



# Meander Valley Interim **Planning** Scheme 2013



# **Meander Valley Interim Planning Scheme**

2013

## 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
1.0	16 Oct 2013	For declaration under S.30F of the Land Use Planning and Approvals Act 1993
2.0	8 January 2014	PD1 modifications
3.0	28 February 2014	PD4.1 modifications
4.0	18 June 2014	PD1 and PD4.1 modifications
5.0	17 February 2016	PD1 minor modifications
6.0	23 February 2016	Insert Interim Planning Directive No 1
7.0	23 February 2016	Amendment 01/2015
8.0	10 March 2016	Amendment 02/2015
9.0	6 January 2017	Amendment 04/2015
10.0	23 February 2017	Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code
11.0	1 June 2017	Amendment 03/2015
12.0	2 August 2017	Amendment MEA UA2-2017
13.0	4 August 2017	Amendment MEA UA3-2017
14.0	1 September 2017	PD 5.1 modifications – Bushfire-Prone Areas Code
15.0	25 January 2018	Amendment MEA UA4-2017
16.0	18 May 2018	Amendment 01/2017
17.0	23 August 2018	Amendment MEA UA1-2018
18.0	24 March 2020	Amendment 01-2019

# Contents

## PART A PURPOSE AND OBJECTIVES

1	IDENTIFICATION OF THE PLANNING SCHEME	A-1
2	PLANNING SCHEME PURPOSE	A-1
3	PLANNING SCHEME OBJECTIVES	A-3

## PART B ADMINISTRATION

4	INTERPRETATION	B-1
5	GENERAL EXEMPTIONS	B-12
6	LIMITED EXEMPTIONS	B-14
7	PLANNING SCHEME OPERATION	B-19
8	ASSESSMENT OF AN APPLICATION FOR USE OR DEVELOPMENT	B-20

## PART C SPECIAL PROVISIONS

9	SPECIAL PROVISIONS	C-1
---	--------------------	-----

## PART D ZONES

10	GENERAL RESIDENTIAL ZONE	10-1
11	INNER RESIDENTIAL ZONE	11-1
12	LOW DENSITY RESIDENTIAL ZONE	12-1
13	RURAL LIVING ZONE	13-1
14	ENVIRONMENTAL LIVING ZONE	14-1
15	URBAN MIXED USE ZONE	15-1
16	VILLAGE ZONE	16-1
17	COMMUNITY PURPOSE ZONE	17-1
18	RECREATION ZONE	18-1
19	OPEN SPACE ZONE	19-1
20	LOCAL BUSINESS ZONE	20-1
21	GENERAL BUSINESS ZONE	21-1
22	CENTRAL BUSINESS ZONE	22-1
23	COMMERCIAL ZONE	23-1
24	LIGHT INDUSTRIAL ZONE	24-1
25	GENERAL INDUSTRIAL ZONE	25-1
26	RURAL RESOURCE ZONE	26-1
27	SIGNIFICANT AGRICULTURAL ZONE	27-1
28	UTILITIES ZONE	28-1
29	ENVIRONMENTAL MANAGEMENT ZONE	29-1
30	MAJOR TOURISM ZONE	30-1
31	PORT AND MARINE ZONE	31-1
32	PARTICULAR PURPOSE ZONE – PROSPECT VALE FUTURE URBAN GROWTH AREA	32-1

## **Part E Codes**

E1	BUSHFIRE-PRONE AREAS CODE	E1-1
E2	POTENTIALLY CONTAMINATED LAND CODE	E2-1
E3	LANDSLIP CODE	E3-1
E4	ROAD AND RAILWAY ASSETS CODE	E4-1
E5	FLOOD PRONE AREAS CODE	E5-1
E6	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	E6-1
E7	SCENIC MANAGEMENT CODE	E7-1
E8	BIODIVERSITY CODE	E8-1
E9	WATER QUALITY CODE	E9-1
E10	OPEN SPACE & RECREATION CODE	E10-1
E11	ENVIRONMENTAL IMPACTS AND ATTENUATION CODE	E11-1
E12	AIRPORTS IMPACT MANAGEMENT CODE	E12-1
E13	HERITAGE CODE	E13-1
E14	SIGNAGE CODE	E14-1
E15	KARST MANAGEMENT CODE	E15-1
E16	URBAN SALINITY CODE	E16-1

## **PART F SPECIFIC AREA PLANS**

F1	BIRRALEE ROAD INDUSTRIAL PRECINCT - SPECIFIC AREA PLAN	F1-1
F2	HADSPEN SPECIFIC AREA PLAN	F2-1
F3	CARRICK RURAL LIVING SPECIFIC AREA PLAN	F3-1
F4	HARLEY PARADE SPECIFIC AREA PLAN	F4-1
F5	WESTBURY ROAD SPECIFIC AREA PLAN	F5-1

## **PART G APPENDICES**

1.	REFERENCED AND INCORPORATED DOCUMENTS	G1-1
2.	PLANNING SCHEME AMENDMENTS	G2-1



# 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 **Meander Valley 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) **Meander Valley Interim Planning Scheme 2013 – Zoning – 1: 100,000; 1:50,000; 1: 25,000 and 1:5000 Series.**
  - b) **Meander Valley Interim Planning Scheme 2013 – Overlays - 1: 100,000; 1:50,000; 1: 25,000 and 1:5000 Series.**
  - c) **Meander Valley Interim Planning Scheme 2013 - Karst Management Series – 1:25,000 (Maps 1-31)**

### 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 Strategy of Northern Tasmania, 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 Meander Valley Interim Planning Scheme furthers the Regional Land Use Strategy through the application of zoning and associated uses appropriate to the settlement and activity centre hierarchies. To this end, the Inner Residential, Central Business, Commercial and Significant Agriculture zones under the Planning Directive 1 Template were not used in this planning scheme.

Planning Directive 1 also provides for Particular Purposes zones for long term strategic outcomes or those sites and activities that cannot 'fit' within the normal zoning regime. A Particular Purpose Zone has been provided to acknowledge and protect the long term urban growth capabilities of the growth corridor at Prospect Vale which is a contiguous part of the Greater Launceston Area.

Local provisions for use and development have been included as additional standards where these are considered necessary to deliver the Local Area Objectives and Desired Future Character Statements unique to Meander Valley circumstances. Regional strategies for the protection of natural systems and the management of natural hazards have resulted in the inclusion of a Karst Management Code and an Urban Salinity Code.

## 3 Planning Scheme Objectives

### 3.1 Changing Communities

#### 3.1.1 Planning for Population Change

- Ensure land use and development is responsive to the changing level and distribution of population in the Meander Valley.
- Provide for community facilities where there is a projected future demand and where growth can be successfully integrated into existing settlements.
- Provide land for future housing development that reflects the changing demographic trends in the municipality and reflect predicted levels of growth.
- Ensure development, especially in new residential areas, provides for housing for older people, community and commercial facilities that cater for a range of age-based needs and alternative means of transport.

#### 3.1.2 Education, health and community services

- Ensure health and community services can locate in and provide services within existing and developing communities.

#### 3.1.3 Recreation and open space

- Ensure protection of important existing recreational areas and provide for new areas and facilities that are well connected.

#### 3.1.4 Access

- Ensure that development is located, designed and constructed to be accessible to members of the community.

#### 3.1.5 Low-density Residential Development in Rural Areas

- Promote low density residential and rural lifestyle development in specifically zoned areas provided the location and design of such development fulfils criteria related to:
  - the protection of agricultural land;
  - respect for conservation values;
  - landscape protection;
  - services and infrastructure;
  - roads and drainage and utility standards.



## **3.2 Improving Transport and Infrastructure**

### **3.2.1 Integrating Transport and Planning**

- Ensure development does not compromise the safe, effective and efficient operation of the transport network and provide opportunity for alternative modes of transport.
- Consolidate traffic-generating development into existing settlements or identified hubs, and discourage such development outside of these areas.
- To ensure appropriate protection is afforded state roads and limited access roads, and that individual development is served by safe and efficient access.

### **3.2.2 New Urban Infrastructure**

- New urban development is to be provided with appropriate levels of residential services including water supply, sewerage reticulation of sufficient capacity, reticulated stormwater drainage with satisfactory capacity and treatment and sealed roads with kerbs and gutters.
- Focus development in areas that can be serviced by existing infrastructure systems.

## **3.3 Developing the Economy**

### **3.3.1 Downstream Processing**

- Support the development of primary industry and agricultural industries through the development of downstream processing where appropriate.

### **3.3.2 Small Business Development**

- Support the future development of small business and facilitate development of this sector where appropriate.

### **3.3.3 Promotion of Key Commercial Centres**

- Support the role of the Prospect Vale shopping centre and the Deloraine and Westbury town centres as the key locations of retail and commercial activity in the Meander Valley. Consolidation and protection of these centres will assist in ensuring their continued viability and economic growth.

### **3.3.4 Village and Neighbourhood Centres**

- Support the provision of local retail and commercial facilities in established commercial centres in suburban neighbourhoods and rural villages.

### **3.4 Natural Resource Management**

#### **3.4.1 Biodiversity and Vegetation Management**

- Ensure that the impact of development on biodiversity is considered as an integral part of decision making to support the importance of biodiversity and the maintenance of ecosystems within the municipality.
- Protect high priority vegetation and critical habitat for poorly conserved species and retain corridors as appropriate.
- Support the sustainable development of the water resource and prevent land use that compromises water quality.
- 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 and ecosystem integrity.

#### **3.4.2 Karst Area Management**

- Support cross-tenure planning to ensure consistency, transparency and equitable outcomes for all land managers in attaining karst conservation objectives.

#### **3.4.3 Minimising Environmental Harm and Avoiding Land Use Conflicts**

- Ensure the location of new uses and developments minimises environmental harm and land use conflicts through consideration of the impacts of noise, emissions to air and water, likelihood of bushfire, potential for landslip, the likelihood of flooding, the likelihood of conflict with industrial uses and the need for buffer areas and contaminated land.

### **3.5 Promotion of Tourism, Cultural Heritage and Amenity**

#### **3.5.1 Tourism Development**

- Support tourism development that builds on the Great Western Tiers Tourist Route and the Meander Valley's natural values, rural production, arts and crafts and Indigenous culture.
- Support the development of appropriate access, interpretation and visitor facilities to maximise the tourism potential of the state forests, national parks and World Heritage areas.

### 3.5.2 Cultural Heritage

- Support the appropriate management of the cultural heritage of Meander Valley including Aboriginal heritage, European heritage and the complex cultural landscapes of the valley.
- Ensure sufficient flexibility in the consideration of adaptive reuse of heritage buildings where it will contribute to their survival and ongoing management.

### 3.5.3 Urban Design

- Ensure that new use and development respects the surroundings and contributes to the attractiveness and amenity of settlements through consideration of visual design, landscaping, access for people with disabilities, parking, walking and cycling provisions, community safety and provision of open space.

## 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:  (a) publications classified as restricted under the Classification ( <i>Publications, Films and Computer Games</i> ) ( <i>Enforcement</i> ) Act 1995; and  (b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.
agency	means:  (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	means use of land for a building that contains: (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. It does not include gambling machines or premises included in the Hotel industry use class as described in Table 8.2.
ancillary dwelling	means an additional dwelling: (a) with a floor area not greater than 60m <sup>2</sup> ; (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.
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.
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.
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.
cinema	means use of land to display films, videos or other moving images to persons for reward.
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.
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.
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	means use of part of a dwelling by a resident for non-residential purposes if: (a) no more than 50m <sup>2</sup> 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;

	<p>(c) it does not involve employment of more than 2 workers who do not reside at the dwelling;</p> <p>(d) any load on a utility is no greater than for a domestic use;</p> <p>(e) there is no activity that causes electrical interference to other land;</p> <p>(f) there is, on the site, no storage of hazardous materials;</p> <p>(g) there is, on the site, no display of goods for sale;</p> <p>(h) there is, on the site, no advertising of the business other than 1 sign (non-illuminated) not exceeding 0.2m<sup>2</sup> in area;</p> <p>(i) there is, on the site, no refuelling, servicing or repair of vehicles not owned by a resident;</p> <p>(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</p> <p>(k) all vehicles used by the business are parked on the site.</p>
Hostel	means a supervised place of accommodation, usually supplying board and lodging for students, nurses or the like.
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> <p>(a) lying predominantly behind another lot; and</p> <p>(b) having access to a road by an access strip, private road or right of way.</p>
Land	means as defined in the Act.
Liquid fuel depot	means use of land for the storage, wholesale and distribution of liquid fuel.
Landslide	means the movement of a mass of rock, debris, or earth (soil) down a slope.
Level 2 Activity	means as defined under the <i>Environmental Management and Pollution Control Act 1994</i>
local shop	means the use of land for the sale of grocery or convenience items where the gross floor area does not exceed 200m <sup>2</sup> .
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.
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 <b>Meander Valley Council</b> .
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 open space	means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling.
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 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 strategy	means as defined in the Act.
remand centre	means use of land for an institution to which accused persons are sent for detention while awaiting appearance before a court.
residential aged	means use of land for accommodation and personal or nursing care

care facility	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 bowzers, 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.
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 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.
subdivide	means to divide the surface of a lot by creating estates or interests giving separate rights of occupation otherwise than by: (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 <i>Strata Titles Act 1998</i> ; or (e) an order adhering existing parcels of land.
subdivision	means the act of subdividing or the lot subject to an act of subdividing.
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.
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.

## **5 General Exemptions**

- 5.0.1 Use or development described in subclauses 5.1 – 5.12 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.

### **5.1 Occasional Use**

- 5.1.1 The use of land for occasional sporting, social and cultural events.

### **5.2 Home Occupation**

- 5.2.1 Use of part of a dwelling by a resident for non-residential purposes if:
  - (a) no more than 40m<sup>2</sup> of 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) there is no more than the occasional visitor to the site for non-residential purposes;
  - (e) any load on a utility is no greater than for a domestic use;
  - (f) there is no activity that causes electrical interference to other land;
  - (g) there is, on the site, no storage of hazardous materials;
  - (h) there is, on the site, no display of goods for sale;
  - (i) there is, on the site, no advertising of the home occupation other than 1 sign (non-illuminated) not exceeding 0.2m<sup>2</sup> in area;
  - (j) there is, on the site, no refuelling, servicing or repair of vehicles not owned by a resident;
  - (k) not more than 1 commercial vehicle is on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and
  - (l) any vehicle used for non-residential purposes is parked on the site.

### **5.3 Minor Telecommunications**

- 5.3.1 Telecommunications works within the scope of any of the following:
  - (a) development of low impact facilities as defined in Part 3 of the Telecommunications (Low-impact Facilities) Determination 1997;
  - (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 Telecommunications Act 1997;
- (f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles; or
- (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.

#### **5.4 Maintenance and Repair of Linear and Minor Utilities and Infrastructure**

- 5.4.1 Maintenance and repair 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:
- (a) electricity, gas, sewerage, stormwater and water reticulation to individual streets, lots or buildings;
  - (b) infrastructure such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines; and
  - (c) minor infrastructure such as footpaths and cycle paths, playground equipment, seating and shelters, telephone booths, post boxes, bike racks, fire hydrants, drinking fountains, rubbish bins, public art, traffic control devices and markings, and the like on public land.

#### **5.5 Maintenance and Repair of Buildings**

- 5.5.1 Maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does not contravene a condition of an existing permit which applies to a site.

#### **5.6 Temporary Buildings or Works**

- 5.6.1 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.

#### **5.7 Emergency Works**

- 5.7.1 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.

#### **5.8 Strata Division**

- 5.8.1 Division by strata titles of lawfully constructed or approved buildings for a use granted a permit under this planning scheme or previously lawfully approved.

## **5.9 Demolition of exempt buildings**

- 5.9.1 The demolition in whole or in part of a building, the erection of which would be exempt under this planning scheme.

## **5.10 Change of Use**

- 5.10.1 The change in use of land from a lawful use in a use class to another use in the same use class is exempt where -

- (a) the change is not otherwise prohibited or restricted by any provision of the scheme;
- (b) the use remains compliant with all applicable provisions of the scheme;
- (c) the use continues to comply with the requirements of any permit granted under the scheme or under a previous scheme; and
- (d) there is no increase in -
  - i. the total floor area of the use;
  - ii. demand and provision for parking;
  - iii. any external dimensions or substantive appearance
  - iv. the nature of emissions;
  - v. required capacity of utility services;
  - vi. arrangements for vehicular access to and from the land;
  - vii. arrangements for the receipt or dispatch of goods and products;
  - viii. site treatment, including areas specified for landscaping and signage; or
  - ix. the existing hours of operation if otherwise than between 8.00am and 6.00pm Monday to Saturday inclusive.

## **5.11 Signage**

- 5.11.1 Signage exempt from the Signage Code described in subclauses E14.4.1 – E14.4.4.

## **5.12 Navigation aids**

- 5.12.1 The erection, maintenance or repair of navigation aids, other than a lighthouse, 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.

# **6 Limited Exemptions**

## **6.1 Minor Structures and Outbuildings**

- 6.1.1 A permit under this planning scheme is not required for a use or development described in subclauses 6.1.2 and 6.1.3 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 that is to be undertaken.

- 6.1.2 If 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, hot water cylinders and air-conditioners.
- 6.1.3 Minor structures that are incidental to any use or development including:
- (a) a maximum of 2 masts for telecommunications or flagpoles provided each are no more than 6m in length;
  - (b) one satellite dish no more than 2m in diameter; and
  - (c) solar collector panels and photovoltaic cells on a roof.
- 6.1.4 A permit under this planning scheme is not required for a use or development described in subclauses 6.1.5 and 6.1.6 unless there is:
- (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 1m<sup>2</sup> 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 as shown in the planning scheme;
  - (d) the removal of any threatened vegetation; or
  - (e) land located within 30m of a wetland or watercourse;
- 6.1.5 Construction, placement or demolition of minor outbuildings or structures if:
- (a) no new outbuilding is closer to a street frontage than the main building is;
  - (b) the gross floor area of each outbuilding or structure does not exceed 9m<sup>2</sup> and a combined total area of such buildings or structures does not exceed 20m<sup>2</sup>;
  - (c) no side is longer than 3m;
  - (d) no part of the outbuilding or structure is higher than 2.4m above natural ground level;
  - (e) the maximum change of level as a result of cut or fill is 1m; and
  - (f) no part of the outbuilding encroaches on any service easement or is within 1m of any underground service.
- 6.1.6 Construction, placement or demolition of an unroofed deck not attached to or abutting a building, that has a floor level less than 1m above natural ground level and is at least 1m from any boundary.

## **6.2 Provision and Upgrades of Linear and Minor Utilities and Infrastructure**

- 6.2.1 -A permit under this planning scheme is not required for a use or development described in subclause 6.2.2 unless there is:
- (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 1m<sup>2</sup> 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.
- 6.2.2 The provision 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 the following utilities and infrastructure:
  - (a) electricity, gas, sewerage, stormwater and water reticulation to individual streets, lots or buildings; and
  - (b) footpaths and cycle paths, playground equipment, seating and shelters, telephone booths, post boxes, bike racks, fire hydrants, drinking fountains, rubbish bins, public art, traffic control devices and markings, and the like on public land.
- 6.2.3 A permit under this planning scheme is not required for a use or development described in subclause 6.2.4 unless there is:
  - (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; or
  - (b) the removal of any threatened vegetation.
- 6.2.4 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 such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines including:
  - (a) minor widening or narrowing of existing carriageways; or
  - (b) making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices and markings, street lighting and landscaping.

### **6.3 Vegetation planting, clearing or modification**

- 6.3.1 A permit under this planning scheme is not required for a use or development described in subclause 6.3.2 unless there is:
  - (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 1m<sup>2</sup> 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.



6.3.2 The planting, clearing or modification of vegetation for any of the following purposes:

- (a) the landscaping and the management of vegetation:
  - (i) on pasture or cropping land, other than for plantation forestry on prime agricultural land; or
  - (ii) within a garden, national park, public park or state-reserved land, provided the vegetation is not protected by permit condition, an agreement made under Part 5 of the Act, covenant or other legislation;
- (b) clearance or conversion of a vegetation community in accordance with a forest practices plan certified under the Forest Practices Act 1985;
- (c) fire hazard management in accordance with a bushfire hazard management plan approved as part of subdivision or development;
- (d) fire hazard reduction required in accordance with the Fire Service Act 1979 or an abatement notice issued under the Local Government Act 1993;
- (e) fire hazard management in accordance with a bushfire hazard management plan endorsed by the Tasmanian Fire Service, Forestry Tasmania or the Parks and Wildlife Service;
- (f) to provide clearance of up to 1m for the maintenance, repair and protection of lawfully constructed buildings or infrastructure including roads, tracks, footpaths, cycle paths, drains, sewers, power lines, pipelines and telecommunications facilities;
- (g) for soil conservation or rehabilitation works including Landcare activities and the like and, provided that ground cover is maintained and erosion is managed, the removal or destruction of weeds declared under the Weed Management Act 1999;
- (h) the implementation of a vegetation management agreement or a natural resource, catchment, coastal, reserve or property management plan provided the agreement or plan has been endorsed or approved by the relevant agency;
- (i) 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;
- (j) within 1m of a title boundary for the purpose of erecting or maintaining a boundary fence.

## **6.4 Fences**

6.4.1 A permit under this planning scheme is not required for a use or development described in subclause 6.4.2 unless there is:

- (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) the removal of any threatened vegetation; or
- (c) land located within 30m of a wetland or watercourse.

6.4.2 The construction or demolition of:

- (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;

- (b) boundary fences adjoining a road or public reserve or within 4.5m of the site's primary frontage, and not more than a total height of 1.2m above natural ground level;
- (c) retaining walls, setback more than 1.5m from a boundary, and which retain a difference in ground level of less than 1m;
- (d) fencing of agricultural land or for protection of wetlands and watercourses;
- (e) fencing for security purposes, no higher than 2.8m, that is within the Port and Marine Zone;
- (f) fencing for security purposes, no higher than 2.8m, at an airport; and
- (g) temporary fencing associated with occasional sporting, social and cultural events, construction works and for public safety.

## **6.5 Buildings and Works in the Rural Resource Zone or Significant Agricultural Zone**

6.5.1 A permit under this planning scheme is not required for a use or development described in subclauses 6.5.2 and 6.5.3 unless there is:

- (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 1m<sup>2</sup> 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.

6.5.2 The construction of buildings or works, other than a dwelling, in the Rural Resource Zone or the Significant Agricultural Zone, that are directly associated with, and a subservient part of, an agricultural use if:

- (a) individual buildings do not exceed 100m<sup>2</sup> in gross floor area;
- (b) the setback to all property boundaries is not less than 30m;
- (c) no part of the building or works are located within 30m of a wetland or watercourse;
- (d) no part of the building or works encroach within any service easement or within 1m of any underground service; and
- (e) the building or works are not located on prime agricultural land.

6.5.3 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.

## **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) details of the location of the proposed use or development;
  - (b) a copy of the current certificate of title for the site to which the permit sought is to relate, including the title plan and any schedule of easements;
  - (c) a full description of the proposed use or development; and
  - (d) a description of the manner in which the proposed use or development will operate.
- 8.1.3 In addition to the information that is required by clause 8.1.2 to be included in an application, a planning authority may, in order to enable it to consider an application, request such further or additional information as the planning authority considers necessary or desirable to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or specific area plan, applicable to the use or development including:
  - (a) a site analysis and site plan at an acceptable scale showing:
    - (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, and trees and vegetation to be removed;
    - (vii) the location and capacity of any existing services or easements on the site or connected to the site;
    - (viii) existing pedestrian and vehicle access to the site;
    - (ix) the location of existing and proposed buildings on the site;
    - (x) the location of existing adjoining properties, adjacent buildings and their uses;
    - (xi) any natural hazards that may affect use or development on the site;
    - (xii) proposed roads, driveways, car parking areas and footpaths within the site;

- (xiii) any proposed open space, communal space, or facilities on the site;
  - (xiv) main utility service connection points and easements;
  - (xv) proposed subdivision lot boundaries, where applicable.
- (b) 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 showing:
  - (i) the internal layout of each building on the site;
  - (ii) the private open space for each dwelling;
  - (iii) external storage spaces;
  - (iv) car parking space location and layout;
  - (v) major elevations of every building to be erected;
  - (vi) the relationship of the elevations to natural 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;
  - (viii) materials and colours to be used on roofs and external walls.
- (c) where it is proposed to erect buildings, a plan of the proposed landscaping:
  - (i) planting concept;
  - (ii) paving materials and drainage treatments and lighting for vehicle areas and footpaths; and
  - (iii) plantings proposed for screening from adjacent sites or public places.

## **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.



Use Class	Description
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.
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.
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"> <li>(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</li> <li>(b) maintenance dredging.</li> </ul> <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 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"> <li>(a) telecommunications;</li> <li>(b) electricity generation;</li> <li>(c) transmitting or distributing gas, oil, or power;</li> <li>(d) transport networks;</li> <li>(e) collecting, treating, transmitting, storing or distributing water; or</li> <li>(f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</li> </ul> <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>
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 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 to 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, an application for demolition may be approved at the discretion of the planning authority having regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective or desired future character statement of the applicable zone;
- (c) the purpose of any applicable code; and
- (d) the purpose of any applicable specific area plan.

## **9.5 Access and Provision of Infrastructure Across Land in Another Zone**

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.

# **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.

#### 10.1.2 Local Area Objectives

<p>Prospect Vale</p> <p>a) Prospect Vale will be maintained as a key centre of urban expansion. Where areas currently zoned General Residential adjoin the Particular Purpose Zone, development is to provide for the long term strategic outcomes in the design of urban environment;</p> <p>b) Promote opportunities to alter the urban environment to make more efficient use of alternative modes of transport.</p>	<p>a) Subdivision design is to consider the relationship and connectivity to future urban growth areas.</p> <p>b) Development design is to complement any public works to provide improved connectivity for alternative modes of transport.</p>
<p>Hadspen</p> <p>a) Hadspen will be maintained as a key centre of urban expansion;</p> <p>b) Future development is to provide opportunity and complement strategies to maximise the amenity and recreation values of proximity to the South Esk River through improved connectivity and good quality open space.</p>	<p>a) Subdivision design is to consider the relationship and connectivity between future urban growth areas and open space assets. Where appropriate, contribution to open space connectivity will be required.</p>
<p>Deloraine</p> <p>a) Deloraine will be supported as a growth centre servicing the rural district and also to support the business activity centre;</p> <p>b) Varying housing types and aged care will be supported as an important factor in retaining population.</p>	<p>a) Subdivision design is to consider the relationship and connectivity between future urban growth areas, support services and open space assets.</p>
<p>Westbury</p>	

<ul style="list-style-type: none"> <li>a) Westbury will be supported as a growth centre servicing the rural district and also to support the business activity centre;</li> <li>b) Varying housing types and aged care will be supported as an important factor in retaining population;</li> <li>c) Areas of underutilised, internal land will be promoted for infill development.</li> </ul>	<ul style="list-style-type: none"> <li>a) Subdivision design is to consider the relationship and connectivity between future urban growth areas, support services and open space assets.</li> </ul>
<p>Carrick</p> <ul style="list-style-type: none"> <li>(a) Carrick will be supported for growth through provision of residential development to support and encourage opportunities in the business activity centre;</li> <li>(b) Varying housing types and aged care will be supported as an important factor in retaining population;</li> <li>(c) Areas of underutilised, internal land will be promoted for infill development.</li> </ul>	

#### 10.1.3 Desired Future Character Statements

Dwellings are to maintain as the predominant form of development with some higher densities encouraged near services and the business area. Some redevelopment sites may also be appropriate for higher density development.

Typical residential and non residential development is to be detached, rarely exceeding two storeys and be setback from the street and property boundaries.

## 10.2 Use Table

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Residential	If a single dwelling
Natural and cultural values management	
Passive recreation	
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Residential	
Utilities	If for minor utilities
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Bulky Goods Sales	If for CT 15085/1
Business and professional services	If a medical centre
Educational and occasional care	
Equipment and machinery sales and hire	If for CT 15085/1
Food services	If a cafe or takeaway food premises If for CT 15085/1
General retail and hire	If for a local shop
Community meeting & entertainment	If not a cinema or function centre
Service Industry	If for CT 15085/1
Storage	If for CT 15085/1

Visitor accommodation	
Utilities	If not for minor utilities
<b>Prohibited</b>	
All other uses	

## 10.3 Use Standards

### 10.3.1 Amenity

<p>Objective</p> <p>To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.</p>	
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.



### 10.3.2 Residential Character – Discretionary Uses

<p>Objective</p> <p>To ensure that discretionary uses support:</p> <p>a) the visual character of the area; and</p> <p>b) the local area objectives, if any.</p>	
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.

## 10.4 Development Standards

### 10.4.1 Residential density for multiple dwellings

<p>Objective: To provide for suburban densities for multiple dwellings that:</p> <p>(a) make efficient use of suburban land for housing; and</p> <p>(b) optimise the use of infrastructure and community services.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Multiple dwellings must have a site area per dwelling of not less than:</p> <p>(a) 325m<sup>2</sup>; or</p> <p>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.</p>	<p>P1 Multiple dwellings must only have a site area per dwelling that is less than 325m<sup>2</sup>, or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:</p> <p>(a) is compatible with the density of the surrounding area; or</p> <p>(b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:</p> <p>(i) the site is wholly or partially</p>

		<p>within 400m walking distance of a public transport stop;</p> <p>(ii) the site is wholly or partially within 400m walking distance of a business, commercial, urban mixed use, village or inner residential zone.</p>
--	--	---

Table 10.4.1

Density Area	Site area per dwelling (m <sup>2</sup> )

Notes:

If Table 10.4.1 is utilised, each density area should be given a unique identifier that matches with that shown on the planning scheme maps.

#### 10.4.2 Setbacks and building envelope for all dwellings

<p>Objective: To control the siting and scale of dwellings to:</p> <ul style="list-style-type: none"> <li>(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and</li> <li>(b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and</li> <li>(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and</li> <li>(d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</li> <li>(b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</li> <li>(c) if for a vacant site with existing dwellings on adjoining sites 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</li> </ul>	<p>P1 A dwelling must:</p> <ul style="list-style-type: none"> <li>(a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and</li> <li>(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.</li> </ul>

	<p>sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>	
A2	<p>A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	P2 A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.
A3	<p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot 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 natural ground level at the side boundaries and a distance of 4m</p>	<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</p> <p>(iii) overshadowing of an adjoining vacant lot; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</p> <p>(b) provide separation between dwellings on adjoining lots that is compatible with that</p>

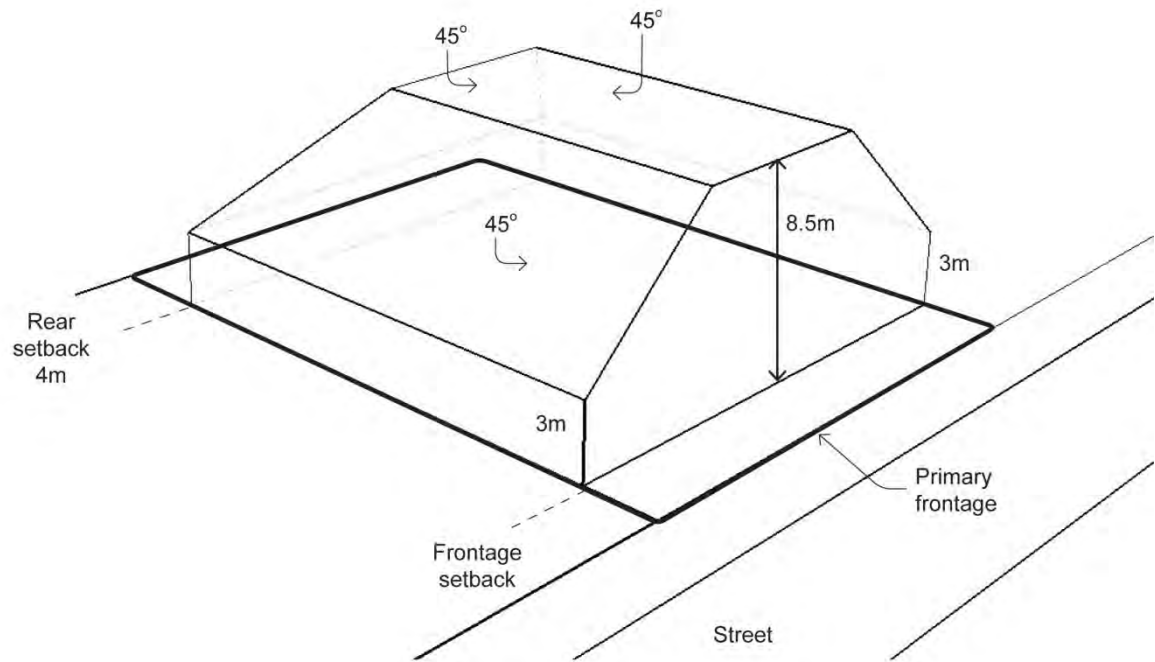
<p>from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <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>prevailing in the surrounding area.</p>
--	--

**Table 10.4.2**

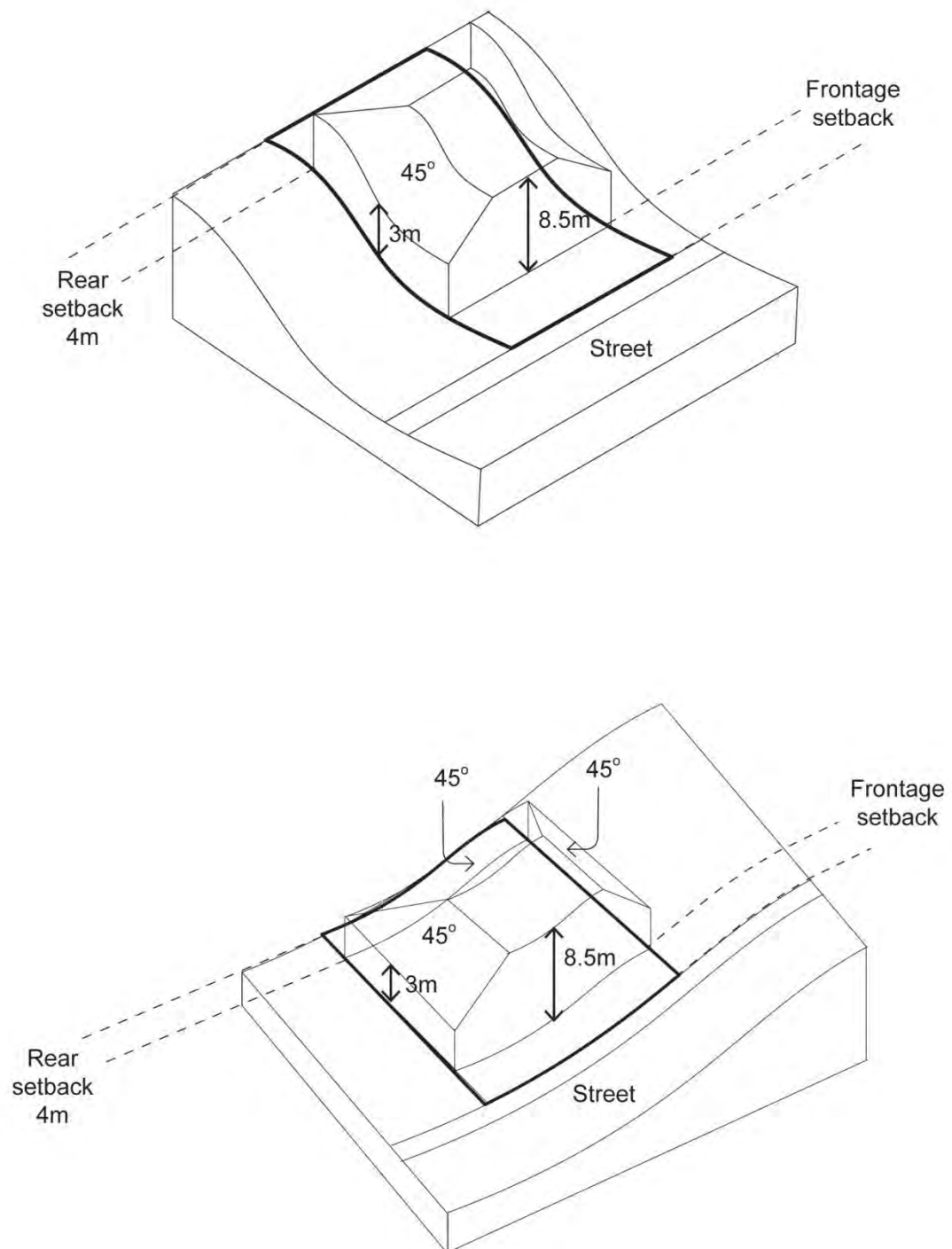
Road	Setback (m)

Notes:

For Table 10.4.2, the identified road and setback in metres are to be inserted as local provisions.

