Rorippa sylvestris</i>	Creeping Yellowcress
L	<i>Rosa rubiginosa</i>	Briar Rose
D	<i>Rubus fruticosus aggregate</i>	Blackberry
D	<i>Sagittaria graminea</i>	Sagittaria
D	<i>Sagittaria montevidensis</i>	Arrowhead
D	<i>Salix fragilis</i>	Crack Willow
D	<i>Salpichroa origanifolia</i>	Pampas Lily-of-the-Valley
D	<i>Salvinia molesta</i>	Salvinia
D	<i>Senecio glastifolius</i>	Holly-Leave Senecio
D	<i>Senecio jacobaea</i>	Ragwort
D	<i>Solanum elaeagnifolium</i>	Silver-Leaf Nightshade
D	<i>Solanum marginatum</i>	White-Edged Nightshade
D	<i>Solanum sodomaeum</i>	Apple-of-Sodom
D	<i>Solanum triflorum</i>	Cut-Leaf Nightshade
L	<i>Sollya heterophylla</i>	Bluebell Creeper
L	<i>Spartina anglica</i>	Rice Grass
D	<i>Striga</i> species (all non-indigenous species)	Witchweed
D	<i>Tamarix aphylla</i>	Athel Pine
L	<i>Tradescantia albiflora</i>	Wandering Creeper
D	<i>Trapa</i> species	Floating Water Chestnut
D	<i>Tribulus terrestris</i>	Caltrop
D	<i>Ulex europaeus</i>	Gorse
D	<i>Urospermum dalechampii</i>	Mediterranean Daisy
L	<i>Vinca major</i>	Blue Periwinkle
L	<i>Watsonia meriana</i>	Watsonia
D	<i>Xanthium</i> species	Burrs, Bathurst Burr
L	<i>Zantedeschia aethiopica</i>	Arum Lily
D	<i>Zizania</i> species	Wild Rice

BRE-P2.0 Particular Purpose Zone - Coastal Settlement

BRE-P2.1 Zone Purpose

The purpose of the Particular Purpose Zone - Coastal Settlement is:

- BRE-P2.1.1 To ensure that future use and development is compatible with the existing settlement pattern.
- BRE-P2.1.2 To provide amenity for residents in a manner that respects the coastal character of the area.
- BRE-P2.1.3 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.
- BRE-P2.1.4 That areas subject to natural hazards are managed in an appropriate way so as to protect private property with minimal impact to natural process.

BRE-P2.2 Local Area Objectives

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

BRE-P2.3 Definition of Terms

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

BRE-P2.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Residential	If for a single dwelling.
Discretionary	
Community Meeting and Entertainment	If for art and craft centre or public hall.
Emergency Services	
Utilities	If not listed as No Permit Required.
Visitor Accommodation	If for guests accommodated within an existing building.
Prohibited	
All other uses	

BRE-P2.5 Use Standards

BRE-P2.5.1 Discretionary uses

Objective:	That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Hours of operation for a use listed as Discretionary, excluding Emergency Services or Residential use, must be within:</p> <ul style="list-style-type: none"> (a) 8.00am to 6.00pm Monday to Friday; (b) 9.00am to 12.00 noon Saturday; and (c) nil on Sunday and public holidays. 	<p>P1</p> <p>Hours of operation for a use listed as Discretionary, excluding Emergency Services or Residential use, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the timing, duration or extent of vehicle movements; and (b) noise or other emissions. 	
<p>A2</p> <p>External lighting for a use listed as Discretionary, excluding Residential use:</p> <ul style="list-style-type: none"> (a) must be within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled so that direct light does not extend into the adjoining property. 	<p>P2</p> <p>External lighting for a use listed as Discretionary, excluding Residential use, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the number of proposed light sources and their intensity; (b) the location of the proposed light sources; (c) the topography of the site; and (d) any existing light sources. 	
<p>A3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services or Residential use, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7:00am to 5:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays. 	<p>P3</p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services or Residential use, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> (a) the time and duration of commercial vehicle movements; (b) the number and frequency of commercial vehicle movements; (c) the size of commercial vehicles involved; (d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; 	

	<p>(e) any existing or proposed noise mitigation measures between the vehicle movement areas and sensitive use;</p> <p>(f) potential conflicts with other traffic; and</p> <p>(g) existing levels of amenity.</p>
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BRE-P2.5.3 Visitor Accommodation

Objective:	<p>That Visitor Accommodation:</p> <p>(a) is compatible with the character and use of the area;</p> <p>(b) does not cause an unreasonable loss of residential amenity; and</p> <p>(c) does not impact the safety and efficiency of local roads or rights of way.</p>
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Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Visitor Accommodation must:</p> <p>(a) accommodate guests in existing habitable buildings; and</p> <p>(b) have a gross floor area of not more than 200m² per lot.</p>	<p>P1</p> <p>Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) the privacy of adjoining properties;</p> <p>(b) any likely increase in noise to adjoining properties;</p> <p>(c) the scale of the use and its compatibility with the surrounding character and uses within the area;</p> <p>(d) retaining the primary residential function of an area;</p> <p>(e) the impact on the safety and efficiency of the local road network; and</p> <p>(f) any impact on the owners and users rights of way.</p>
<p>A2</p> <p>Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.</p>	<p>P2</p> <p>Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other strata lots within the strata scheme, having regard to:</p> <p>(a) the privacy of residents;</p> <p>(b) any likely increase in noise;</p> <p>(c) the residential function of the strata scheme;</p> <p>(d) the location and layout of the strata lots;</p>