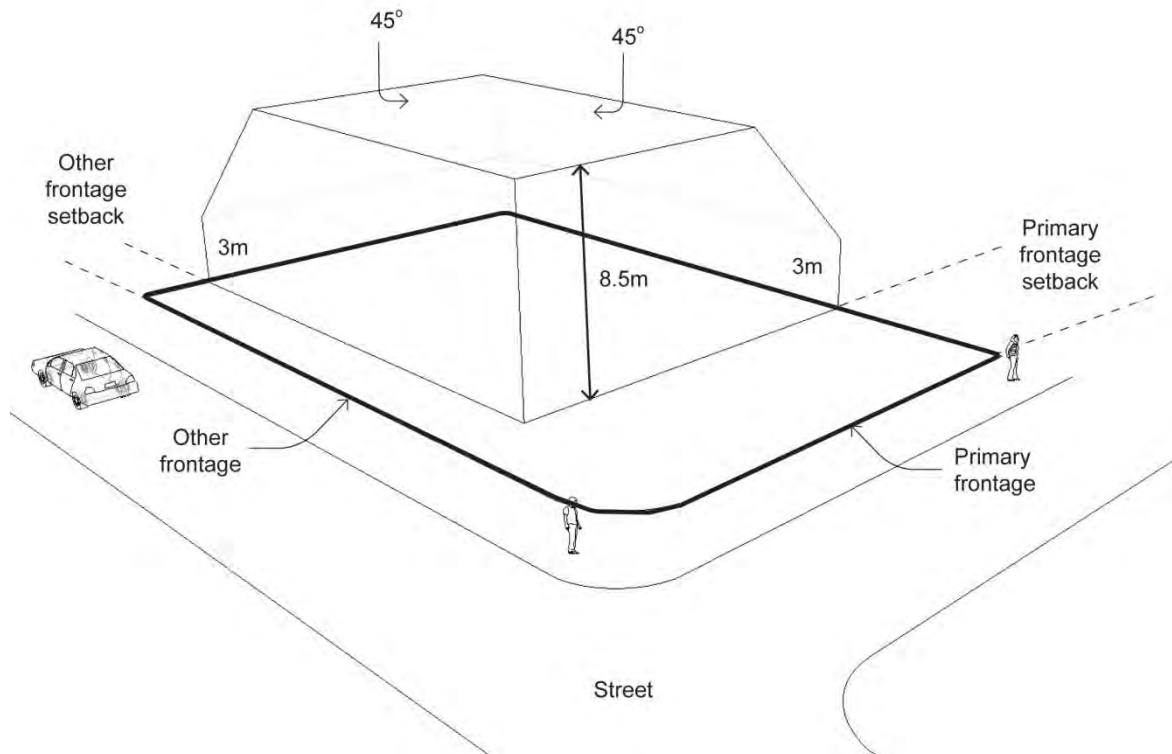


**Diagram 10.4.2A.** Building envelope as required by subclause 10.4.2A3(a).

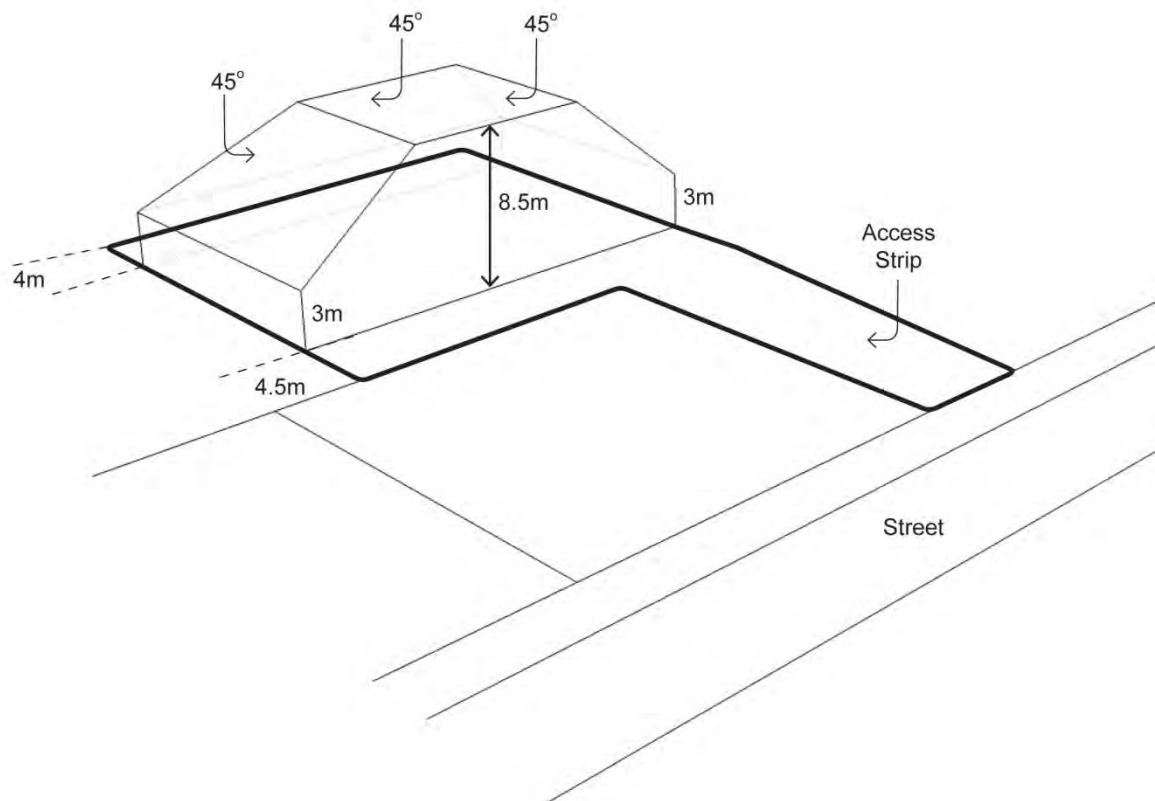


**Diagram 10.4.2B.** Building envelope for sloping sites as required by subclause 10.4.2A3(a).





**Diagram 10.4.2C.** Building envelope for corner lots as required by subclause 10.4.2A3(a).



**Diagram 10.4.2D.** Building envelope for internal lots as required by subclause 10.4.2A3(a).

### 10.4.3 Site coverage and private open space for all dwellings

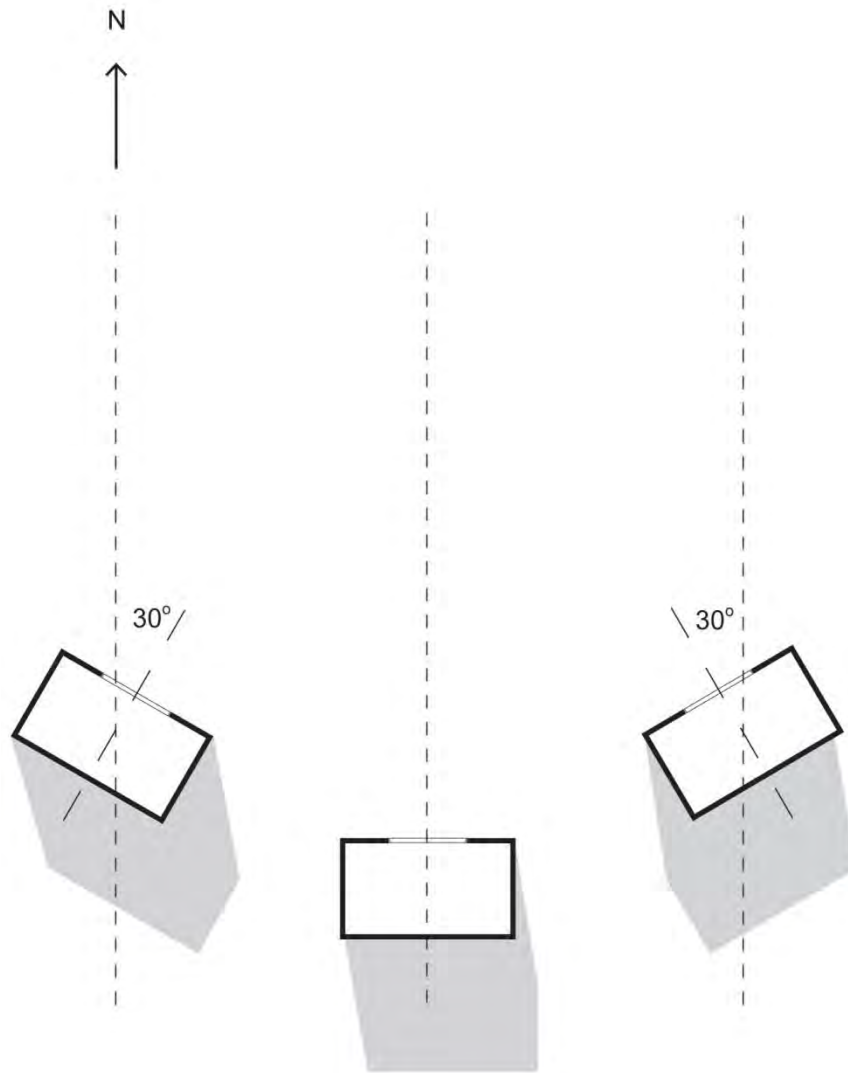
<p>Objective: To provide:</p> <ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents; and</li> <li>(b) opportunities for the planting of gardens and landscaping; and</li> <li>(c) private open space that is integrated with the living areas of the dwelling; and</li> <li>(d) private open space that has access to sunlight.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> 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); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>	<p>P1 Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> <li>(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and</li> <li>(ii) operational needs, such as clothes drying and storage; and</li> </ul> </li> <li>(b) reasonable space for the planting of gardens and landscaping.</li> </ul>
<p>A2 A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> <li>(a) is in one location and is at least: <ul style="list-style-type: none"> <li>(i) 24m<sup>2</sup>; or</li> <li>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the</li> </ul> </li> </ul>	<p>P2 A dwelling must have private open space that:</p> <ul style="list-style-type: none"> <li>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is: <ul style="list-style-type: none"> <li>(i) conveniently located in relation to a living area of</li> </ul> </li> </ul>

<p>finished ground level(excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4m; or</p> <p>(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 garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21<sup>st</sup> June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>the dwelling; and</p> <p>(ii) orientated to take advantage of sunlight.</p>
--	--

#### 10.4.4 Sunlight and overshadowing for all dwellings

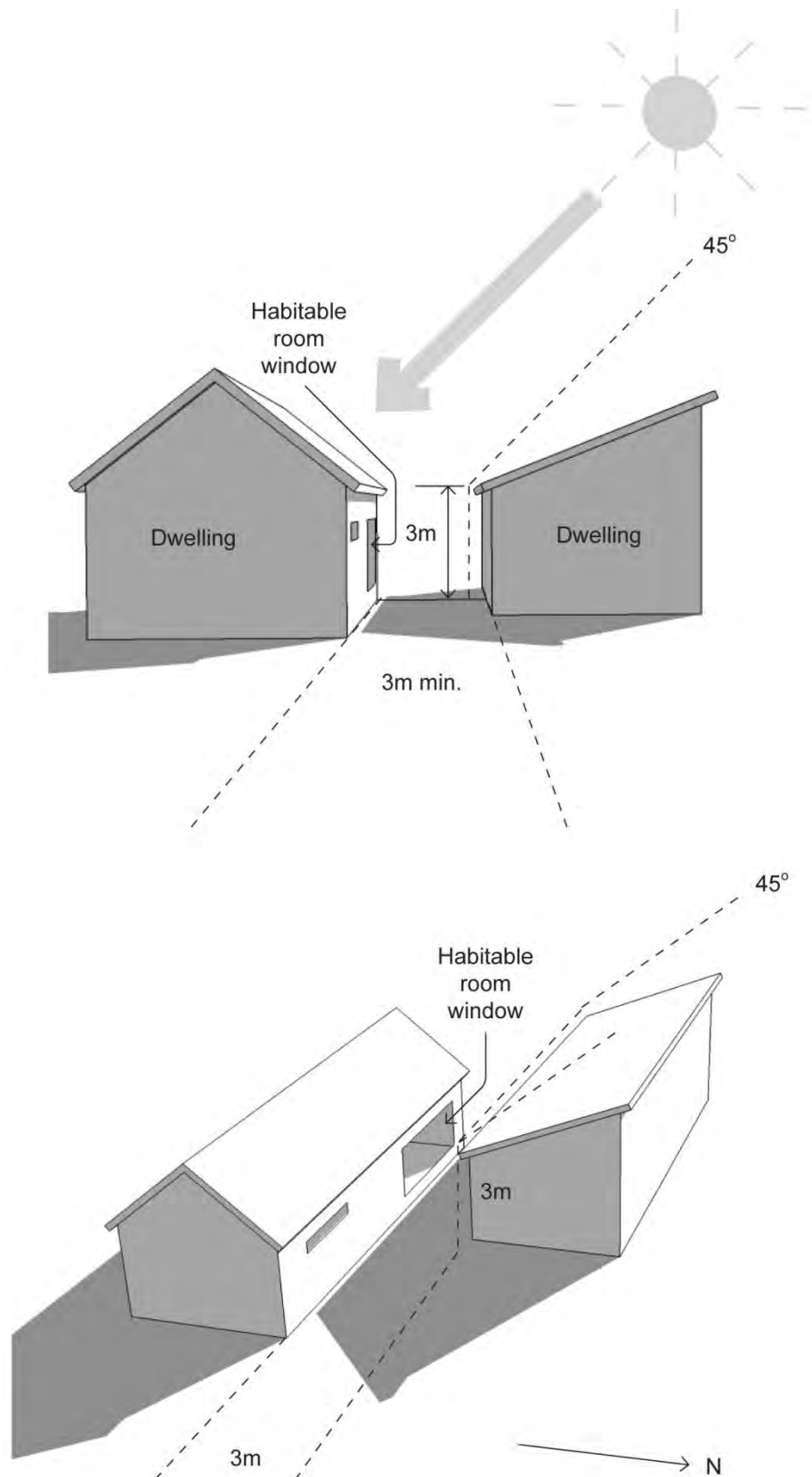
<p>Objective: To provide:</p> <ul style="list-style-type: none"> <li>(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and</li> <li>(b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>	<p>P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p>A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> <li>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> </li> <li>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21<sup>st</sup> June.</li> <li>(c) That part, of a multiple</li> </ul>	<p>P2 A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>

	<p>dwelling, consisting of:</p> <ul style="list-style-type: none"><li>(i) an outbuilding with a building height no more than 2.4 m; or</li><li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li></ul>	
A3	<p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"><li>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):<ul style="list-style-type: none"><li>(i) at a distance of 3 m from the northern edge of the private open space; and</li><li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li></ul></li><li>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21<sup>st</sup> June.</li><li>(c) That part, of a multiple dwelling, consisting of:<ul style="list-style-type: none"><li>(i) an outbuilding with a building height no more than 2.4 m; or</li><li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li></ul></li></ul>	P3
		<p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3.</p>

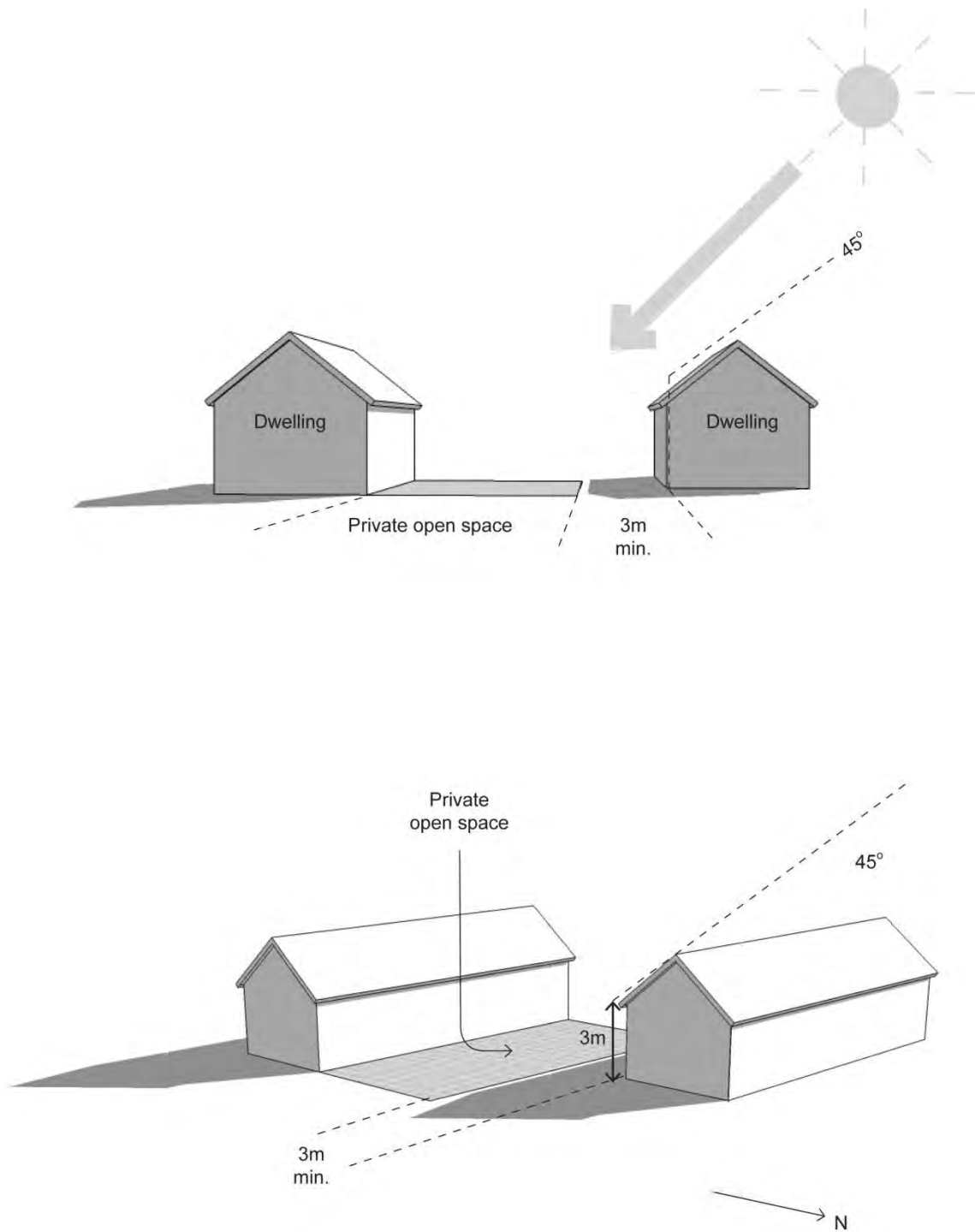


**Diagram 10.4.4A.**Orientation of a window of a habitable room as specified in subclause 10.4.4 A1, A2 and P2.





**Diagram 10.4.4B.** Separation from a north-facing window of a habitable room, of another dwelling on the same site, as required by subclause 10.4.4A2(a).



**Diagram 10.4.4C.** Separation from the private open space of another dwelling on the same site as required by subclause 10.4.4A3(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 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 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 reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	Performance Criteria
<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul> </li> </ul>	<p>P1 A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <ul style="list-style-type: none"> <li>(a) a dwelling on an adjoining lot or its private open space; or</li> <li>(b) another dwelling on the same site or its private open space; or</li> <li>(c) an adjoining vacant residential lot.</li> </ul>
<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a),</p>	<p>P2 A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views</p>

<p>unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4m from a rear boundary; and</li> <li>(ii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<p>to:</p> <ul style="list-style-type: none"> <li>(a) window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling; and</li> <li>(c) an adjoining vacant residential lot.</li> </ul>
<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be</p>	<p>P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened,</p>

<p>separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p>	<p>or otherwise located or designed, to minimise detrimental impacts 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: To control the height and transparency of frontage fences to:</p> <ul style="list-style-type: none"> <li>(a) provide adequate privacy and security for residents; and</li> <li>(b) allow the potential for mutual passive surveillance between the road and the dwelling; and</li> <li>(c) provide reasonably consistent height and transparency.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 A fence(including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none"> <li>(a) 1.2m if the fence is solid; or</li> <li>(b) 1.8m,if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</li> </ul>	<p>P1 A fence (including a free-standing wall) within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide for the security and privacy of residents, while allowing for mutual passive surveillance between the road and the dwelling; and</li> <li>(b) be compatible with the height and transparency of fences in the street, taking into account the: <ul style="list-style-type: none"> <li>(i) topography of the site; and</li> <li>(ii) traffic volumes on the adjoining road.</li> </ul> </li> </ul>

#### 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
<p>A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m<sup>2</sup> per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5m from a frontage; and</li> <li>(ii) is at least 5.5m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</li> </ul> </li> </ul>	<p>P1 A multiple dwelling development must provide storage, for waste and recycling bins, that is:</p> <ul style="list-style-type: none"> <li>(a) capable of storing the number of bins required for the site; and</li> <li>(b) screened from the frontage and dwellings; and</li> <li>(c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</li> </ul>

#### 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 Each dwelling must have access to at least 6 cubic metres of secure storage space.</p>	<p>P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents.</p>

#### 10.4.10 Common Property for multiple dwellings



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

#### 10.4.11 Outbuildings for multiple dwellings

<p>Objective</p> <p>To ensure:</p> <ul style="list-style-type: none"> <li>a) that outbuildings do not detract from the amenity or established neighbourhood character; and</li> <li>b) that dwellings remain the dominant built form within an area; and</li> <li>c) earthworks are appropriate to the site and respect the amenity of neighbouring properties.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Outbuildings for each multiple dwelling must have a:</p> <ul style="list-style-type: none"> <li>a) combined gross floor area not exceeding 45m<sup>2</sup>.</li> </ul>	<p>P1 Outbuildings for each multiple dwelling must be designed and located having regard to:</p> <ul style="list-style-type: none"> <li>a) visual impact on the streetscape; and</li> <li>b) compatibility with the size and location of outbuildings in the neighbourhood.</li> </ul>

#### 10.4.12 Site Services for multiple dwellings

<p>Objective</p> <p>To ensure that:</p> <ul style="list-style-type: none"> <li>a) site services for multiple dwellings can be installed and easily maintained; and</li> <li>b) site facilities for multiple dwellings are accessible, adequate and attractive.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Provision for mailboxes must be made at the frontage.</p>	<p>P1 Sufficient space (including easements where required) for mail services must be provided for each multiple dwelling.</p>

**10.4.13**      **Clauses 10.4.13.1 – 10.4.13.9 only apply to development within the Residential Use Class which is not a 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
<p>A1 Residential buildings (other than dwellings), must:</p> <p>a) have a front door and a window to a habitable room in the building wall that faces a road; or</p> <p>b) face an internal driveway or communal open space area.</p>	<p>P1 Residential buildings (other than dwellings) must provide for the observation of roads, internal driveways and any abutting public open spaces.</p>

**10.4.13.2**      **Site coverage**

<p>Objective</p> <p>a) To ensure that the site coverage of residential development respects the existing neighbourhood character or desired future character statements, if any; and</p> <p>b) To reduce the impact of increased stormwater run-off on the drainage system; and</p> <p>c) To ensure sufficient area for landscaping and private open space.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Site coverage (other than for dwellings) must not exceed 50% of the total site.</p>	<p>P1 The proportion of the site covered by buildings (other than for dwellings) must have regard to:</p> <p>a) the existing site coverage and any constraints imposed by existing development or the features of the site; and</p> <p>b) the site coverage of adjacent properties; and</p>

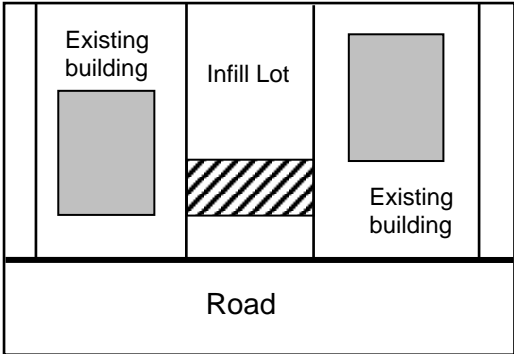
	c) the effect of the visual bulk of the building and whether it respects the neighbourhood character.
--	---

#### 10.4.13.3 Building Height

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

#### 10.4.13.4 Frontage Setbacks

<p><b>Objective</b></p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1.1</b> The primary frontage setback (other than for dwellings) must be:</p> <ul style="list-style-type: none"> <li>a) a minimum of 5m; or</li> <li>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</li> </ul>	<p><b>P1</b> Frontage setbacks (other than for dwellings) must be appropriate to the location and the amenity of residents having regard to:</p> <ul style="list-style-type: none"> <li>a) the prevailing setbacks of existing buildings on nearby lots; and</li> <li>b) the visual impact of the building when</li> </ul>

<p>below; and</p>  <p><b>Figure 10.4.13.4 – Primary Frontage Setback for Infill Lots</b></p> <p>A1.2 Other frontage setbacks (other than for dwellings) must be a minimum of 3m.</p>	<p>viewed from the road; and</p> <p>c) retention of vegetation within the front setback; and</p> <p>d) the efficient use of the site.</p>
---	---

#### 10.4.13.5 Rear and Side Setbacks

<p><b>Objective</b></p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings (other than dwellings) must be set back from the rear boundary:</p> <p>a) 4m if the lot has an area less than 1000m<sup>2</sup>; or</p> <p>b) 5m if the lot has an area equal to or greater than 1000m<sup>2</sup>.</p>	<p>P1 Building setback to the rear boundary (other than for dwellings) must be appropriate to the location, having regard to the:</p> <p>a) ability to provide adequate private open space; 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 (other than dwellings) must be set back from side</p>	<p>P2 Building setbacks to the side boundary (other than for dwellings) must be appropriate to the location, having</p>

<p><b>boundaries:</b></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 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> <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>regard to the:</p> <p>a) ability to provide adequate private open; 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>
---	---

#### 10.4.13.6 Location of Car Parking

<p><b>Objective</b></p> <p>a) To provide convenient parking for resident and visitor vehicles; and</p> <p>b) To avoid parking and traffic difficulties in the development and the neighbourhood; and</p> <p>c) To protect residents from vehicular noise within developments.</p>	
Acceptable Solutions	Performance Criteria
<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> <p>a) width of the driveway; and</p> <p>b) location of the existing dwellings; and</p> <p>c) number of car spaces served by the driveway; and</p> <p>d) need for physical screening and/or landscaping.</p>

### 10.4.13.7 Overlooking

<p>Objective</p> <p>To minimise:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) any adverse impact on the amenity of the adjoining and the subject site.</li> </ul>	
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 <b>finished</b> ground level) of the window, balcony, terrace, deck or patio must be:</p> <ul style="list-style-type: none"> <li>a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or</li> <li>b) have sill heights of at least 1.7m above floor level; or</li> <li>c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or</li> <li>d) have permanently fixed external screens to at least 1.8m above floor level; and</li> <li>e) obscure glazing and screens must be no more than 25% transparent.</li> </ul> <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</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"> <li>a) setback of the existing and proposed building; and</li> <li>b) location of windows and private open spaces areas within the development and the adjoining sites; and</li> <li>c) level and effectiveness of physical screening by fences or vegetation; and</li> <li>d) topography of the site; and</li> <li>e) characteristics and design of houses in the immediate area.</li> </ul>

less than 0.6m above the ground level at the boundary.	
<p>A2 Screens used to obscure a view (other than from dwellings) must be:</p> <p>a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and</p> <p>b) permanent, fixed and durable.</p>	<p>P2 No performance criteria.</p>

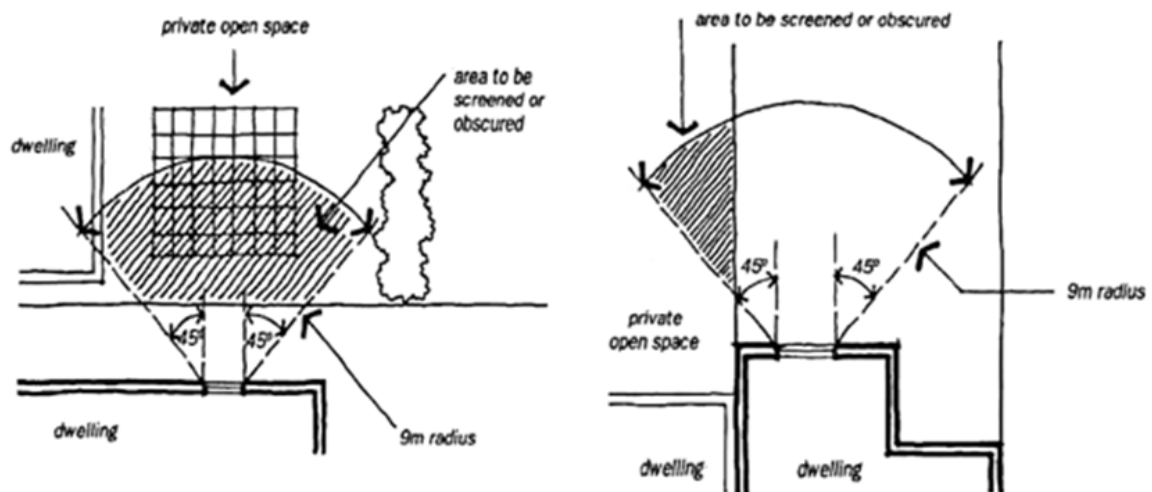


Figure 10.4.13.7

#### 10.4.13.8 Landscaping

<p>Objective</p> <p>a) To provide appropriate landscaping that respects the landscape character of the neighbourhood; and</p> <p>b) To encourage the retention of mature vegetation on the site.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Landscaping (other than for dwellings) must be provided to the frontage and within the development including:</p> <p>a) the retention or planting of vegetation; and</p> <p>b) the protection of any predominant landscape features of the</p>	<p>P1 Landscaping (other than for dwellings) must:</p> <p>a) provide a safe, attractive and functional environment for residents; and</p> <p>b) respond to the landscape character of the neighbourhood; and</p>



neighbourhood; and	c) have regard to any mature vegetation.
c) pathways, lawn area or landscape beds.	

#### 10.4.13.9 Common Property

<p><b>Objective</b></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 (other than for dwellings) must clearly delineate public, communal and private areas such as:</p> <p>a) driveways; and</p> <p>b) landscaping areas; and</p> <p>c) site services, bin areas and any waste collection points.</p>	<p>P1 No performance criteria.</p>

#### 10.4.14 Non Residential Development

<p><b>Objective</b></p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<p>P1 Development must be designed to protect the amenity of surrounding residential uses and must have regard to:</p> <p>a) the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable</p>

	<p>room windows and private open space of adjoining dwellings; and</p> <p>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:</p> <p>c) the height of development having regard to:</p> <ul style="list-style-type: none"> <li>i) the effect of the slope of the site on the height of the building; and</li> <li>ii) the relationship between the proposed building height and the height of existing adjacent and buildings; and</li> <li>iii) the visual impact of the building when viewed from the road and from adjoining properties; and</li> <li>iv) the degree of overshadowing and overlooking of adjoining properties; and</li> </ul> <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>
--	--

## 10.4.15 Subdivision

### 10.4.15.1 General Suitability

<p><b>Objective:</b></p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the General Residential Zone.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1 No Acceptable Solution</b></p>	<p><b>P1</b> Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

### 10.4.15.2 Lot Area, Building Envelopes and Frontage

<p><b>Objective</b></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><b>A1</b> Lots must:</p> <ul style="list-style-type: none"> <li>a) have a minimum area of at least 700m<sup>2</sup> which: <ul style="list-style-type: none"> <li>i) is capable of containing a rectangle measuring 10m by 15m; and</li> <li>ii) has new boundaries aligned from</li> </ul> </li> </ul>	<p><b>P1</b> Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <ul style="list-style-type: none"> <li>a) a dwelling to be erected in a convenient and hazard-free location; and</li> <li>b) on-site parking and manoeuvrability;</li> </ul>

<p>buildings that satisfy the relevant acceptable solutions for setbacks; or</p> <p>b) <b>be</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) <b>be</b> for the provision of utilities; or</p> <p>d) <b>be</b> for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) <b>be</b> to align existing titles with zone boundaries and no additional lots are created.</p>	<p>and</p> <p>c) adequate private open space.</p>
<p>A2 Each lot must have a frontage of at least <b>4 metres</b>.</p>	<p>P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</p>

#### 10.4.15.3 Provision of Services

<p>Objective</p> <p>To provide lots with appropriate levels of utility services.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot must be connected to a reticulated:</p> <p>a) water supply; and</p> <p>b) sewerage system.</p>	<p>P1 <b>No performance criteria</b></p>
<p>A2 Each lot must be connected to a reticulated stormwater system.</p>	<p>P2 Each lot created must be capable of disposal of storm water to a legal discharge point.</p>

#### 10.4.15.4 Solar Orientation of Lots

<p>Objective</p> <p>To provide for solar orientation of lots and solar access for future dwellings.</p>	
Acceptable Solutions	Performance Criteria

<p>A1 At least 50% of lots must have a long axis within the range of:</p> <p>a) north 20 degrees west to north 30 degrees east; or</p> <p>b) east 20 degrees north to east 30 degrees south.</p>	<p>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.</p>
<p>A2 The long axis of residential lots less than 500m<sup>2</sup>, must be within 30 degrees east and 20 degrees west of north.</p>	<p>P2 Lots less than 500 m<sup>2</sup> must provide adequate solar access to future dwellings, having regard to the:</p> <p>a) size and shape of the development of the subject site; and</p> <p>b) topography; and</p> <p>c) location of access way(s) and roads.</p>

#### 10.4.15.5 Interaction, Safety and Security

<p>Objective</p> <p>To provide a lot layout that contributes to community social interaction, personal safety and property security.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Subdivisions must not create any internal lots.</p>	<p>P1 Subdivisions that create internal lots must provide for adequate levels of visibility and surveillance.</p>

#### 10.4.15.6 Integrated Urban Landscape

<p>Objective</p> <p>To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:</p> <p>a) character and identity of new neighbourhoods and urban places; or</p> <p>b) to existing or preferred neighbourhood character, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road, public open space or other reserves.</p>	<p>P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that:</p> <p>a) it has regard to existing, significant</p>

	<p>features; and</p> <p>b) accessibility and mobility through public spaces and roads are protected or enhanced; and</p> <p>c) connectivity through the urban environment is protected or enhanced; and</p> <p>d) the visual amenity and attractiveness of the urban environment is enhanced; and</p> <p>e) it furthers the local area objectives, if any.</p>
--	--

#### 10.4.15.7 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>

#### 10.4.15.8 Neighbourhood Road Network

<p><b>Objective</b></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> <p>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</p> <p>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</p> <p>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</p> <p>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</p> <p>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</p> <p>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</p> <p>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</p> <p>h) take into account of any identified significant features.</p>

## **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

<p><b>Blackstone Heights</b></p> <p>a) Infill development on existing lots will be supported, however infrastructure constraint will determine the rate and density of future residential development.</p>	<p>a) Future subdivision will be determined on the basis of infrastructure capacity.</p>
<p><b>Travellers Rest</b></p> <p>a) Promote infill development only and maintain current low densities due to infrastructure capacity constraint with on-site wastewater disposal and scenic impact.</p>	<p>a) Development will only be supported on existing lots. Future subdivision will not be allowed.</p>
<p><b>Westbury</b></p> <p>a) Westbury will be promoted as a key settlement for low density residential development based on the extent of the historic pattern of lots;</p> <p>b) Greater efficiency in land use in the provision of lower density lots can be gained through the rearrangement or subdivision of older titles located outside of the serviced core of the settlement.</p>	<p>a) Future subdivision will be determined on the basis of capacity for on-site servicing, access and any potential for natural hazards.</p>
<p><b>Hadspen</b></p> <p>a) The low density zone acknowledges the existing low density pattern of development due to flood risk constraints. Intensification of development is not supported.</p>	<p>a) Development will only be supported on existing lots subject to flood risk assessment. Future subdivision will not be allowed.</p>
<p><b>Deloraine</b></p> <p>a) The low density zone at Deloraine reflects a historic pattern of development that has created a natural growth boundary over time due to incremental development and the existing road locations.</p> <p>b) Some increased density will be supported, however limitations to services and infrastructure and the interface with agricultural and industrial land will determine the appropriate degree of intensification.</p>	<p>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses.</p>

<p>Elizabeth Town</p> <p>a) Elizabeth Town reflects an historic lot pattern which is contained by limited access to the Bass Highway and as such provides opportunity for orderly low density development.</p> <p>b) Greater efficiency in land use in the provision of lower density lots can be gained through the rearrangement or subdivision of older titles.</p>	<p>a) Future subdivision will be determined on the basis of capacity for on-site servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses.</p>
<p>Meander</p> <p>a) Some increased density will be supported consistent with maintaining the existing character and providing housing choice for the village, however limitations to services and infrastructure, natural hazards and the interface with agricultural land will determine the appropriate degree of intensification.</p>	<p>a) Future subdivision will be determined on the basis of capacity for on-site servicing, access, the pattern of development, any potential for natural hazards and potential for conflict with adjoining land uses.</p>
<p>Kimberley</p> <p>a) The pattern of development at Kimberley reflects a historic lot arrangement and a low level of incremental development.</p> <p>b) Infill development will be supported within the extent of the historical lot arrangement, however limitations to services and infrastructure and the potential flood risk from the Mersey River will determine the appropriate degree of intensification.</p>	<p>a) Future subdivision will be determined on the basis of capacity for on-site servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses.</p>
<p>Chudleigh</p> <p>a) Primarily encouraged for infill development on existing lots, some increased density will be supported consistent with maintaining the existing character and providing housing choice to support the village, however limitations to services and infrastructure, natural hazards, potential impacts on the karst system and the interface with agricultural land will determine the appropriate degree of intensification.</p>	<p>a) Future subdivision will be determined on the basis of capacity for on-site servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses.</p>
<p>Pumicestone Ridge</p> <p>a) Promote infill development only and maintain current low densities due to constraint as result of nearby extractive industries and scenic impact.</p>	<p>a) Development will only be supported on existing lots. Future subdivision will not be allowed.</p>
<p>Davis Road</p> <p>a) This low density area, in combination with the adjoining Rural Living Zone is located in close proximity to Deloraine and provides housing choice in support of that settlement.</p>	<p>a) Future subdivision will be determined on the basis of capacity for on-site servicing, access, the</p>

b) Some increased density will be supported consistent with maintaining the existing character and providing housing choice, however limitations to services and infrastructure, potential natural hazards and maintaining low density separation distances will determine the appropriate degree of intensification.	pattern of development and any potential for natural hazards.
---	---

#### 12.1.3 Desired Future Character Statements

<p><b>Blackstone Heights</b></p> <p>a) Blackstone Heights is characterised by large, prominent single dwellings and outbuildings on larger lots. This character is to be maintained with due consideration to the mitigation of building bulk through landscaping and the minimization of cut and fill works where development is viewed from public open space.</p>	
<p><b>Travellers Rest</b></p> <p>a) Travellers Rest is located within a scenic protection area due to the prominent topography and the existing vegetation cover.</p> <p>b) Future development is to maintain the high degree of vegetation cover and is to be designed to maximize vegetative screening when viewed from the Bass Highway and roads within the zone.</p>	
<p><b>Westbury</b></p> <p>a) The low density character of the peripheral areas of the settlement are a distinctive feature of Westbury, reinforced by a strong grid pattern of roads and prominent hedge rows that border existing lots.</p> <p>b) Future development is to maintain a density and pattern that keeps the distinction between the inner serviced core and the peripheral low density zone.</p>	
<p><b>Hadspen</b></p> <p>a) The low density zone at Hadspen is reflective of the constraint caused by flood prone land. Some existing dwellings have historically located within the hazard area, however not at urban densities.</p>	
<p><b>Deloraine</b></p> <p>a) Located on a cleared rising slope and a plateau at the crest of ridge to the eastern end of Deloraine, existing and future development is visible from the Lake Highway to the southwest and adjoining urban areas on the plateau.</p> <p>b) Future development is to mitigate the impacts of building bulk as much as possible through the</p>	

minimization of cut and fill works and building forms that avoid skyline impacts where development is viewed from public open space and the Lake Highway.	
<p>Elizabeth Town</p> <p>a) Located behind a ridge to the east of the Bass Highway and retaining remnant vegetation, the most of the zoned area of Elizabeth Town is visually contained from the public view point of the Bass Highway. A few historic buildings punctuate the view from the Bass Highway.</p> <p>b) This low visual impact is to be maintained in the future design of subdivision and in the location of development, maintaining vegetation cover where possible.</p>	
<p>Meander</p> <p>a) The low density zone adjoins the village and is contained by the arrangement of lots along and to the end of Whiteley's Road and surrounding vegetation.</p> <p>b) Some housing is openly visible on cleared land, however maintain large separation distances and some housing is obscured within remnant vegetation.</p> <p>c) The contained and low impact character of the area is to be maintained in the location of development, maintaining significant separation distances and vegetation cover where possible.</p>	
<p>Kimberley</p> <p>a) Kimberley is characterized by ad-hoc, incremental development over time based on the historic lot pattern and does not have any traditional settlement focal points.</p> <p>b) Infill development to low density standards will maintain the current low density character.</p>	
<p>Chudleigh</p> <p>a) The low density zone adjoins the village and is a reflection of the historic lot pattern over the flat plains to the south of village centre and the prominent hill to the south. Incremental and dispersed development over time has reflected land constraints associated with the groundwater system.</p> <p>b) Infill development to low density standards will maintain the current low density character.</p>	
<p>Pumicestone Ridge</p> <p>a) Pumicestone Ridge is a prominent, vegetated, topographical feature visible from the Lake Highway</p>	

and has been historically subdivided. b) Future development is to be contained and maintain the high degree of vegetation cover and is to be designed to maximize vegetative screening when viewed from the Lake Highway.	
Davis Road  a) The low density area reflects historic subdivision and is contained by the arrangement of lots along Davis Road, Quamby Brook Road and to the end of Eyles Close. b) Some housing is openly visible on cleared land, however maintain large separation distances and some housing is obscured within remnant vegetation. c) The contained and low impact character of the area is to be maintained in the location of development, maintaining significant separation distances and vegetation cover where possible.	

## 12.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Residential	If for a single dwelling
Permitted	
Use Class	Qualification
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	If a medical centre
Emergency services	
General retail and hire	If for a local shop
Community meeting & entertainment	If not a cinema or function centre
Residential	If for a communal residence at CT16584/1
Resource processing	If for a wood yard on CT's 229403/1, 51154/6, 51154/5

Sports and recreation	
Visitor accommodation	
Utilities	If not for minor utilities
<b>Prohibited</b>	
All other uses	

## 12.3 Use Standards

### 12.3.1 Amenity

<p>Objective</p> <p>To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.</p>	
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.

### 12.3.2 Low Density Residential Character

<p>Objective</p> <p>To ensure that discretionary uses support the:</p> <p>a) visual character of the area; and</p> <p>b) local area objectives, if any.</p>	
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.
----	---	----	--------------------------

## 12.4 Development Standards

**12.4.1** Clauses 12.4.1.1 – 12.4.1.5 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.

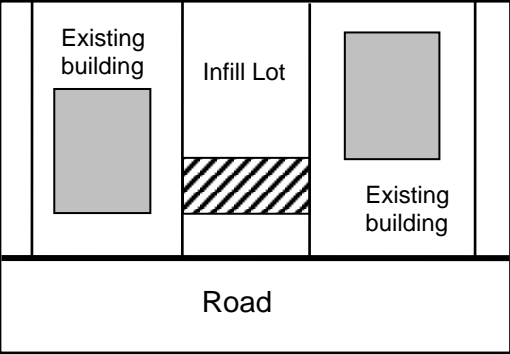
### 12.4.1.2 Building Height

<p><b>Objective</b></p> <p>To ensure that the height of dwellings respects the existing or desired future character statements.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building height must not exceed 8 metres.</p>	<p>P1 Building height must be appropriate to the site and the streetscape having regard to the:</p> <ul style="list-style-type: none"> <li>a) effect of the slope of the site on the height of the building; and</li> <li>b) relationship between the proposed building height and the height of existing adjacent buildings; and</li> <li>c) visual impact of the building when viewed from a road.</li> </ul>

### 12.4.1.3 Frontage Setbacks

<p><b>Objective</b></p> <p>To ensure that the setbacks of dwellings from the road respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Primary frontage setbacks must be a minimum:</p> <ul style="list-style-type: none"> <li>a) of 6 metres; and</li> <li>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</li> </ul>	<p>P1 Buildings are set back from the primary frontage an appropriate distance having regard to:</p> <ul style="list-style-type: none"> <li>a) the efficient use of the site; and</li> <li>b) the safety of road users; and</li> <li>c) the prevailing setbacks of existing buildings on nearby lots; and</li> <li>d) the visual impact of the building when viewed from the road; and</li> <li>e) retention of vegetation within the front setback.</li> </ul>



 <p>Existing building</p> <p>Infill Lot</p> <p>Existing building</p> <p>Road</p>	<p><b>Figure 12.4.1.3 – Primary Frontage Setback for Infill Lots</b></p> <p>A1.2 Buildings must be set back a minimum of <b>3 metres</b> from the any other frontage.</p>
---	---

#### 12.4.1.4 Rear and Side Setbacks

<p>Objective</p> <p>To ensure that the:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) separation of buildings is consistent with the preferred low density character and local area objectives, if any.</li> </ul>	
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> <ul style="list-style-type: none"> <li>a) ability to provide adequate private open space for the dwelling; and</li> <li>b) character of the area and location of dwellings on lots in the surrounding area; and</li> <li>c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and</li> <li>d) impact on the solar access of habitable room windows and private open space of adjoining dwellings;</li> </ul>

	<p>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 Outbuildings and Ancillary Structures

<p>Objective</p> <p>To ensure that:</p> <p>a) outbuildings do not detract from the amenity or established neighbourhood character; and</p> <p>b) dwellings remain the dominant built form within an area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Outbuildings must not have a:</p> <p>a) combined gross floor area of greater than 80m<sup>2</sup>; and</p> <p>b) maximum building wall height of greater than 3.5 metres; and</p> <p>c) maximum building height greater than 4.5 metres.</p>	<p>P1 Outbuildings must be designed and located having regard to:</p> <p>a) visual impact on the streetscape; and</p> <p>b) any adverse impacts on native vegetation; and</p> <p>c) overshadow adjoining properties; and</p> <p>d) compatibility with the size and location of outbuildings in the neighbourhood.</p>

#### 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

<p>Objective</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<p>P1 Development must be designed to protect the amenity of surrounding residential uses and:</p> <p>a) the proportion of the site covered by buildings must have regard to the:</p> <p>i) size and shape of the site; and</p> <p>ii) site coverage of existing buildings and any constraints imposed by existing development or the features of the site; and</p>

	<ul style="list-style-type: none"> <li>iii) site coverage of adjacent properties; and</li> <li>iv) effect of the visual bulk of the building and whether it respects the neighbourhood character; and</li> <li>v) capacity of the site to absorb runoff; and</li> <li>vi) landscape character of the area and the need to remove vegetation to accommodate development; and</li> </ul> <p>b) the building height must have regard to the:</p> <ul style="list-style-type: none"> <li>i) effect of the slope of the site on the height of the building; and</li> <li>ii) relationship between the proposed building height and the height of existing adjacent and buildings; and</li> <li>iii) visual impact of the building when viewed from the road and from adjoining properties; and</li> <li>iv) degree of overshadowing and overlooking of adjoining properties; and</li> </ul> <p>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:</p> <ul style="list-style-type: none"> <li>i) the prevailing setbacks of existing buildings on nearby lots; and</li> <li>ii) the visual impact of the building when viewed from the road; and</li> <li>iii) treatment of development within front setback; and</li> </ul> <p>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</p> <p>e) traffic circulation and parking areas must be located away from residential boundaries; and</p>
--	--

	<p>f) landscaping must integrate development having regard to:</p> <ul style="list-style-type: none"> <li>i) the level and effectiveness of physical screening by fences or vegetation; and</li> <li>ii) the location and impacts of illumination of the site; and</li> <li>iii) passive surveillance of the site.</li> </ul>
--	---

### 12.4.3 Subdivision

#### 12.4.3.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Low Density Residential Zone.</p>	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

#### 12.4.3.2 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>To ensure:</p> <ul style="list-style-type: none"> <li>a) the area and dimensions of lots are appropriate for the zone; and</li> </ul>
---

<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><b>A1 Each lot must:</b></p> <p>a) have a minimum area in accordance with Table 12.4.3.1 below; and</p> <p><b>Table 12.4.3.1 – Lot Size</b></p> <table> <tr> <td>Blackstone Heights</td><td>1600m<sup>2</sup></td></tr> <tr> <td>Westbury</td><td>5000m<sup>2</sup></td></tr> <tr> <td>Deloraine</td><td>5000m<sup>2</sup></td></tr> <tr> <td>Chudleigh</td><td>5000m<sup>2</sup></td></tr> <tr> <td>Exton</td><td>5000m<sup>2</sup></td></tr> <tr> <td>Elizabeth Town</td><td>1ha</td></tr> <tr> <td>Kimberley</td><td>5000m<sup>2</sup></td></tr> <tr> <td>Meander</td><td>1ha</td></tr> <tr> <td>Davis Road</td><td>1ha</td></tr> <tr> <td>Hadspen, Pumicestone Ridge, Travellers Rest</td><td>No additional lots</td></tr> </table> <p>b) be able to contain a 35 metres diameter circle with the centre of the circle not more than 35 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>	Blackstone Heights	1600m <sup>2</sup>	Westbury	5000m <sup>2</sup>	Deloraine	5000m <sup>2</sup>	Chudleigh	5000m <sup>2</sup>	Exton	5000m <sup>2</sup>	Elizabeth Town	1ha	Kimberley	5000m <sup>2</sup>	Meander	1ha	Davis Road	1ha	Hadspen, Pumicestone Ridge, Travellers Rest	No additional lots	<p><b>P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</b></p> <p>a) a dwelling to be erected in a convenient and hazard free location; and</p> <p>b) on-site parking and manoeuvrability; and</p> <p>c) adequate private open space; and</p> <p>d) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and</p> <p>e) development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape; and</p> <p>f) additional lots must not be located within the Low Density Residential Zone at Hadspen, Pumicestone Ridge or Travellers Rest.</p>
Blackstone Heights	1600m <sup>2</sup>																				
Westbury	5000m <sup>2</sup>																				
Deloraine	5000m <sup>2</sup>																				
Chudleigh	5000m <sup>2</sup>																				
Exton	5000m <sup>2</sup>																				
Elizabeth Town	1ha																				
Kimberley	5000m <sup>2</sup>																				
Meander	1ha																				
Davis Road	1ha																				
Hadspen, Pumicestone Ridge, Travellers Rest	No additional lots																				

<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>	
<p>A2 Each lot must have a frontage of at least 4 metres.</p>	<p>P2 No performance criteria.</p>
<p>A3 Each lot must be connected to a reticulated:</p> <p>a) water supply; and</p> <p>b) sewerage system.</p>	<p>P3 Lots that are not provided with reticulated water and sewerage services 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 Each lot must be capable of disposal of stormwater to a legal discharge point.</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

<p><b>Birralee</b></p> <ul style="list-style-type: none"> <li>a) To retain a low level of visibility of development through unobtrusive siting and design, including materials and finishes.</li> <li>b) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape.</li> <li>c) The retention of vegetation and lower densities, particularly on steeper slopes, is the preferred means to integrate and screen development to reduce the visual impact of buildings and access driveways from roads and neighbouring properties.</li> </ul>	<ul style="list-style-type: none"> <li>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses.</li> </ul>
<p><b>Reedy Marsh</b></p> <ul style="list-style-type: none"> <li>a) Provide for a low impact increase in housing density in support of housing choice close to Deloraine, whilst maintaining the bushland amenity and natural values of the area through careful subdivision design.</li> <li>b) Subdivision is to be configured to provide for bushfire hazard management areas and accesses that minimize the removal of standing vegetation and provide for substantial separation distances between building areas.</li> <li>c) The retention or planting of vegetation is the preferred means to integrate and screen development throughout the zone.</li> </ul>	<ul style="list-style-type: none"> <li>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, natural values and potential for conflict with adjoining land uses.</li> </ul>
<p><b>Chudleigh</b></p> <ul style="list-style-type: none"> <li>a) Provide for a low impact increase in density in support of housing choice for Chudleigh, whilst maintaining the distinction from the adjoining Low Density Residential Zone area..</li> <li>b) Where development is visible, ensure that materials</li> </ul>	<ul style="list-style-type: none"> <li>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, the</li> </ul>



<p>are non-reflective and the design integrates with the landscape.</p> <p>c) The retention of vegetation, particularly on steeper slopes, 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>pattern and visibility of development and potential for conflict with adjoining land uses..</p>
<p>Elizabeth Town</p> <p>a) To retain a low 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 vegetation and lower densities, particularly on steeper slopes, 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>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses.</p>
<p>Mole Creek</p> <p>a) To retain lower densities and a low 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 or planting of vegetation is the preferred means to integrate and screen development throughout the zone.</p> <p>d) Direct growth away from the use of the Mersey Hill Road junction with mole Creek Road.</p>	<p>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.</p> <p>b) Subdivision utilizing Mersey Hill Road will not be allowed.</p>
<p>Golden Valley</p> <p>a) To retain a low 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 vegetation and lower densities, particularly on steeper slopes, 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>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses.</p>
<p>Weegena</p> <p>a) To retain a low level of visibility of development through unobtrusive siting and design, including</p>	<p>a) Development will be determined on the basis of</p>

<p>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 vegetation and lower densities, particularly on steeper slopes, 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>d) Provide for infill development, however the zone is not supported for intensification.</p>	<p>capacity for servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses, however further subdivision will not be allowed.</p>
<p>Kimberley</p> <p>a) To 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>a) Development will only be supported on existing lots subject to flood risk assessment. Future subdivision will not be allowed if the land is subject to unacceptable flood risk.</p>
<p>Jackey's Marsh</p> <p>a) To retain a low 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 vegetation and lower densities, particularly on steeper slopes, 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>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.</p>
<p>Liffey</p> <p>a) To retain a low 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 vegetation and lower densities, particularly on steeper slopes, 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>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards and potential for conflict with adjoining land uses.</p>
<p>Carrick</p> <p>a) To retain an appropriate level of visibility of development through unobtrusive siting and design,</p>	<p>a) Future subdivision will be determined on the basis of</p>

<p>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 and lower densities is the preferred means to buffer and screen development from the Bass Highway.</p> <p>d) Provide for a low impact increase in density off Monds Lane and Simmons Street in support of housing choice for Carrick.</p>	<p>capacity for servicing, access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.</p>
<p>Travellers Rest (Pateena and Meander Valley Roads)</p> <p>a) To 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) Business signage visibility is to be limited to a direct relationship with the site entrance to minimize the visual impact from the Bass Highway.</p> <p>d) The retention of remnant vegetation and lower densities is the preferred means to buffer and screen development from Meander Valley Road and the Bass Highway.</p> <p>e) Only minor, incremental growth will be supported as the area is nearing capacity with multiple accesses onto higher function roads.</p>	<p>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses and higher order road functions.</p>
<p>Davis Road/Quamby Brook Road</p> <p>a) To 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) Provide for low impact increase in density in support of housing choice for Deloraine, whilst maintaining the distinction from the adjoining low density area and a low impact character when viewed from Quamby Brook Road.</p>	<p>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.</p>
<p>Rosevale</p> <p>a) To retain lower densities and a low 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>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with</p>

c) The retention or planting of vegetation is the preferred means to integrate and screen development throughout the zone.	adjoining land uses.
<p>Western Creek</p> <p>a) To 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>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.</p>
<p>Red Hills</p> <p>a) To provide for modest infill development in the identified development cluster with appropriate setbacks and treatment of the interface to adjoining agricultural activities and to respect the historical pattern and form of development.</p>	<p>a) Infill development will only be supported. No further subdivision will be allowed.</p>
<p>Ugbrook</p> <p>a) To provide for modest infill development in the identified development cluster with appropriate setbacks and treatment of the interface to adjoining agricultural activities.</p>	<p>a) Infill development will only be supported. No further subdivision will be allowed.</p>
<p>Hadspen</p> <p>a) To provide for infill development at a very low density, reflecting the sensitive location on the South Esk River and potential flood hazard.</p>	<p>a) Infill development will only be supported. No further subdivision will be allowed.</p>
<p>Meander</p> <p>a) To 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) Provide for low impact increase in density in support of housing choice for Meander, whilst maintaining the distinction from the adjoining low density area and a low impact character when viewed from Huntsman Road.</p> <p>d) The retention of vegetation, particularly on steeper slopes, 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>a) Future subdivision will be determined on the basis of capacity for servicing, access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.</p>
<p>Weetah</p>	

a) To retain lower densities and locate development with reasonable separation distances, consistent with the purpose of the zone being for large lots.	a) Future subdivision will be determined on the basis of capacity for access, any potential for natural hazards, the pattern and visibility of development and potential for conflict with adjoining land uses.
---	---

### 13.1.3 Desired Future Character Statements

<p><b>General</b></p> <p>a) To maintain the existing character described for each locality through careful design and location of development.</p>	
<p><b>Birralee</b></p> <p>a) Birralee is characterized by undulating hills and cleared areas adjacent to Priestley's Lane and Birralee Road, rising sharply to forested hills to the north.</p> <p>b) The lot and settlement pattern are remnants of an historical settlement still evident in the small cluster of development on Priestley's Lane.</p> <p>c) Development is visible to the road with captured views due to the undulating landscape.</p>	
<p><b>Reedy Marsh</b></p> <p>a) Reedy Marsh is characterized by predominantly forested hills with some cleared areas of pasture and a dispersed pattern of residential development with low levels of development visibility.</p> <p>b) The character of the locality is to be maintained through retention of vegetation and lower densities to integrate and screen development and to reduce the visibility of buildings and access driveways from roads and neighbouring properties.</p> <p>c) Where located on slopes or at higher elevations, the configuration of subdivision and the location of buildings and accesses are to minimize the impacts of vegetation clearance on the landscape. The retention or planting of vegetation is the preferred means to integrate and screen development throughout the zone.</p> <p>d) Where located in a more open landscape, subdivision is to be configured with dimensions to reflect requirements for a low density and provide for development areas that accommodate appropriate separation between buildings, separation between buildings and adjoining access ways or roads and to</p>	

<p>accommodate bushfire hazard management areas within each lot.</p> <p>e) Where development is unavoidably visible, ensure that materials are non-reflective and the design integrates with the landscape..</p>	
<p>Chudleigh</p> <p>a) Chudleigh is characterized by hills rising to the south that are prominent in the village viewscape. A low impact character is to be maintained when viewed from the village and Mole Creek and Caveside Roads.</p> <p>b) To retain lower densities and a low level of visibility of development through unobtrusive siting and design, including materials and finishes.</p> <p>c) Where development is visible, ensure that materials are non-reflective and the design integrates with the landscape.</p> <p>d) The retention of vegetation, particularly on steeper slopes, 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>Elizabeth Town</p> <p>a) Elizabeth Town is characterized by forested hills with some cleared areas and visible residential uses adjacent to Christmas Hills and Parkam Roads.</p>	
<p>Mole Creek</p> <p>a) Mole Creek is characterized by undulating pastures, rising to hills and escarpments with some areas of remnant vegetation.</p> <p>b) The hill slopes to the north of the township are prominent in the village viewscape.</p>	
<p>Golden Valley</p> <p>a) Golden Valley is characterized by predominantly forested hills with some cleared areas of pasture adjoining the Lake Highway and Tiers View Road.</p> <p>b) There is a linear pattern of residential uses, however with limited visibility of development as most are obscured by vegetation.</p>	
<p>Weegena</p> <p>a) Weegena is characterized by steep slopes of dense vegetation with some areas of cleared land for residential uses and some pasture on the lower flats of the Mersey River.</p>	

b) There is limited visibility of development with most being obscured by vegetation.	
<p>Kimberley</p> <p>a) Kimberley is characterized by cleared undulating pasture with development visible from roads and neighbouring properties.</p>	
<p>Jackey's Marsh</p> <p>a) Jackey's Marsh is characterized by a combination of forested hills, undulating pastures along the valley floor and a dispersed pattern of residential uses.</p> <p>b) Development on the hills is largely obscured by vegetation.</p>	
<p>Liffey</p> <p>a) Liffey is characterized by forested slopes with some areas of cleared land for residential uses and some pasture adjacent to the Mersey River.</p>	
<p>Carrick</p> <p>a) Carrick is characterized by cleared undulating pasture with development visible from roads and neighbouring properties.</p> <p>b) An area of remnant vegetation adjoins the Bass Highway which is to be maintained as a visual buffer to the highway.</p> <p>c) The Monds Lane and Simmons St areas at Carrick are characterized by cleared pasture with some remnant vegetation. Development is visible from roads and neighbouring properties.</p> <p>d) To retain lower densities and an appropriate level of visibility of development through unobtrusive siting and design, including non-reflective materials and finishes and maintaining reasonable setbacks and distances between buildings.</p>	
<p>Travellers Rest (Pateena and Meander Valley Roads)</p> <p>a) Travellers Rest is characterized by a combination of undulating cleared land with residential development clearly visible and remnant vegetation, obscuring a dispersed pattern of residential development.</p>	
<p>Davis Road/ Quamby Brook Road</p> <p>a) Davis' Road and Quamby Brook Road are characterized by predominantly cleared, undulating land forms with some remnant vegetation, with residential development visible from the road and neighbouring properties.</p>	

<p>Rosevale</p> <ul style="list-style-type: none"> <li>a) Rosevale is characterized by undulating pastures with some areas of remnant vegetation.</li> <li>b) The lot and settlement pattern are remnants of an historical settlement still evident in the small cluster of development on Bridgenorth Road.</li> <li>c) Development is visible to the road with captured views due to the undulating landscape.</li> </ul>	
<p>Western Creek</p> <ul style="list-style-type: none"> <li>a) Western Creek is characterized by a lot and settlement pattern that are remnants of an historical settlement, still evident in the small cluster of development in the vicinity of Western Creek Road.</li> <li>b) Development is visible to the road with some obscured by remnant vegetation.</li> </ul>	
<p>Red Hills</p> <ul style="list-style-type: none"> <li>a) Red Hills is characterized by a small, historical cluster of titles and buildings relating to an earlier settlement.</li> <li>b) Development is visible from the road with some buildings and vegetation being of cultural significance, contributing to the amenity of the Mole Creek Road route.</li> </ul>	
<p>Ugbrook</p> <ul style="list-style-type: none"> <li>a) Ugbrook is characterized by a predominantly contained cluster of development and is cleared with some remnant vegetation.</li> <li>b) Development is visible from the road and neighbouring properties.</li> <li>c) The visual and recreational values of the caravan park add visual amenity to the cluster and the junction of Liena and Union Bridge Road.</li> </ul>	
<p>Hadspen</p> <ul style="list-style-type: none"> <li>a) The land is located to the western end of the residential area of Hadspen and occupies a sharp, elevated bend in the South Esk River.</li> <li>b) The open vista provided across this land to the rural landscape beyond is to be maintained through a very low level of development.</li> </ul>	
<p>Meander</p> <ul style="list-style-type: none"> <li>a) The Huntsman Road/ Hampton's Road area is characterized by predominantly cleared, undulating land forms with some remnant vegetation and some</li> </ul>	



<p>forested slopes.</p> <p>b) Residential development is visible from the road and neighbouring properties.</p> <p>c) Development is to integrate into the landscape to maintain a low visual impact through materials, design and vegetation retention of planting.</p>	
<p>Weetah</p> <p>a) Weetah is primarily characterised by visible, linear development along Weetah Road. Development along Eynans Road and Whitchurch Lane is more discreetly located within the landscape due to vegetation screening and topography.</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 or planting of vegetation is the preferred means to integrate and screen development, particularly on the hill slopes to the north where potentially visible.</p>	

## 13.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Business and professional services	If for veterinary services
Residential	If for a single dwelling or home-based business
Resource development	If for harvesting of an existing forestry plantation If for grazing
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Domestic animal breeding, boarding or training	
Business and professional services	
Community meeting & entertainment	
Educational and occasional	

care	
Food services	
General retail and hire	
Manufacturing and processing	
Resource development	If not for grazing If not for forestry or plantation forestry
Resource processing	If not for abattoir, saleyard, saw milling
Sports and recreation	If not for Firing Range, Golf Course & Race Course
Vehicle Fuel sales and Service	If for existing uses
Visitor accommodation	If for bed and breakfast establishment, holiday flat, holiday unit or serviced apartment, caravan park, hostel
Tourist operation	
Utilities	If not for minor utilities If not for wastewater treatment plant and water treatment plant
<b>Prohibited</b>	
All other uses	

## 13.3 Use Standards

### 13.3.1 Amenity

<p>Objective</p> <p>To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.</p>	
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

<p>Objective</p> <p>To ensure that non-residential uses support the:</p> <p>a) visual character of the area; and</p> <p>b) local area objectives, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Use must:</p> <p>a) be for permitted or no permit required uses; or</p> <p>b) not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</p>	<p>P1.1 Uses must not be for general retail and hire, and</p> <p>P1.2 Business and professional services must be for a veterinary centre or similar animal care services and breeding; and</p>
	<p>P1.3 The size and appearance of the use must not dominate the residential character of the area; and</p> <p>P1.4 The use must be consistent with the local area objectives for visual character, if any.</p>
<p>A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.</p>	<p>P2 Commercial vehicles, including delivery vehicles, must not create a traffic hazard or compromise the function of the road.</p>
<p>A3 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.</p>	<p>P3 Storage of materials or equipment must be consistent with the local area objectives for visual character.</p>

## 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 5%.</p>	<p>P1 Site coverage must have regard to:</p> <ul style="list-style-type: none"> <li>a) the size of the site; and</li> <li>b) existing buildings and any constraints imposed by existing development or the features of the site; and</li> <li>c) the site coverage of adjacent properties; and</li> <li>d) the effect of the visual bulk of the building and whether it respects the landscape character; and</li> <li>e) the capacity of the site to absorb runoff; and</li> <li>f) the landscape character of the area and the need to remove vegetation to accommodate development, and;</li> <li>g) the local area objectives, if any.</li> </ul>
<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> <ul style="list-style-type: none"> <li>a) effect of the slope on the height of the building; and</li> <li>b) the character of the surrounding landscape and height of adjoining buildings; and</li> <li>c) amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.</li> </ul>
<p>A3 Buildings must be set back a minimum distance of 25 metres from a frontage.</p>	<p>P3 Building frontage setbacks must have regard to:</p> <ul style="list-style-type: none"> <li>a) the prevailing setbacks of existing buildings on nearby lots and pattern of development in the surrounding area; and</li> <li>b) the visual impact of the building when viewed from the road; and</li> <li>c) retention of vegetation within the front setback; and</li> <li>d) consistency with the local area objectives, if any.</li> </ul>

<p>A4 Buildings must be set back a minimum of:</p> <p>a) 25 metres to side and rear boundaries; and</p> <p>b) 200m to the Rural Resource Zone where a sensitive use is proposed, excepting an extension or alteration to an existing building.</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> <ul style="list-style-type: none"> <li>i) impact on the amenity and privacy of habitable room windows and private open space; and</li> <li>ii) impact on the solar access of habitable room windows and private open space; and</li> <li>iii) locations of existing buildings and private open space areas; and</li> <li>iv) size and proportions of the lot; and</li> <li>v) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation; and</li> <li>vi) local area objectives, if any; and</li> </ul> <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> <ul style="list-style-type: none"> <li>a) landscaping; and</li> <li>b) building form and materials; and</li> <li>c) local area objectives, if any.</li> </ul>
<p>A6 Development must not require the removal of standing vegetation.</p>	<p>P6 The removal of standing vegetation does not result in obtrusive development having regard to:</p> <ul style="list-style-type: none"> <li>a) The degree of vegetation clearance;</li> <li>b) landscaping;</li> <li>c) building form and materials;</li> <li>d) setbacks to roads and adjoining</li> </ul>

	lots.
--	-------

## 13.4.2 Subdivision

### 13.4.2.1 General Suitability

<p><b>Objective:</b></p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Rural Living Zone.</p>	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

### 13.4.2.2 Lot Area, Building Envelopes and Frontage

<p><b>Objective</b></p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> <li>a) Provides for appropriate wastewater disposal, and stormwater management in consideration of the characteristics or constraints of the land; and</li> <li>b) Provides area and dimensions of lots that are appropriate for the zone; and</li> <li>c) Provides frontage to a road at a standard appropriate for the use; and</li> <li>d) Furthers the local area objectives and desired future character statements for the area, if any.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) have a minimum area in accordance</li> </ul>	<p>P1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) be to facilitate protection of a place of</li> </ul>

<p>with Table 13.1 below; or</p> <p>Table 13.1 – Lot Size</p> <table> <tr> <td>Reedy Marsh</td><td>15ha</td></tr> <tr> <td>Birralee Chudleigh Elizabeth Town Liffey Lower Golden Valley Mole Creek Pateena Rd/Meander Valley Rd Rosevale Weetah</td><td>10ha</td></tr> <tr> <td>Davis Road Meander</td><td>4ha</td></tr> <tr> <td>Carrick</td><td>As set out in F3 Carrick Rural Living Specific Area Plan, or 2ha – if not located within F3 Carrick Rural Living Specific Area Plan</td></tr> <tr> <td>Hadspen</td><td>As set out in F2 Hadspen Specific Area Plan</td></tr> <tr> <td>Kimberley Red Hills Ugbrook Upper Golden Valley Weegenah Western Creek</td><td>No additional lots created</td></tr> </table>		Reedy Marsh	15ha	Birralee Chudleigh Elizabeth Town Liffey Lower Golden Valley Mole Creek Pateena Rd/Meander Valley Rd Rosevale Weetah	10ha	Davis Road Meander	4ha	Carrick	As set out in F3 Carrick Rural Living Specific Area Plan, or 2ha – if not located within F3 Carrick Rural Living Specific Area Plan	Hadspen	As set out in F2 Hadspen Specific Area Plan	Kimberley Red Hills Ugbrook Upper Golden Valley Weegenah Western Creek	No additional lots created
Reedy Marsh	15ha												
Birralee Chudleigh Elizabeth Town Liffey Lower Golden Valley Mole Creek Pateena Rd/Meander Valley Rd Rosevale Weetah	10ha												
Davis Road Meander	4ha												
Carrick	As set out in F3 Carrick Rural Living Specific Area Plan, or 2ha – if not located within F3 Carrick Rural Living Specific Area Plan												
Hadspen	As set out in F2 Hadspen Specific Area Plan												
Kimberley Red Hills Ugbrook Upper Golden Valley Weegenah Western Creek	No additional lots created												
<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 public 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>	<p>Aboriginal, natural or cultural heritage; or</p> <p>b) provide for each lot, sufficient useable area and dimensions to allow for:</p> <ul style="list-style-type: none"> <li>i) a dwelling to be erected in a convenient, appropriate and hazard free location; and</li> <li>ii) appropriate disposal of wastewater and stormwater; and</li> <li>iii) on-site parking and manoeuvrability; and</li> <li>iv) adequate private open space; and</li> <li>v) vehicular access from the carriageway of the road to a building area on the lot, if any; and</li> </ul> <p>c) be consistent with the Local Area Objectives and Desired Future Character Statements having regard to:</p> <ul style="list-style-type: none"> <li>i) the topographical or natural features of the site within the context of the area; and</li> <li>ii) the ability of vegetation to provide buffering; and</li> <li>iii) any features of natural or cultural significance; and</li> <li>iv) the presence of any natural hazards; and</li> </ul> <p>d) not create additional lots at Kimberley, Red Hills, Ugbrook, Upper Golden Valley, Weegenah and Western Creek; and</p> <p>e) not be located on land with frontage to Parkham Road.</p>												

<p>created.</p> <p>A1.2 Each lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	
<p>A2 Each lot must have a frontage of at least 15 metres</p>	<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage, or legal connection to a road by a Right of Carriageway, of no less than 3.6m width, having regard to:</p> <ul style="list-style-type: none"> <li>a) The width of frontage proposed, if any;</li> <li>b) Whether any other land has a Right of Carriageway as its sole or principle means of access over the frontage;</li> <li>c) The number of immediately adjacent Rights of Carriageway;</li> <li>d) The topography of the site;</li> <li>e) The proposed use of the lot;</li> <li>f) The construction and maintenance of the road;</li> <li>g) The existing pattern of development in the surrounding area; and</li> <li>h) The advice of the road authority.</li> </ul>



## 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

<p>Reedy Marsh</p> <p>a) To retain a very low level of impact of development through avoidance of areas of biodiversity value and unobtrusive siting and design.</p>	<p>a) Future development will be determined on the basis of retention of character, amenity and maintenance of the natural values as well as adequate access, on-site servicing and satisfactory mitigation of natural hazards.</p>
--	---

#### 14.1.3 Desired Future Character Statements

<p>Reedy Marsh</p> <p>a) The area is characterized by important stands of vegetation, reflected in the contiguous pattern of conservation covenants over the area and the relationship with the Reedy Marsh Forest Reserve.</p> <p>b) Contiguous vegetation cover is to be maintained.</p> <p>c) To maintain the existing high degree of naturalness present.</p>	
---	--

### 14.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	

<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Residential	If for a single dwelling or home-based business
Utilities	If for minor utilities
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Domestic animal breeding, boarding or training	If on existing cleared land
Visitor accommodation	If for bed and breakfast establishment, holiday flat, or holiday unit
Utilities	If not for minor utilities
<b>Prohibited</b>	
All other uses	

## 14.3 Use Standards

### 14.3.1 Amenity

<p><b>Objective</b></p> <p>To ensure that discretionary uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
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

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

## 14.4 Development Standards

### 14.4.1 Building Design and Siting

<p>Objective</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Not more than 4 hectares or 20% of the site, whichever is the lesser, is used for development.</p>	<p>P1 Site coverage and the proportion of the site used for development has regard to:</p> <ul style="list-style-type: none"> <li>a) the size of the site; and</li> <li>b) the need for driveways; and</li> <li>c) the management of natural hazards</li> </ul>

	<p>or environmental qualities of the site; and</p> <p>d) any constraints imposed by existing development or the features of the site; and</p> <p>e) the site coverage of adjacent properties; and</p> <p>f) the effect of the visual bulk of the building and whether it respects the landscape character; and</p> <p>g) the capacity of the site to absorb runoff; and</p> <p>h) the landscape character of the area and the need to remove vegetation to accommodate development; and</p> <p>i) consistency with the local area objectives, if any.</p>
A2 Building height must not exceed 8 metres.	<p>P2 Building height must:</p> <p>a) be unobtrusive and complement the character of the surrounding landscape; and</p> <p>b) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.</p>
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> <p>a) the prevailing setbacks of existing buildings on nearby lots and pattern of 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) 10 metres to side and rear boundaries; and</p> <p>b) 200m to the Rural Resource Zone</p>	<p>P4 Buildings must be set back adequately to protect:</p> <p>a) the amenity of adjoining dwellings by providing separation that is consistent with the character of the</p>

where a sensitive use is proposed.	<p>surrounding area having regard to:</p> <ul style="list-style-type: none"> <li>i) the impact on the amenity and privacy of habitable room windows and private open space; and</li> <li>ii) the impact on the solar access of habitable room windows and private open space; and</li> <li>iii) the locations of existing buildings and private open space areas; and</li> <li>iv) the size and proportions of the lot; and</li> <li>v) the extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation; and</li> <li>vi) local area objectives, if any; and</li> </ul> <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>
------------------------------------	--

#### 14.4.2 Landscaping

<p><b>Objective</b></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 by directing new development to land that is already cleared.</p>	
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

##### 14.4.3.1 General Suitability

<p><b>Objective:</b></p> <p>The division and consolidation of estates and interests in land is to create lots that are</p>
--

consistent with the purpose of the Environmental Living Zone.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

#### 14.4.3.2 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) have a minimum area of at least 20ha;</li> <li>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</li> <li>c) be for the provision of public utilities; or</li> <li>d) be for the consolidation of a lot with another lot with no additional titles created; or</li> <li>e) be to align existing titles with zone boundaries and no additional lots are created; and</li> </ul>	<p>P1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) be to facilitate protection of a place of Aboriginal, natural or cultural heritage; or</li> <li>b) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> <li>i) a dwelling to be erected in a convenient, appropriate and hazard free location; and</li> <li>ii) appropriate disposal of wastewater; and</li> <li>iii) on-site parking and manoeuvrability; and</li> <li>iv) adequate private open space;</li> </ul> </li> </ul>

<p>A1.2 Each lot must have new boundaries aligned from existing buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<p>and</p> <ul style="list-style-type: none"> <li>v) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and</li> </ul> <p>c) be consistent with the local area having regard to:</p> <ul style="list-style-type: none"> <li>i) the topographical or natural features of the site; and</li> <li>ii) the ability of vegetation to provide buffering; and</li> <li>iii) any features of natural or cultural significance; and</li> <li>iv) the presence of any natural hazards; and</li> <li>v) local area objectives, if any.</li> </ul>
<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>

## 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

<p><b>Deloraine</b></p> <ul style="list-style-type: none"> <li>a) To maintain the current level of mixed use activities within the identified clusters.</li> <li>b) To maximize economic opportunities for reuse of heritage character buildings, particularly along the entrance route to the town centre.</li> </ul>	<ul style="list-style-type: none"> <li>a) New development is to be designed such that it does not dominate or detract from heritage character or adjoining residential character.</li> </ul>
<p><b>Westbury</b></p> <ul style="list-style-type: none"> <li>a) To maintain the current level of mixed use activities.</li> <li>b) To maximize economic opportunities for reuse of heritage character buildings or other underutilised buildings.</li> </ul>	<ul style="list-style-type: none"> <li>a) New development is to be designed such that it does not dominate or detract from heritage character or adjoining residential character.</li> </ul>

#### 15.1.3 Desired Future Character Statements

<p><b>Deloraine</b></p> <ul style="list-style-type: none"> <li>a) The current area of mixed use in Deloraine reflects an historic pattern of development whereby the cluster of mixed uses has formed and has become a functioning part of the town fabric.</li> <li>b) The area along Meander Valley Road on the eastern entrance to the town centre has a distinct historical character, lending itself to innovative reuse of buildings for business or residential purposes which are currently interspersed throughout.</li> <li>c) Community purpose buildings on Meander valley Road form a unique focal point at the juncture of public open space and the Meander River.</li> <li>d) The mixed visual character of the Meander valley Road area is to be maintained in a scale and</li> </ul>	
--	--



density respectful to any heritage characteristics.	
<p>Westbury</p> <p>a) The current strip of mixed uses along Meander Valley Road reflects an historic pattern of development which has resulted in a high degree of interspersed residential, community and business/commercial/tourism uses.</p> <p>b) This pattern continues through to the historic 'town centre', though occurs at a slightly higher density within the heritage building fabric.</p> <p>c) The mixed visual character of the urban mixed use area is to be maintained in a scale and density respectful to any heritage characteristics.</p>	

## 15.2 Use Table

No Permit Required	
Use Class	Qualification
Business and professional services	
Food services	
General retail and hire	If not for a department store
<b>Permitted</b>	
Use Class	Qualification
Food services	
Hotel industry	If for extensions and alterations to an existing use.
Residential	If for extensions, alterations and outbuildings for an existing use.
Transport depot and distribution	If for public transport related uses
<b>Discretionary</b>	
Use Class	Qualification
Bulky goods sales	
Community meeting & entertainment	
Educational and occasional care	
Emergency services	
General retail and hire	

Manufacturing and processing	
Passive recreation	
Research and development	
Recycling and waste disposal	
Residential	
Resource Processing	If for a distillery on CT43423/1
Storage	
Tourist operation	
Vehicle parking	
Visitor accommodation	
Utilities	If not for minor utilities
<b>Prohibited</b>	
All other uses	

## 15.3 Use Standards

### 15.3.1 Amenity

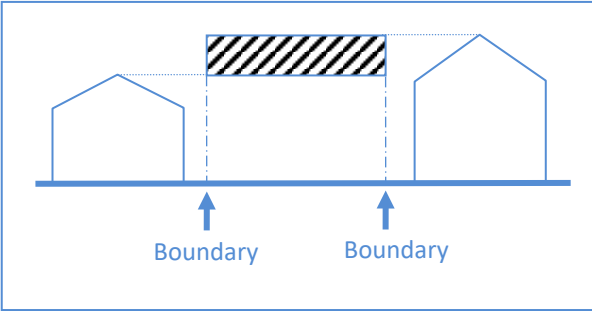
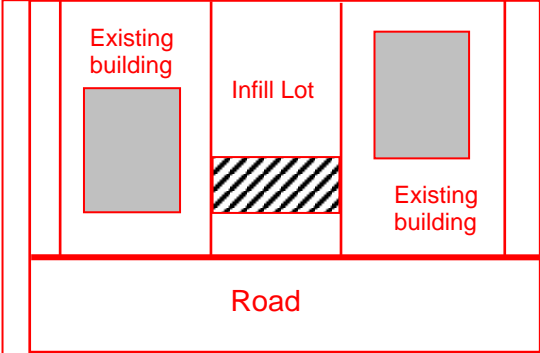
<p>Objective</p> <ul style="list-style-type: none"> <li>a) To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.</li> <li>b) To ensure that existing, lawful non-residential uses can continue to function without undue conflict with higher density sensitive uses.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Operating hours for commercial vehicles for non residential uses must be between 6.00am and 10.00pm.</p>	<p>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.</p>
<p>A2 Signage must not be illuminated or floodlit outside the hours of 6.00am to 10.00pm.</p>	<p>P2 Illuminated or floodlit signage must demonstrate that the amenity of sensitive uses within the surrounding area will not be detrimentally impacted</p>

	upon.
A3 No Acceptable Solution	P3 Where multiple dwellings exceed 2 dwellings on a lot that adjoins an existing non-residential use, the residential use must not be likely to be subject to an environmental nuisance through emissions by that existing use.