	<p>(e) the extent and nature of any other non-residential uses; and</p> <p>(f) any impact on shared access and common property.</p>
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BRE-P2.6 Development Standards for Dwellings

BRE-P2.6.1 Building height

Objective:	That the height of dwellings is compatible with the streetscape and do not cause an unreasonable loss of amenity for adjoining properties.	
	Acceptable Solutions	Performance Criteria
	<p>A1</p> <p>A dwelling must have a building height not more than 7m.</p>	<p>P1</p> <p>The height of dwellings must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the height of buildings on the site and adjacent properties; (c) the bulk and form of existing and proposed buildings; (d) sunlight to habitable rooms and private open space of dwellings; and (e) any overshadowing of adjoining properties.

BRE-P2.6.2 Setback

Objective:	That the siting of dwellings is compatible with the streetscape and does not cause an unreasonable loss of amenity for adjoining properties.	
	Acceptable Solutions	Performance Criteria
	<p>A1</p> <p>Dwellings, excluding protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage not less than 10m.</p>	<p>P1</p> <p>The siting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the setbacks of surrounding buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from roads and public open space adjacent to the site; and (e) the safety of road users.

<p>A2</p> <p>Dwellings, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a setback from side and rear boundaries of not less than 10m.</p>	<p>P2</p> <p>The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; (f) sunlight to private open space and windows of habitable rooms on adjoining properties; and (g) the character of development existing on established properties in the area.
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BRE-P2.6.3 Site coverage

<p>Objective:</p>	<p>That site coverage:</p> <ul style="list-style-type: none"> (a) is consistent with the character of existing development in the area; (b) provides sufficient area for private open space and landscaping; and (c) assists with the management of stormwater runoff.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Dwellings must have a site coverage of not more than 30%.</p>	<p>P1</p> <p>The site coverage of dwellings must be consistent with that existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the capacity of the site to absorb runoff; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the provision for landscaping and private open space; (f) the need to remove vegetation; and (g) the site coverage of adjacent properties.

BRE-P2.5.2 Landscape values

Objective:	That non-residential uses are low-impact and are compatible with the character of the coastal area.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 A use listed as Discretionary must be compatible with the character of the coastal area, having regard to: (a) the nature, scale and extent of the use; (b) the characteristics and type of the use; and (c) the character of the area.	

BRE-P2.6.4 Frontage fences for all dwellings

Objective:	That the height and transparency of frontage fences: (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 fences in the street.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution. ²	P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must: (a) provide for security and privacy, while allowing for passive surveillance of the road; and (b) be consistent with the height and transparency of fences in the street, having regard to: (i) the topography of the site; and (ii) traffic volumes on the adjoining road.	

BRE-P2.6.5 Sunlight to dwellings and private open space

Objective:	That all dwellings have adequate access to sunlight.	
Acceptable Solutions	Performance Criteria	
A1 Dwellings must not cause overshadowing and reduction of sunlight to habitable rooms and private	P1 Dwellings must not result in unreasonable loss of amenity by overshadowing and reduction of sunlight	

² An exemption applies for fences in this zone – see Table 4.6.

<p>open space to less than 3 hours between 9.00am and 5.00pm on 21st June.</p>	<p>to habitable rooms and private open space of adjoining dwellings, having regard to:</p> <ul style="list-style-type: none"> (a) topography of the site; (b) the location of existing buildings on the site; (c) the size and shape and orientation of the lots; (d) the setbacks of surrounding buildings; (e) the height, bulk and form of existing and proposed buildings; (f) the existing buildings and private open space areas on the site; (g) sunlight to private open space and windows of habitable rooms on adjoining properties; and (h) the character of development existing on established properties in the area.
<p>A2 Outbuildings must be sited so as not to obstruct sunlight to the north and east-facing windows of an existing dwelling on the same site.</p>	<p>P2 No Performance Criterion.</p>

BRE-P2.6.6 Stormwater disposal

<p>Objective:</p>	<p>That stormwater discharge from new development does not result in adverse impacts on surrounding land or the environment.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1 All runoff from buildings is to be detained by on-site water storage systems and the overflow released in a manner that does not cause erosion or flooding to adjoining properties.</p>	<p>P1 No Performance Criterion.</p>

BRE-P2.7 Development Standards for Non-dwellings

BRE-P2.7.1 Non-dwelling development

<p>Objective:</p>	<p>That all non-dwelling development:</p> <ul style="list-style-type: none"> (a) is compatible with the streetscape; (b) is compatible with the form and scale of existing residential development; and (c) does not cause an unreasonable loss of amenity to adjoining properties.
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Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A building that is not a dwelling must have a building height not more than 7m.</p>	<p>P1</p> <p>The height of a building that is not a dwelling must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the height of buildings on the site and adjacent properties; (c) the bulk and form of existing and proposed buildings; (d) sunlight to habitable rooms of dwellings and private open space; and (e) any overshadowing of adjoining properties.
<p>A2</p> <p>A building that is not a dwelling, excluding protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage not less than 10m.</p>	<p>P2</p> <p>The siting of a building that is not a dwelling must be compatible with the streetscape and character of development existing on established properties in the area having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the setbacks of surrounding buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance when viewed from roads and public open space adjacent to the site; and (e) the safety of road users.
<p>A3</p> <p>A building that is not a dwelling excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a setback from side and rear boundaries of not less than 10m.</p>	<p>P3</p> <p>The siting of a building that is not a dwelling, must not cause unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site;