## 15.4 Development Standards

### 15.4.1 Building Design and Siting

<p>Objective:</p> <ul style="list-style-type: none"> <li>a) To ensure that the siting and design of development furthers the local area objectives and desired future character for the area.</li> <li>b) 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.</li> </ul>	
Acceptable Solution	Performance Criteria
A1 Site coverage must not exceed 50%.	<p>P1 Site coverage must have regard to:</p> <ul style="list-style-type: none"> <li>a) the existing site coverage and any constraints imposed by existing development or the features of the site; and</li> <li>b) the site coverage of adjacent properties; and</li> <li>c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; and</li> <li>d) the capacity of the site to absorb run-off; and</li> <li>e) the landscape character of the area.</li> </ul>
<p>A2</p> <p>Building height must not exceed 8 metres; or</p> <ul style="list-style-type: none"> <li>a) for infill development, the maximum height of the building is between the maximum height of the two adjoining buildings, shown as the shaded</li> </ul>	<p>P2 Buildings are to be designed and sited:</p> <ul style="list-style-type: none"> <li>a) to be consistent with the local area objectives; and</li> <li>b) to protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking having regard to:</li> </ul>

<p>area in Figure A2.1 below.</p> <p><b>Figure 15.4.1A – Building Height</b></p> <p>Note: Shaded area relates to height only and does not indicate setbacks to side boundaries.</p> 	<ul style="list-style-type: none"> <li>i) the surrounding pattern of development;</li> <li>ii) the existing degree of overlooking and overshadowing;</li> <li>iii) maintaining a reasonable degree of solar access to secluded private open space and habitable room windows such that available sunlight is not reduced below 3 hours on the 21<sup>st</sup> of June, or where existing available sunlight is less than 3 hours, not reduce the existing levels of available sunlight;</li> <li>iv) maintaining reasonable privacy to secluded private open space and windows;</li> <li>v) existing screening or the ability to implement screening to enhance privacy.</li> </ul>
<p><b>A3</b> Buildings must be setback from the primary road frontage:</p> <ul style="list-style-type: none"> <li>a) a minimum distance of 6 metres; or</li> <li>b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Fig. A3.1 below; and</li> </ul> <p><b>Figure 15.4.1B – Primary Frontage Setback for Infill Lots</b></p>  <ul style="list-style-type: none"> <li>c) for corner blocks side walls must be setback a minimum of 3m from the secondary frontage.</li> </ul>	<p><b>P3</b> Buildings may be setback to a road, a distance appropriate to the location, the efficient use of the site, the safe and efficient use of the road and the amenity of residents having regard to:</p> <ul style="list-style-type: none"> <li>a) the prevailing setbacks of existing buildings on nearby lots; and</li> <li>b) the visual impact of the building when viewed from the road; and</li> <li>c) retention of vegetation within the front setback.</li> </ul>

<p><b>A4</b> Buildings must be setback from the side and rear boundaries a minimum distance of 1.5 metres.</p>	<p><b>P4</b> Buildings are to be designed and sited:</p> <ul style="list-style-type: none"> <li>a) to further the objectives relating to the visual character of the settlement; and</li> <li>b) to protect the residential amenity of adjoining dwellings by providing appropriate separation having regard to: <ul style="list-style-type: none"> <li>i) the surrounding pattern of development;</li> <li>ii) the existing degree of overlooking and overshadowing;</li> <li>iii) maintaining a reasonable degree of solar access to secluded private open space and habitable room windows such that available sunlight is not reduced below 3 hours on the 21<sup>st</sup> of June, or where existing available sunlight is less than 3 hours, not reduce the existing levels of available sunlight;</li> <li>iv) maintaining reasonable privacy to private open space and windows;</li> <li>v) existing screening or the ability to implement screening to enhance privacy.</li> </ul> </li> </ul>
<p><b>A5</b> All non-residential development is to be orientated to face a road, except where the development is not visible from any road.</p>	<p><b>P5</b> The entrance to a building must be clearly visible from the road and must provide a safe and accessible access for pedestrians from a road, mall, laneway or arcade to the building.</p>

**15.4.2**            **Clauses 15.4.2.1 - 15.4.2.10 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:

- 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 <sup>2</sup> .	P1.1 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 at a density greater than 25% by lot number, of the number of lots on the same side of the road.	P2 No performance criteria.
A3 Multiple dwellings must not be constructed on more than 2 adjoining lots.	P3 No performance criteria.

#### 15.4.2.2 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 dwelling with its own sense of identity.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Multiple dwellings and residential buildings, must:</p> <p>a) have a front door and a window to a habitable room in the building wall that faces a road; or</p> <p>b) face an internal driveway or communal open space area.</p>	<p>P1 Multiple dwellings and residential buildings must provide for the observation of roads, internal driveways and any abutting public open spaces.</p>

#### 15.4.2.3 Location of Car Parking

<p>Objective</p> <p>a) To provide convenient parking for resident and visitor vehicles; and</p>
---

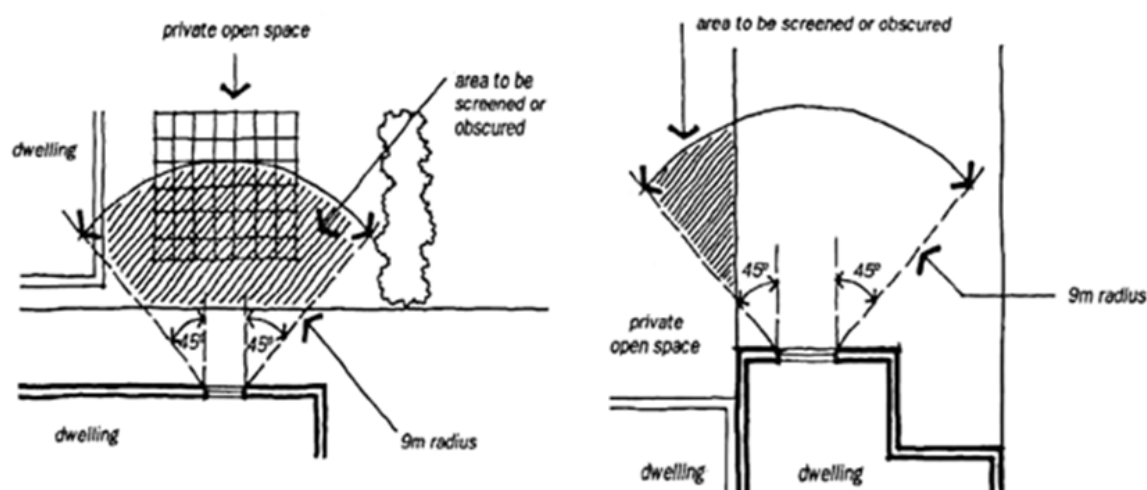
<p>b) To avoid parking and traffic difficulties in the development and the neighbourhood; and</p> <p>c) To protect residents from vehicular noise within developments.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Shared driveways or car parks of other dwellings and residential buildings must be located at least 1.5m from the windows of habitable rooms.</p>	<p>P1 Shared driveways or car parking spaces must be designed to protect the amenity of the adjoining habitable rooms having regard to the:</p> <p>a) width of the driveway; and</p> <p>b) location of the existing dwellings; and</p> <p>c) number of car spaces served by the driveway; and</p> <p>d) need for physical screening and/or landscaping.</p>
<p>A2 A garage or carport must be located:</p> <p>a) within 10 metres of the dwelling it serves; and</p> <p>b) with a setback equal to or greater than the setback of the dwelling to the frontage; or</p> <p>c) in line with or behind the front facade where the dwelling is facing an internal driveway.</p>	<p>P2 Car parking facilities must be:</p> <p>a) reasonably close and convenient to the use it serves; and</p> <p>b) located to minimise visual impact to the streetscape.</p>

#### 15.4.2.4 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</p>	<p>P1 Buildings must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to</p>

<p>(measured at finished ground level) of the window, balcony, terrace, deck or patio must be:</p> <ul style="list-style-type: none"> <li>a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or</li> <li>b) have sill heights of at least 1.7m above floor level; or</li> <li>c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or</li> <li>d) have permanently fixed external screens to at least 1.8m above floor level; and</li> <li>e) obscure glazing and screens must be no more than 25% transparent.</li> </ul> <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 patio's is less than 0.6m above the ground level at the boundary.</p>	<p>the:</p> <ul style="list-style-type: none"> <li>a) setback of the existing and proposed building; and</li> <li>b) location of windows and private open spaces areas within the development and the adjoining sites; and</li> <li>c) level and effectiveness of physical screening by fences or vegetation; and</li> <li>d) topography of the site; and</li> <li>e) characteristics and design of houses in the immediate area.</li> </ul>
<p>A2 Screens used to obscure a view must be:</p> <ul style="list-style-type: none"> <li>a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and</li> <li>b) permanent, fixed and durable.</li> </ul>	<p>P2 No performance criteria.</p>





**Figure 15.4.2.4**

### 15.4.2.5 Private Open Space

<p><b>Objective</b></p> <p>To provide adequate and useable private open space for the reasonable recreation and service needs of residents.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b> Each multiple dwelling must have private open space:</p> <ul style="list-style-type: none"> <li>a) with a continuous area of 40m<sup>2</sup> and a minimum dimension of at least 4m; and</li> <li>b) directly accessible from, and adjacent to, a habitable room, other than a bedroom; and</li> <li>c) with a gradient not steeper than 1:16; and</li> <li>d) located on the side or rear of the dwelling; or</li> <li>e) where all bedrooms and living areas are wholly above ground floor, a balcony of 8m<sup>2</sup> with a minimum dimension of 2m; or a roof-top area of 10m<sup>2</sup> with a minimum width of 2m and direct access from a living room.</li> </ul>	<p><b>P1</b> Multiple dwellings must be provided with sufficient private open space to meet the reasonable recreational needs of the residents having regard to the:</p> <ul style="list-style-type: none"> <li>a) useability of the private open space, including its size and accessibility; and</li> <li>b) availability of and access to public or communal open space; and</li> <li>c) orientation of the lot to the road.</li> </ul>
<p><b>A2.1</b> Private open space must receive a</p>	<p><b>P2</b> Private open space must receive</p>

minimum of 4 hours of direct sunlight on 21 June to 50% of the designated private open space area;	adequate solar access having regard to: 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 sites.
--	--

#### 15.4.2.6 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.

#### 15.4.2.7 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.

#### 15.4.2.8 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"> <li>a) driveways; and</li> <li>b) landscaping areas; and</li> <li>c) site services, bin areas and any waste collection points.</li> </ul>	<p>P1 No performance criteria.</p>

#### 15.4.2.9 Outbuildings and Ancillary Structures

<p>Objective:</p> <ul style="list-style-type: none"> <li>a) To ensure that outbuildings do not detract from the amenity or established neighbourhood character;</li> <li>b) To ensure that dwellings remain the dominant built form within an area;</li> <li>c) To ensure earthworks and the construction or installation of retaining walls are appropriate to the site and respect the amenity of neighbouring properties.</li> </ul>	
Acceptable solution	Performance Criteria
<p>A1 Outbuildings, including garages for each dwelling must:</p> <ul style="list-style-type: none"> <li>a) have a combined floor area not exceeding 45m<sup>2</sup>; and</li> <li>b) have a wall height no greater than 2.7m; and</li> <li>c) have a maximum height not greater than 3.5m.</li> </ul>	<p>P1 Outbuildings must designed and located to:</p> <ul style="list-style-type: none"> <li>a) minimise any visual impact on the streetscape; and</li> <li>b) not unreasonably overlook or overshadow adjoining properties; and</li> <li>c) be compatible with the size and location of residential outbuildings in the neighbourhood;</li> </ul>

### 15.4.2.10 Site Services

<p>Objective:</p> <ul style="list-style-type: none"> <li>a) To ensure that site services can be installed and easily maintained.</li> <li>b) To ensure that site facilities are accessible, adequate and attractive.</li> </ul>	
Acceptable Solution	Performance Criteria
<p>A1.1 A location of a minimum of 2.0 m<sup>2</sup> 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 in a location adjoining a road.</p>	<p>P1 Sufficient space (including easements where required) and facilities for services must be installed.</p>

### 15.4.3 Subdivision

#### 15.4.3.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Urban Mixed Use Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

--	--

### 15.4.3.2 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <ul style="list-style-type: none"> <li>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</li> <li>b) To encourage higher densities in urban locations that support walking and cycling and public transport; and</li> <li>c) To encourage residential development that respects the neighbourhood character; and</li> <li>d) To ensure the area and dimension of lots are appropriate for the characteristics of the locality; and</li> <li>e) To ensure each lot has road access, water supply, and wastewater and stormwater disposal appropriate for the zone.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) have a minimum area of at least <ul style="list-style-type: none"> <li>i) 800m<sup>2</sup>; or</li> <li>a) the area specified in a table to this zone; and</li> </ul> </li> <li>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</li> <li>c) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.; or</li> </ul> <p>A1.2 Lots must:</p> <ul style="list-style-type: none"> <li>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 municipality; or</li> <li>b) be for the provision of utilities; or</li> <li>c) be for the consolidation of a lot with another lot with no additional titles created; or</li> <li>d) be to align existing titles with zone boundaries and no additional lots are</li> </ul>	<p>P1 Subdivision must demonstrate that it:</p> <ul style="list-style-type: none"> <li>a) respects the existing neighbourhood character or the ability to achieve a preferred neighbourhood character; and</li> <li>b) responds to and integrates with the surrounding urban environment; and</li> <li>c) is consistent with desired future character statements and local area objectives, if any.</li> </ul>

created.	
<p>A2 Each lot must have a frontage of at least 6 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> <ul style="list-style-type: none"> <li>a) reticulated water supply; and</li> <li>b) reticulated sewerage system; and</li> <li>c) reticulated stormwater system.</li> </ul>	<p>P3 Each new lot created must be:</p> <ul style="list-style-type: none"> <li>a) in a locality for which reticulated services are not available or capable of being connected; and</li> <li>b) capable of accommodating an on-site wastewater management system.</li> </ul>
<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"> <li>a) lot layout, design; and</li> <li>b) orientation; and</li> <li>c) access considerations; and</li> <li>d) topography; and</li> <li>e) the need for landscape buffers; and</li> <li>f) provision for attenuation distance or physical separation.</li> </ul>

## 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

<p>Carrick</p> <ul style="list-style-type: none"> <li>a) To provide for use and development where the visual values of the historic streetscape are protected.</li> <li>b) To provide for economic opportunity through mixed uses, particularly the re-use of heritage fabric.</li> </ul>	<ul style="list-style-type: none"> <li>a) New development is to be designed such that it does not dominate or detract from heritage character or adjoining residential character.</li> </ul>
<p>Hagley</p> <ul style="list-style-type: none"> <li>a) To provide for infill development only, respectful to the existing streetscape pattern.</li> </ul>	<ul style="list-style-type: none"> <li>a) New development is to be designed such that it does not dominate or detract from heritage character or adjoining residential character.</li> </ul>
<p>Mole Creek</p> <ul style="list-style-type: none"> <li>a) To support the traditional mixed use settlement pattern and provide for incremental growth and economic opportunity, particularly in the reuse of buildings.</li> <li>b) To provide appropriate consideration of the potential impacts on the karst system.</li> <li>c) To support development for tourist based uses recognising the settlement's proximity to the Great Western Tiers.</li> </ul>	<ul style="list-style-type: none"> <li>a) New development is to be designed to consider potential adverse effects on the karst system.</li> </ul>
<p>Meander</p> <ul style="list-style-type: none"> <li>a) To support the traditional mixed use settlement pattern and provide for incremental growth and economic opportunity, particularly in the reuse of buildings.</li> </ul>	<ul style="list-style-type: none"> <li>a) New development is to be designed such that it does not dominate or detract from any heritage character or adjoining residential character.</li> <li>b) Subdivision is to consolidate the village cluster</li> </ul>

<p>Exton</p> <ul style="list-style-type: none"> <li>a) Support infill development only within the natural extent of the village.</li> <li>b) Provide for economic opportunity in the reuse of buildings.</li> </ul>	<ul style="list-style-type: none"> <li>a) Subdivision will only be allowed where it is to consolidate the village cluster subject to onsite servicing constraints.</li> </ul>
<p>Bracknell</p> <ul style="list-style-type: none"> <li>a) Support infill development within the historic lot pattern.</li> <li>b) Provide for continuation of the mixed use pattern of use and development.</li> </ul>	<ul style="list-style-type: none"> <li>a) New development is to be designed and sited in consideration of adjoining residential uses and subject to on-site servicing constraints.</li> </ul>
<p>Whitemore</p> <ul style="list-style-type: none"> <li>a) Support infill development and maintain the mixed use pattern of development.</li> </ul>	<ul style="list-style-type: none"> <li>a) New development is to be designed and sited in consideration of adjoining residential uses and subject to on-site servicing constraints.</li> </ul>

### 16.1.3 Desired Future Character Statements

<p>Carrick</p> <ul style="list-style-type: none"> <li>a) The village character of Carrick reflects an historic core fronting the Meander Valley Road. This streetscape is considered to be a key asset to the visual character of the town and is to be maintained.</li> </ul>	
<p>Hagley</p> <ul style="list-style-type: none"> <li>a) Hagley is characterized by a historical strip of mixed use, ribbon development with some remaining heritage features in buildings and vegetation such as prominent trees and hedgerows that contribute to streetscape character.</li> </ul>	
<p>Mole Creek</p> <ul style="list-style-type: none"> <li>a) Mole Creek is characterized largely by a linear pattern of mixed use development of development along the Mole Creek road due to the constraint of the railway line to the south and Limestone Creek to the north.</li> <li>b) Caveside road to the south provides a more consolidated residential character.</li> </ul>	



<p><b>Meander</b></p> <p>a) The Village Zone at Meander reflects the historical pattern of settlement as a small rural service centre with a traditional mix of residential, business and community uses.</p> <p>b) This discreet centre is to be maintained with ribbon development being discouraged.</p>	
<p><b>Exton</b></p> <p>a) Exton is a small settlement in a linear pattern as a result of historical development and some feature heritage character buildings that contribute the visual character of the settlement.</p>	
<p><b>Bracknell</b></p> <p>a) Bracknell is a rural village that reflects an historical mixed use pattern of an agricultural service centre with a small cluster of businesses and residential and other businesses more dispersed throughout the settlement.</p>	
<p><b>Whitemore</b></p> <p>a) The Village Zone at Whitemore reflects the historical pattern of settlement as a small rural service centre with a unique mix of residential and business use.</p>	

## 16.2 Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
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	
Hotel industry	
Hospital services	
Residential	If for a single dwelling or home-based business
Service industry	
Sports and recreation	
Storage	
Vehicle fuel sales and service	
Visitor accommodation	
Utilities	If for minor utilities
<b>Discretionary</b>	
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
Residential	If not for a single dwelling or home-based business
Tourist operation	
Utilities	
<b>Prohibited</b>	
All other uses	

## 16.3 Use Standards

### 16.3.1 Amenity

<p>Objective</p> <p>To ensure that all non-residential uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

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

<p>Objective</p> <p>To ensure that non-residential uses are of an appropriate scale and type to support the objectives for the settlement.</p>	
Acceptable Solutions	Performance Criteria
A1	<p>Non-residential use must not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</p> <p>P1.1 The use is not within the classes of <b>General Retail and Hire</b>; and</p> <p>P1.2 The size and appearance of the use does not dominate the character of the area; and</p> <p>P1.3 The proposal is consistent with the local area objectives for visual character, if any.</p>
A2	<p>Goods or materials must not be stored outside in locations visible from adjacent properties, the road or public land.</p> <p>P2 Storage of goods or materials is consistent with the local area objectives for visual character, if any.</p>

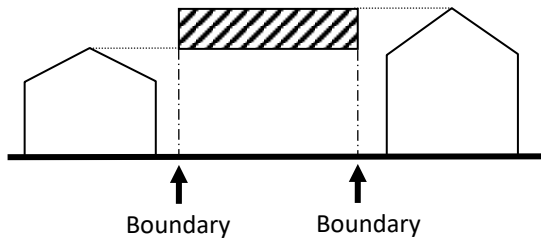
## 16.4 Development Standards

### 16.4.1 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 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 50%.</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 village 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 metres**; or
- b) be between the maximum heights of the two adjoining buildings, shown as the shaded area in Figure 16.4.1A below.



**Figure 16.4.1A – Building Height**

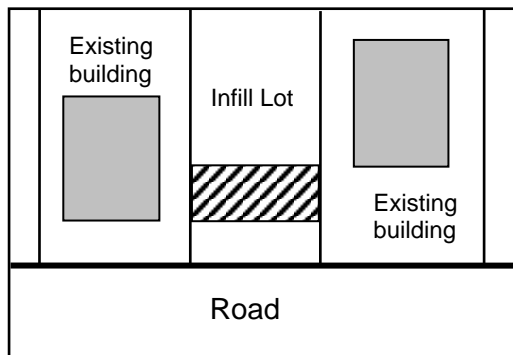
*Note: Shaded area relates to height only and does not indicate setbacks to side boundaries.*

**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 6m; or
- b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 16.4.1B below; and



**Figure 16.4.1B – 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.

c) for corner lots, side walls must be set back a minimum of 3m from the secondary frontage.	
A4.1 Buildings must be set back from the side and rear boundaries a minimum distance of 3m.	<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"> <li>i) the surrounding pattern of development; and</li> <li>ii) the existing degree of overlooking and overshadowing; and</li> <li>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</li> <li>iv) maintaining reasonable privacy to private open space and windows; and</li> <li>v) existing screening or the ability to implement screening to enhance privacy; and</li> </ul> <p>b) further the objectives relating to the visual character of the village.</p>

**16.4.2**                **Clauses 16.4.2.1 - 16.4.2.10 only apply to development within the Residential Use Class which is not a single dwelling.**

**16.4.2.1            Density Control**

<p>Objective</p> <p>To ensure that:</p> <ul style="list-style-type: none"> <li>a) dwellings occur at a density appropriate to the character of the zone; and</li> <li>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.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

A1 Multiple dwellings are constructed with a minimum site area per dwelling of 400m <sup>2</sup> .	P1.1 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 at a density greater than 25% by lot number, of the number of lots on the same side of the road.	P2 No performance criteria.
A3 Multiple dwellings must not be constructed on more than 2 adjoining lots.	P3 No performance criteria.

#### 16.4.2.2 Streetscape integration and appearance

<p>Objective</p> <ul style="list-style-type: none"> <li>a) To integrate the layout of residential development with the streetscape; and</li> <li>b) To promote passive surveillance; and</li> <li>c) To provide each dwelling with its own sense of identity.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Multiple dwellings and residential buildings, must:</p> <ul style="list-style-type: none"> <li>a) have a front door and a window to a habitable room in the building wall that faces a road; or</li> <li>b) face an internal driveway or communal open space area.</li> </ul>	<p>P1 Multiple dwellings and residential buildings must provide for the observation of roads, internal driveways and any abutting public open spaces.</p>

#### 16.4.2.3 Location of Car Parking

<p>Objective</p> <ul style="list-style-type: none"> <li>a) To provide convenient parking for resident and visitor vehicles; and</li> <li>b) To avoid parking and traffic difficulties in the development and the neighbourhood; and</li> <li>c) To protect residents from vehicular noise within developments.</li> </ul>
---

Acceptable Solutions	Performance Criteria
<p>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.</p>	<p>P1 Shared driveways or car parking spaces must be designed to protect the amenity of the adjoining habitable rooms having regard to the:</p> <ul style="list-style-type: none"> <li>a) width of the driveway; and</li> <li>b) location of the existing dwellings; and</li> <li>c) number of car spaces served by the driveway; and</li> <li>d) need for physical screening and/or landscaping.</li> </ul>
<p>A2 A garage or carport must be located:</p> <ul style="list-style-type: none"> <li>a) within 10 metres of the dwelling it serves; and</li> <li>b) with a setback equal to or greater than the setback of the dwelling to the frontage; or</li> <li>c) in line with or behind the front facade where the dwelling is facing an internal driveway.</li> </ul>	<p>P2 Car parking facilities must be:</p> <ul style="list-style-type: none"> <li>a) reasonably close and convenient to the use it serves; and</li> <li>b) located to minimise visual impact to the streetscape.</li> </ul>

#### 16.4.2.4 Overlooking

<p>Objective</p> <p>To minimise:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) any adverse impact on the amenity of the adjoining and the subject site.</li> </ul>	
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"> <li>a) offset a minimum of 1.5m from the</li> </ul>	<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"> <li>a) setback of the existing and proposed building; and</li> <li>b) location of windows and private open</li> </ul>



<p>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 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>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>
<p>A2 Screens used to obscure a view must be:</p> <p>a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and</p> <p>b) permanent, fixed and durable.</p>	<p>P2 No performance criteria.</p>

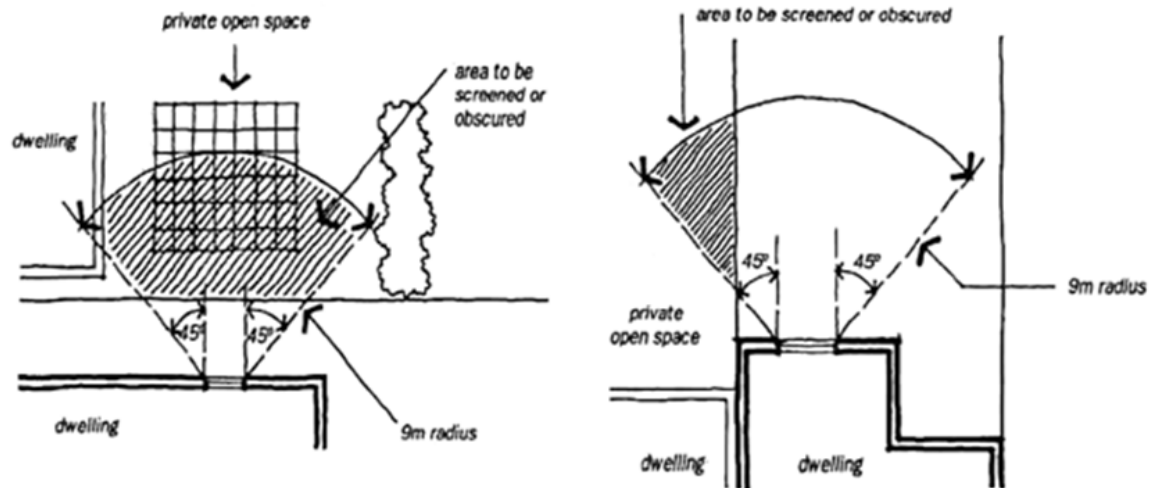


Figure 15.4.2.4

#### 16.4.2.5 Private Open Space

<p><b>Objective</b></p> <p>To provide adequate and useable private open space for the reasonable recreation and service needs of residents.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Each multiple dwelling must have private open space:</p> <ul style="list-style-type: none"> <li>a) with a continuous area of 40m<sup>2</sup> and a minimum dimension of at least 4m; and</li> <li>b) directly accessible from, and adjacent to, a habitable room, other than a bedroom; and</li> <li>c) with a gradient not steeper than 1:16; and</li> <li>d) located on the side or rear of the dwelling; or</li> <li>e) where all bedrooms and living areas are wholly above ground floor, a balcony of 8m<sup>2</sup> with a minimum dimension of 2m; or a roof-top area of 10m<sup>2</sup> with a minimum width of 2m and direct access from a living room.</li> </ul>	<p>P1 Multiple dwellings must be provided with sufficient private open space to meet the reasonable recreational needs of the residents having regard to the:</p> <ul style="list-style-type: none"> <li>a) useability of the private open space, including its size and accessibility; and</li> <li>b) availability of and access to public or communal open space; and</li> <li>c) orientation of the lot to the road.</li> </ul>

<p><b>A2.1</b> 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;</p>	<p><b>P2</b> Private open space must receive adequate solar access having regard to:</p> <ul style="list-style-type: none"> <li>a) topography of the site; and</li> <li>b) site constraints including orientation and shape of the site; and</li> <li>c) location and size of buildings on adjoining sites.</li> </ul>
---	--

#### 16.4.2.6 Landscaping

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

#### 16.4.2.7 Storage

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

#### 16.4.2.8 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"> <li>a) driveways; and</li> <li>b) landscaping areas; and</li> <li>c) site services, bin areas and any waste collection points.</li> </ul>	<p>P1 No performance criteria.</p>

#### 16.4.2.9 Outbuildings and Ancillary Structures

<p>Objective:</p> <ul style="list-style-type: none"> <li>d) To ensure that outbuildings do not detract from the amenity or established neighbourhood character;</li> <li>e) To ensure that dwellings remain the dominant built form within an area;</li> <li>f) To ensure earthworks and the construction or installation of retaining walls are appropriate to the site and respect the amenity of neighbouring properties.</li> </ul>	
Acceptable solution	Performance Criteria
<p>A1 Outbuildings, including garages for each dwelling must:</p> <ul style="list-style-type: none"> <li>d) have a combined floor area not exceeding 45m<sup>2</sup>; and</li> <li>e) have a wall height no greater than 2.7m; and</li> <li>f) have a maximum height not greater than 3.5m.</li> </ul>	<p>P1 Outbuildings must designed and located to:</p> <ul style="list-style-type: none"> <li>d) minimise any visual impact on the streetscape; and</li> <li>e) not unreasonably overlook or overshadow adjoining properties; and</li> <li>f) be compatible with the size and location of residential outbuildings in the neighbourhood;</li> </ul>

### 16.4.2.10 Site Services

<p>Objective:</p> <ul style="list-style-type: none"> <li>c) To ensure that site services can be installed and easily maintained.</li> <li>d) To ensure that site facilities are accessible, adequate and attractive.</li> </ul>	
Acceptable Solution	Performance Criteria
<p>A1.1 A location of a minimum of 2.0 m<sup>2</sup> 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 in a location adjoining a road.</p>	<p>P1 Sufficient space (including easements where required) and facilities for services must be installed.</p>

### 16.4.3 Subdivision

#### 16.4.3.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Village Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

### 16.4.3.2 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <ul style="list-style-type: none"> <li>a) Provides for appropriate wastewater disposal and stormwater management in consideration of the particular characteristics or constraints of the land; and</li> <li>b) To ensure the area and dimensions of lots are appropriate for the mixed use characteristics of the locality; and</li> <li>c) To encourage residential development that respects the village character; and</li> <li>d) Provides frontage to a road at a standard appropriate for the use; and</li> <li>e) To further the local area objectives and desired future character statements for the area, if any.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) have a minimum area of at least 600m<sup>2</sup>;</li> <li>b) be able to contain a 10 metre diameter circle with the centre of the circle not more than 5 metres from the frontage; or</li> <li>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</li> <li>d) for the provision of utilities; or</li> <li>e) for the consolidation of a lot with another lot with no additional titles created; or</li> <li>f) to align existing titles with zone boundaries and no additional lots are created; and</li> </ul> <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"> <li>a) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> <li>i) a dwelling to be erected in accordance with the setback standards; and</li> <li>ii) on-site parking and manoeuvrability for domestic vehicles; and</li> <li>iii) adequate private open space; and</li> <li>iv) vehicular access from the road to a building area on the lot, if any; and</li> </ul> </li> <li>b) have regard to: <ul style="list-style-type: none"> <li>i) the topographical or natural features of the site; and</li> <li>ii) the pattern of existing development; and</li> <li>iii) the ability of vegetation to provide buffering; and</li> <li>iv) any features of natural, historical or cultural significance; and</li> <li>v) the presence of any natural hazards; and</li> </ul> </li> <li>c) have regard to the local area</li> </ul>

	objectives and desired future character statements, if any.
A2 Each lot must have a frontage of at least 3.6 metres.	P2 Subdivision must provide appropriate, permanent access by a Right of Carriageway registered over all relevant titles.
A3 Each lot must be connected to a: a) reticulated water supply; and b) reticulated sewerage system.	P3 Each new 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.
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.

## 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

<p><b>Deloraine</b></p> <p>a) To provide for essential community education, health, social and recreation services and promote linkages within the precinct and to the surrounding residential areas.</p>	
<p><b>Hagley Farm School</b></p> <p>a) To provide for essential community education services and support the continued investment in education infrastructure.</p> <p>b) To ensure that the interface between education facilities and adjoining agricultural activities is appropriately managed.</p>	
<p><b>Ashley Detention Centre</b></p> <p>a) To provide certainty for the operation of significant State infrastructure and support the continued investment in facilities.</p>	

#### 17.1.3 Desired Future Character Statements

<p>There are no desired future character statements for the zone.</p>	
---	--

### 17.2 Use Table

No Permit Required	
Use Class	Qualification
Passive recreation	
Natural and cultural values management	



Permitted	
Use Class	Qualification
Emergency services	
Community meeting & entertainment	
Crematoria and cemeteries	
Custodial Facility	If for the Ashley Detention Centre
Educational and occasional care	
Hospital services	
Recycling and waste disposal	If for municipal waste transfer station or refuse disposal site.
Residential	If for the Hagley Farm School Zone - CT's 199375/1, 211662/1 and 199011/1.
Sports and recreation	
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	
Food services	
Residential	If for residential aged care facility, respite centre or retirement village
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

<p>Objective</p> <p>To ensure that all uses accord with the objectives for the zone or a community facility.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Storage of materials or equipment external to a building must not be visible from the road to which the lot has frontage.</p>	<p>P1 Storage of materials or equipment does not visually detract from the character of the area.</p>

A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P2 No performance criteria.
---	-----------------------------

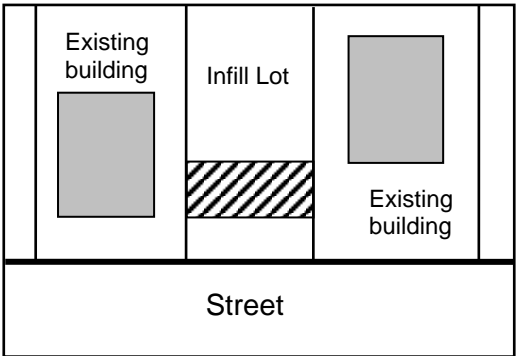
### 17.3.2 Amenity

<p><b>Objective</b></p> <p>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.</p>	
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><b>Objective</b></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
A1 Building height must not exceed 8m.	<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> <ul style="list-style-type: none"> <li>i) the form of the building; and</li> <li>ii) the contours or slope of the land; and</li> <li>iii) existing screening or the ability to implement/establish screening.</li> </ul>
<p>A2 Buildings must be set back from the frontage a minimum distance of <b>6 metres</b> 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><b>Figure 17.4.1 – Front Setback for Infill Lots</b></p> 	<p>P2 Building frontage setbacks must:</p> <ul style="list-style-type: none"> <li>a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or</li> <li>b) respond to the site context and the local area objectives, if any, for the provision of community uses.</li> </ul>
<p>A3 Buildings must be set back from the side and rear boundaries a minimum distance of <b>3 metres</b>.</p>	<p>P3 Side and rear building setbacks must:</p> <ul style="list-style-type: none"> <li>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; and</li> <li>b) have regard to: <ul style="list-style-type: none"> <li>i) the form of the building; and</li> <li>ii) the contours or slope of the land; and</li> <li>iii) existing screening or the ability to implement/establish screening.</li> </ul> </li> </ul>

### 17.4.2 Subdivision

<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>a) To facilitate the establishment and continued use of community facilities at a size and scale appropriate to the needs of the community; and</li> <li>b) To ensure that appropriate road access, wastewater, stormwater, energy and communication services are provided as appropriate for the use; and</li> <li>c) To further the local area objectives and desired future character statements for the area, if any.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.</p>	<p>P1 The subdivision must:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) be a combined application for subdivision and subsequent development and use of the land; and</li> <li>c) facilitate the provision or augmentation of public services, utilities or recreational use; and</li> <li>d) have regard to: <ul style="list-style-type: none"> <li>i) the topographical or natural features of the site; and</li> <li>ii) the pattern of existing development; and</li> <li>iii) the ability of vegetation to provide buffering; and</li> <li>iv) any features of natural, historical or cultural significance; and</li> <li>v) the presence of any natural hazards; and</li> </ul> </li> <li>e) provide sufficient area and dimension having regard to the: <ul style="list-style-type: none"> <li>i) nature of the proposed use and development; and</li> <li>ii) need to accommodate vehicles on the lot; and</li> </ul> </li> </ul>

	<ul style="list-style-type: none"><li>iii) proximity of neighbouring residential development; and</li><li>f) provide access and services appropriate to the intended use, and;</li><li>g) have regard to the local area objectives and desired future character statements, if any.</li></ul>
--	---

## 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

<p>a) Recreation Zone areas reflect the historical pattern of development in settlements in the provision of organised recreation services including sports ovals, showgrounds and racecourses.</p> <p>b) Provide for the continued use and investment in these facilities, including other supporting uses that assist in maintaining the viability of facility for the provision of recreation services.</p>	
<p>Agfest Site – Quercus Park</p> <p>a) Provide certainty for the continued investment in and the operation and development of Quercus Park for community events.</p>	

#### 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	
Community meeting and entertainment	If for land at Quercus Park – CT 135734/3
Permitted	
Use Class	Qualification
Sports and recreation	
Motor Racing Facility	If for extensions or alterations to existing buildings at CT150110/1, Carrick.

Discretionary	
Use Class	Qualification
Community meeting and entertainment	
Crematoria and cemeteries	
Emergency services	
General Retail and Hire	If for a market
Tourist operation	
Utilities	If for minor utilities
Visitor accommodation	
Prohibited	
All other uses	

## 18.3 Use Standards

### 18.3.1 Amenity

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

### 18.3.2 Recreation Zone Character

<p><b>Objective</b></p> <p>To ensure that discretionary uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b> 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.</p>	<p><b>P1</b> Vehicle parking is located and screened from roads and public lands to minimise visual impacts.</p>
<p><b>A2</b> Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.</p>	<p><b>P2</b> Storage of materials or equipment is consistent with the local area objectives for visual character, if any.</p>

## 18.4 Development Standards

### 18.4.1 Building Design and Siting

<p><b>Objective</b></p> <p>To ensure that the design and siting of buildings:</p> <p>a) conserves the recreation character of the area: and</p> <p>b) minimise disturbance to adjoining uses.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b> Building height must not exceed 7m.</p>	<p><b>P1</b> 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 from unreasonable impacts of overshadowing and overlooking.</p>
<p><b>A2</b> Buildings must be set back 10m from all boundaries.</p>	<p><b>P2</b> Building setbacks must:</p> <p>a) protect the amenity of adjoining dwellings from unreasonable impacts</p>



	<p>of overshadowing and overlooking; and</p> <p>b) conserve the recreation values of the area, having regard to existing uses and developments on the site and in the area.</p>
--	---

#### 18.4.2 Landscaping

<p><b>Objective</b></p> <p>To ensure that the recreation values of the site are retained in a manner that contributes to the broader landscape of the area.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 If for permitted or no permit required uses.</p>	<p>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:</p> <p>a) any retaining walls; and</p> <p>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</p> <p>c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and</p> <p>d) any fencing; and</p> <p>e) vegetation plantings to be used and where; and</p> <p>f) any pedestrian movement paths; and</p> <p>g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.</p>

### 18.4.3 Subdivision

#### 18.4.3.1 General Suitability

<p><b>Objective:</b></p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Recreation Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

#### 18.4.3.2 Lot Requirements and Frontage

<p><b>Objective</b></p> <p>To ensure that subdivision is appropriate for the intended use of the lots.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Subdivision must be:</p> <ul style="list-style-type: none"> <li>a) to provide for development in the Utilities Use Class; or</li> <li>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</li> </ul>	<p>P1 The subdivision is for the provision or augmentation of:</p> <ul style="list-style-type: none"> <li>a) passive recreation; or</li> <li>b) sports and recreation; or</li> <li>c) community services; or</li> <li>d) recreation-based tourist operation.</li> </ul>

<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>A2 If for utilities uses.</p>	<p>P2 All new lots must provide appropriate pedestrian links to the surrounding locality where appropriate.</p>
<p>A3 The lot must have a minimum frontage of 4.0m.</p>	<p>P3 No performance criteria.</p>
<p>A4 Each lot must be connected to a:</p> <p>a) reticulated water supply; and</p> <p>b) reticulated sewerage system; and</p> <p>c) reticulated stormwater system.</p>	<p>P4 Any lots created for building purposes are of sufficient size to allow for on-site disposal of any waste and storm water.</p>

## 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

<p>a) The open space zone reflects areas that have historically been developed for passive recreation with full public access and include extensive investment in playgrounds and fitness trails and multi-use areas that service the recreation needs of a neighbourhood and maximize the use of natural assets, such as Blackstone Park.</p> <p>b) Provide for the continued provision of public facilities in a manner that is appropriate to the proximity of adjoining residential uses.</p> <p>c) Provide for safe, accesible and pleasant open space linkages to promote connectivity between open space areas and to activity centres with walking and cycling opportunities for health as well as transport.</p>	
---	--

#### 19.1.3 Desired Future Character Statements

<p>a) There are no future desired character statements for the zone.</p>	
--	--

### 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	
Sports and recreation	
Tourist operation	
Utilities	
Vehicle Parking	
<b>Prohibited</b>	
All other uses	

## 19.3 Use Standards

### 19.3.1 Amenity

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

### 19.3.2 Open Space Character

<p><b>Objective</b></p> <p>To ensure that uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b> The use must:</p> <p>a) be for natural and cultural values management or passive recreation; or</p> <p>b) not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</p>	<p><b>P1.1</b> The size and appearance of the use must:</p> <p>a) not dominate the character of the area; and</p> <p>b) be consistent with the local area objectives for visual character, if any; and</p> <p><b>P1.2</b> The use is not within the classes of <b>General Retail and Hire</b>.</p>
<p><b>A2</b> Commercial vehicles for discretionary uses must be:</p> <p>a) parked within the boundary of the property; and</p> <p>b) in locations that are not visible from the road or public land.</p>	<p><b>P2</b> Commercial vehicle parking must be located and screened from roads and public lands to minimise visual impacts.</p>
<p><b>A3</b> Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.</p>	<p><b>P3</b> Storage of materials or equipment must be consistent with the local area objectives for visual character, if any.</p>

## 19.4 Development Standards

### 19.4.1 Building Design and Siting

<p><b>Objective</b></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>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 Building height must not exceed 5m.</p>	<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>
<p>A2 Buildings must be set back 10m from all boundaries.</p>	<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>
<p>A3 The site coverage must not exceed 20%.</p>	<p>P3 No performance criteria.</p>

## 19.4.2 Landscaping

<p><b>Objective</b></p> <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>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b> If for natural and cultural values management or passive recreation.</p>	<p><b>P1</b> 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"> <li>a) any retaining walls; and</li> <li>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</li> <li>c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and</li> <li>d) any fencing; and</li> <li>e) vegetation plantings to be used and where; and</li> <li>f) any pedestrian movement paths; and</li> <li>g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.</li> </ul>



### 19.4.3 Subdivision

#### 19.4.3.1 General Suitability

<p><b>Objective:</b></p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Open Space Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

#### 19.4.3.2 Lot Requirements and Frontage

<p><b>Objectives</b></p> <p>To ensure that subdivision is appropriate for the intended use of the lots.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Subdivision must be:</p> <ul style="list-style-type: none"> <li>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</li> </ul>	<p>P1 The subdivision must:</p> <ul style="list-style-type: none"> <li>a) be a combined application for subdivision and subsequent development and use of the land; and</li> </ul>

<p>b) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>c) to align existing titles with zone boundaries and no additional lots are created.</p>	<p>b) facilitate the provision or augmentation of public services, utilities or recreational use; and</p> <p>c) respond to the local area objectives and desired future character for the zone, if any.</p>
<p>A2 If for utilities or emergency services.</p>	<p>P2 All new lots must provide appropriate pedestrian links to the surrounding locality.</p>
<p>A3 The lot must have a minimum frontage of 4.0m.</p>	<p>P3 No performance criteria.</p>
<p>A4 Each lot must be connected to a:</p> <p>a) reticulated water supply; and</p> <p>b) reticulated sewerage system; and</p> <p>c) reticulated stormwater system.</p>	<p>P4 Any lots created for building purposes are of sufficient size to allow for on-site disposal of any waste and storm water.</p>

## 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

<p><b>Deloraine</b></p> <ul style="list-style-type: none"> <li>a) To encourage the efficient and appropriate use of land isolated between Emu Bay Road and the Highway for non-sensitive uses in consideration of adjoining residential uses.</li> <li>b) To provide for the use and development of established business sites.</li> </ul>	
<p><b>Hadspen</b></p> <ul style="list-style-type: none"> <li>a) Development of the local business centre is to be maintained at a low impact level until such time as a comprehensive development plan is undertaken for Hadspen.</li> <li>b) Provide for continued retail services to the Hadspen community.</li> <li>c) To provide for reuse of a local business site.</li> </ul>	<ul style="list-style-type: none"> <li>a) Use and development will be restricted to the provision of local services and the requirements of the existing visitor accommodation.</li> </ul>
<p><b>Rutherglen</b></p> <ul style="list-style-type: none"> <li>a) To provide for the continued development of tourist and local hospitality facilities in a defined cluster.</li> <li>b) To ensure future use and development respects the amenity of the adjoining residential area.</li> <li>c) To ensure uses other than visitor accommodation and residential are directed away from the river</li> </ul>	

edge and are focussed toward the main commercial cluster.	
---	--

### 20.1.3 Desired Future Character Statements

<p><b>Deloraine</b></p> <ul style="list-style-type: none"> <li>a) The visual character of the business sites is to be low impact in consideration of adjoining residential zones.</li> <li>b) Development in the northern most zone is to be oriented to Emu Bay Road and is to have a low impact presence to the Bass Highway.</li> </ul>	
<p><b>Hadspen</b></p> <ul style="list-style-type: none"> <li>a) The mixed uses at the junction of Main Street and Meander Valley Road reflects historical development resulting in a combination of local convenience retail with a substantial tourist accommodation site.</li> <li>b) The mixed uses at the junction of Main Street and Meander Valley Road reflects historical development resulting in a combination of local convenience retail with a substantial tourist accommodation site.</li> <li>c) The Rutherglen site reflects an historical pattern of subdivision and shared use for residential and tourism purposes. The zone is isolated, however is located on a visually prominent site on the South Esk River and opposite the tourism icon Entally House. Future development of the Rutherglen site is to be low impact within the semi rural setting and maintain a respectful distance to Entally House.</li> </ul>	
<p><b>Rutherglen</b></p> <ul style="list-style-type: none"> <li>a) The Rutherglen site reflects an historical pattern of subdivision and shared use for residential and tourism purposes. The zone is isolated, however is located on a visually prominent site on the South Esk River and opposite the tourism icon Entally House. Future development of the Rutherglen site is to be low impact within the semi rural setting and maintain a respectful distance to Entally House.</li> </ul>	

## 20.2 Use Table

No Permit Required	
Use Class	Qualification
Permitted	
Use Class	Qualification
Business and professional services	If not for Rutherglen
Food services	
General retail and hire	If floor area is less than 1000m <sup>2</sup>
Utilities	If for minor utilities
Visitor accommodation	
Discretionary	
Use Class	Qualification
Business and professional services	If for Rutherglen
Community meeting and entertainment	
Educational and occasional care	
Emergency services	
General retail and hire	If not for a full line department store
Manufacturing and processing	
Residential	
Service industry	
Storage	
Utilities	If not for minor utilities
Prohibited	
All other uses	

## 20.3 Use Standards

### 20.3.1 Amenity

<p>Objective</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>a) traffic, the hours of delivery and despatch of goods and materials; and</li> <li>b) hours of operation; and</li> <li>c) light spill.</li> </ul>

## 20.4 Development Standards

### 20.4.1 Siting, Design and Built Form

<p>Objective</p> <p>To ensure that development is visually compatible with surrounding area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The entrance of a building must:</p> <ul style="list-style-type: none"> <li>a) be clearly visible from the road or publically accessible areas on the site; and</li> <li>b) provide a safe access for pedestrians.</li> </ul>	<p>P1 No performance criteria.</p>
<p>A2 Building height must not exceed:</p> <ul style="list-style-type: none"> <li>a) 7m; or</li> <li>b) 1m greater than the average of the heights of buildings on immediately adjoining lots.</li> </ul>	<p>P2 Building height must:</p> <ul style="list-style-type: none"> <li>a) be consistent with the local area objectives if any, and</li> <li>b) have regard to the streetscape and the desirability of a greater setback for</li> </ul>

	<p>upper floors from the frontage; and</p> <p>c) avoid unreasonable levels of overshadowing to public places or adjoining properties.</p>
<p><b>A3.1 Buildings must be:</b></p> <p>a) set back from all boundaries a minimum distance of <b>2.0m</b>; or</p> <p>b) the same as or less than the setback of an immediately adjoining building.</p>	<p><b>P3 Building setbacks must:</b></p> <p>a) provide for enhanced levels of public interaction or public activity; and</p> <p>b) ensure the efficient use of the site; and</p> <p>c) be consistent with the established setbacks within the immediate area and the same zone; and</p> <p>d) be consistent with the local area objectives, if any; and</p> <p>e) provide for emergency vehicle access.</p>

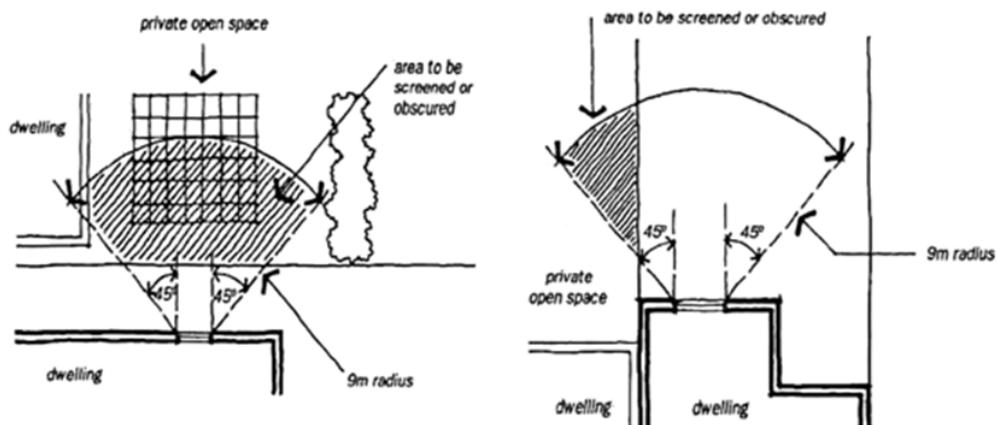
**20.4.2 Clauses 20.4.2.1 – 20.4.2.2 only apply to development within the Residential Use Class which is not a single dwelling.**

**20.4.2.1 Overlooking**

<p><b>Objective</b></p> <p>a) To minimise overlooking into existing secluded private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites.</p> <p>b) To minimise any adverse impact on the amenity of the adjoining and the subject site.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p><b>A1</b> A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window or secluded private open space of dwellings within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio must be:</p> <p>a) offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or</p> <p>b) have sill heights of at least 1.7 metres above floor level; or</p>	<p><b>P1</b> Buildings must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to:</p> <p>a) the setback of the existing and proposed building; and</p> <p>b) the location of windows and private open spaces areas within the development and the adjoining sites; and</p> <p>c) the level and effectiveness of physical screening by fences or</p>

<p>c) have fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or</p> <p>d) have permanently fixed external screens to at least 1.7 metres above floor level; and</p> <p>e) obscure glazing and screens must be no more than 25 per cent 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 1.7 metres above floor level, indicated in Figure 20.4.2.1.</p> <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	<p>vegetation; and</p> <p>d) the topography of the site; and</p> <p>e) the characteristics and design of houses in the immediate area.</p>
<p>A2 Screens used to obscure a view must be:</p> <p>a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and</p> <p>b) permanent, fixed and durable.</p>	<p>P2 No performance criteria</p>

Figure 20.4.2.1





#### 20.4.2.2 Private Open Space

Objective.	
a) To provide adequate, effectively useable private open space for the reasonable recreation and service needs of residents.	
Acceptable Solution	Performance Criteria
<p>A1 Each dwelling must have private open space:</p> <ul style="list-style-type: none"> <li>a) with a continuous area of 40m<sup>2</sup> and a minimum dimension of at least 4m and located on the side or rear of the dwelling; and</li> <li>b) directly accessible from, and adjacent to, a habitable room, other than a bedroom; and</li> <li>c) with a gradient not steeper than 1:16; and</li> <li>d) that is not provided within the front setback; or</li> <li>e) for dwellings where bedrooms and living areas are wholly above ground floor, a balcony of 8m<sup>2</sup> with a minimum dimension of 2m; or a roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; and</li> <li>f) that receives a minimum of a minimum of 4 hours of direct sunlight on 21<sup>st</sup> June to 50% of the designated private open space area.</li> </ul>	<p>P1 Dwellings must be provided with sufficient private open space to meet the reasonable recreational needs of the residents having regard to:</p> <ul style="list-style-type: none"> <li>a) The useability of the private open space, including its size and accessibility; and</li> <li>b) the availability of and access to public or communal open space; and</li> <li>c) the orientation of the lot to the street; and</li> <li>d) the ability of the private open space to receive adequate solar access.</li> </ul>

### 20.4.3 Subdivision

#### 20.4.3.1 General Suitability

<p><b>Objective:</b></p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Local Business Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

#### 20.4.3.2 Lot Area, Building Envelope and Frontage

<p><b>Objective</b></p> <p>Subdivision must ensure:</p> <ul style="list-style-type: none"> <li>a) maintenance of the complexity and diversity of the built environment and pedestrian connectivity; and</li> <li>b) that new lots have sufficient land area for the physical demands of allowable uses; and</li> <li>c) the development of local business centres for retailing and other complementary commercial, entertainment, residential and community uses; and</li> <li>d) each lot has appropriate frontage, access and services; and</li> <li>e) appropriate transition to adjoining zones, especially residential areas.</li> </ul>
--

Acceptable Solutions	Performance Criteria
<p>A1 Each lot must:</p> <p>a) have a minimum area of at least:</p> <p>i) 500m<sup>2</sup>; or</p> <p>ii) the area specified in a table to this zone; and</p> <p>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</p> <p>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</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; or</p> <p>f) be for the provision of public utilities.</p>	<p>P1 Subdivision must:</p> <p>a) provide each lot with 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 and 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) respond to the existing neighbourhood character and integrate with the surrounding road network; and</p> <p>d) be consistent with the local area objectives, if any.</p>
<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> <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) pattern of surrounding frontages.</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 Each new lot created must be capable of disposal of stormwater to a legal</p>

	discharge point.
<p>A5 Subdivision must not be located on the boundary of the General Residential Zone or Urban Mixed Use Zone.</p>	<p>P5 The subdivision layout must be designed to mitigate adverse environmental impacts and minimise potential for nuisance or loss of amenity having regard to:</p> <ul style="list-style-type: none"> <li>a) lot layout and design; and</li> <li>b) orientation; and</li> <li>c) access considerations; and</li> <li>d) topography or physical separation to surrounding sensitive land uses.</li> </ul>

## 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

Prospect Vale	
<ul style="list-style-type: none"> <li>a) Avoid ribbon development along Westbury Road and provide for increases in retail and commercial capacity commensurate with demand, through consolidating uses as much as possible, in consideration of the potential impacts on surrounding residential uses.</li> <li>b) Provide for the continued use of land for Manufacturing &amp; Processing for a joinery factory at 367 Westbury Road as a complementary use.</li> </ul>	<ul style="list-style-type: none"> <li>a) Subdivision or redevelopment of land will be determined on the basis of impact on the function of Westbury Road and surrounding residential zones.</li> </ul>
Deloraine	
<ul style="list-style-type: none"> <li>a) The existing commercial centre of Deloraine focused on Emu Bay Road will be maintained as the primary retail and commercial area through consolidating uses as much as possible, in consideration of parking needs and accessibility.</li> <li>b) Provide for the re-use of heritage character buildings.</li> </ul>	<ul style="list-style-type: none"> <li>a) Subdivision or redevelopment of land will be determined on the basis of impact on the function of Emu Bay Road and surrounding residential zones.</li> </ul>

#### 21.1.3 Desired Future Character Statements

Prospect Vale	
<ul style="list-style-type: none"> <li>a) Future use and development is to be designed and sited to reinforce a consolidated precinct with shop fronts and orientation of buildings to Westbury Road with an improved commercial appearance.</li> </ul>	
Deloraine	
<ul style="list-style-type: none"> <li>a) Maintain the strong streetscape lines of buildings along Emu Bay Road and ensure new development is complementary to remnant heritage buildings.</li> </ul>	

## 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 <sup>2</sup>
Passive recreation	
Natural and cultural values management	
Permitted	
Use Class	Qualification
Bulky goods sales	
General retail and hire	If for: a) full line department store or b) single retail tenancy where the use exceeds 500m <sup>2</sup>
Hotel industry	
Manufacturing and processing	If for a joinery factory on CT's 32077/2 and 32077/3
Research and development	
Utilities	If for minor utilities
Vehicle fuel sales and service	
Discretionary	
Use Class	Qualification
Emergency services	
Community meeting & entertainment	
Recycling and waste disposal	If not for refuse disposal site, scrap yard, vehicle wrecking yard
Educational and occasional care	
Manufacturing and processing	
Residential	
Service industry	Must incorporate a shopfront for customer service
Sport and recreation	

Storage	
Transport depot and distribution	
Tourist operation	
Vehicle parking	
Visitor accommodation	
Utilities	If not for minor utilities
<b>Prohibited</b>	
All other uses	

## 21.3 Use Standards

### 21.3.1 Amenity

<p>Objective</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.</p>	<p>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.</p>

## 21.4 Development Standards

### 21.4.1 Siting, Design and Built Form

<p>Objective</p> <ul style="list-style-type: none"> <li>a) To ensure that buildings are visually compatible with surrounding development.</li> <li>b) To ensure that the pedestrian and vehicular environment is safe.</li> <li>c) To ensure that development respects the interface with an adjoining General Residential Zone.</li> </ul>
---

Acceptable Solutions	Performance Criteria
<p>A1 The entrance of a building must be:</p> <ul style="list-style-type: none"> <li>a) clearly visible from the road or publically accessible areas on the site; and</li> <li>b) provide a safe access for pedestrians.</li> </ul>	<p>P1 No performance criteria.</p>
<p>A2 Building height must not exceed:</p> <ul style="list-style-type: none"> <li>a) 8 metres; or</li> <li>b) 1m greater than the average of the heights of buildings on immediately adjoining lots.</li> </ul>	<p>P2 Building height must:</p> <ul style="list-style-type: none"> <li>a) be consistent with the local area objectives if any, and</li> <li>b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and</li> <li>c) avoid unreasonable levels of overshadowing to public places or adjoining properties.</li> </ul>
<p>A3.1 Buildings must be:</p> <ul style="list-style-type: none"> <li>a) set back from all boundaries a minimum distance of 2.0 metres; or</li> <li>b) the same as or less than the setback of an immediately adjoining building; or</li> <li>c) where it adjoins a residential zone, sited such that the private open space and habitable room windows of the adjoining site are not overshadowed by more than 50% on the 21<sup>st</sup> of June, or where existing overshadowing is greater than 50%, not increase the degree of overshadowing.</li> </ul>	<p>P3 Building setbacks must:</p> <ul style="list-style-type: none"> <li>a) provide for enhanced levels of public interaction or public activity; and</li> <li>b) ensure the efficient use of the site; and</li> <li>c) be consistent with the established setbacks within the immediate area and the same zone; and</li> <li>d) be consistent with the local area objectives, if any; and</li> <li>e) provide for emergency vehicle access; and</li> <li>f) to avoid unreasonable levels of overshadowing to adjoining residential uses.</li> </ul>
<p>A4 No acceptable solution</p>	<p>P4 Development on land comprised in prior CT53605/3, is limited to an extension of the existing Prospect Vale Market Place building and has a gross floor area no greater than 1000m<sup>2</sup>.</p>



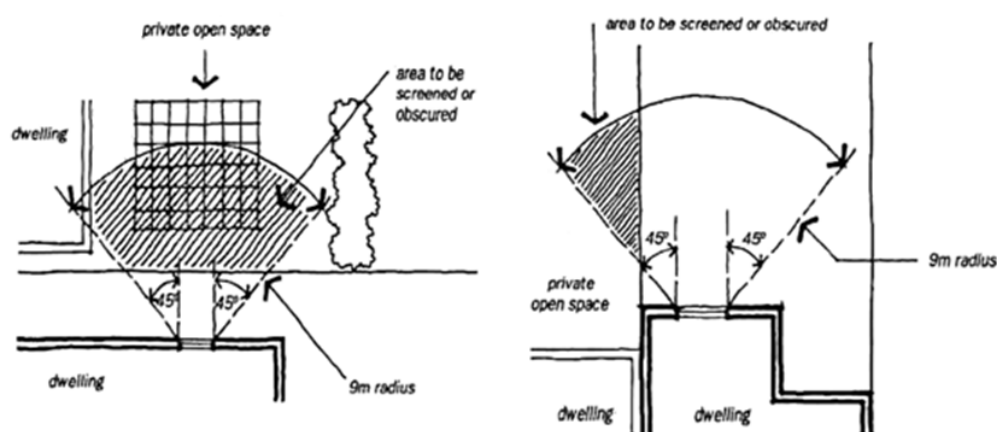
**21.4.2 Clauses 21.4.2.1 – 21.4.2.2 only apply to development within the Residential Use Class which is not a single dwelling.**

**21.4.2.1 Overlooking**

<p>Objective</p> <ul style="list-style-type: none"> <li>a) To minimise overlooking into existing secluded private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites.</li> <li>b) To minimise any adverse impact on the amenity of the adjoining and the subject site.</li> </ul>	
Acceptable Solution	Performance Criteria
<p>A1 A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window or secluded private open space of dwellings within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio must be:</p> <ul style="list-style-type: none"> <li>a) offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or</li> <li>b) have sill heights of at least 1.7 metres above floor level; or</li> <li>c) have fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or</li> <li>d) have permanently fixed external screens to at least 1.7 metres above floor level; and</li> <li>e) obscure glazing and screens must be no more than 25 per cent transparent.</li> </ul> <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 1.7 metres above floor level, indicated in Figure 21.4.2.1.</p> <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the</p>	<p>P1 Buildings must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to:</p> <ul style="list-style-type: none"> <li>a) the setback of the existing and proposed building; and</li> <li>b) the location of windows and private open spaces areas within the development and the adjoining sites; and</li> <li>c) the level and effectiveness of physical screening by fences or vegetation; and</li> <li>d) the topography of the site; and</li> <li>e) the characteristics and design of houses in the immediate area.</li> </ul>

habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	
<p>A2 Screens used to obscure a view must be:</p> <ul style="list-style-type: none"> <li>a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and</li> <li>b) permanent, fixed and durable.</li> </ul>	P2 No performance criteria

**Figure 21.4.2.1**



## 21.4.2.2 Private Open Space

<p>Objective.</p> <ul style="list-style-type: none"> <li>a) To provide adequate, effectively useable private open space for the reasonable recreation and service needs of residents.</li> </ul>	
Acceptable Solution	Performance Criteria
<p>A1 Each dwelling must have private open space:</p> <ul style="list-style-type: none"> <li>a) with a continuous area of 40m<sup>2</sup> and a minimum dimension of at least 4m and located on the side or rear of the dwelling; and</li> <li>b) directly accessible from, and adjacent to, a habitable room, other than a bedroom; and</li> <li>c) with a gradient not steeper than</li> </ul>	<p>P1 Dwellings must be provided with sufficient private open space to meet the reasonable recreational needs of the residents having regard to:</p> <ul style="list-style-type: none"> <li>a) The useability of the private open space, including its size and accessibility; and</li> <li>b) the availability of and access to public or communal open space; and</li> <li>c) the orientation of the lot to the</li> </ul>

<p>1:16; and</p> <p>d) that is not provided within the front setback; or</p> <p>e) for dwellings where bedrooms and living areas are wholly above ground floor, a balcony of 8m<sup>2</sup> with a minimum dimension of 2m; or a roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; and</p> <p>f) that receives a minimum of a minimum of 4 hours of direct sunlight on 21<sup>st</sup> June to 50% of the designated private open space area.</p>	<p>street; and</p> <p>d) the ability of the private open space to receive adequate solar access.</p>
--	--

### 21.4.3 Subdivision

#### 21.4.3.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the General Business Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

### 21.4.3.2 Lot Area, Building Envelope and Frontage

<p>Objective</p> <p>Subdivision must ensure:</p> <ul style="list-style-type: none"> <li>a) maintenance of the complexity and diversity of the built environment and pedestrian connectivity; and</li> <li>b) that new lots have sufficient land area for the physical demands of allowable uses; and</li> <li>c) the intensive development of business centres for retailing and other complementary commercial, entertainment, residential and community uses; and</li> <li>d) each lot has appropriate frontage, access and services; and</li> <li>e) appropriate transition to adjoining zones, especially residential areas .</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) have a minimum area of at least: <ul style="list-style-type: none"> <li>i) 200m<sup>2</sup>; or</li> <li>ii) the area specified in a table to this zone; and</li> </ul> </li> <li>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</li> <li>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</li> <li>c) for the consolidation of a lot with another lot with no additional titles created; or</li> <li>d) to align existing titles with zone boundaries and no additional lots are created; or</li> <li>e) be for the provision of public utilities.</li> </ul>	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> <li>a) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> <li>i) the siting and construction of allowable premises; and</li> <li>ii) vehicles providing for supplies, waste removal and emergency services and public transport; and</li> </ul> </li> <li>b) demonstrate that the layout would not unduly prejudice the future use or development of the site or adjoining lots; and</li> <li>c) respect the existing neighbourhood character and respond to and integrate with the surrounding road network; and</li> <li>d) be consistent with the local area objectives, if any.</li> </ul>
<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"> <li>a) nature of vehicles likely to access the</li> </ul>

	<p>site; and</p> <p>b) area and dimension of the lot and the ability to manoeuvre vehicles on the lot; and</p> <p>c) road network and visibility; and</p> <p>d) pattern of surrounding frontages.</p>
<p>A3 Each lot must be connected to a:</p> <p>a) reticulated water supply; and</p> <p>b) reticulated sewerage system; and</p> <p>c) reticulated stormwater system.</p>	<p>P3 No performance criteria.</p>
<p>A4 Subdivision must not adjoin the general residential or urban mixed use zones.</p>	<p>P4 The subdivision layout must be designed to mitigate environmental nuisance and loss of amenity having regard to:</p> <p>a) lot layout and design; and</p> <p>b) orientation; and</p> <p>c) access considerations; and</p> <p>d) topography or physical separation to surrounding sensitive land uses.</p>

## **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.

42.1.1.2 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 are compatible with and complementary to light industrial activity.

#### 24.1.2 Local Area Objectives

<p>Prospect Vale</p> <ul style="list-style-type: none"> <li>a) To continue the role of the precinct as integral to the Prospect Vale activity centre, providing a focal commercial and light industrial area that services a district to the southwest of Launceston.</li> <li>b) The precinct is to acknowledge the evolution of use and development toward commercial uses that utilise the precinct's attributes including: <ul style="list-style-type: none"> <li>- proximity to the arterial road network;</li> <li>- high profile location as the entrance to the south western end of Launceston city;</li> <li>- convenient and proximate location to the urban population of the south western suburbs of Launceston city and the broader surrounding rural population.</li> </ul> </li> <li>c) The location and/or treatment of industrial use and development must minimise the potential for environmental harm or nuisance on nearby residential uses in consideration of the nature of emissions of particular activities. Heavy industrial uses are discouraged.</li> </ul>	
<p>Deloraine</p> <ul style="list-style-type: none"> <li>a) To provide for lower impact service industries in a manner that will not unreasonably compromise the future use of land to the east of East Goderich Street for residential growth.</li> </ul>	<ul style="list-style-type: none"> <li>a) Allowed uses will be limited to those having lower impact.</li> </ul>



### 24.1.3 Desired Future Character Statements

<p><b>Prospect Vale</b></p> <p>a) Enhance the visual character of the precinct by the presentation of use and development through the inclusion of elements such as:</p> <ul style="list-style-type: none"> <li>- shop fronts and/or clearly articulated reception/office areas to the building frontage;</li> <li>- appropriately formed and sealed site access and parking areas;</li> <li>- the considered use of security fencing and the overall design of the site to minimise fortified site frontages; and</li> <li>- landscaping.</li> </ul> <p>b) The precinct should evolve to provide enhanced pedestrian and vehicular mobility in recognition of its mix of uses, surrounding urban land uses and the diverse provision of service to the surrounding area.</p>	
<p><b>Deloraine</b></p> <p>a) Development sites are to be an appropriately finished presentation through sealed surfaces, grassed or vegetated areas and non-reflective building materials.</p>	

### 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
Utilities	If for minor utilities
Permitted	
Use Class	Qualification
Equipment and machinery sales and hire	
Storage	
Research and development	

Residential	If for additions, alterations or outbuildings on CT's 171861/1, 55310/1 and 60860/1 that do not contain any additional habitable rooms.
Utilities	
Vehicle fuel sales and service	
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods	If for garden or landscape supplies, hardware or trade (wholesale) supplies
Business and professional services	
Community meeting & entertainment	
Domestic animal breeding, boarding or training	
Emergency services	
Food services	If for a cafe or takeaway food premises
General retail and hire	
Recycling and waste disposal	
Resource processing	If not for animal saleyards or abattoir If not a Level 2 Activity
Transport depot and distribution	
Manufacturing and processing	
Service industry	
Vehicle parking	
<b>Prohibited</b>	
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 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 50 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.

## 24.4 Development Standards

### 24.4.1 Building Design and Siting

<p>Objective</p> <p>To ensure that the site and layout, building design and form is visually compatible with surrounding development.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building height must not exceed:</p> <p>a) 10 metres; or</p> <p>b) the average of the heights of buildings on immediately adjoining titles.</p>	<p>P1 Building height must:</p> <p>a) be complementary to the streetscape immediately surrounding the site; and</p> <p>b) avoid unreasonable levels of shading to the road, public places or adjoining properties.</p>
<p>A2 Buildings must be set back a minimum distance of 5.5 metres from a frontage.</p>	<p>P2 Frontage setbacks must be:</p> <p>a) in keeping with or to enhance the streetscape character; and</p> <p>b) consistent with the local area objectives, if any.</p>

<p>A3.1 Buildings must be set back from side boundaries a minimum distance of <b>3 metres</b>; and</p> <p>A3.2 Buildings must be set back from rear boundaries a minimum distance of <b>3 metres</b>.</p>	<p>P3 The setback to the side and rear boundary must:</p> <ul style="list-style-type: none"> <li>a) provide adequate access to the site; and</li> <li>b) not result in unreasonable loss of amenity to adjoining uses having regard to the: <ul style="list-style-type: none"> <li>i) bulk and form of the building; and</li> <li>ii) impact on the solar access of habitable room windows and private open space; and</li> <li>iii) size and proportions of the lot; and</li> <li>iv) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation.</li> </ul> </li> </ul>
---	--

## 24.4.2 Subdivision

### 24.4.2.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Light Industrial Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> </ul>

	f) potential exposure to natural hazards.
--	---

#### 24.4.2.2 Lot Area, Building Envelope and Frontage

<p>Objective</p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> <li>a) provides appropriate lot area and dimensions; and</li> <li>b) provides each lot with appropriate access and services; and</li> <li>c) does not compromise the sustainable development of adjoining properties.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot must:</p> <ul style="list-style-type: none"> <li>a) have a minimum area of at least                             <ul style="list-style-type: none"> <li>i) 1000m<sup>2</sup>; or</li> <li>ii) the area specified in a table to this zone; and</li> </ul> </li> <li>b) be able to contain a 20m diameter circle; or</li> <li>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</li> <li>c) for the consolidation of a lot with another lot with no additional titles created; or</li> <li>d) to align existing titles with zone boundaries and no additional lots are created; or</li> <li>e) be for the provision of public utilities.</li> </ul> <p>A1.2 Lots must have new boundaries aligned from buildings that satisfy the setback standards.</p>	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> <li>a) provide for each lot sufficient useable area and dimensions to allow for:                             <ul style="list-style-type: none"> <li>i) the siting and construction of allowable premises; and</li> <li>ii) vehicles providing for supplies, waste removal, emergency services and public transport; and</li> </ul> </li> <li>b) demonstrate that the layout would not unduly prejudice the future use or development of the subject or adjoining land; and</li> <li>c) have regard to:                             <ul style="list-style-type: none"> <li>i) the topographical or natural features of the site; and</li> <li>ii) potential to provide buffering; and</li> <li>iii) any features of natural or cultural significance; and</li> <li>iv) the presence of any natural hazards; and</li> <li>v) the nature of surrounding development; and</li> </ul> </li> <li>d) be consistent with the local area objective, if any.</li> </ul>
<p>A2 Each lot must have a frontage of at least 6 metres.</p>	<p>P2 Subdivision must provide appropriate frontage to a road having regard to</p>

	<p>the:</p> <ul style="list-style-type: none"> <li>a) nature of vehicles likely to access the site; and</li> <li>b) area and dimension of the lot and the ability to manoeuvre vehicles on the site; and</li> <li>c) road network and visibility; and</li> <li>d) topographical features of the site.</li> </ul>
<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> <ul style="list-style-type: none"> <li>a) lot layout and design; and</li> <li>b) orientation; and</li> <li>c) access considerations; and</li> <li>d) topography; and</li> <li>e) the need for landscape buffers; and</li> <li>f) separation to surrounding sensitive land uses.</li> </ul>
<p>A4 Each lot must be connected to a:</p> <ul style="list-style-type: none"> <li>a) reticulated water supply; and</li> <li>b) reticulated sewerage system.</li> </ul>	<p>P4 Each new lot created must be:</p> <ul style="list-style-type: none"> <li>a) in a locality for which reticulated services are not available or capable of being connected; and</li> <li>b) capable of accommodating an on-site wastewater management system.</li> </ul>
<p>A5 Each lot must be connected to a reticulated stormwater system.</p>	<p>P5 Each new lot created must be capable of disposal of stormwater to a legal discharge point.</p>

## 25 General Industrial Zone

### 25.1 Zone Purpose

#### 25.1.1 Zone Purpose Statements

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

<b>Birrlee Road</b>  a) To provide economic opportunity through certainty in the nature and siting of use and development for the strategic provision of a broad range industrial uses.	a) Implement a Specific Area Plan over the zone.
<b>Deloraine</b>  a) Support the future development of industrial activity in Deloraine by focusing future industrial development in two areas: the East Goderich/Lake Highway precinct, and the Butter Factory site on Mole Creek Rd.  b) Direct heavier industrial uses at the East Goderich/Lake Highway precinct to the General Industrial Zone and establish an appropriate landscape buffer at the interface between the Light Industrial Zone and the General Industrial Zone to assist in mitigating the impact of industrial use on the residential environment.	a) Allowable uses in the zone will provide the distinction between light and general industrial use across the precinct.  b) Development of General Industrial land will require establishment of the landscape buffer.

#### 25.1.3 Desired Future Character Statements

There are no desired future character statements for this zone.	
---	--

### 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	
Recycling and waste disposal	
Residential	If for additions, alterations or outbuildings on CT's 30003/1 and 75279/1 that do not contain any additional habitable rooms.
Resource processing	If not for animal saleyards or abattoir
Service industry	
Storage	
Manufacturing and processing	
Research and development	
Transport depot and distribution	
Utilities	If for minor utilities
Vehicle fuel sales and service	
Vehicle parking	
<b>Discretionary</b>	
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
<b>Prohibited</b>	
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 50 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.