	<p>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</p> <p>(g) the character of development existing on established properties in the area.</p>
<p>A4</p> <p>A building that is not a dwelling must have a site coverage of not more than 30%.</p>	<p>P4</p> <p>The site coverage of a building that is not a dwelling must, be consistent with that existing on established properties in the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the capacity of the site to absorb runoff;</p> <p>(c) the size and shape of the site;</p> <p>(d) the existing buildings and any constraints imposed by existing development;</p> <p>(e) the provision for landscaping and private open space;</p> <p>(f) the need to remove vegetation; and</p> <p>(g) the site coverage of adjacent properties.</p>
<p>A5</p> <p>No Acceptable Solution.³</p>	<p>P5</p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</p> <p>(b) be consistent with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
<p>A6</p> <p>Outdoor storage areas, for a building that is not a dwelling, including waste storage, must not:</p> <p>(a) be visible from any road or public open space adjoining the site; or</p> <p>(b) encroach upon parking areas, driveways or landscaped areas.</p>	<p>P6</p> <p>Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise its impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the type of goods, materials or waste to be stored;</p> <p>(c) the topography of the site; and</p>

³ An exemption applies for fences in this zone – see Table 4.6.

	(d) any screening proposed.
<p>A7</p> <p>Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback from the boundary of a property containing a sensitive use of not less than 10m.⁴</p>	<p>P7</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of a the boundary of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <p>(a) the characteristics and frequency of any emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any mitigation measures proposed.</p>

BRE-P2.7.2 Stormwater disposal

Objective:	That stormwater discharge from new development does not result in adverse impacts on surrounding land or the environment.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>All runoff from buildings is to be detained by on-site water storage systems and the overflow released in a manner that does not cause erosion or flooding to adjoining properties, or adverse impacts on natural assets.</p>	<p>P1</p> <p>No Performance Criterion.</p>	

BRE-P2.8 Development Standards for Subdivision

BRE-P2.8.1 Subdivision

Objective:	That subdivision is appropriate for 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</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be:</p>	<p>P1</p> <p>No Performance Criterion.</p>	

⁴ An exemption applies for heat pumps and air conditioners in this zone – see Table 4.6.

<ul style="list-style-type: none">(a) required for public use by the Crown, a council or a State authority;(b) required for the provision of Utilities; or(c) for the consolidation of a lot with another lot provided each lot is within the same zone.	
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BRE-P2.8 Tables

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

BRE-P3.0 Particular Purpose Zone - St Helens Coastal Maritime

BRE-P3.1 Zone Purpose

The purpose of the Particular Purpose Zone - St Helens Coastal Maritime is:

- BRE-P3.1.1 That future use and development provides a mixture of port and tourist related activity that promotes the St Helens foreshore as a place to visit.
- BRE-P3.1.2 To provide for commercial and recreational boating, slippage and related maritime activities in a manner that respects the coastal character of the area and the amenity of the surrounding residential areas.
- BRE-P3.1.3 To provide for low impact non-residential uses that fit within the character of the coastal area.
- BRE-P3.1.4 That areas subject to natural hazards are managed in an appropriate way so as to protect private property with minimal impact to natural process.
- BRE-P3.1.5 To provide for uses that support, supply or facilitate port and/or maritime activity.
- BRE-P3.1.6 To provide water-based recreational and/or sporting activities, including associated club rooms that support water-based community activity.

BRE-P3.2 Local Area Objectives

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

BRE-P3.3 Definition of Terms

Terms	Definition
Golden Fleece Bridge	means the bridge shown on in Figure BRE-P3.1.
Stormwater management report	means a report prepared by a suitably qualified person for a site, that must include: <ul style="list-style-type: none"> (a) details of, and be signed by, the person who prepared or verified the report; (b) confirmation that the person has the appropriate qualifications and expertise; and (c) addresses all the relevant matters specifically required by clause BRE-P3.7.2 P2.



Figure BRE-P3.1 Location of the Golden Fleece Bridge

BRE-P3.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Bulky Goods Sales	If for boat sales, shipping supplies or other maritime purposes.
Emergency Services	If: (a) for additions to buildings existing at the effective date; and (b) located north of the Golden Fleece Bridge.
Pleasure Boat Facility	
Port and Shipping	If not for a shipping container storage.
Tourist Operation	If: (a) for marine, aquatic or aviation based operations; and (b) not south of the Golden Fleece Bridge.
Utilities	If not listed as No Permit Required.

Use Class	Qualification
Vehicle Parking	If located north of the Golden Fleece Bridge.
Discretionary	
Food Services	
Port and Shipping	If not listed as Permitted.
Sports and Recreation	If for water-based recreational and/or sporting activities, including associated club rooms.
Tourist Operation	If not listed as Permitted.
Prohibited	
All other uses	

BRE-P3.5 Use Standards

BRE-P3.5.1 Amenity

Objective:	That use in the zone does not significantly impact on the amenity of sensitive uses in adjoining zones.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Use must be set back from the boundary of the General Residential zone or a sensitive use in other zones by a distance not less than 50m.</p>	<p>P1</p> <p>Use must not cause unreasonable disturbances or loss of amenity to sensitive uses in adjoining zones, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics and frequency of emissions generated; (b) the nature of the proposed use; (c) the topography of the site and location of the sensitive use; and (d) any proposed mitigation measures. 	