## 25.4 Development Standards

### 25.4.1 Building Design and Siting

<p>Objective</p> <p>To ensure that the site and layout, building design and form is visually compatible with surrounding development.</p>	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed: a) 10.0m.	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 5.5 metres from a frontage.	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: a) bulk and form of the building; and b) impact on the solar access of habitable room windows and private

	<p>open space; and</p> <p>c) size and proportions of the lot; and</p> <p>d) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation.</p>
--	--

## 25.4.2 Subdivision

### 25.4.2.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the General Industrial Zone.</p>	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>

### 25.4.2.2 Lot Area, Building Envelope and Frontage

<p>Objective</p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> <li>a) provides appropriate lot area and dimensions; and</li> <li>b) provides each lot with appropriate access and services; and</li> </ul>
--

c) does not compromise the sustainable development of adjoining properties.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <p>a) have a minimum area of at least:</p> <p>i) 1500m<sup>2</sup>; or</p> <p>ii) the area specified in a table to this zone; and</p> <p>b) be able to contain a 20m diameter circle; or</p> <p>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</p> <p>c) be for the consolidation of a lot with another lot with no additional titles created; or</p> <p>d) be to align existing titles with zone boundaries and no additional lots are created; or</p> <p>e) be for the provision of public utilities; and</p> <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> <p>a) provide for each lot, sufficient useable area and dimensions to allow for:</p> <p>i) the likely parking demand for industrial 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 objectives, if any.</p>
<p>A2 Each lot must have a frontage of at least 6 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 lot; and</p> <p>b) area and dimension of the lot and the ability to manoeuvre vehicles on the lot; and</p> <p>c) road network and visibility; and</p> <p>d) topographical features of the site.</p>
<p>A3 Subdivision does not adjoin the general residential, village, low density residential, urban mixed</p>	<p>P3 The subdivision layout must be designed to mitigate adverse environmental impacts and minimise potential for</p>

<p>use, environmental living and rural living zones.</p>	<p>nuisance or loss of amenity having regard to:</p> <ul style="list-style-type: none"> <li>a) lot layout and design; and</li> <li>b) orientation; and</li> <li>c) access considerations; and</li> <li>d) topography; and</li> <li>e) the need for landscape buffers; and</li> <li>f) separation to surrounding sensitive land uses.</li> </ul>
<p>A4 Each lot must be connected to a reticulated:</p> <ul style="list-style-type: none"> <li>a) water supply; and</li> <li>b) sewerage system.</li> </ul>	<p>P4 Each new lot created must be:</p> <ul style="list-style-type: none"> <li>a) in a locality for which reticulated services are not available or capable of being connected; and</li> <li>b) capable of accommodating an on-site wastewater management system.</li> </ul>
<p>A5 Each lot must be connected to a reticulated stormwater system.</p>	<p>P5 Each new lot created must be capable of disposal of stormwater to a legal discharge point.</p>

## 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

<p>a) Primary Industries:</p> <p>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</p> <p>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.</p> <p>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 compromised.</p> <p>b) Tourism</p> <p>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.</p> <p>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.</p>	
--	--

<p>c) Rural Communities</p> <p>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.</p>	
---	--

#### 26.1.3 Desired Future Character Statements

<p>The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.</p>	
--	--

### 26.2 Use Table

No Permit Required	
Use Class	Qualification
Domestic animal breeding, boarding or training	If not on prime agricultural land
Natural and cultural values management	
Passive recreation	
Resource development	<p>If not for:</p> <ul style="list-style-type: none"> <li>a) plantation forestry on prime agricultural land; or</li> <li>b) controlled environment agriculture on prime agricultural land; or</li> <li>c) intensive animal husbandry on prime agricultural land ; or</li> <li>d) a dwelling; or</li> <li>e) forestry or plantation forestry on non-prime agricultural land.</li> </ul>
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
Domestic animal breeding, boarding or training	If not on prime agricultural land
Community meeting & entertainment	If for existing premises used for public purposes
Crematoria and cemeteries	If for crematoria and 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
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 <b>intensive</b> 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
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



<b>Prohibited</b>	
All other uses	

## 26.3 Use Standards

### 26.3.1 Uses if not a single dwelling

<p>Objective</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</li> <li>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.</li> <li>f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<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 250m<sup>2</sup> over the site.</p>

<p>A2 If for permitted or no permit required uses.</p>	<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"> <li>i) amount of land alienated/converted is minimised; and</li> <li>ii) location is reasonably required for operational efficiency; and</li> </ul> <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"> <li>a) the amount of land converted is minimised having regard to: <ul style="list-style-type: none"> <li>i) existing use and development on the land; and</li> <li>ii) surrounding use and development; and</li> <li>iii) topographical constraints; or</li> </ul> </li> <li>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"> <li>i) limitations created by any existing use and/or development surrounding the site; and</li> <li>ii) topographical features; and</li> <li>iii) poor capability of the land for primary industry; or</li> </ul> </li> <li>c) the location of the use on the site is reasonably required for operational efficiency.</li> </ul>
<p>A4 If for permitted or no permit required uses.</p>	<p>P4 It must demonstrated that:</p> <ul style="list-style-type: none"> <li>a) emissions are not likely to cause an environmental nuisance; and</li> <li>b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</li> <li>c) the capacity of the local road network can accommodate the traffic generated by the use.</li> </ul>

<p>A5 The use must:</p> <ul style="list-style-type: none"> <li>a) be permitted or no permit required; or</li> <li>b) be located in an existing building.</li> </ul>	<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"> <li>a) the impacts on skylines and ridgelines; and</li> <li>b) visibility from public roads; and</li> <li>c) the visual impacts of storage of materials or equipment; and</li> <li>d) the visual impacts of vegetation clearance or retention; and</li> <li>e) the desired future character statements.</li> </ul>
---	---

### 26.3.2 Dwellings

<p>Objective</p> <p>To ensure that dwellings are:</p> <ul style="list-style-type: none"> <li>a) incidental to resource development; or</li> <li>b) located on land with limited rural potential where they do not constrain surrounding agricultural operations.</li> </ul>	
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> <ul style="list-style-type: none"> <li>a) it is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to: <ul style="list-style-type: none"> <li>i) scale; and</li> <li>ii) complexity of operation; and</li> <li>iii) requirement for personal attendance by the occupier; and</li> <li>iv) proximity to the activity; and</li> <li>v) any other matters as relevant to the particular activity; or</li> </ul> </li> <li>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry</li> </ul>

	<p>use, having regard to:</p> <ul style="list-style-type: none"> <li>i) limitations created by any existing use and/or development surrounding the site; and</li> <li>ii) topographical features; and</li> <li>iii) poor capability of the land for primary industry operations (including a lack of capability or other impediments); and</li> </ul> <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

<p>Objective</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i>.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>a) the location and amount of land to be used; and</li> <li>b) the operational practicalities of irrigation systems as they relate to the land; and</li> <li>c) any management or conservation plans for the land.</li> </ul>

## 26.4 Development Standards

### 26.4.1 Building Location and Appearance

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

	iv) appropriate noise attenuation.
--	------------------------------------

## 26.4.2 Subdivision

<p><b>Objective</b></p> <p>To ensure that subdivision is only to:</p> <ul style="list-style-type: none"> <li>a) improve the productive capacity of land for resource development and extractive industries; or</li> <li>b) enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; or</li> <li>c) facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1 No acceptable solution</b></p>	<p><b>P1 The subdivision:</b></p> <ul style="list-style-type: none"> <li>a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or</li> <li>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; or</li> <li>c) is for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or</li> <li>d) is for the consolidation of a lot with another lot and no additional titles created; or</li> <li>e) is to align existing titles with zone boundaries and no additional lots are created; or</li> <li>f) is to facilitate protection of a place of Aboriginal, natural or cultural heritage.</li> </ul>

## **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

<p>a) The zone primarily reflects the historical development of utilities to serve settlements and is to provide certainty for the operation of and investment in those facilities.</p> <p>b) To provide for the higher order function of Category 1, 2 and 3 and arterial roads in the State road hierarchy.</p>	
---	--

#### 28.1.3 Desired Future Character Statements

There are no desired future character statements for this 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
Natural and cultural values management	
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

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

## 28.4 Development Standards

### 28.4.1 Building Design and Siting

<p>Objective</p> <p>To ensure that the siting and design of development:</p> <ul style="list-style-type: none"> <li>a) considers the impacts to adjoining lots; and</li> <li>b) furthers the local area objectives and desired future character statements for the area, if any.</li> </ul>
---

Acceptable Solutions	Performance Criteria								
<p>A1 Height must not exceed:</p> <ul style="list-style-type: none"> <li>a) 6m; or</li> <li>b) 15 m for ancillary antenna and masts for communication devices; or</li> <li>c) the height indicated in Table 28.4.1.</li> </ul> <p><b>Table 28.4.1 – Building Height</b></p> <table border="1"> <tr> <td>Westbury Wastewater Treatment Plant</td><td>8m</td></tr> <tr> <td>Deloraine Wastewater Treatment Plant</td><td>8m</td></tr> <tr> <td>Prospect Vale Wastewater Treatment Plant</td><td>8m</td></tr> <tr> <td>Travellers Rest Telecommunications Site</td><td>25m</td></tr> </table>	Westbury Wastewater Treatment Plant	8m	Deloraine Wastewater Treatment Plant	8m	Prospect Vale Wastewater Treatment Plant	8m	Travellers Rest Telecommunications Site	25m	<p>P1.1 Height must:</p> <ul style="list-style-type: none"> <li>a) minimise the visual impact having regard to: <ul style="list-style-type: none"> <li>i) prevailing character of the landscape or urban pattern of the surrounding area; and</li> <li>ii) form and materials; and</li> <li>iii) the contours or slope of the land; and</li> <li>iv) existing screening or the ability to implement/establish screening through works or landscaping; and</li> <li>v) The functional requirements of the proposed development or use; and</li> </ul> </li> <li>b) protect the amenity of residential uses in the area from unreasonable impacts having regard to: <ul style="list-style-type: none"> <li>i) the surrounding pattern of development; and</li> <li>ii) the existing degree of overlooking and overshadowing; and</li> <li>iii) methods to reduce visual impact; or.</li> </ul> </li> </ul> <p>P1.2 Where development is unavoidably prominent in the landscape, it must provide a significant community benefit.</p>
Westbury Wastewater Treatment Plant	8m								
Deloraine Wastewater Treatment Plant	8m								
Prospect Vale Wastewater Treatment Plant	8m								
Travellers Rest Telecommunications Site	25m								
<p>A2 Buildings must be set back from all boundaries a minimum distance of 3m.</p>	<p>P2 Building setbacks must:</p> <ul style="list-style-type: none"> <li>a) complement existing building setbacks in the immediate area; and</li> <li>b) minimise adverse impacts on adjoining land uses having regard to: <ul style="list-style-type: none"> <li>i) the form of the building; and</li> <li>ii) the contours or slope of the land; and</li> <li>iii) methods to reduce visual impact;</li> </ul> </li> </ul>								

	<p>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

### 28.4.2.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Utilities Zone.</p>	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <p>a) slope, shape, orientation and topography of land;</p> <p>b) any established pattern of use and development;</p> <p>c) connection to the road network;</p> <p>d) availability of or likely requirements for utilities;</p> <p>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</p> <p>f) potential exposure to natural hazards.</p>

### 28.4.2.2 Lot Requirements and Frontage

<b>Objective</b> 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

<p>a) To recognise and provide for conservation values on public land.</p> <p>b) To recognise and manage areas of private land where environmental sensitivities exist.</p> <p>c) To provide for appropriate tourist and visitor facilities in recognition of the unique access to the world heritage areas.</p>	<p>a) The protection of natural values will be managed through allowable uses in the zone.</p>
--	--

#### 29.1.3 Desired Future Character Statements

<p>a) The unique aesthetic values of the reserves within their individual topographical context are to be protected and maintained.</p>	
---	--

### 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	
Residential	
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	
<b>Prohibited</b>	
All other uses	

## 29.3 Use Standards

### 29.3.1 Reserved Land

<p><b>Objective</b></p> <p>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>.</p>	
Acceptable Solutions	Performance Criteria
<p>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>.</p>	<p>P1 No performance criteria.</p>

## 29.4 Development Standards

### 29.4.1 Building Design and Siting

<p><b>Objective</b></p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The curtilage for development must:</p> <ul style="list-style-type: none"> <li>a) not exceed 20% of the site; or</li> <li>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>.</li> </ul>	<p>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.</p>

<p>A2 Building height must:</p> <p>a) not exceed 6m; or</p> <p>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>..</p>	<p>P2 Building height must blend with the surrounding landscape and not be individually prominent.</p>
<p>A3 Buildings must be set back</p> <p>a) a minimum of 10m to all boundaries; or</p> <p>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>..</p>	<p>P3 Building setback must protect the natural values of the site or reduce the risk from natural hazards.</p>
<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> <p>a) locations of existing buildings; and</p> <p>b) size and proportions of the lot; and</p> <p>c) nature of the rural resources that are, or may potentially be conducted; and</p> <p>d) extent to which the topography or existing vegetation screening may reduce or increase the impact of the proposed variation.</p>

#### 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>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>

<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"> <li>a) any retaining walls; and</li> <li>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</li> <li>c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and</li> <li>d) any fencing; and</li> <li>e) vegetation plantings to be used and where; and</li> <li>f) any pedestrian movement paths; and</li> <li>g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.</li> </ul>
--	---

### 29.4.3 Subdivision

#### 29.4.3.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Environmental Management Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> </ul>



	<p>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</p> <p>f) potential exposure to natural hazards.</p>
--	---

#### 29.4.3.2 Lot Requirements and Frontage

<p>Objective</p> <p>To ensure that subdivision:</p> <p>a) is appropriate to the protection of the natural values identified on the subject land; and</p> <p>b) provides for the intended use of the lots.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Subdivision must be:</p> <p>a) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>b) to align existing titles with zone boundaries and no additional lots are created.</p>	<p>P1 The lots must be used for:</p> <p>a) utilities; or</p> <p>b) in accordance with a Reserve Activities Assessment approved under the <i>National Parks and Reserves Management Act 2002</i>; or</p> <p>c) use by the public under the <i>Crown Lands Act 1976</i>; or</p> <p>d) a purpose that is consistent with the local area objectives , if any.</p>
<p>A2 The lot must have a minimum frontage of 3.6 metres.</p>	<p>P2 Subdivision must provide appropriate access by a:</p> <p>c) Right of carriageway registered over all relevant titles; or</p> <p>d) Lease over any public land for the life of the use and development.</p>
<p>A3 No Acceptable Solutions.</p>	<p>P3 Any lot created for building purposes must be:</p> <p>a) of sufficient size to allow for on-site disposal of any waste water if reticulated services are unavailable to the lot; or</p> <p>b) connected to reticulated services where available and needed for the development.</p>

## 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

<p>Country Club Casino – Prospect Vale</p> <p>a) To provide for certainty in the operation of and the continued investment in significant tourism assets.</p>	<p>a) Allowable uses together with development standards provide for the specific requirements of the facility whilst protecting the amenity of the surrounding residential zone.</p>
<p>Quamby</p> <p>a) To provide for the future economic development of tourism assets.</p> <p>b) To provide certainty for investment in a unique heritage asset.</p>	<p>a) Allowable uses together with development standards provide for the specific requirements of the facility whilst managing the interface with surrounding agricultural uses.</p>

#### 30.1.3 Desired Future Character Statements

<p>Country Club Casino – Prospect Vale</p> <p>a) To maintain the concentrated building forms of the main complex and buffering to adjoining residential zones by the golf course and larger setbacks to other boundaries.</p>	
<p>Quamby</p> <p>b) To maintain the visual integrity of the cultural setting of the heritage buildings and grounds through development that is unobtrusive.</p>	

### 30.2 Use Table

No Permit Required	
Use Class	Qualification
Passive recreation	
Utilities	If for minor utilities

Natural and cultural values management	
Sports and recreation	If for a golf course
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Food services	If not a take-away food premises
Hotel industry	If not a bottle shop
Sports and recreation	
Tourist operation	If for the expansion or alteration of existing uses.
Visitor accommodation	
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Business and professional services	
Community meeting & entertainment	
General retail and hire	
Hotel industry	If a bottle shop
Residential	
Tourist operation	
Transport depot and distribution	If for passenger distribution
Utilities	If not for minor utilities
Vehicle parking	
<b>Prohibited</b>	
All other uses	

### 30.3 Use Standards

#### 30.3.1 Use and amenity

##### Objective

To ensure that all use:

- a) accords with the local area objectives, if any, for the zone or tourist facility; and
- b) is not detrimental to the amenity of surrounding residential areas in terms of noise, emissions, operating hours, transport or traffic.

Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 It must be demonstrated that the use does not: <ul style="list-style-type: none"> <li>a) compromise the operational efficiency of any tourism use within the zone; and</li> <li>b) adversely impact on the amenity and use of public land.</li> </ul>
A2 For development within 100 metres m of an existing sensitive use, the operating hours must be between the hours of 6am and 10pm.	P2 The operating hours of the use must not cause or be likely to cause an environmental nuisance through emissions including operating hours, noise, smoke, odour, dust and illumination.

## 30.4 Development Standards

### 30.4.1 Building Design and Siting

<p><b>Objective</b></p> <p>To ensure that the design and siting of development:</p> <ul style="list-style-type: none"> <li>a) protects the amenity of surrounding uses; and</li> <li>b) furthers the local area objectives and desired future character statements, if any.</li> </ul>	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed of 6 metres; or  for the Country Club Casino, 12 metres if the setback greater than 100m from the boundary.	P1 Building height must: <ul style="list-style-type: none"> <li>a) respond to the site context and the local area objectives, if any, for the provision of tourist uses and development; and</li> <li>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"> <li>i) the form of the building; and</li> <li>ii) the contours or slope of the land; and</li> <li>iii) existing screening or the ability to</li> </ul> </li> </ul>

	implement/establish screening.
<p>A2 Frontage setbacks must be a minimum of:</p> <p>a) 50 metres; and</p> <p>b) 200m to the rural resource zone where a sensitive use is proposed.</p>	<p>P2 Frontage setbacks must:</p> <p>a) complement the character of the surrounding landscape and streetscape; and</p> <p>b) provide mitigation for a sensitive use to the rural resource zone; and</p> <p>c) respond to the site context and the local area objectives, if any, for the provision of tourist uses.</p>
<p>A3 Side and rear setbacks must be a minimum of:</p> <p>a) 10 metres; and</p> <p>b) 200m to the rural resource zone where a sensitive use is proposed.</p>	<p>P3 Side and rear setbacks must protect the amenity of adjoining sensitive, having regard to:</p> <p>a) the form of the building; and</p> <p>b) the contours or slope of the land; and</p> <p>c) existing screening or the ability to implement/establish screening; and</p> <p>d) the impacts of overshadowing and overlooking; and</p> <p>e) the protection of agricultural uses on adjoining lots from potential constraint.</p>

### 30.4.2 Subdivision

#### 30.4.2.1 General Suitability

<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Major Tourism Zone.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</p> <p>a) slope, shape, orientation and topography of land;</p> <p>b) any established pattern of use and development;</p>

	<ul style="list-style-type: none"> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li> <li>f) potential exposure to natural hazards.</li> </ul>
--	--

### 30.4.2.2 Lot Requirements and Frontage

<p>Objective</p> <ul style="list-style-type: none"> <li>a) To facilitate the establishment and continued use of tourist facilities and complementary uses at a size and scale appropriate to the locality; and</li> <li>b) To ensure that appropriate road access, wastewater, stormwater, energy and communication services are provided as appropriate for the use; and</li> <li>c) To further the local area objectives and desired future character statements, if any.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Subdivision must be:</p> <ul style="list-style-type: none"> <li>a) for the consolidation of a lot with another lot with no additional titles created; or</li> <li>b) to align existing titles with zone boundaries and no new lots are created;</li> </ul>	<p>P1.1 The subdivision must:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) be a combined application for subdivision and subsequent development and use of the land; and</li> </ul> <p>P1.2 The subdivision must have regard to:</p> <ul style="list-style-type: none"> <li>a) the topographical or natural features of the site; and</li> <li>b) the pattern of existing development; and</li> <li>c) the ability of vegetation to provide buffering; and</li> <li>d) any features of natural, historical or cultural significance; and</li> <li>e) the presence of any natural hazards; and</li> <li>f) the local area objectives and desired future character statements, if any;</li> </ul>

	<p>and</p> <p>P1.3 The subdivision must provide sufficient area and dimension having regard to the:</p> <ul style="list-style-type: none"> <li>a) nature of the proposed use and development; and</li> <li>b) need to accommodate vehicles on the site; and</li> <li>c) proximity of neighbouring residential development; and</li> </ul> <p>P1.4 The subdivision must provide services appropriate to the intended use.</p>
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**

This zone was not used in this planning scheme.



## 32 Particular Purpose Zone - Prospect Vale Future Urban Growth Area

### 32.1 Zone Purpose

#### 32.1.1 Zone Purpose Statements

- 32.1.1.1 To provide growth boundaries and reserve land for the long term development potential of Prospect Vale commensurate with demand and the provision of local services and infrastructure.

#### 32.1.2 Local Area Objectives

##### Prospect Vale Future Urban Growth Boundary

a) To provide for strategic growth by limiting uses to those that will be compatible with future urban residential use and will not compromise maximum efficiencies for the urban development of land.	a) Limited allowable uses together with development standards will prevent the premature development of land until detailed strategic planning is carried out for Prospect Vale growth areas.
--	---

#### 32.1.3 Desired Future Character Statements

a) Development is to be low impact and sited in consideration of a future urban residential environment.	
--	--

### 32.2 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 or home business.
Discretionary	
Use Class	Qualification
Community meeting & entertainment	
Visitor accommodation	

Utilities	
<b>Prohibited</b>	
All other uses	

### 32.3 Use Standards

#### 32.3.1 Amenity

<b>Objective</b> a) To ensure that use does not cause an unreasonable loss of amenity to adjoining and nearby residential uses. b) To ensure that use does not compromise future use of the land for residential purposes at urban densities.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
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 must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6pm Saturday and Sunday.	P2 Commercial vehicle movements must not unreasonably impact on the amenity of occupants of adjoining and nearby residences.

#### 32.3.2 Residential Character

<b>Objective</b> a) To ensure that uses are of an appropriate type to support the local area objectives for visual character.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 Provision must be made for commercial vehicles to be parked within the boundary of the property.	P1 No performance criteria
A2 Goods or materials are not stored outside or in locations visible from adjacent properties, the road or public land.	P2 No performance criteria

## 32.4 Development Standards

### 32.4.1.1 Setback from a frontage for single dwellings

<p><b>Objective</b></p> <p>To ensure that the setback to frontages:</p> <ul style="list-style-type: none"> <li>(i) assist in the establishment of the streetscape character; and</li> <li>(ii) enhance residential amenity; and</li> <li>(iii) are consistent with the statements of desired future character; and</li> <li>(iv) provide a transition space between the road and private dwelling allowing mutual passive surveillance for community safety; and</li> <li>(v) respond to slope and other physical characteristics of a lot and assist in attenuation of traffic noise.</li> </ul>							
Acceptable Solutions	Performance Criteria						
<p><b>A1</b> Unless within a building area shown on a plan of subdivision, the wall of a single dwelling (excluding minor protrusions) must have a setback to a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) a minimum 4.5m from primary frontage; and</li> <li>(b) a minimum 3m to a frontage other than primary frontage; or</li> <li>(c) a distance which is not more or less than the maximum and minimum setbacks of the dwellings on immediately adjoining lots; or</li> <li>(d) not less than the existing dwelling setback if less than 4.5m; or</li> <li>(e) if the development is on land that abuts a road specified in the following table, the setback specified from the road:</li> </ul> <table border="1"> <thead> <tr> <th>Road</th><th>Setback</th></tr> </thead> <tbody> <tr> <td>N/A</td><td>N/A</td></tr> <tr> <td></td><td></td></tr> </tbody> </table>	Road	Setback	N/A	N/A			<p><b>P1</b> The setback to frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide transitional space between the road and private dwelling allowing mutual passive surveillance; and</li> <li>(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</li> <li>(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</li> <li>(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.</li> </ul>
Road	Setback						
N/A	N/A						

### 10.4.1.2 Site Coverage and Rear Setback for Single Dwellings

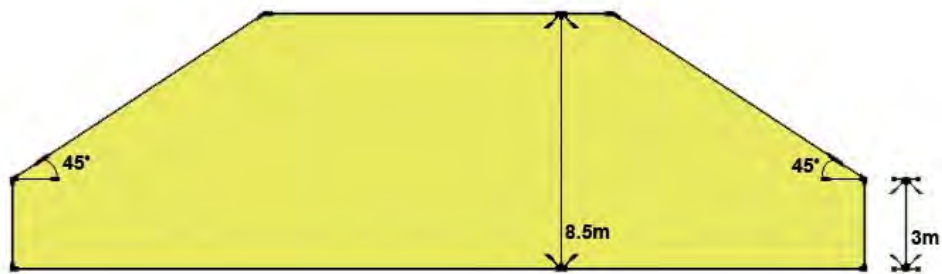
<p><b>Objective</b></p> <p>To ensure that the location and extent of building site coverage:</p> <ul style="list-style-type: none"> <li>(i) facilitates the provision of open space, gardens and other outside areas on the site that contribute to residential amenity; and</li> <li>(ii) assists with the management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

### 10.4.1.3 Building envelope for single dwellings

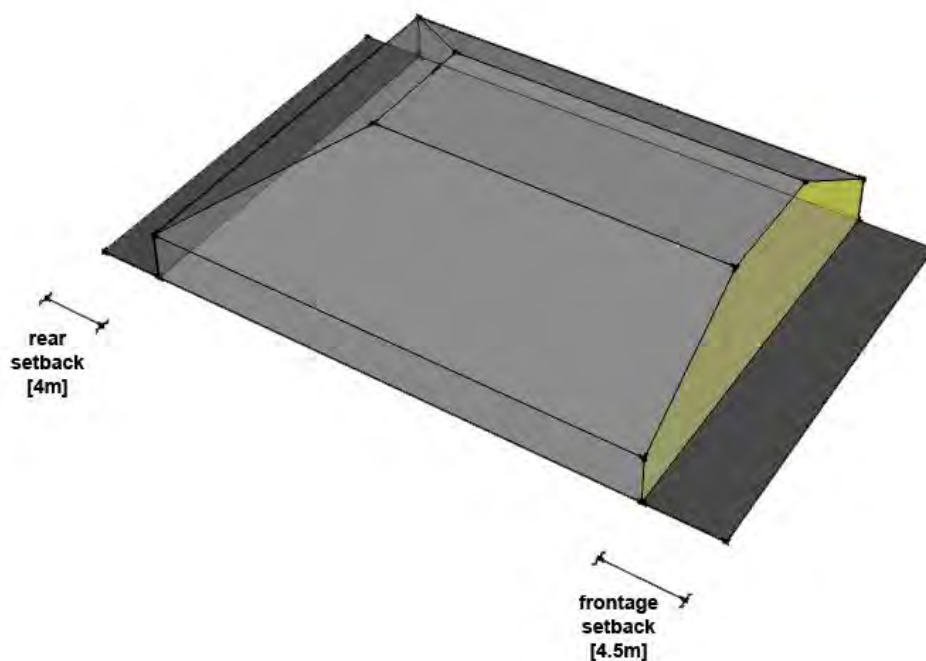
<p><b>Objective</b></p> <p>To ensure that the siting and scale of single dwellings:</p> <ul style="list-style-type: none"> <li>(i) allows for flexibility in design to meet contemporary dwelling requirements; and</li> <li>(ii) protects the residential amenity of neighbours through minimising visual bulk and overshadowing; and</li> <li>(iii) has regard to streetscape qualities or is consistent with the statements of desired</li> </ul>
--

future character.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b> All single dwellings (excluding minor protrusions extending less than 1.5m) must be contained within either of the following building envelopes:</p> <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 8.5m above natural ground level (see figures 10.4.1.3A and B); and walls are set back:</p> <p>(i) a minimum of 1.5m from a side boundary; or</p> <p>(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>	<p><b>P1</b> The siting and scale of single dwellings must be designed to:</p> <p>(a) ensure there is no unreasonable loss of amenity on adjoining lots by:</p> <p>(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</p> <p>(ii) overlooking and loss of privacy; and</p> <p>(iii) visual impacts when viewed from adjoining lots; and</p> <p>(iv) pedestrian areas caused by excessive building bulk; and</p> <p>(a) take into account steep slopes and other topographical constraints; and</p> <p>(b) have regard to streetscape qualities or be consistent with the statements of desired future character.</p>
<p><b>A2</b> 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><b>P2</b> The siting and scale of single dwellings on internal lots must be designed to:</p> <p>(a) ensure there is no unreasonable loss of amenity on adjoining lots by:</p> <p>(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</p> <p>(ii) overlooking and loss of privacy; and</p> <p>(iii) visual impacts when viewed from adjoining lots; and</p>

	<p>(iv) pedestrian areas caused by excessive building bulk; and</p> <p>(b) take into account steep slopes and other topographical constraints.</p>
--	--



**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 setback and width of garages and carports for single dwellings

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

### 32.4.1.5 Privacy for single dwellings

<p><b>Objective</b></p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b> 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 have a minimum side setback of 3m and minimum rear setback of 4m.</p>	<p><b>P1</b> 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.</p>
<p><b>A2</b> Windows of habitable rooms which have a floor level more than 1m above natural ground level must:</p> <p>a) have a minimum side setback of 3m; or</p> <p>b) be offset a minimum 1.5m from the windows of habitable rooms on adjacent lots where on the same horizontal plane; or</p> <p>c) have a minimum window sill height of 1.7m.</p>	<p><b>P2</b> 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.</p>

### 32.4.1.6 Frontage fences for single dwellings

<p><b>Objective</b></p> <p>To ensure that the height and design of frontage fences:</p> <p>(i) provides adequate privacy and security for residents while allowing for mutual passive surveillance of the road and dwelling; and</p> <p>(ii) enhances streetscapes or is consistent with the statements of desired future character.</p>
--



Acceptable Solutions	Performance Criteria
<p>A1 The maximum building height of fences on and within 4.5m of a frontage must be:</p> <p>(a) 1.2m if solid; or</p> <p>(b) 1.8m provided that the part of the fence above 1.2m has openings which provide a minimum 50% transparency.</p>	<p>P1 Fences on and within 4.5m of a frontage must be designed to:</p> <p>(a) provide for security and privacy of residents while allowing for mutual passive surveillance of the road; and</p> <p>(b) take account of the prevailing height, design and character of neighbouring fences; and</p> <p>(c) attenuate noise from high volume traffic; and</p> <p>(d) take account of steep slope or other topographical constraints; and</p> <p>(e) have regard to streetscape qualities or be consistent with the statements of desired future character.</p>

### 32.4.7 Non-Residential Buildings

<p>Objective:</p> <p>a) To ensure that all non residential development is sympathetic to the form and scale of residential development and does not compromise the efficient and orderly development of the land for future residential growth and associated supporting uses.</p>	
Acceptable solution	Performance Criteria
<p>A1 No acceptable solution;</p>	<p>P1 Development must be designed to protect the amenity of future residential uses and must have regard to:</p> <p>(a) the setback of development to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and secluded private open space of adjoining dwellings; and</p> <p>(b) the setback of development 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 and provision of future road infrastructure, the safe and efficient use of the road and the amenity of residents having regard to:</p>

	<ul style="list-style-type: none"> <li>(i) the prevailing setbacks of existing buildings on nearby lots; and</li> <li>(ii) the ability to buffer the development without compromising the future intended urban growth on the land;</li> <li>(iii) the visual impact of the building when viewed from the road; and</li> <li>(iv) treatment of development within front setback; and</li> </ul> <p>(c) The height of development having regard to:</p> <ul style="list-style-type: none"> <li>i) the effect of the slope of the site on the height of the building;</li> <li>ii) the relationship between the proposed building height and the height of existing adjacent and buildings;</li> <li>iii) the visual impact of the building when viewed from the street and from adjoining properties;</li> <li>iv) the degree of overshadowing and overlooking of adjoining properties; and</li> </ul> <p>(d) the level and effectiveness of physical screening by fences or vegetation;</p> <p>(e) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries;</p> <p>(f) the location and impacts of illumination of the site;</p> <p>(g) passive surveillance of the site; and</p> <p>(h) landscaping to integrate development with the streetscape and the landscape.</p>
--	---

### 32.4.8 Subdivision

<p>Objective:</p> <p>a) To ensure that the subdivision and release of land does not occur prematurely and until such time as the efficient and appropriate distribution of residential land, local services and infrastructure can be determined.</p>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution	P1 No additional lots are created until a Specific Area Plan for the zone is incorporated into the Planning Scheme.

---

# 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 –2009 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: (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

<b>Objective:</b> 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
<b>A1</b> No Acceptable Solution.	<b>P1</b> 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: (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

	<p>and bushfire hazard management plan; and</p> <p>(e) other advice, if any, from the TFS.</p>
<p><b>A2</b> 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:</p> <p>(a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(b) the ability of occupants of the vulnerable use to:</p> <p>(i) protect themselves and defend property from bushfire attack;</p> <p>(ii) evacuate in an emergency; and</p> <p>(iii) understand and respond to instructions in the event of a bushfire; and</p> <p>(c) any bushfire protection measures available to reduce risk to emergency service personnel.</p>	<p><b>P2</b> No Performance Criterion.</p>
<p><b>A3</b> A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.</p>	<p><b>P3</b> No Performance Criterion.</p>

### E1.5.2 Hazardous uses

<p><b>Objective:</b> 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><b>A1</b> No Acceptable Solution.</p>	<p><b>P1</b> 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> <p>(a) the location, characteristics, nature and scale of the use;</p> <p>(b) whether there is an overriding benefit to the community;</p> <p>(c) whether there is no suitable alternative lower-risk site;</p> <p>(d) the emergency management strategy and bushfire hazard management plan as specified in A2 and A3 of this Standard; and</p>



	(e) other advice, if any, from the TFS.
<b>A2</b> 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: <ul style="list-style-type: none"> <li>(a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; and</li> <li>(b) available fire protection measures to: <ul style="list-style-type: none"> <li>(i) prevent the hazardous use from contributing to the spread or intensification of bushfire;</li> <li>(ii) limit the potential for bushfire to be ignited on the site;</li> <li>(iii) prevent exposure of people and the environment to the hazardous chemicals, explosive or emissions as a consequence of bushfire; and</li> <li>(iv) reduce risk to emergency service personnel.</li> </ul> </li> </ul>	<b>P2</b> No Performance Criterion.
<b>A3</b> A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	<b>P3</b> No Performance Criterion.

## E1.6 Development Standards

### E1.6.1 Subdivision: Provision of hazard management areas

<b>Objective:</b> Subdivision provides for hazard management areas that: <ul style="list-style-type: none"> <li>(a) facilitate an integrated approach between subdivision and subsequent building on a lot;</li> <li>(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</li> <li>(c) provide protection for lots at any stage of a staged subdivision.</li> </ul>	
Acceptable solutions	Performance criteria
<b>A1</b> (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"> <li>(i) shows all lots that are within or partly within a bushfire-prone area,</li> </ul>	<b>P1</b> 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: <ul style="list-style-type: none"> <li>(a) the dimensions of hazard management areas;</li> <li>(b) a bushfire risk assessment of each lot at</li> </ul>

<p>including those developed at each stage of a staged subdivision;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS 3959 – 2009 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 2.4.4 of <i>Australian Standard AS 3959 – 2009 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>any stage of staged subdivision;</p> <p>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(d) the topography, including site slope;</p> <p>(e) any other potential forms of fuel and ignition 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>
--	--

#### E1.6.2 Subdivision: Public and fire fighting access

<p><b>Objective:</b> 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><b>A1</b></p> <p>(a) TFS or an accredited person certifies</p>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows access</p>

<p>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 of property access to building areas is included in a bushfire hazard management plan that:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(ii) is certified by the TFS or accredited person.</li> </ul>	<p>and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <ul style="list-style-type: none"> <li>(a) appropriate design measures, including: <ul style="list-style-type: none"> <li>(i) two way traffic;</li> <li>(ii) all weather surfaces;</li> <li>(iii) height and width of any vegetation clearances;</li> <li>(iv) load capacity;</li> <li>(v) provision of passing bays;</li> <li>(vi) traffic control devices;</li> <li>(vii) geometry, alignment and slope of roads, tracks and trails;</li> <li>(viii) use of through roads to provide for connectivity;</li> <li>(ix) limits on the length of cul-de-sacs and dead-end roads;</li> <li>(x) provision of turning areas;</li> <li>(xi) provision for parking areas;</li> <li>(xii) perimeter access; and</li> <li>(xiii) fire trails;</li> </ul> </li> <li>(b) the provision of access to: <ul style="list-style-type: none"> <li>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</li> <li>(ii) fire fighting water supplies; and</li> </ul> </li> <li>(c) any advice from the TFS.</li> </ul>
--	--

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"> <li>(a) two-wheel drive, all-weather construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 2m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(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;</li> <li>(h) curves have a minimum inner radius of 10m;</li> <li>(i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7 metres in width;</li> <li>(j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and</li> <li>(k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with <i>Australian Standard AS1743-2001 Road signs-Specifications</i>.</li> </ul>

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"> <li>(a) all-weather construction;</li> <li>(b) load capacity of at least 20t, including for bridges and culverts;</li> <li>(c) minimum carriageway width of 4m;</li> <li>(d) minimum vertical clearance of 4m;</li> <li>(e) minimum horizontal clearance of 0.5m from the edge of the carriageway;</li> <li>(f) cross falls of less than 3 degrees (1:20 or 5%);</li> <li>(g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;</li> <li>(h) curves with a minimum inner radius of 10m;</li> <li>(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</li> <li>(j) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> <li>(i) a turning circle with a minimum outer radius of 10m; or</li> <li>(ii) a property access encircling the building; or</li> <li>(iii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.</li> </ul> </li> </ul>
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"> <li>(a) the requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length provided every 200m.</li> </ul>
D. Property access length is greater than 30m, and access is provided to 3 or more properties.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> <li>(a) complies with requirements for B above; and</li> <li>(b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.</li> </ul>

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

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

<b>Objective:</b> 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
<b>A1</b> In areas serviced with reticulated water by the water corporation: <ul style="list-style-type: none"> <li>(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;</li> <li>(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</li> <li>(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.</li> </ul>	<b>P1</b> No Performance Criterion.
<b>A2</b> In areas that are not serviced by reticulated water by the water corporation: <ul style="list-style-type: none"> <li>(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;</li> <li>(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</li> <li>(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.</li> </ul>	<b>P2</b> 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 2<sup>nd</sup> 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"> <li>(a) the building area to be protected must be located within 90m of the fire fighting water point of a static water supply; and</li> <li>(b) the distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.</li> </ul>
B.	Static Water Supplies	<p>A static water supply:</p> <ul style="list-style-type: none"> <li>(a) may have a remotely located offtake connected to the static water supply;</li> <li>(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;</li> <li>(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;</li> <li>(d) must be metal, concrete or lagged by non-combustible materials if above ground; and</li> <li>(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 3959-2009 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"> <li>(i) metal;</li> <li>(ii) non-combustible material; or</li> <li>(iii) fibre-cement a minimum of 6mm thickness.</li> </ul> </li> </ul>

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"> <li>(a) have a minimum nominal internal diameter of 50mm;</li> <li>(b) be fitted with a valve with a minimum nominal internal diameter of 50mm;</li> <li>(c) be metal or lagged by non-combustible materials if above ground;</li> <li>(d) if buried, have a minimum depth of 300mm<sup>1</sup>;</li> <li>(e) provide a DIN or NEN standard forged Storz 65mm coupling fitted with a suction washer for connection to fire fighting equipment;</li> <li>(f) ensure the coupling is accessible and available for connection at all times;</li> <li>(g) ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);</li> <li>(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</li> <li>(i) if a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> <li>(i) visible;</li> <li>(ii) accessible to allow connection by fire fighting equipment;</li> <li>(iii) at a working height of 450 – 600mm above ground level; and</li> <li>(iv) protected from possible damage, including damage by vehicles.</li> </ul> </li> </ul>
----	---	--

<sup>1</sup> Compliant with *Australian/New Zealand Standard AS/NZS 3500.1-2003 Plumbing and drainage, Part 1: Water Services*, Clause 5.23

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"> <li>(a) comply with water tank signage requirements within <i>Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>; or</li> <li>(b) comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service.</li> </ul>
E.	Hardstand	<p>A hardstand area for fire appliances must be:</p> <ul style="list-style-type: none"> <li>(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);</li> <li>(b) no closer than 6m from the building area to be protected;</li> <li>(c) a minimum width of 3m constructed to the same standard as the carriageway; and</li> <li>(d) connected to the property access by a carriageway equivalent to the standard of the property access.</li> </ul>

## **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>P1 Development of potentially contaminated land that has not been decontaminated must demonstrate</p>

<p>A1.2 Development of potentially contaminated land must be accompanied by advice of the Environment Protection Authority that the land:</p> <p>a) is not contaminated; or</p> <p>b) has been remediated appropriate to the use.</p>	<p>that human health and safety and the environment are not at risk as a result of 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>
---	--

**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>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>
---	--

Coal handling and storage	Railway yards
Defence works	Rifle ranges
Drum reconditioning works	Rubber or plastic works
Dry cleaning establishments	Sawmills and joinery works
Electroplating and heat treatment premises	Scrap yards
Electrical transformers	Service stations
Ethanol production plants	Sheep and cattle dips
Engine works	Sites of incidents involving spillage of hazardous material
Explosives industries	Spray mixing sites
Sites of fires involving hazardous materials	Smelting and refining
Fertiliser manufacturing plants	Transport/storage depots
Foundry operations	Tyre manufacturing and retreading works
Gas works	Waste treatment plants
Tanning and associated trades	Wood storage and treatment
Glass manufacturing works	Wood preservation
Golf courses	
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**

**Landslip**

means landslide as defined in the *Australian Geomechanics Society – Practice Note Guidelines for Landslide Risk Management 2007*

**Landslip risk management assessment**

means an assessment and report prepared by a suitably qualified person, in accordance with the *Australian Geomechanics Society – Practice Note Guidelines for Landslide Risk Management 2007*.

### **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 Code.



## E3.6 Development Standards

### E3.6.1 Development on Land Subject to Risk of Landslip

<b>Objective</b>  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.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
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
<b>Almost certain</b>	Very high	Very high	Very high	High	Medium or low*
<b>Likely</b>	Very high	Very high	High	Medium	Low
<b>Possible</b>	Very high	High	Medium	Medium	Very low
<b>Unlikely</b>	High	Medium	Low	Low	Very Low
<b>Rare</b>	Medium	Low	Low	Very Low	Very Low
<b>Barely credible</b>	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

<b>Objective</b>  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.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b> 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%.	<b>P1</b> 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.
<b>A2</b> 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	<b>P2</b> 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.
<b>A3</b> For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	<b>P3</b> For limited access roads and roads with a speed limit of more than 60km/h:  a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a

	<p>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>
--	---

## 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 <b>areas</b> 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</p>

	<p>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>
--	---

#### E4.7.2 Management of Road Accesses and Junctions

<p><b>Objective</b></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>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<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 practicable; and</p>

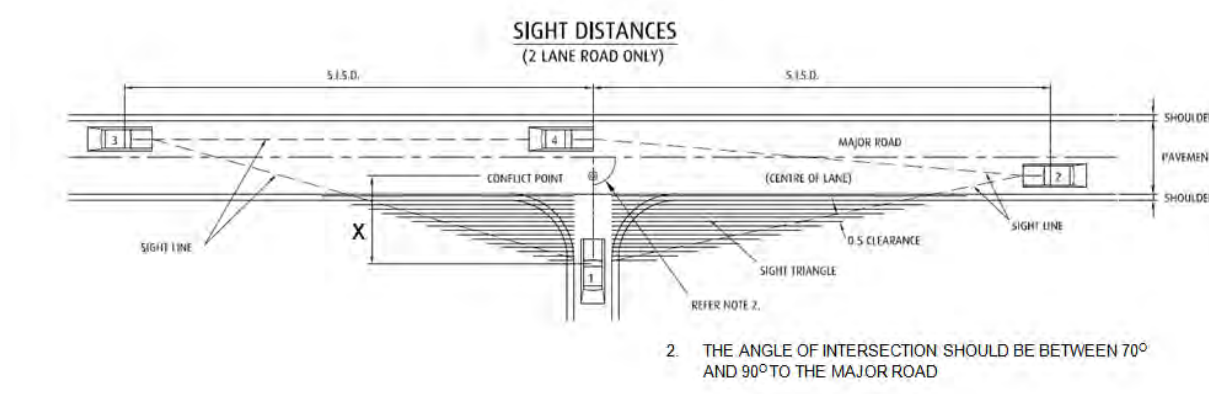
	c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
--	---

### 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><b>Objective</b></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><b>A1</b> 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><b>P1</b> 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)**

<b>Vehicle Speed</b>	<b>Safe Intersection Sight Distance (SISD)</b> <b>Metres, for speed limit of:</b>	
<b>km/h</b>	<b>60 km/h or less</b>	<b>Greater than 60 km/h</b>
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.
1% Annual Exceedance Probability (AEP) Flood Level	means the level which has a 1% probability of being exceeded in any year.

### **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.
A3 Use is in accordance with a Table to this code.	P3 No performance criteria.

## 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> <ul style="list-style-type: none"><li>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 E5.7 a); or</li><li>b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the</li></ul>

	<p>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> <ul style="list-style-type: none"> <li>a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and</li> <li>b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures;</li> <li>c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and</li> <li>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.</li> </ul>
--	---

## 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				
	Catastrophic	Major	Moderate	Minor	Insignificant
<b>Moderate</b>	High	High	High	Medium	Low
<b>Unlikely</b>	High	Medium	Medium	Low	Low
<b>Rare</b>	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 – 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)*

Parking Precinct Plan 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:

- a) the purpose of the plan; and
- b) the area to which the plan applies; and
- c) the parking outcomes to be achieved by the plan; and
- d) an assessment of car parking demand and supply in the precinct area; and
- e) 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

<b>Objective</b> To ensure that an appropriate level of car parking is provided to service use.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1</b> The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none"><li>a) Table E6.1; or</li><li>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans</li></ul>	<b>P1</b> The number of car parking spaces provided must have regard to: <ul style="list-style-type: none"><li>a) the provisions of any relevant location specific car parking plan; and</li><li>b) the availability of public car parking spaces within reasonable walking</li></ul>

<p>(except for dwellings in the General Residential Zone).</p>	<p>distance; and</p> <ul style="list-style-type: none"> <li>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</li> <li>d) the availability and frequency of public transport within reasonable walking distance of the site; and</li> <li>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</li> <li>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</li> <li>g) an empirical assessment of the car parking demand; and</li> <li>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</li> <li>i) the recommendations of a traffic impact assessment prepared for the proposal; and</li> <li>j) any heritage values of the site; and</li> <li>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"> <li>i) the size of the dwelling and the number of bedrooms; and</li> <li>ii) the pattern of parking in the locality; and</li> <li>iii) any existing structure on the land.</li> </ul> </li> </ul>
--	--



### E6.6.3 Taxi Drop-off and Pickup

<b>Objective</b> To ensure that taxis can adequately access developments.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone.	P1 No performance criteria.

### E6.6.4 Motorbike Parking Provisions

<b>Objective</b> To ensure that motorbikes are adequately provided for in parking considerations.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.

## E6.7 Development Standards

### E6.7.1 Construction of Car Parking Spaces and Access Strips

<b>Objective</b> To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 All car parking, access strips manoeuvring and circulation spaces must be:  a) formed to an adequate level and drained; and  b) except for a single dwelling, provided with an impervious all weather seal;	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.

and	
c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	

### 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"> <li>a) the layout of the site and the location of existing buildings; and</li> <li>b) views into the site from the road and adjoining public spaces; and</li> <li>c) the ability to access the site and the rear of buildings; and</li> <li>d) the layout of car parking in the vicinity; and</li> <li>e) the level of landscaping proposed for the car parking.</li> </ul>
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>a) have a gradient of 10% or less; and</li> <li>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</li> <li>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</li> <li>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</li> </ul>	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>

<p>the following apply:</p> <ul style="list-style-type: none"> <li>i) there are three or more car parking spaces; and</li> <li>ii) where parking is more than 30m driving distance from the road; or</li> <li>iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road; and</li> </ul> <p><b>A2.2</b> 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>	
--	--

### E6.7.3 Car Parking Access, Safety and Security

<p><b>Objective</b></p> <p>To ensure adequate access, safety and security for car parking and for deliveries.</p>	
Acceptable Solution	Performance Criteria
<p><b>A1</b> Car parking areas with greater than 20 parking spaces must be:</p> <ul style="list-style-type: none"> <li>a) secured and lit so that unauthorised persons cannot enter or;</li> <li>b) visible from buildings on or adjacent to the site during the times when parking occurs.</li> </ul>	<p><b>P1</b> 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> <ul style="list-style-type: none"> <li>a) levels of activity within the vicinity; and</li> <li>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</li> </ul>

### E6.7.4 Parking for Persons with a Disability

<p><b>Objective</b></p> <p>To ensure adequate parking for persons with a disability.</p>	
Acceptable Solution	Performance Criteria
<p><b>A1</b> All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p><b>P1</b> No performance criteria.</p>
<p><b>A2</b> Accessible car parking spaces for use by persons with disabilities must be designed and constructed in</p>	<p><b>P2</b> No performance criteria.</p>

accordance with AS/NZ2890.6 – 2009  
Parking facilities – Off-street parking  
for people with disabilities.

### E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

#### Objective

To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

#### Acceptable Solution

#### Performance Criteria

- A1 For retail, commercial, industrial, service industry or warehouse or storage uses:
- a) at least one loading bay must be provided in accordance with Table E6.4; and
  - b) loading and bus bays and access strips must be designed in accordance with *Australian Standard AS/NZS 2890.3 2002* for the type of vehicles that will use the site.

- P1 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.

## E6.8 Provisions for Sustainable Transport

### E6.8.1 Pedestrian Walkways

#### Objective

To ensure pedestrian safety is considered in development

#### 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	Requirement
<b>Bulky goods sales</b>	1 space per employee + 1 space per 100m <sup>2</sup> net floor area
<b>Business and professional services:</b>	
bank, office, real estate agency, travel agent	1 space per employee + 1 space per 50m <sup>2</sup> 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
<b>Emergency services</b>	
<b>Community meeting and entertainment:</b>	
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 <sup>2</sup> of public area or 1 space per 4 seats whichever is greater
<b>Corrective institution</b>	1 space per 2 employees + 1 space per 5 inmates
<b>Crematoria and cemetery</b>	1 space per employee + 1 visitor space + 1 space per 4 chapel seats
<b>Domestic animal breeding, boarding or training</b>	1 space per staff member + 2 visitor spaces
<b>Educational and occasional care</b>	1 space per employee + 1 space per 6 tertiary or training students

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

<b>Residential:</b>	
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
<b>Resource development:</b>	
Aquaculture	2 spaces per 3 employees
Other	No requirement
Resource processing (abattoir, fish/cheese/milk processing)	2 spaces per 3 employees
<b>Service industry</b> (car wash, commercial laundry, repair garage, panel beater)	1 space per 80m <sup>2</sup> or 2 spaces per 3 employees whichever is greater
<b>Sports and Recreation:</b>	
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 <sup>2</sup> 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
<b>Storage</b> (vehicle/caravan/boat store, cold store, wood yard / fuel depot, warehouse)	1 space per 200m <sup>2</sup> of the site or 1 space per 2 employees; whichever is greater
<b>Tourist operation</b> (winery, theme/wildlife park, zoo)	1 space per 200 m <sup>2</sup> gross floor area or 1 space per 500m <sup>2</sup> of the site; whichever is greater
<b>Transport depot and distribution</b>	10% of the site to be set aside for car spaces and access strips (excluding driveways)
<b>Utilities</b>	No requirement set
<b>Vehicle fuel sales and servicing</b>	4 spaces per service bay
<b>Visitor accommodation</b> (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 capable<sup>2</sup> 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.

---

<sup>2</sup>By 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	
	Required Area	27.4m <sup>2</sup>
	Required Length	7.6m
	Required Width	3.6m
	Required Height Clearance	4.0m
For every additional 1,800m <sup>2</sup> or part thereof of building floor area	An additional 18m <sup>2</sup> 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**

There are no Parking Precinct Plans in this planning scheme.

## 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.

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.

### E7.6 Development Standards

#### E7.6.1 Scenic Management – Tourist Road Corridor

##### Objective

- (a) To enhance the visual amenity of the identified tourist road corridors through appropriate:
  - 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

<ul style="list-style-type: none"> <li>ii) location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and</li> <li>iii) design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and</li> <li>iv) retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and</li> <li>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</li> </ul> <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"> <li>a) the impact on skylines, ridgelines and prominent locations; and</li> <li>b) the proximity to the road and the impact on views from the road; and</li> <li>c) the need for the development to be prominent to the road; and</li> <li>d) the specific requirements of a resource development use; and</li> <li>e) the retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and</li> <li>f) whether existing native or significant exotic vegetation within the tourist road corridor is managed to retain the visual values of a touring route; and</li> <li>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</li> <li>h) the design and/or treatment of development including: <ul style="list-style-type: none"> <li>i) the bulk and form of buildings including materials and finishes;</li> <li>ii) earthworks for cut or fill;</li> </ul> </li> </ul>

	iii) complementing the physical (built or natural) characteristics of the site.
A2 Subdivision must not alter any boundaries within the areas designated as scenic management – tourist road corridor.	<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"> <li>a) site size; and</li> <li>b) density of potential development on sites created; and</li> <li>c) the clearance or retention of vegetation in combination with requirements for hazard management; and</li> <li>d) the extent of works required for roads or to gain access to sites including cut and fill; and</li> <li>e) the physical characteristics of the site and locality; and</li> <li>f) the scenic qualities of the land that require management.</li> </ul>

### E7.6.2 Local Scenic Management Areas

<p>Objective</p> <ul style="list-style-type: none"> <li>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</li> <li>b) To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area.</li> </ul>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	<p>P1 Development (not including subdivision) must have regard to the:</p> <ul style="list-style-type: none"> <li>a) character statement and scenic management objectives of the particular area set out in Table E7.1 –</li> </ul>

	<p>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> <ul style="list-style-type: none"> <li>i) the bulk and form of buildings including materials and finishes; and</li> <li>ii) earthworks for cut or fill; and</li> <li>iii) complementing the physical (built or natural) characteristics of the site or area.</li> </ul>
A2 No acceptable solution	<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> <ul style="list-style-type: none"> <li>a) the local scenic management area – character statement; and</li> <li>b) site size; and</li> <li>c) density of subsequent development; and</li> <li>d) the clearance or retention of vegetation in combination with requirements for hazard management; and</li> <li>e) the extent of works required for roads and to gain access to sites including cut and fill; and</li> <li>f) the physical characteristics of the site and locality;</li> <li>g) any plan over the land through an agreement under S71 of the Act.</li> </ul>

**Table E7.1 – Local Scenic Management Areas**

<b>1 Travellers Rest / Blackstone Hills</b>	
<b>Character Statement</b> Prominent vegetated hill faces that border the urban edge of Prospect Vale. The land form is prominent and visible from the Bass Highway and the urban area of Prospect Vale. Travellers Rest is subject to low density residential development.	
<b>Scenic Management Objectives</b> <ul style="list-style-type: none"> <li>a) To ensure that areas of visual prominence from the Bass Highway and the suburban area of Prospect Vale avoid significant landscape change;</li> <li>b) To ensure that use and development is carefully sited and designed to blend with the surrounding landscape so as to be unobtrusive.</li> </ul>	
<b>Scenic Management Criteria</b>	
No local criteria	No local standards

## 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	means a report prepared by a suitably qualified person that must include: <ul style="list-style-type: none"><li>a) a survey of the site identifying the extent, condition and connectivity of the habitat; and</li><li>b) an assessment of the value of the habitat to contribute to the conservation and protection of species of significance in the bioregion; and</li><li>c) 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.</li></ul>

### 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, Village Zone and the Urban Mixed Use Zone for remnant vegetation associated with the residential use 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> <ul style="list-style-type: none"><li>a) vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and</li><li>b) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.</li></ul>	
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> <ul style="list-style-type: none"><li>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</li><li>b) means of removal; and</li><li>c) value of riparian vegetation in protecting habitat values; and</li><li>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, , in proximity to habitat or vegetation; and</li><li>e) need for and adequacy of proposed vegetation or habitat management; and</li><li>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</li></ul>

	Environment.
A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.	<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> <ul style="list-style-type: none"> <li>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</li> <li>b) means of removal; and</li> <li>c) value of riparian vegetation in protecting habitat values; and</li> <li>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, , in proximity to habitat or vegetation; and</li> <li>e) need for and adequacy of proposed vegetation or habitat management; and</li> <li>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.</li> </ul>

## **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; or
- b) within a Ben Lomond Water catchment area – inner or outer buffer.

### **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.

### **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>
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.</p>	<p>P3 A watercourse may be filled, piped, or channelled:</p> <p>a) within an urban environment for the extension of an existing reticulated stormwater network; or</p> <p>b) for the construction of a new road where retention of the watercourse is not feasible.</p>

## 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
<p>A1 All stormwater must be:</p> <p>a) connected to a reticulated stormwater system; or</p> <p>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</p> <p>c) diverted to an on-site system that contains stormwater within the site.</p>	<p>P1 Stormwater discharges to watercourses and 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) sources and types of potential contamination of the wetland or waterway;</p> <p>(iv) devices or works to intercept and treat waterborne contaminants;</p> <p>(v) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.</p>
<p>A2.1 No new point source discharge directly into a wetland or watercourse.</p> <p>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 effective date.</p>	<p>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:</p> <p>a) do not give rise to pollution as defined 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</i></p>

	<p><i>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 hydrological values of watercourses and wetlands.</p>	
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"> <li>a) their occurrence; and</li> <li>b) the disturbance to vegetation and hydrological features from use or development.</li> </ul>

A2 No acceptable solution.	P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.
----------------------------	--

#### 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"> <li>i) minimisation of dust generation from susceptible areas on site; and</li> <li>ii) management of areas of exposed earth to reduce erosion and sediment loss from the site.</li> </ul>

## **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 use or development of land for subdivision in the General Residential, inner residential, general industrial, light industrial, central business, commercial, 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**

##### **Objective**

- 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
- 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.



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"> <li>i) services, easements or utilities; and</li> <li>ii) stormwater detention basins; and</li> <li>iii) drainage or wetland areas; and</li> <li>iv) vehicular access; and</li> </ul> <p>c) be designed to:</p> <ul style="list-style-type: none"> <li>i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and</li> <li>ii) reasonably contribute to the pedestrian connectivity of the broader area; and</li> <li>iii) be cost effective to maintain; and</li> <li>iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and</li> <li>v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and</li> <li>vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and</li> <li>vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and</li> <li>ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.</li> </ul>

# 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 *Environmental Management and Pollution Control Act 1994*.

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.	<p>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 harm, having regard to the:</p> <ul style="list-style-type: none"> <li>a) degree of encroachment; and</li> <li>b) nature of the emitting operation being</li> </ul>

	<p>protected by the attenuation area; and</p> <p>c) degree of hazard or pollution that may emanate from the emitting operation; and</p> <p>d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.</p>
<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 and Village 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> <p>a) the degree of encroachment; and</p> <p>b) the nature of the emitting operation being protected by the attenuation area; and</p> <p>c) the degree of hazard or pollution that may emanate from the emitting operation; and</p> <p>d) use of land irrigated by effluent must comply with <i>National Health and Medical Research Council Guidelines</i>.</p>

## 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)
<b>Abattoirs (primary)</b>		<b>Disposal sites</b>	
- 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
<b>Abattoirs (secondary)</b>		<b>Feedlot and holding yard</b>	
- rendering etc (odours)	1000	- cattle and sheep (odours)	3000
<b>Pre-mix bitumen plants (e.g. batching)</b>		<b>Fibreglass manufacturing</b>	
- mobile and static (odours)	500	(odours)	200
<b>Brickworks</b>		<b>Fish processing (primary)</b>	
- (dust, noise)	200	- fish filleting etc.	
<b>Composting (vegetation only)</b>		(odours, noise, lights)	100
- with or without turning (odours)	500	<b>Fish processing (secondary)</b>	
<b>Composting (animal wastes)</b>		- fish meal production etc.	1000
- incorporating human and animal wastes without turning (odours)	500	<b>Flour Mills</b>	
<b>Composting (animal wastes)</b>		- (particulates, noise).	300
- incorporating human and animal wastes, with turning, (odours)	1000	<b>Foundry</b>	
<b>Concrete batching plants</b>		- (odours, particulates, noise)	1000
- (noise, dust)	100	<b>Liquid waste treatment</b>	
<b>Concrete or stone articles</b>		- e.g. treatment lagoons for wash down, processing effluent etc. (odours).	200
- (not pipe extrusion) (noise, dust)	100	<b>Metal fabrication</b>	
		- (noise, odours).	500
		<b>Organic waste treatment</b>	
		- e.g. cattle and pig slurry (odours)	500

ACTIVITY	DIST (M)	ACTIVITY	DIST (m)
<b>Crematoria</b>		<b>Piggery</b>	
- (odours, particulates)	300	- intensive husbandry (odours)	500
<b>Dairy Products</b>		<b>Sawmill</b>	
- (odours)	100	- including wood waste burnt in approved incinerator, wood chipper or use of internal combustion powered chainsaw. (noise, particulates)	300
<b>Disposal Site</b>		<b>Poultry</b>	
- (odours, dust, disease, vectors, visual)	500	- intensive husbandry (odours).	500
- transfer station (except very large stations) (odours, disease, vectors, noise, visual).	150	<b>Smallgoods manufacture</b>	100
- non putrescible wastes (odours, noise)	50	<b>Storage</b>	
<b>Quarry/pit etc.</b>		- 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	<b>Wood preservation</b>	
- crushing (noise, dust)	750	(odours, noise)	100
- vibratory screening (noise, dust)	500	<b>Wood chipper</b>	
<b>Saleyard</b>		(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 <b>Table E13.1</b> 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

<p>Objective</p> <p>To ensure that the use of heritage buildings provides for their conservation.</p>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution.	<p>P1 Notwithstanding Clause 8.9, a permit may be granted for any use of a locally listed heritage place where:</p> <p>a) it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and</p> <p>b) the amenity impacts of both the proposed use on the surrounding</p>

	<p>areas and from the surrounding area on the proposed use are considered acceptable; and</p> <p>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.</p>
--	--

## 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> <p>a) where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or</p> <p>b) the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or</p> <p>c) there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or</p> <p>d) the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and</p> <p>P1.2 Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

### 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"><li>a) be consistent with and reflect the historic development pattern of the precinct or area; and</li><li>b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and</li><li>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</li><li>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</li><li>e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li></ul>

### E13.6.3 Site Cover

<p>Objective</p> <p>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.</p>	
A1 Site coverage must be in accordance with the acceptable development criterion 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"><li>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area;</li></ul>

	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><b>Objective</b></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
<p>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>	<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 an precinct identified in Table E13.1: Heritage Precincts, if any.</p>

#### E13.6.5 Fences

<p><b>Objective</b></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 identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
<p>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>	<p>P1 New fences must:</p> <p>a) be designed to be complementary to the architectural style of the dominant buildings on the site or</p>

	<p>b) be consistent with the dominant fencing style in the heritage precinct; and</p> <p>c) not detract from meeting the management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.</p>
--	--

#### E13.6.6 Roof Form and Materials

<p><b>Objective</b></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
<p>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>	<p>P1 Roof form and materials for new buildings and structures must:</p> <p>a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and</p> <p>b) not detract from meeting the management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.</p>

#### E13.6.7 Wall materials

<p><b>Objective</b></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 within identified heritage precincts.</p>	
Acceptable Solution	Performance Criteria
<p>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>	<p>P1 Wall material for new buildings and structures must:</p> <p>a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and</p> <p>b) not detract from meeting the</p>

	management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.
--	---

### **E13.6.8 Siting of Buildings and Structures**

<p><b>Objective</b></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>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>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>	<p>P1 The front setback for new buildings or structure must:</p> <ul style="list-style-type: none"> <li>a) be consistent with the setback of surrounding buildings; and</li> <li>b) be set at a distance that does not detract from the historic heritage significance of the place; and</li> <li>c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

### **E13.6.9 Outbuildings and Structures**

<p><b>Objective</b></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 identified heritage precincts.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 Outbuildings and structures must be:</p> <ul style="list-style-type: none"> <li>a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and</li> <li>b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1:</li> </ul>	<p>P1 New outbuildings and structures must be designed and located ;</p> <ul style="list-style-type: none"> <li>a) to be subservient to the primary buildings on the site; and</li> <li>b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>



Heritage Precincts, if any.	
-----------------------------	--

#### **E13.6.10 Access Strips and Parking**

<p><b>Objective</b></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>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<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><b>Objective</b></p> <p>To ensure that places identified in Table E13.3 as having archaeological significance are appropriately managed.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 No acceptable solution.</p>	<p>P1 For works impacting on places listed in Table E13.3:</p> <p>a) it must be demonstrated that all identified archaeological remains will be identified, recorded and conserved; and</p> <p>b) details of survey, sampling and recording techniques technique be provided; and</p> <p>c) that places of identified historic heritage significance will not be destroyed unless there is no prudent</p>

	and feasible alternative.
--	---------------------------

### **E13.6.12 Tree and Vegetation Removal**

<p><b>Objective</b></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>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>A1 No acceptable solution.</p>	<p>P1 The removal of vegetation must not:</p> <ul style="list-style-type: none"> <li>a) unreasonably impact on the historic cultural significance of the place; and</li> <li>b) detract from meeting the management objectives of an precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

### **E13.6.13 Signage**

<p><b>Objective</b></p> <p>To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.</p>	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<p>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<sup>2</sup>.</p>	<p>P1 New signs must be of a size and location to ensure that:</p> <ul style="list-style-type: none"> <li>a) period details, windows, doors and other architectural details are not covered or removed; and</li> <li>b) heritage fabric is not removed or destroyed through attaching signage; and</li> <li>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</li> <li>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1:</li> </ul>

	Heritage Precincts, if any.
--	-----------------------------

**Table E13.1: Local Heritage Precincts**

**There are no Local Heritage Precincts in this Planning Scheme**

**Table E13.2: Local Heritage Places Outside Precincts**

**There are no Local Heritage Places in this Planning Scheme**

**Table E13.3: Archeologically Significant Sites**

**There are no Archeologically Significant Sites in this Planning Scheme**

## **E14 Signage Code**

### **E14.1 Purpose of the Code**

E14.1.1 The purpose of this provision is to:

- a) allow adequate and effective signs appropriate to each locality;
- b) provide for the orderly and safe display of signs;
- c) ensure signs do not cause loss of amenity or adversely affect the natural or built environment;
- d) ensure that signs do not adversely affect the safety or efficiency of a road or pedestrian pathway;
- e) promote the economic growth of the municipal area by providing for images which are conducive to attracting new business and industrial development through appropriate advertising and information display.

### **E14.2 Application of this Code**

E14.2.1 This Code applies to:

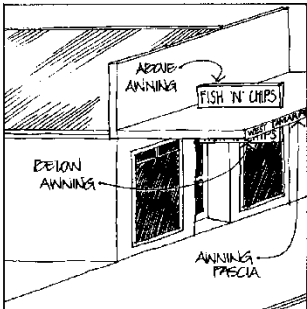
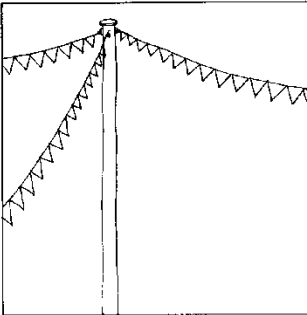
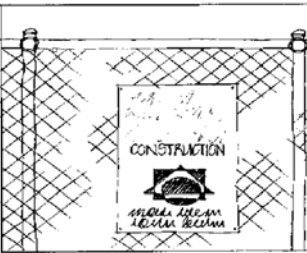
- a) a new sign; and
- b) the renewal or replacement of an existing sign where:
  - i) the sign is enlarged;
  - ii) the advertisement is to be renewed or replaced with an animated or internally illuminated sign; or
  - iii) the renewal or replacement is for a different type of sign.



E14.2.2 Each sign must be categorised into one of the definitions listed and described in Clauses E14.3 or 14.4.

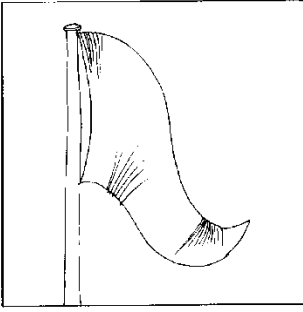
- a) If a sign fits a definition of more than one defined sign, the most specific defined sign applies.
- b) If a sign does not readily fit any defined sign, it must be categorised as the most similar defined sign.

### **E14.3 Definitions of Terms**

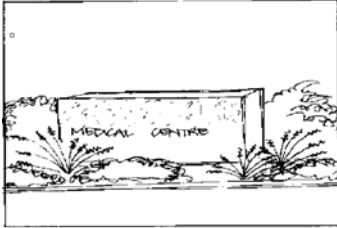
<b>Advertising</b>	any form of publicity or advertising which is visible from any public way, directing attention to an individual, business, commodity, service, activity, or product by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks, or other pictorial matter designed to convey such information.
<b>Animated Signs</b>	<b>Definition:</b> A sign which can move, contains moving parts, changes its message, flashes or has a moving or flashing border

<p><b>Awning Signs</b></p> 	<p><b>Definition:</b></p> <p>A sign attached, painted or otherwise affixed to an awning. It includes the following types:</p> <p><b>Awning Fascia Sign</b> A sign painted or attached to the front or side face of an awning.</p> <p><b>Above Awning Sign</b> A sign attached to the roof of an awning.</p> <p><b>Under Awning Sign</b> A sign attached to the underside of an awning.</p>
<p><b>Banner Signs</b></p>	<p><b>Definition:</b></p> <p>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>
<p><b>Bunting Signs</b></p> 	<p><b>Definition:</b></p> <p>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><b>Construction Signs</b></p> 	<p><b>Definition:</b></p> <p>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 is less than 2 square metres in area.</p>

<p><b>Directory Signs</b></p> 	<p><b>Definition:</b></p> <p>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><b>Election Signs</b></p> 	<p><b>Definition:</b></p> <p>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><b>Flag Signs</b></p>	<p><b>Definition:</b></p> <p>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>



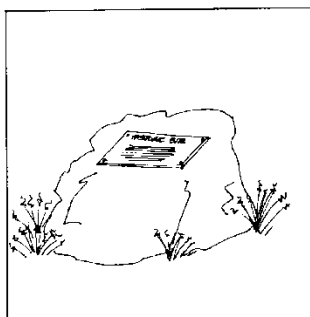
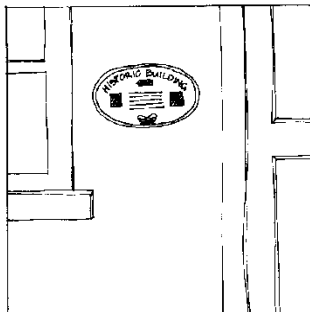
### Ground Signs



#### Definition:

A low-level sign on a structure which is not part of any building and which is not a pole sign.

### Historical or Memorial Signs



#### Definition:

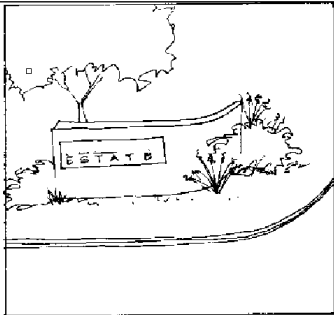
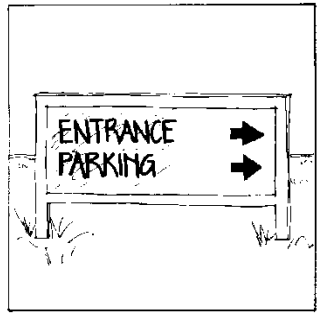
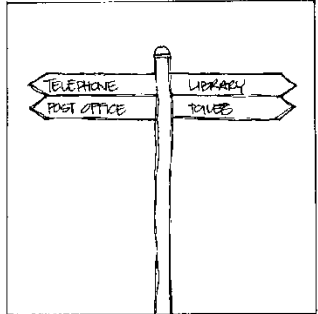
A sign attached to a building or structure of historical or cultural significance, or identifying a place of historical or cultural significance, indicating the date of construction and/or the names of the building or the principles involved in its construction and:

- a) is approved by the relevant authority;
- b) does not carry any advertising message;
- c) may include names of sponsors or logos of sponsors that is a subscript element of the sign.

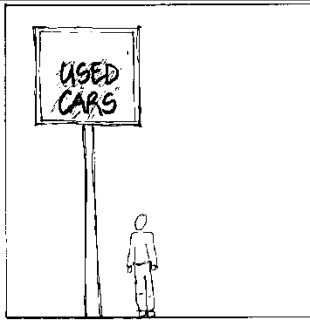
### Identification Sign

#### Definition:

A sign on the premises bearing the name of a subdivision,

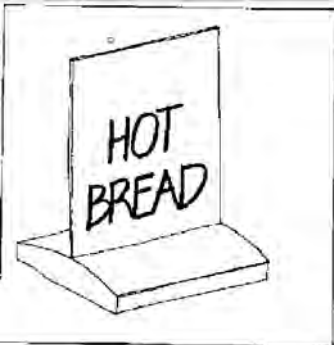
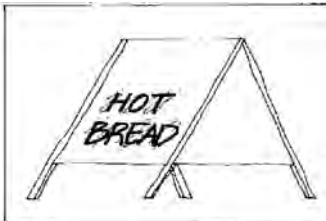
	<p>group housing project, educational institution, park, church, government funded project, or other public or quasi-public facility, bearing information pertaining only to the premises on which such sign is located and carrying no advertising message.</p>
<p><b>Incidental Signs</b></p> 	<p><b>Definition:</b></p> <p>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 (eg disabled parking, traffic direction, freight entrance etc.), prohibit the parking of unauthorised vehicles or provide other incidental information.</p>
<p><b>Off-Premises Signs</b></p> 	<p><b>Definition:</b></p> <p>A sign which does not relate to the premises on which it is 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:</p> <p><b>Directional</b></p> <p>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><b>Informational</b></p> <p>A sign which identifies street and location names, public conveniences, public telephones, walkways or geographical features.</p>
<p><b>Pole Signs</b></p>	<p><b>Definition:</b></p> <p>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</p>





replaced.

### Portable Signs



### Definition:

A sign not permanently attached to a building or structure or to the ground. It includes the following types:

#### A Frame

A sandwich board, usually fronting business premises.

#### T Frame

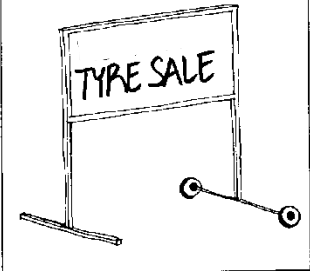
A board secured to a base, usually fronting business premises.


#### Menu Board

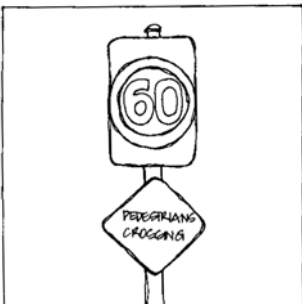
A sign (usually comprising a blackboard or casing in which posters or flyers can be displayed) designed to allow the advertising message to be readily changed.


#### Mobile

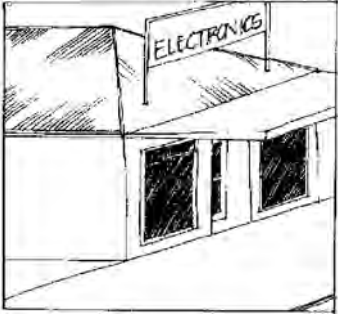
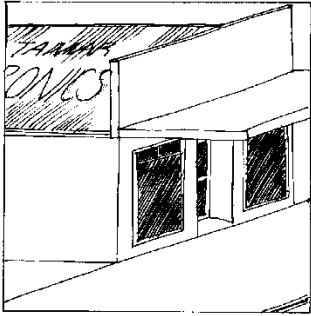
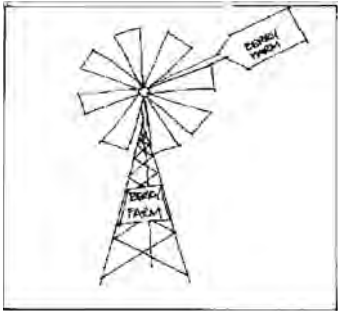
A freestanding sign which can be easily moved around a site.

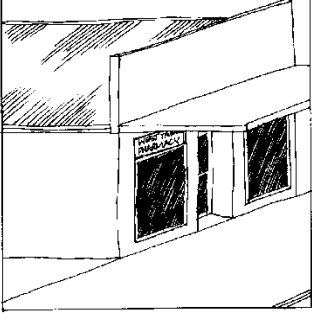
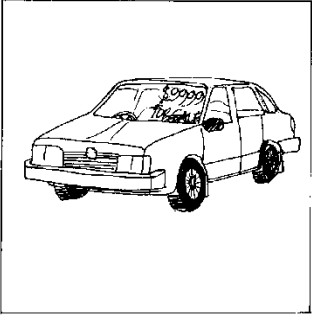
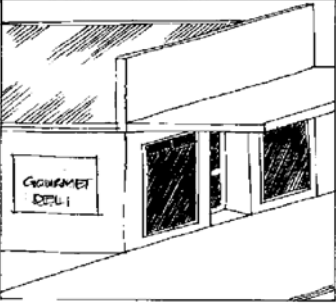
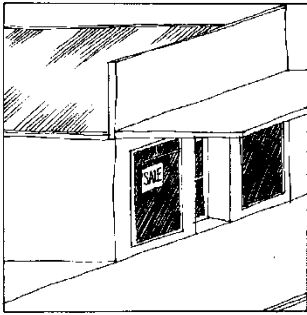
	
---	--

<p><b>Projecting Wall Signs</b></p> 	<p><b>Definition:</b></p> <p>A sign projecting from the wall of a building</p>
---	--

<p><b>Public Signs</b></p> 	<p><b>Definition:</b></p> <p>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><b>Real Estate Sign</b></p> 	<p><b>Definition:</b></p> <p>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><b>Roof Signs</b></p>  	<p><b>Definition:</b></p> <p>A sign erected on or above a roof or a parapet of a building and includes the following types:</p> <p><b>Sky Sign</b></p> <p>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><b>Written Roof Sign</b></p> <p>A sign that is painted or otherwise affixed to the roof cladding of a building.</p>
<p><b>Structure Signs</b></p> 	<p><b>Definition:</b></p> <p>A sign painted on or otherwise affixed to any structure, such as a storage tank, wind mill, tower or similar, which is not a building.</p>
<p><b>Transom Signs</b></p>	<p><b>Definition:</b></p> <p>A sign painted or otherwise affixed between a door head and an awning, or similarly above a window and the awning.</p>

	
<p><b>Vehicle Signs</b></p> 	<p><b>Definition:</b></p> <p>A sign displayed on a vehicle while in use in the normal conduct of business (ie 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><b>Wall Sign</b></p> 	<p><b>Definition:</b></p> <p>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><b>Window Signs</b></p> 	<p><b>Definition:</b></p> <p>A sign displayed on a window.</p>
<p><b>Xmas Light Signs</b></p>	<p><b>Definition:</b></p> <p>A row of light bulbs or a single bulb wired to create a flashing effect or devices displaying intermittent lights or lights of changing degrees of intensity attached to any building, structure or sign. It includes illuminated tubing (neon) outlining property lines, open sales areas, doors, windows, or wall edges of any</p>

	building and is displayed only during the Christmas season for the display of Christmas decorations.
--	--

## **E14.4 Use or Development exempt from this Code**

**E14.4.1** Construction Signs, Directory Signs, Election Signs where displayed between the issuing of the writ and 14 days following the election, Historical or Memorial Signs, Incidental Signs; Public Signs, Real Estate Signs, Vehicle Signs, Portable Signs and Xmas Light Signs, provided they meet the standards as described in Table 14.3 and the following:

### **A Frame or T Frame Signs :**

- 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) is located only within a metre of the property boundary;
- 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 allow a minimum of 1.2 metres for 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 :**

- a) does not exceed 1.0 square metre in area;
- b) is attached to a building façade to which the sign relates; and
- c) displays newspaper or magazine headlines or daily specials available from the premises to which it is attached.

### **Mobile :**

- 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 animated 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.

**E14.4.2** Above awning signs in the Local Business, General Business and Urban Mixed Use Zones, which:

- a) are not closer than 2m to a side boundary;
- b) for single storey buildings, have an overall height not greater than 1m, or for other buildings, does not have a height greater than 30% of the distance between the awning roof and the top of the roof or parapet on the building façade;
- c) do not project beyond the awning fascia; and
- d) are not illuminated.

E14.4.3 A Pole Sign in the General Residential Zone where it is for educational use.

E14.4.4 Bunting Signs associated with occasional use.

## E14.5 Use Standards

There are no use standards

## E14.6 Development Standards

Development must be undertaken in accordance with the following standards:

### 14.6.1 Animated Signs

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 and General Business Zones if it:</p> <ul style="list-style-type: none"> <li>a) is located in an area where it will be compatible with the desired future character for the zone; and</li> <li>b) is not visually intrusive; and</li> <li>c) does not affect traffic safely by drawing motorists' attention away from road traffic conditions or traffic signals, particularly in areas requiring high driver concentration, such as signalised traffic intersections and areas with pedestrian interaction; and</li> <li>d) is only animated when the business is open for trade.</li> </ul>

#### 14.6.2 Awning Signs

Acceptable Solution	Performance Criteria
A1 Awning signs must only be erected in the Urban Mixed Use Zone, Local Business and General Business Zones	P1 No Performance Criteria.
A2 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 projects not more than 0.2 metres from the fascia.</p> <p>A3.2 An Above Awning Sign must be the only under awning sign for the tenancy and not exceed a height of 0.5 metres above the top of the awning.</p> <p>A3.3 An Under Awning Sign must:</p> <ul style="list-style-type: none"> <li>a) be the only under awning sign for the tenancy; and</li> <li>b) be no closer than 2.4 metres to the pavement; and</li> <li>c) not project beyond the awning or within 1.5 metres of a side boundary; and</li> <li>d) be no more than 2.5 metres in length and 0.5 metres in height.</li> </ul>	<p>P5 Awning signs must:</p> <ul style="list-style-type: none"> <li>a) be compatible with the architectural features of the building;</li> <li>b) not be visually intrusive;</li> <li>c) not unreasonably reduce sunlight to the window or private open space of an adjoining property; and</li> <li>d) not compromise traffic or pedestrian safety.</li> </ul>

#### 14.6.3 Bunting Signs

Acceptable Solution	Performance Criteria
A1 Bunting signs must only be erected in the General Business, Local Business, Urban Mixed Use, Rural Resource and Recreation Zones.	P1 No Performance Criteria.
A2 Signs must only be displayed once for a single period not exceeding 2 months in any one year.	P2 No Performance Criteria

#### 14.6.4 Flag or Banner Signs

Acceptable Solution	Performance Criteria
A1 Flag/Banner signs must only be erected in the Urban Mixed Use, Light Industrial Zone, Local Business and General Business Zones.	P1 No Performance Criteria.
A2 Signs must: <ul style="list-style-type: none"> <li>a) not be illuminated; and</li> <li>b) have a maximum area of 8 m².</li> </ul>	P2 No Performance Criteria.
A3 A Flag Sign must: <ul style="list-style-type: none"> <li>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</li> <li>b) have a maximum area of 2 m²; and</li> <li>c) have a minimum clearance of 2.4 metres from the pavement level and a maximum height of 6.5 metres.</li> </ul>	P3 No Performance Criteria.
A4 A Banner Sign must: <ul style="list-style-type: none"> <li>a) be a minimum of 5.5 metres above the pavement level if suspended over any road or public space; and</li> <li>b) if horizontal, have a maximum area of 8 square metres; and</li> <li>c) if vertical have a maximum area of 2 square metres.</li> </ul>	P4 No Performance Criteria.