BRE-P3.5.2 Discretionary use

Objective:	That the location, scale and extent of a use listed as Discretionary is compatible with landscape values of the adjoining open space zone.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>A Discretionary use must not be located within 50m of an Open Space Zone.</p>	<p>P1</p> <p>Use listed as Discretionary must be compatible with the landscape amenity of the adjoining open space zone, having regard to:</p>	

	<ul style="list-style-type: none"> (a) the nature, scale and extent of the use; (b) the characteristics and type of the use; (c) the coastal character of the area; and (d) measures to minimise or mitigate impacts.
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BRE-P3.6 Development Standards for Buildings and Works

BRE-P3.6.1 Building height and siting

Objective:	That building height and siting is compatible with the coastal character of the area.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building height must be not more than 6m.</p>	<p>P1</p> <p>Building height must be compatible with the coastal character of the area, having regard to:</p> <ul style="list-style-type: none"> (a) the bulk, scale, siting and form of the building; (b) separation from existing uses on adjoining properties; and (c) any buffers created by natural or other features.
<p>A2</p> <p>Buildings must have a setback from a frontage not less than 10m.</p>	<p>P2</p> <p>Buildings must have a setback from a frontage that provides adequate space for vehicle access, parking and landscaping, and must be compatible with the coastal character of the area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the setback of buildings on adjacent properties; (c) the safety of road users; and (d) the retention and enhancement of existing public access to the foreshore.
<p>A3</p> <p>Storage areas must not be located between the building and the frontage.</p>	<p>P3</p> <p>Storage areas must be sited and designed in a manner that will not have an adverse impact on visual amenity, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the storage area; and (b) any screening treatment proposed.

BRE-P3.6.2 Outdoor storage

Objective:	That outdoor storage areas do not detract from the appearance of the site or surrounding area.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.</p>	<p>P1</p> <p>Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.</p>

BRE-P3.7 Development Standards for Subdivision

BRE-P3.7.1 Subdivision

Objective:	<p>That each lot:</p> <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have an area of not less than 2000m² and <ul style="list-style-type: none"> (i) be able to contain a circle of not less than 20m in diameter, clear of: <ul style="list-style-type: none"> a. all setbacks required by sub-clause BRE-P3.6.1 A1, A2 and A3; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2; (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions to allow for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) adequate provision of private open space; (e) the pattern of development existing on established properties in the area; and (f) any constraints to development, (g) on-site parking and manoeuvrability; and (h) waste disposal.

<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area, (g) and is not less than 3.6m wide.
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BRE-P3.7.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <ul style="list-style-type: none"> (a) have a connection to a full water supply service; or (b) the frontage of each lot must be within 30m of a connection to: <ul style="list-style-type: none"> (i) a full water supply service; or (ii) a limited water supply service. 	<p>P1</p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with an adequate water supply, having regard to:</p> <ul style="list-style-type: none"> (a) the distance from and location of any water supply service; (b) flow rates; (c) the quality of potable water; (d) any existing or proposed infrastructure to provide a water service and its location; (e) the nature and source of the water supply; (f) the topography of the site; and (g) any advice from a regulated entity. 	

<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p>P2</p> <p>Stormwater must only be discharged from the site in a manner that will not cause an environmental nuisance, 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); (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 predevelopment levels of the subdivision; (c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design⁵ (WSUD) techniques are proposed within the subdivision and the appropriateness of their location; (d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance; and (e) the advice in a stormwater management report.
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BRE-P3.8 Tables

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

⁵ Water Sensitive Urban Design Engineering Procedures for Stormwater Management in Southern Tasmania or the Model for Urban Stormwater Improvement Conceptualisation (MUSIC), a nationally recognised stormwater modelling software package used to assess land development proposals based on local conditions including rainfall, land use and topography, is recognised as current best practice.

BRE-S1.0 Safeguarding St Helens Aerodrome Specific Area Plan

BRE-S1.1 Plan Purpose

The purpose of the Safeguarding St Helens Aerodrome Specific Area Plan is:

- BRE-S1.1.1 To ensure that development does not compromise future expansion of the runway and therefore the future safe air navigation.

BRE-S1.2 Application of this Plan

BRE-S1.2.1 The specific area plan applies to the area of land designated as Safeguarding St Helens Aerodrome Specific Area Plan on the overlay maps and shown in Figure BRE-S1.1.

BRE-S1.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in addition to the provisions of:

- (a) Landscape Conservation Zone; and
- (b) Utilities Zone,

as specified in the relevant provision.

BRE-S1.3 Local Area Objectives

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

BRE-S1.4 Definition of Terms

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

BRE-S1.5 Use Table

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

BRE-S1.6 Use Standards

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

BRE-S1.7 Development Standards for Buildings and Works

BRE-S1.7.1 Protection of airspace

This clause is in addition to the Landscape Conservation Zone – clause 22.4.2 and the Utilities Zone – clause 26.4.1.

Objective:	Buildings and works do not compromise the potential expansion of the runway and future operational air safety of the airport.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Buildings and works must not compromise the potential expansion of the runway and future operational air safety of the airport, having regard to:</p> <ul style="list-style-type: none"> (a) any advice provided by: Airservices Australia; (b) The Civil Aviation Safety Authority; or (c) The airport operator.

BRE-S1.8 Development Standards for Subdivision

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

BRE-S1.9 Tables

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

BRE-S2.0 Stormwater Management Specific Area Plan

BRE-S2.1 Plan Purpose

The purpose of the Stormwater Management Specific Area Plan is:

- BRE-S2.1.1 That stormwater quality and quantity is managed to protect natural assets, infrastructure and property.

BRE-S2.2 Application of this Plan

- BRE-S2.2.1 The specific area plan applies to the area of land designated as Stormwater Management Specific Area Plan on the overlay maps.

- BRE-S2.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in addition to the provisions of:

- (a) General Residential Zone;
- (b) Low Density Residential Zone;
- (c) Village Zone;
- (d) Local Business Zone;
- (e) General Business Zone;
- (f) General Industrial Zone; and
- (g) Community Purpose Zone,

as specified in the relevant provision.

BRE-S2.3 Local Area Objectives

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

BRE-S2.4 Definition of Terms

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

BRE-S2.5 Use Table

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

BRE-S2.6 Use Standards

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

BRE-S2.7 Development Standards for Buildings and Works

BRE-S2.7.1 Stormwater management

This clause is in addition to:

- (a) General Residential Zone - clause 8.4 Development Standards for Dwellings and clause 8.5 Development Standards for Non-Dwellings
- (b) Low Density Residential Zone - clause 10.4 Development Standards for Dwellings and clause 10.5 Development Standards for Non-Dwellings;
- (c) Village Zone - clause 12.4 Development Standards for Building and Works;
- (d) Local Business Zone - clause 14.4 Development Standards for Building and Works;
- (e) General Business Zone - clause 15.4 Development Standards for Building and Works;
- (f) General Industrial Zone - clause 19.4 Development Standards for Building and Works; and
- (g) Community Purpose Zone - clause 27.4 Development Standards for Building and Works.

Objective:	That development provides for adequate stormwater management.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Development must be:</p> <ul style="list-style-type: none"> (a) capable of connecting to the public stormwater system; or (b) permitted by the General Manager to discharge stormwater to a system other than the public stormwater system. 	<p>P1</p> <p>Development must be capable of accommodating an on-site stormwater management system adequate for the development, having regard to:</p> <ul style="list-style-type: none"> (c) topography of the site; (d) the size and shape of the site; (e) soil conditions; (f) any existing buildings and any constraints imposed by existing development on the site; (g) any area of the site covered by impervious surfaces; (h) any watercourses on the land; (i) stormwater quality and quantity management targets identified in the State Stormwater Strategy 2010; and (j) any advice from a suitably qualified person on the seasonal water table at the site, risks of inundation, land instability or coastal erosion.

BRE-S2.8 Development Standards for Subdivision

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

BRE-S2.9 Tables

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

BRE-Site-specific Qualifications

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
BRE-11.1	12 Main Road, Weldborough	148985/1 234011/1 226420/1 247287/1 104676/10	An additional Discretionary Use Class for this site is: Hotel Industry with the qualification "If for alterations or additions to the Weldborough Hotel site."	Rural Living Zone - clause 11.2 Use Table
BRE-22.1	5 West Street, St Helens	131158/3	An additional Discretionary Use Class for this site is: Tourist Operation.	Landscape Conservation Zone - clause 22.2 Use Table

BRE-Code Lists

BRE-Table C3.1 Other Major Roads

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

BRE-Table C6.1 Local Heritage Places

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRE-C6.1.1	Not applicable	Ansons Bay	Not applicable	Not applicable	Not applicable	Description Bayley Rocks Specific Extent 30ha area 3km NE of Ansons Bay
BRE-C6.1.2	Not applicable	Ansons Bay	Not applicable	Not applicable	Not applicable	Description Bay of Fires Area Specific Extent 17ha area 6km SSE of Ansons Bay
BRE-C6.1.3	Not applicable	Blue Tier	Not applicable	Not applicable	Not applicable	Description

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Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
						Chintok Battery Complex
BRE-C6.1.4	Not applicable	Blue Tier	Not applicable	Not applicable	Not applicable	Description Blue Tier Rainforest
BRE-C6.1.5	Not applicable	Blue Tier	Not applicable	Not applicable	Not applicable	Description Bartholomew Griffiths Tunnel
BRE-C6.1.6	599	Eddystone Point	2986 Eddystone Point Road	Not applicable	Not applicable	Description Eddystone Light Station Specific Extent PID 6804536
BRE-C6.1.7	Not applicable	Eddystone Point	2986 Eddystone Point Road	Not applicable	Not applicable	Description Stone Cottages Specific Extent PID 6804536
BRE-C6.1.8	Not applicable	Eddystone Point	Not applicable	Not applicable	Not applicable	Description Georges Rock Nature Reserve Specific Extent 8km south of town
BRE-C6.1.9	Not applicable	Falmouth	Legge Street	Not applicable	108853/1	Description Falmouth Cemetery
BRE-C6.1.10	554	Falmouth	22464 Tasman Highway	Glencoe	Not applicable	Specific Extent PID 2751369
BRE-C6.1.11	553	Falmouth	22746 Tasman Highway	Enstone Park	141662/3	Not applicable
BRE-C6.1.12	Not applicable	Falmouth	Not applicable	Not applicable	Not applicable	Description St Partick's Foreland Specific Extent 11km SSE of town
BRE-C6.1.13	561	Fingal	Victoria Street	St Joseph's Catholic Church	Not applicable	Specific Extent PID 6412890
BRE-C6.1.14	560	Fingal	Seymour Street	St Andrew's Uniting Church	36242/1	Not applicable
BRE-C6.1.15	565	Fingal	Seymour Street	Not applicable	7/688	Description Schoolmaster's House and Primary School

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Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
						Specific Extent PID 6411900
BRE-C6.1.16	571	Fingal	4 Talbot Street	Not applicable	37857/1	Description Talbot Arm – Fingal Hotel
BRE-C6.1.17	5903	Fingal	3 Short Street	Not applicable	146213/1	Description Railway Station
BRE-C6.1.18	573	Fingal	2 Talbot Street	St Peter's Anglican Church	125334/1	Not applicable
BRE-C6.1.19	574	Fingal	57 Talbot Street	Not applicable	Not applicable	Description Stables Specific Extent PID 2623711
BRE-C6.1.20	5898	Fingal	11 Talbot Street	Kath's Milk Bar	29092/1	Description Shop (Sarich)
BRE-C6.1.21	5893	Fingal	4 Short Street	Council Chambers (Town Hall)	234290/1	Not applicable
BRE-C6.1.22	5894	Fingal	9 Talbot Street	Not applicable	196790/1	Description Fingal Post Office
BRE-C6.1.23	Not applicable	Fingal	22 Legge Street	Not applicable	20031/4	Description Yates Clog Factory
BRE-C6.1.24	566	Fingal	1 Stieglitz Street	Not applicable	234289/1	Description Convict Cells
BRE-C6.1.25	567	Fingal	2 Short Street	Not applicable	231468/1	Description Police Magistrate's House
BRE-C6.1.26	5918	Fingal	Legge Street	Fingal Probation Station	244747/8	Description Former Hospital
BRE-C6.1.27	10254	Fingal	14-16 Stieglitz Street	Fingal Probation Station	213930/4	Description 2 Houses
BRE-C6.1.28	10255	Fingal	18-20 Stieglitz Street	Fingal Probation Station	218997/3	Description House
BRE-C6.1.29	10256	Fingal	17 Russell Street	Fingal Probation Station	229216/6	Description Part of Fingal Probation Station
BRE-C6.1.30	559	Fingal	13 Russell Street	Fingal Probation Station	225097/1	Description Superintendent's Quarters
BRE-C6.1.31	570	Fingal	20 Talbot Street	Not applicable	17192/1	Description Former Tasmanian Hotel
BRE-C6.1.32	576	Fingal	31 Talbot Street	Not applicable	102652/2	Description

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Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
						Holders Store (two-storey dwelling)
BRE-C6.1.33	577	Fingal	33 Talbot Street	Not applicable	102652/1	Description Holders Store (shop section)
BRE-C6.1.34	556	Fingal	3635 Esk Main Road	Ormley	Not applicable	Specific Extent PID 2867898
BRE-C6.1.35	557	Fingal	3837 Esk Main Road	Rostrevor	Not applicable	Specific Extent PID 2867812
BRE-C6.1.36	558	Fingal	Mathinna Road	Malahide	29296/1 232668/1 232610/1 249994/2 242544/5 235523/1 249994/1 232669/1 131050/1 242544/6 242544/2 249994/3 119075/1 108669/1 202080/1 226339/1 119376/1 242544/3 234873/1 202081/1 242544/4 251643/1 133911/1 232611/1 245003/1 245002/1 131050/2 244595/1	Not applicable
BRE-C6.1.37	582	Goulds Country	317 Lottah Road	Not applicable	Not applicable	Description Council Chambers (former c1900)
BRE-C6.1.38	Not applicable	Goulds Country	20 Church Hill Road	Not applicable	235129/1	Description School House (former c1890)
BRE-C6.1.39	585	Goulds Country	320 Lottah Road	St Gabriel's Anglican Church	229707/1	Not applicable
BRE-C6.1.40	587	Goulds Country	165 Lottah Road	Union Church and Cemetery	203758/4	Not applicable

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Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRE-C6.1.41	Not applicable	Goulds Country	316 Lottah Road	Not applicable	130126/4	Description House - Former Post Office / Bakery
BRE-C6.1.42	5912	Mangana	26 Elizabeth Street	Mangana Catholic Church	Not applicable	Specific Extent PID 6413463
BRE-C6.1.43	5914	Mangana	13 Argyle Street	Not applicable	131665/1	Description Former Mangana School
BRE-C6.1.44	5913	Mangana	25 Elizabeth Street	Not applicable	133481/1	Description Mining Shop and Residence
BRE-C6.1.45	5908	Mathinna	104 High Street	Not applicable	252653/9	Description General Store and Post Office
BRE-C6.1.46	7957	Mathinna	4 Dunn Street	St George's Anglican Church	205368/1	Not applicable
BRE-C6.1.47	8347	Mathinna	35 King Street	Mathinna Catholic Church	134919/1	Not applicable
BRE-C6.1.48	Not applicable	Mathinna	Not applicable	Not applicable	Not applicable	Description Mount Victoria Rock Shelters Specific Extent 14km NNW of town
BRE-C6.1.49	Not applicable	Mathinna	Not applicable	Not applicable	Not applicable	Description Evercreech Forest Reserve Specific Extent 11km NE of town
BRE-C6.1.50	588	Pyengana	250 St Columba Falls Road	Not applicable	111273/5	Description Pyengana Hotel
BRE-C6.1.51	Not applicable	Scamander	Not applicable	Not applicable	Not applicable	Description Shelly Point Specific Extent 2km NW of town
BRE-C6.1.52	Not applicable	Stieglitz	St Helens Point Road	Not applicable	Not applicable	Description Chimney Lagoon
BRE-C6.1.53	Not applicable	Stieglitz	Aerodrome Road	Not applicable	Not applicable	Description Jocks Lagoon – Ramsar Wetland
BRE-C6.1.54	590	St Helens	295 Binalong Bay Road	Not applicable	138486/1	Description Black Swan Inn

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Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRE-C6.1.55	597	St Helens	12-14 Tasman Highway	Fairlea Homestead	35376/3	Not applicable
BRE-C6.1.56	593	St Helens	44 Cecilia Street	Not applicable	31503/2	Description Former Post Office
BRE-C6.1.57	598	St Helens	2 Tasman Highway	Queechy Homestead	123557/5 116055/1 123557/1	Not applicable
BRE-C6.1.58	594	St Helens	58 Cecilia Street	St Paul's Anglican Church	246160/1	Not applicable
BRE-C6.1.59	595	St Helens	60 Cecilia Street	Shop / Gallery	152076/1	Not applicable
BRE-C6.1.60	Not applicable	St Helens	Tully Street	Not applicable	Not applicable	Description Church of England Cemetery Specific Extent PID 6800754
BRE-C6.1.61	602	St Marys	6870 Esk Main Road	Cullenswood Estate	135934/1 135935/1	Not applicable
BRE-C6.1.62	602	St Marys	6870 Esk Main Road	Christ Church and Cemetery	135934/1 135935/1	Not applicable
BRE-C6.1.63	5905	St Marys	4529 Esk Main Road	Tullochgorum Railway Station	Not applicable	Specific Extent PID 6413260
BRE-C6.1.64	605	St Marys	365 Harefield Road	Harefield	120204/1 121724/1 121724/2	Not applicable
BRE-C6.1.65	604	St Marys	6332 Esk Main Road	Killymoon	100588/2 48313/1 142934/1	Not applicable
BRE-C6.1.66	606	St Marys	52 Main Street	Not applicable	20688/1	Description Bakery
BRE-C6.1.67	607	St Marys	50 Main Street	Not applicable	119315/1	Description Bakery Residence
BRE-C6.1.68	613	St Marys	Main Street	Not applicable	Not applicable	Description Railway Station Specific Extent PID 2554912
BRE-C6.1.69	10740	St Marys	Main Street	Not applicable	Not applicable	Description Rail yard tank, platform, ramp Specific Extent PID 2554912
BRE-C6.1.70	612	St Marys	48 Main Street	St Marys Hotel	53274/1	Not applicable

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRE-C6.1.71	5906	St Marys	58-76 Gray Road	Not applicable	111915/1	Description Slab Slaughter House
BRE-C6.1.72	610	St Marys	38 Main Street	Not applicable	38464/1	Description Valley Trading Company
BRE-C6.1.73	616	Weldborough	12 Main Road	Weldborough Hotel	148985/1 234011/1 226420/1 247287/1 104676/10	Not applicable
BRE-C6.1.74	615	Weldborough	51 Main Road	Not applicable	111716/1	Description Cottages (Bakker)

BRE-Table C6.2 Local Heritage Precincts

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

BRE-Table C6.3 Local Historic Landscape Precincts

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

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

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

BRE-Table C6.5 Significant Trees

Reference Number	Town/ Locality	Property Name and Street Address	Folio of the Register	Description / Specific Extent	Botanical Name	Common Name	No. of trees
BRE-C6.5.1	Binalong Bay	Binalong Bay Foreshore and Gulch	Not applicable	Blue swift parrot breeding habitat Paperbark trees act as filter from storm water and remnant of significant vegetation community Remnant stand of blue gums on foreshore	Melaleuca ericifolia Eucalyptus globulus	Swamp paperbark and Blue Gum	45
BRE-C6.5.2	St Helens	Cameron Street	Not applicable	Avenue thought to have been planted by children during the 1930s	Corymbia ficifolia Quercus robur	Red Flowering Gum and Oak Tree	10
BRE-C6.5.3	Scamander	Scamander Avenue	Not applicable	Main Avenue though Scamander	Corymbia ficifolia	Red Flowering Gum	23
BRE-C6.5.4	Goulds Country	Union Church, 165 Lottah Road	229707/1	Planted in memory of Gordon and Norman Steel, killed in WW1. Sons of Percival Steel	Cypress	Pine Tree	2
BRE-C6.5.5	St Helens	Beauty Bay	Not applicable	Prime example of unpruned species	Quercus robur	Oak Tree	1
BRE-C6.5.6	St Helens	Parkside Jetty	Not applicable	Notable leaning foreshore tree	Eucalyptus species	Horizontal Gum Tree	1
BRE-C6.5.7	St Helens	Cecilia Street	Not applicable	Main avenue of trees in various stages	Ulmus procera	Avenue Trees	38
BRE-C6.5.8	St Helens	Tully Street	Not applicable	Long continuous avenue of trees on both sides of road	Ulmus ssp.	Avenue Elm Trees	63
BRE-C6.5.9	St Marys	Main Street	Not applicable	Main avenue of trees in two stages of life	Tillia cordata Quercus ssp.	Avenue ssp. Trees	44
BRE-C6.5.10	St Helens	Memorial Park 39-41 Cecilia Street	148070/1	Planted to commemorate WW1 battles	Phoenix canariensis	Palm Trees	2
BRE-C6.5.11	St Helens	Medea Park	31647/2	One of three large magnolias	Magnolia grandiflora	Magnolia	1

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				Covenant on title protecting tree from removal or lopping			
BRE-C6.5.12	St Helens	20-22 Cecilia Street	56991/1	One of three large magnolias	Magnolia grandiflora	Magnolia	1
BRE-C6.5.13	St Helens	Catholic Church, 79 Cecilia Street	222710/1	Best example of species	Quercus robur	Oak Tree	1
BRE-C6.5.14	St Helens	Tully Street Cemetery	Not applicable	Good specimen and unusual species for Break O'Day	Araucaria bidwillii	Bunya Pine Tree	1
BRE-C6.5.15	Falmouth	Enstone Park, 22464 Tasman Highway	168326/1	Very large old walnut tree from early settlement; claimed to be the largest in southern hemisphere	Juglans species	Walnut Tree	1

BRE-Table C8.1 Scenic Protection Areas

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

BRE-Table C8.2 Scenic Road Corridors

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
BRE-C8.2.1	Tasman Highway – Great Eastern Drive. - Extends from the southern boundary of the planning area to St Helens	A diverse, ever-changing mix of landscapes either side of the Great Eastern Drive. The road provides views of the coastline, agricultural landscapes, bushland and other reserves.	(a) To maintain the dominant landscape elements when viewed from public roads; and (b) To reduce the visual contrast between buildings and works and the natural landscape.
BRE- C8.2.2	Esk Main Road - Running east-west from near Falmouth to further the western boundary of the planning area via	A rural and bush landscape, which changes as road users shift from the coastal to and inland setting.	(a) To maintain the dominant landscape elements when viewed from public roads; and (b) To reduce the visual contrast between buildings

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Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
	St Marys and Fingal		and works and the natural landscape.
BRE-C8.2.3	Elephant Pass Road - Extends north-south from St Marys to the Tasman Highway near Chain of Lagoons	A diverse mix of landscapes including bushland and rocky hills.	(a) To maintain the dominant landscape elements when viewed from public roads;; and (b) To reduce the visual contrast between buildings and works and the natural landscape.
BRE-C8.2.4	Eddystone Point Road and Ansons Bay Road - Extends north-south from Eddystone Point to St Helens	An ever-changing mix of landscapes that provides views of the coastline and bushland.	(a) To maintain the dominant landscape elements when viewed from public roads;; and (b) To reduce the visual contrast between buildings and works and the natural landscape.
BRE-C8.2.5	Binalong Bay Road and Gardens Road - Extends north-south from The Gardens to St Helens	An ever-changing mix of landscapes that provides views of the coastline and bushland.	(a) To maintain the dominant landscape elements when viewed from public roads; and (b) To reduce the visual contrast between buildings and works and the natural landscape.
BRE-C8.2.6	Mathinna - Running north-south from Mathinna to Fingal	A predominately vast rural landscape with an undulating ridgeline.	(a) To maintain the rural landscape as the dominant landscape element when viewed from public roads; and (b) To reduce the visual contrast between buildings and works and the natural landscape.
BRE-C8.2.7	St Columbia Falls Road - East-west from the Tasman Highway at Pyengana to St Columba Falls	A diverse landscape that extends from a cleared rural landscape in the east to forestry and vegetation in the west.	(a) To maintain the dominant landscape elements when viewed from public roads; and (b) To reduce the visual contrast between buildings and works and the natural landscape.
BRE-C8.2.8	Lottah Road	A diverse landscape that extends from a cleared rural landscape in the east to forestry and vegetation in the west.	(a) To the dominant landscape elements when viewed from public roads; and (b) To reduce the visual contrast between buildings and works and the natural landscape.

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

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
Ansons Bay	1	1.8	2.5	2.2
Beaumaris	1	1.8	2.5	2.2
Binalong Bay	1	1.8	2.5	2.2
Douglas River	0.9	1.8	2.5	2.2
Falmouth	1	1.8	2.5	2.2
Four Mile Creek	0.9	1.8	2.5	2.2
Scamander	1	1.8	2.5	2.2
Seymour	1	1.8	2.5	2.2
St Helens	1	1.8	2.5	2.2
Stieglitz	1	1.8	2.5	2.2
The Gardens	1	1.8	2.5	2.2
Upper Scamander	1	1.8	2.5	2.2
All other localities	1	1.8	2.5	2.2

BRE-Applied, Adopted or Incorporated Documents

Document Title	Publication Details	Relevant Clause in the LPS
<i>Practice Note Guideline for Landslide Risk Management 2007</i>	Australian Geomechanics Society Landslide Taskforce, Landslide Practice Note Working Group	BRE-P1.6.5 P1
<i>State Stormwater Strategy 2010</i>	DPIPWE, 2010	BRE-S2.7.1