#### 14.6.5 Ground Signs

Acceptable Solution	Performance Criteria
A1 Ground Signs in all zones must: <ul style="list-style-type: none"> <li>a) be on the premises or subdivision to which the sign relates; and</li> <li>b) be the only type of ground sign located on the premises; and</li> <li>c) have a maximum structure area of 4 square metres; and</li> <li>d) have a height not greater than</li> </ul>	P1 A Ground Sign must: <ul style="list-style-type: none"> <li>a) integrate into the design of the premises so as to be attractive and informative without dominating the visual landscape;</li> <li>b) respect and not detract from the streetscape of the locality where it is erected;</li> <li>c) does not unduly increase visual clutter and, where possible, reduces</li> </ul>



<p>1.5 metres above ground level; and</p> <p>e) not be closer than 1 metre to the front boundary of the site; and</p> <p>f) not be illuminated other than by baffled lights.</p>	<p>existing visual clutter of the streetscape by replacing existing signs with fewer, more effective signs;</p> <p>d) does not unduly obstruct, or distract, vehicular or pedestrian traffic.</p>
--	---

#### 14.6.6 Identification Signs

Acceptable Solution	Performance Criteria
<p>A1 Identification Signs in all zones must:</p> <p>a) be the only Identification Sign for the premises; and</p> <p>b) not exceed 1 square metre in a residential zone or 2 square metres otherwise; and</p> <p>c) be affixed to a wall or fence; and</p> <p>d) not be illuminated other than by baffled lights; and</p> <p>e) not project more than 0.1 metre from the wall or fence.</p>	<p>P1 No Performance Criteria.</p>

#### 14.6.7 Pole Signs

Acceptable Solution	Performance Criteria
<p>A1 Pole signs must only be erected in Urban Mixed Use Zone, Local Business, General Business Zones, Light Industrial Zone, General Industrial Zone and Rural Resource Zone.</p>	<p>P1 A Pole Sign may be erected in the Rural Resource Zone provided the sign:</p> <p>a) integrates into the design of the premises so as to be attractive and informative without dominating the visual landscape;</p> <p>b) respect and not detract from the streetscape of the locality where it is erected;</p> <p>c) does not unduly increase visual clutter and, where possible, reduces existing visual clutter of the streetscape by replacing existing signs with fewer, more effective signs;</p> <p>d) does not unduly obstruct, or</p>

	distract, vehicular or pedestrian traffic.
<p>A2 Pole Signs must:</p> <ul style="list-style-type: none"> <li>a) be the only type of pole sign on the premises; and</li> <li>b) not be illuminated other than by baffled lights; and</li> <li>c) be double sided or erected so the back of the sign is not visible from a public space; and</li> <li>d) have a maximum area of 4 square metres per side with no more than 2 display sides; and</li> <li>e) have a maximum height of 8 metres.</li> </ul>	<p>P2 The sign must:</p> <ul style="list-style-type: none"> <li>a) not unreasonably reduce sunlight to the window or private open space of an adjoining property; and</li> <li>b) not unreasonably spill light over the site boundary; and</li> <li>c) have a display area and height that are not visually intrusive; and</li> <li>d) does not unduly obstruct, or distract, vehicular or pedestrian traffic.</li> </ul>

#### 14.6.8 Portable Signs

Acceptable Solution	Performance Criteria
<p>A1 Portable signs must only be located in the Urban Mixed Use Zone, Local Business and General Business Zones, Light Industrial Zone, Major Tourism and Rural Resource Zone.</p>	<p>P1 No Performance Criteria.</p>
<p>A2 Portable Signs must:</p> <ul style="list-style-type: none"> <li>a) be the only portable sign relating to the premises; and</li> <li>b) not be animated or illuminated; and</li> <li>c) not obstruct openings intended as a means of entrance or exit; and</li> <li>d) not be located within the road reserve or public pedestrian way.</li> </ul>	<p>P2 Portable Signs must:</p> <ul style="list-style-type: none"> <li>a) integrate into the design of the premises so as to be attractive and informative without dominating the visual landscape;</li> <li>b) respect and not detract from the streetscape of the locality where it is erected;</li> <li>c) does not unduly increase visual clutter and, where possible, reduces existing visual clutter of the streetscape by replacing existing signs with fewer, more effective signs;</li> <li>d) does not unduly obstruct, or distract, vehicular or pedestrian traffic.</li> </ul>

<p>A3 A Menu Board sign must:</p> <ul style="list-style-type: none"> <li>a) be attached to a building façade to which the sign relates; and</li> <li>b) only display newspaper or magazine headlines or daily specials available from the premises to which it is attached.</li> </ul>	<p>P3 No Performance Criteria.</p>
--	------------------------------------

#### 14.6.9 Projecting Wall Signs

Acceptable Solution	Performance Criteria
<p>A1 Projecting Wall Signs in all zones must:</p> <ul style="list-style-type: none"> <li>a) be the only Projecting Wall Sign on the premises;</li> <li>b) not project above the gutter line of the building;</li> <li>c) have a minimum clearance of 2.4 metres to the pavement;</li> <li>d) not be animated or internally illuminated;</li> <li>e) not exceed a vertical maximum display area of 2 square metres, and maximum width of 0.5 metres or horizontal maximum display area of 1 square metre projecting not more than 2.5 metres from the building.</li> </ul>	<p>P1 Projecting Wall Signs must:</p> <ul style="list-style-type: none"> <li>a) integrate into the design of the premises so as to be attractive and informative without dominating the visual landscape;</li> <li>b) respect and not detract from the streetscape of the locality where it is erected;</li> <li>c) does not unduly increase visual clutter and, where possible, reduces existing visual clutter of the streetscape by replacing existing signs with fewer, more effective signs;</li> <li>d) does not unduly obstruct, or distract, vehicular or pedestrian traffic.</li> </ul>

#### 14.6.10 Roof Signs

Acceptable Solution	Performance Criteria
<p>A1 Roof signs must only be erected in the Urban Mixed Use Zone, Local Business and General Business Zones, 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"> <li>a) be the only roof sign on the premises; and</li> <li>b) not be animated or internally illuminated.</li> </ul> <p>A2.2 The Sky Roof Signs must:</p> <ul style="list-style-type: none"> <li>a) not protrude above the roof</li> </ul>	<p>P2 Roof signs must:</p> <ul style="list-style-type: none"> <li>a) not unreasonably reduce sunlight to the windows or private open space of an adjoining property; and</li> <li>b) respect and not detract from the streetscape of the locality</li> </ul>

<p>more than 0.5 metre; and</p> <p>b) have an area not greater than 4m<sup>2</sup> ; and not obstruct light or air from any room or building.</p> <p>A2.3 Written Roof Signs must:</p> <p>a) be the lesser of 10 square metres or 50 percent of the area of the roof; and</p> <p>b) not obstruct light or air from any room or building.</p>	<p>where it is erected; and</p> <p>c) not unduly increase visual clutter and, where possible, reduces existing visual clutter of the streetscape by replacing existing signs with fewer, more effective signs.</p>
--	--

#### 14.6.11 Structure Signs

Acceptable Solution	Performance Criteria
<p>A1 Structure signs must only be erected in the Urban Mixed Use, Village, Local Business, General Business, Rural Resource, Light Industrial and General Industrial Zones.</p>	<p>P1 No Performance Criteria.</p>
<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 premises; and</p> <p>c) be enclosed within the frame of the structure and does not protrude beyond the structure's framework; and</p> <p>d) not be illuminated.</p>	<p>P2 No Performance Criteria.</p>

#### 14.6.12 Wall Signs

Acceptable Solution	Performance Criteria
<p>A1 Wall Signs in all zones 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>	<p>P1 No Performance Criteria.</p>

#### 14.6.13 Window Signs

Acceptable Solution	Performance Criteria
A1 Window Signs in all zones must not result in that part of ground floor windows between 0.8 metres and 2 metres above the floor level or any above ground floor window being more than 25 percent opaque.	P1 No Performance Criteria.

#### 14.6.14 Off-Premises Tourist Signs

A1 The proposal does not include off-premises tourist signage	<p>P1 An off-premises tourist sign must:</p> <ul style="list-style-type: none"> <li>a) only be advertising a tourism accredited development or use; and</li> <li>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;</li> <li>c) locate only one sign on each approach with a maximum total of two signs for each tourist operation;</li> <li>d) convey business name of tourist operation and estimated distance to access point;</li> <li>e) not be advertising a tourist operation where the access to this tourist operation is located within a township;</li> <li>f) be no greater than 3.0m<sup>2</sup> with a maximum dimension of 3.0 metres; and</li> <li>g) not unduly increase visual clutter and, where possible, reduces existing visual clutter of the streetscape by replacing existing signs with fewer, more effective signs.</li> </ul>
---	---

## **E15 Karst Management Code**

### **E15.1 Purpose of the Code**

E15.1.1 The purpose of this provision is to:

- a) ensure development proposals minimise adverse impact on groundwater dependant ecosystems.
- b) ensure appropriate protection of sensitive karst features.
- c) ensure erosion of sediments within the karst area is managed to minimise adverse impacts on karst features and the karst system.

### **E15.2 Application of this Code**

E15.2.1 This code applies to use or development of land identified on the planning scheme map located within the Karst Catchment Area.

### **E15.3 Definition of Terms**

Sinkhole	means a closed depression in karst areas which are usually circular in outline. They may be produced by solution of rock close to the surface or by the roof of a cave collapsing. Streams may sink underground through sinkholes. Water drains from sinkholes to underground systems.
Cave	means a natural cavity within rock that may be water filled. It may also be blocked partly or fully by sediment.
Stream	means drainage depression that carries overland water flow.
Sinking Stream	means drainage depression that carries overland water flow that descends at a point into the ground to enter the subterranean stream system.
Exposed Karst	means carbonate bedrock outcrops fully exposed or with soil or unconsolidated sediment cover of less than 500mm.
Karren	means the presence of rounded fluting in the carbonate bedrock which results from corrosional processes, indicating a higher susceptibility to erosion.
Karst Feature	means any of the above defined features.
Karst Catchment Area	means the area identified as 'Karst Catchment Area' shown on the planning scheme maps.
High Sensitivity Area	means the area identified as 'High Sensitivity Area' shown on the planning scheme maps.
Low Sensitivity Area	means the area identified as 'Low Sensitivity Area' shown on the planning scheme maps.

## E15.4 Use or Development Exempt from this Code

### E15.4.1 Use for agriculture, except for plantation forestry.

## E15.5 Use Standards

<b>Objective:</b> a) To ensure that use managed to minimise adverse impacts on the Karst System.									
Acceptable Solution	Performance Criteria								
A1 Plantation forestry is in accordance with a certified Forest Practices Plan.	P1 No Performance Criteria								
A2 Wastewater disposal fields must be setback to sinkholes and caves the following distances:  <b>Upslope</b> <table><tr><td>&lt;5°</td><td>40m</td></tr><tr><td>5°-10°</td><td>50m</td></tr><tr><td>10°-15°</td><td>60m</td></tr><tr><td>15°-20°</td><td>70m</td></tr></table> Add 10m for every additional 5° of slope  <b>Downslope</b> All slopes 40m	<5°	40m	5°-10°	50m	10°-15°	60m	15°-20°	70m	P4 Wastewater disposal fields must be located at a suitable distance from sinkholes and caves to:  a) avoid an increase in potential for ground surface or land instability; b) avoid pollution of subterranean waterways as a result of runoff directly entering the karst system.
<5°	40m								
5°-10°	50m								
10°-15°	60m								
15°-20°	70m								
A5 The use must not facilitate access to cave systems.	P5 A Management Plan is to be submitted that demonstrates how karst natural values will be protected.								
A6 Hard waste must not be disposed of on-site.	P6 Disposal of waste is to be in a manner that ensures protection of the environmental values of the karst system from pollutants and foreign materials.								
A7 The use does not involve the abstraction of water.	P7 The abstraction of water must not adversely affect the environmental values of the karst system through the lowering of the water table.								

## E15.6 Development Standards

### E15.6.1 Sedimentation and pollution

<p>Objective:</p> <p>To ensure that the impacts of development are managed to minimise erosion and to prevent sediment and pollution entering the Karst System.</p>									
Acceptable Solution	Performance Criteria								
A1.1 Forestry and plantation forestry is in accordance with a certified Forest Practices Plan.	P1 No Performance Criteria								
<p>A2.1 Excavation, buildings, access ways and subsurface drainage (not including forestry and plantation forestry) must be located a minimum of 100 metres from Karst features.</p> <p>A2.2 Runoff from buildings and access ways (not including forestry and plantation forestry) does not concentrate water flows into the groundwater system.</p>	<p>P2 Sediment and pollutant loss into the karst system is to be minimised through:</p> <ul style="list-style-type: none"> <li>a) the use of sediment control measures;</li> <li>b) the avoidance of karst features and subterranean cavities in the construction of subsurface infrastructure;</li> <li>c) vegetation retention or permanent perennial ground cover between the development and karst features;</li> <li>d) improvement of vegetation cover in critical areas for soil conservation, such as steep slopes, unstable soils and riparian areas;</li> <li>e) directing on-site effluent disposal away from Karst features;</li> <li>f) the use of specialised, lower impact on-site effluent disposal systems.</li> </ul>								
<p>A3 Vegetation must be retained surrounding sinkholes and caves for the following distances (not including forestry and plantation forestry):</p> <p><b>Upslope</b></p> <table> <tr> <td>&lt;5°</td> <td>40m</td> </tr> <tr> <td>5°-10°</td> <td>50m</td> </tr> <tr> <td>10°-15°</td> <td>60m</td> </tr> <tr> <td>15°-20°</td> <td>70m</td> </tr> </table> <p>Add 10m for every additional 5° of slope</p>	<5°	40m	5°-10°	50m	10°-15°	60m	15°-20°	70m	<p>P3 Clearance of vegetation must not result in an increase of sediments entering the karst system or increased instability of the karst features having regard to:</p> <ul style="list-style-type: none"> <li>a) the type of vegetation on the site;</li> <li>b) the type of soil on the site;</li> <li>c) existing structure of the sinkhole;</li> <li>d) proposed treatment of the cleared area including replacement vegetation.</li> </ul>
<5°	40m								
5°-10°	50m								
10°-15°	60m								
15°-20°	70m								



<b>Downslope</b> All slopes 40m	
A4	Development must not fill caves or sinkholes.
P4	No Performance Criteria

#### E15.6.2 High Sensitivity Karst Features

<b>Objective:</b> To ensure that the environmental values of the higher sensitivity karst systems are protected through the appropriate location and treatment of development.	
Acceptable Solution	Performance Criteria
A1 Where located within the High Sensitivity Area: a) Forestry and plantation forestry is in accordance with a certified Forest Practices Plan; or b) the site does not contain the following: i) karren; ii) caves; iii) sinking streams; iv) less than 500mm soil coverage over the area of development.	P1 A report prepared by a suitably qualified person must demonstrate that that the development does not result in the following impacts: c) damage to sites of scientific significance; d) damage to karst features; e) blockage of sinkholes or caves; f) induce unacceptable levels of surface soil erosion and sedimentation into the karst system; g) creation of a safety hazard; h) increase potential for ground surface or land instability; i) pollution of surface or subterranean waterways; j) adversely lower the water table; k) adversely increase subterranean water flow; l) significant alteration of the surface hydrology. The report is to include any measures for the location of development or treatment of development that will mitigate adverse impacts on the Karst system.

## **E16            Urban Salinity Code**

### **E16.1    Purpose of the Code**

E16.1.1    The purpose of this provision is to:

- a)   protect property, infrastructure and the environment from the potential adverse effects of salinity by ensuring that on-site and off-site salinity hazard risks arising from new developments are identified and appropriately managed.

### **E16 .2   Application of this Code**

E16.2.1    This Code applies to use and development on land within the Greater Launceston Urban Salinity Management Area shown on the planning scheme maps.

### **E16.3    Definition of Terms**

E16 .3.1    In this schedule, unless the contrary intention appears:

Extensive Irrigation	means the regular or ongoing application of water to an area greater than 1,000 square metres.
Qualified Person	A person qualified to undertake geotechnical or soil salinity investigations.
Salinity Hazard Assessment	<p>A site investigation into the impact of a development on salinity undertaken by a qualified person (in accordance with the specifications set out in “Site Investigations for Urban Salinity” by the NSW Department of Land and Water Conservation) that includes identifying:</p> <ul style="list-style-type: none"><li>• Landscape description, topography</li><li>• Lithology</li><li>• Site condition/salinity indicators</li><li>• Vegetation cover</li><li>• Hydrology</li><li>• Soil types and soil analysis</li><li>• Soil profiles; salinity profiles</li><li>• Groundwater; depth, salinity analysis</li><li>• The salinity Risk Level (as determined by Table S5.1)</li><li>• Evaluation and appropriate mitigation responses to address the proposed development on salinity risks.</li></ul>

### **E16.4    Use or Development Exempt from this Code**

- a)   Use and Development consisting of up to 3 individual dwellings on a single title where stormwater collection is connected to a reticulated stormwater system.
- b)   Development where the area of development including impervious surfaces is less than 500m<sup>2</sup> where the land on which the development occurs is connected to a reticulated stormwater system.

- c) Clearing of a contiguous area of vegetation at a rate of less than 1000m<sup>2</sup> in area per year.
- d) Subdivision of land for any purpose involving less than three lots.
- e) Utilities provision involving:
  - i) connections to existing subdivided lots; or
  - ii) above ground supply of services; or
  - iii) underground provision of services where the service is located less than 700mm below the ground surface.

## **E16.5 Use Standards**

### **E16.5.1 Extensive Irrigation of Lawns and Garden Areas.**

Objective: To minimize changes in groundwater recharge that may result from extensive irrigation.	
Acceptable Solution	Performance Criteria
A1 No Acceptable Solution	P1 Where extensive irrigation is proposed, a Salinity Hazard Assessment must demonstrate how it is intended to manage surface runoff and subsurface drainage so as to avoid raising the water table.

## **E16.6 Development Standards**

### **E16.6.1 Stormwater**

Objective: To ensure that stormwater runoff from buildings and hardened surfaces does not increase the risk of salinity through ground saturation or raising the water table.	
Acceptable Solution	Performance Criteria
A1.1 All stormwater runoff from hardened surfaces is to be collected and discharged to a reticulated stormwater system.  A1.2 If stormwater is collected and stored in a detention basin, the basin is to be lined with impermeable material.	P1 A Salinity Hazard Assessment is to demonstrate that stormwater runoff from buildings and hardened surfaces is to be managed so as not to result in: <ul style="list-style-type: none"> <li>a) an increase over the pre-development level in the amount of water entering the groundwater table;</li> <li>b) the disposal of surface water to adjoining low lying areas subject to waterlogging.</li> </ul>

### E16.6.2 Excavation

<b>Objective:</b> To ensure that intercepted groundwater is appropriately managed and drained to prevent adverse on-site and off-site salinity impacts.	
Acceptable Solution	Performance Criteria
<p><b>A1.1</b> Excavation (except for utilities) greater than 0.5 metres in depth must:</p> <ul style="list-style-type: none"><li>a) be drained to a reticulated stormwater system using appropriate saline resistant materials; or</li><li>b) a groundwater level test conducted by a suitably qualified person establishes that the water table is not intercepted.</li></ul> <p><b>A1.2</b> Excavation for installation of utilities that is greater than 700mm must be drained to a reticulated stormwater system.</p>	<p><b>P1</b> A Salinity Hazard Assessment is to demonstrate that intercepted groundwater is to be managed so as not to result in:</p> <ul style="list-style-type: none"><li>a) an increase over the pre-development level in the amount of water entering the groundwater table;</li><li>b) the disposal of surface water to adjoining low lying areas subject to waterlogging.</li></ul>

### E16.6.3 Vegetation Clearance

<b>Objective:</b> To minimise changes in groundwater recharge that may result from the removal of vegetation.	
Acceptable Solution	Performance Criteria
<p><b>A1</b> No acceptable solution.</p>	<p><b>P1</b> Where it is proposed to clear more than 1000m<sup>2</sup> of vegetation cover (including overstorey and understorey) a Salinity Hazard Assessment must demonstrate:</p> <ul style="list-style-type: none"><li>a) the degree of salinity on the site;</li><li>b) impacts of the proposal on the salinity of the site and surrounding land;</li><li>c) appropriate mitigation measures if necessary to prevent adverse impacts on the site and surrounding land.</li></ul>

#### E16.6.4 Roads and Impervious Surfaces

<p><b>Objective:</b></p> <p>To ensure that where roads are constructed, there is no increased risk of salinity on the infrastructure and on surrounding land.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Roads must be constructed using saline resistant materials and methods.</p>	<p>P1 A Salinity hazard Assessment must demonstrate:</p> <ul style="list-style-type: none"> <li>a) that degree of salinity is not likely adversely affect the functional life of the infrastructure; or</li> <li>b) that the maintenance and/or repair costs for the infrastructure are not increased over normal practices.</li> </ul>

#### E16.6.5 Subdivision

<p><b>Objective:</b></p> <p>To ensure that subdivision of land is designed to provide for appropriate siting of future development in areas at risk of salinity.</p>	
Acceptable Solution	Performance Criteria
<p>A1 A Salinity Hazard Assessment demonstrates that the site is located in an area of Low Salinity Risk in accordance with Table E16.1</p>	<p>P1.1 Subdivision must be designed so that roads, open space and building areas are located to reduce the adverse impact of the development on salinity levels and minimise the risk of salinity on future use of this Land.</p> <p>P1.2 A Salinity Hazard Assessment must demonstrate :</p> <ul style="list-style-type: none"> <li>a) the degree of salinity on the site;</li> <li>b) impacts of the proposal on the salinity of the site and surrounding land;</li> <li>c) appropriate mitigation measures if necessary to prevent adverse impacts on the site and surrounding land which may include: <ul style="list-style-type: none"> <li>i) location of building envelopes;</li> <li>ii) excavation restrictions in relation to salinity levels and contours; and</li> </ul> </li> </ul>

	iii) vegetation retention to reduce salinity impacts.
--	---

**Table E16.1 Salinity Risk Level**

Low Salinity Risk	All sites that do not support features of land with Moderate or High Salinity Risk.
Moderate Salinity Risk	<p>Sites which have a known or are identified in a Salinity Hazard Assessment as recording a salinity level of 2 - 4 dS/m.</p> <p>Sites which can be readily identified by the Site AS2870 Classifier from a desk top study as having a higher potential for salinity hazard.</p> <p>Lands mapped as 'Lateritic Soils' on the 'Launceston' 1:25000 Geological Map.</p> <p>Land mapped as 'Jurassic Dolerite' on the 'Launceston' 1:25000 Geological Map which are also a slope less than 3°.</p> <p>Where there is a defined macro 'Break of Slope', for example at the base of an escarpment, or where an obvious hill levels off at a well defined line into flatter land.</p>
	<p>Where the 'Launceston' 1:25000 Geological Map shows faulting being adjacent to Tertiary or Quaternary sediments.</p> <p>Where there is any below-surface Dolerite or with rock identified on the Geological Map in an area which is otherwise 'Tertiary sediment'.</p>
High Salinity Risk	Those sites defined in a Salinity Hazard Assessment as having a salinity level of 4ds/m or greater.

# Part F      Specific Area Plans

---

## **F1 Birralelee Road Industrial Precinct Specific Area Plan**

### **F1.1 Purpose of Specific Area Plan**

F1.1.1 The purpose of this specific area plan is to:

- a) provide detailed guidance on use and development within the Industrial Zone at Birralelee Road, particular to the unique characteristics of the site.

### **F1.2 Application of Specific Area Plan**

F1.2.1 The specific area plan applies to the area of land designated as **Birralelee Road Industrial Precinct Specific Area Plan** on the Planning Scheme maps.

### **F1.3 Use Standards**

Objective: <ul style="list-style-type: none"><li>a) To provide safe and efficient access to the precinct and to protect the higher order function of Birralelee Road within the State Road hierarchy.</li></ul>	
Acceptable Solution	Performance Criteria
<p>A1 No direct access to Birralelee Road except where:</p> <ul style="list-style-type: none"><li>(a) the existing farm accesses to CT151111/1 are intensified by no more than an additional 20 vehicle movements per day. Any greater number of movements provides a new access to a side road.</li><li>(b) access to the fuel depot located on CT103017/1 is not intensified.</li><li>(c) for existing accesses other than those described in the above clauses, any intensification of an existing use is to be accompanied by the consent of the Department of Infrastructure, Energy and Resources.</li></ul>	<p>P1 No performance criteria</p>
<p>A2 Access on side roads is to be located a minimum distance of 50m from any junction with Birralelee Road.</p>	<p>P1 No performance criteria</p>



## F1.4 Development Standards

### F1.4.1 Building Design and Siting

<p>Objective:</p> <p>a) To ensure that larger building elements are not obtrusive within the broader landscape.</p>	
Acceptable Solution	Performance Criteria
<p>A1 The maximum height of buildings must not exceed 15 metres with ancillary structures such as towers, stacks and the like to be a maximum height of 30m.</p>	<p>P1 Buildings must be designed to be complementary to the character of the industrial precinct and not be individually obtrusive within the broader rural landscape.</p>
<p>A2 Buildings must be setback a minimum distance of:</p> <p>a) 15 metres to the Birralelee Road frontage; and</p> <p>b) 8 metres to the primary frontage to all other roads;</p> <p>c) 3 metres to the secondary frontage to all other roads.</p>	<p>P2 No performance criteria</p>
<p>A3 Buildings must be setback a minimum distance of:</p> <p>a) 3 metres to a side boundary; and</p> <p>b) 6 metres to the rear boundary.</p>	<p>P3 The setback to the side and rear boundary may be reduced if:</p> <p>a) adequate access to the lot is demonstrated ; and</p> <p>b) the bulk and form of the building does not compromise the efficient use of the subject land or adjoining land for industrial purposes having regard to:</p> <p>i) the size and proportions of the lot;</p> <p>ii) the extent to which the slope or retaining walls increase the impact of the proposed variation;</p> <p>iii) the ability to manoeuvre vehicles on the site and gain access to the road.</p>
<p>A4 The predominant building materials are to be non-reflective.</p>	<p>P4 No performance criteria</p>

### F1.3.2 Landscaping

<p>Objective:</p> <ul style="list-style-type: none"><li>a) To enhance the visual appearance of the precinct along the Birralelee Road;</li><li>b) To reduce the visual impact of development and integrate the precinct within the surrounding rural landscape.</li></ul>	
Acceptable Solution	Performance Criteria
<p>A1.1 The setback to the Birralelee Road frontage, indicated in Figure F1.0, must be landscaped with a combination of upper and lower storey vegetation.</p> <p>A1.2 To the western side of Birralelee Road, lots located to the southern and western boundaries of the Specific Area Plan are to provide screening vegetation which will achieve a minimum height of 20 metres within the landscape buffer area indicated in Figure F1.0</p> <p>A1.3 A landscape plan indicating the location and type of vegetation to be planted is to be submitted where A1.1 and A1.2 is applicable.</p>	<p>P1 No performance criteria</p>

### F1.3.3 Access

<p>Objective:</p> <ul style="list-style-type: none"><li>b) To provide safe and efficient access to the precinct and to protect the higher order function of Birralelee Road within the State Road hierarchy.</li></ul>	
Acceptable Solution	Performance Criteria
<p>A1 No direct access to Birralelee Road except where:</p> <ul style="list-style-type: none"><li>(a) the existing farm accesses to CT151111/1 are intensified by no more than an additional 20 vehicle movements per day. Any greater number of movements provides a new access to a side road.</li></ul>	<p>P1 No performance criteria</p>

	<p>(b) access to the fuel depot located on CT103017/1 is not intensified.</p> <p>(c) for existing accesses other than those described in the above clauses, any intensification of an existing use is to be accompanied by the consent of the Department of Infrastructure, Energy and Resources.</p>	
A2	Access on side roads is to be located a minimum distance of 50m from any junction with Birralelee Road.	P1 No performance criteria

#### F1.3.4 Signage

<p>Objective:</p> <p>a) To ensure that signage provides for site identification yet is not prolific;</p> <p>b) To ensure that the location of signage is not obtrusive and minimises the visual impact of the precinct in the surrounding environment.</p>		
Acceptable Solution		Performance Criteria
A1.1	Signage must not be visible from the Bass Highway; and	P1 No performance criteria
A1.2	Signage fronting Birralelee Road shall be limited to those premises with direct access to Birralelee Road.	

#### F1.3.5 Stormwater

<p>Objective:</p> <p>a) to ensure that stormwater runoff from development sites is managed to achieve an appropriate quality prior to discharge to the reticulated system and protects the environmental values of the drainage reserves.</p>		
Acceptable Solution		Performance Criteria
A1	Development must include stormwater treatment devices or systems to which all surface water is directed prior to discharge.	P1 No performance criteria

### **F1.3.6 Subdivision**

#### **F1.3.6.1 General Suitability**

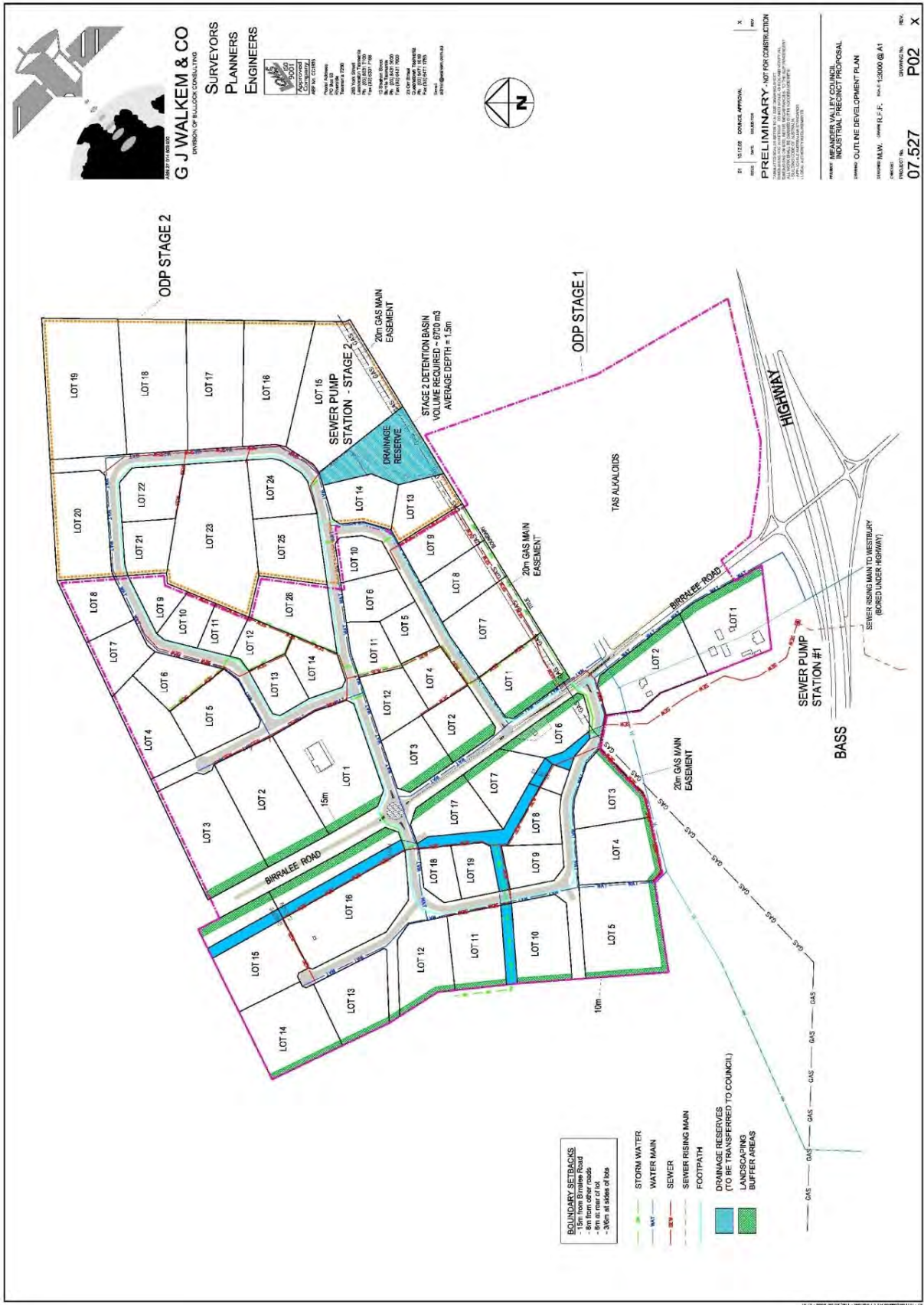
<b>Objective:</b>  The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Specific Area Plan.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1 No Acceptable Solution</b>	<b>P1</b> Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the purpose of the Specific Area Plan, having regard to the combination of:  a) slope, shape, orientation and topography of land;  b) any established pattern of use and development;  c) connection to the road network;  d) availability of or likely requirements for utilities;  e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and  f) potential exposure to natural hazards.

#### **F1.3.6.2 Lot Requirements and Frontage**

<b>Objective:</b> a) To provide for the orderly and efficient release of land.	
<b>Acceptable Solution</b>	<b>Performance Criteria</b>
<b>A1 Subdivision must:</b>  a) be in accordance with the Outline Development Plan in Figure F1.0; or  b) provide for a minimum lot size of 5000m <sup>2</sup> with each of CT's 136796/1, 24832/2 and 28921/1 being subdivided such that at least 1 lot has a minimum area of 2 hectares or greater and that no more than 40%	<b>P1</b> Minimum lot sizes must provide for the efficient use of land consistent with the zone purpose.

of the land area has lots with an area of less than 1 hectare; and	
<p>A2 Subdivision must:</p> <ul style="list-style-type: none"> <li>a) provide road reservations of 25m and carriageway widths of 10m;</li> <li>b) provide footpath connection within the subdivision and to Birralea Road;</li> <li>c) provide for the specified access requirements in Clause F1.3.3;</li> <li>d) provide for the building exclusion zone required under the Gas Pipelines Act 2000.</li> </ul>	P2 No performance criteria
A2 Each lot must have a frontage of at least 12m.	P2 No performance criteria
<p>A3 Each lot must be connected to:</p> <ul style="list-style-type: none"> <li>a) a reticulated water supply;</li> <li>b) a reticulated sewerage system;</li> <li>c) stormwater dispersal to an approved system;</li> <li>d) telecommunications services; and</li> <li>e) an underground power supply.</li> </ul>	P3 No performance criteria
A4 Lots 1 & 2 (or a singular lot over the same area) indicated on the Outline Development Plan in Figure F1.0, must only be created when the use of the buildings is changed to a non-sensitive use.	P4 No performance criteria
<p>A5 Stage 2, indicated on the Outline Development Plan in Figure F1.0 shall not be developed or used for activities permissible in the Industrial Zone unless and until:</p> <ul style="list-style-type: none"> <li>a) a stormwater detention basin capable of catering for a 1:100 storm event, is constructed; and</li> <li>b) a sewer pump station is installed to service the catchment of Stage 2.</li> </ul>	P4 No performance criteria

Figure F1.0 – Outline Development Plan



## **F2    Hadspen Specific Area Plan**

### **F2.1    Purpose of Specific Area Plan**

F2.1.1    The purpose of this specific area plan is to:

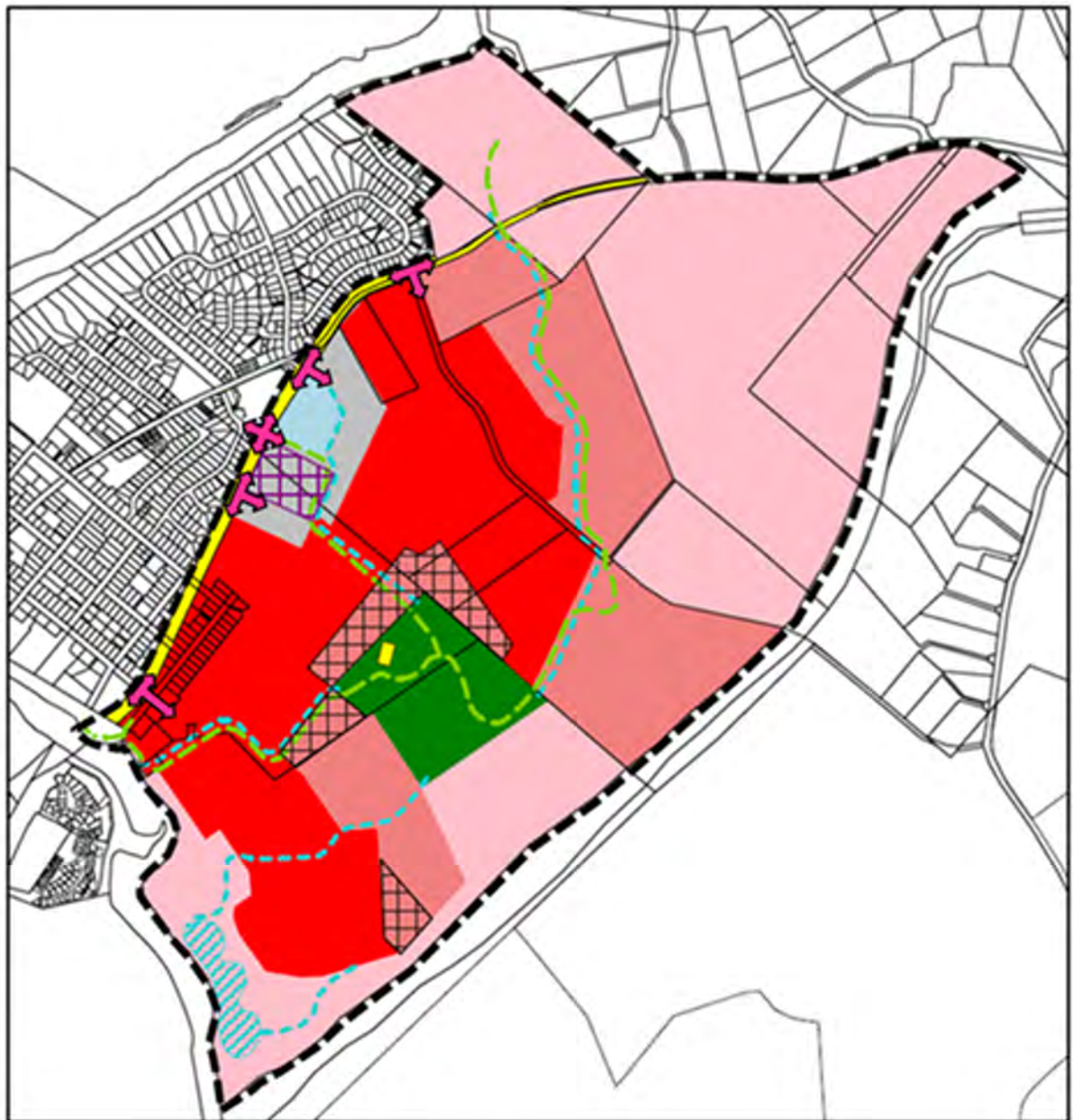
- a)    provide for the development of the area consistent with the local area objectives and desired future character statements;
- b)    provide for the co-ordinated subdivision of land; and
- c)    co-ordinate the provision of infrastructure and public open space.

### **F2.2    Application of Specific Area Plan**

F2.2.1    The specific area plan applies to the area of land designated as SAP F2 on the Planning Scheme maps and in Figure 2.2.1



Figure 2.2.1 – SAP F2



Legend

- |  |                           |  |                                  |
|--|---------------------------|--|----------------------------------|
|  | Main Town Centre Junction |  | General Residential Zone         |
|  | Secondary Junction        |  | Low Density Residential Zone     |
|  | Key Recreation Trail      |  | Rural living Zone                |
|  | Key WSUD Stormwater Line  |  | Open Space Zone                  |
|  | WSUD Wetland Easement     |  | Local Business Zone              |
|  | Education Site            |  | Urban Mixed Use Zone             |
|  | SAP Boundary              |  | Utilities Zone                   |
|  |                           |  | Low Density Residential (Area A) |



## F2.3 Local Area Objectives

### Local Business Zone

- a) Protect the function of the Local Business Zone town centre as the local retail and service centre by principally providing for local service uses, allowing for some visitor attraction uses.
- b) The principal purpose of the Local Business Zone to provide for a supermarket, supported by speciality shops and services, is to be protected.
- c) Active, pedestrian focussed street fronts and meeting places are to be given priority over vehicle parking and are to be supported by centralised parking to service the activity centre.
- d) Provide a highly visible, town centre junction that provides a clear focus of activity upon approach and serves to integrate the existing centre with new development into a restructured central precinct.

### Urban Mixed Use Zone

- a) To protect the function of the town centre, commercial and retail uses are to be smaller in scale and specialist in service, interspersed with, or in combination with, community service uses and higher density residential uses.
- b) Multiple use facilities are supported.
- c) The Education Site is to be protected for the purpose of a school. Other uses are supported on the Education Site where they are integral to the development of a community service hub that combines with a school. An application for discretionary use must show how that use will co-locate with a school through a development plan.

### General Residential Zone

- a) To provide for the standard range of uses in the zone.
- b) Commercial uses are not to weaken the function of the town centre by drawing local service activities away from the centre.

### Low Density Residential Zone

- a) To provide for the standard range of uses in the zone.
- b) To allow for a range of lot sizes to provide for the efficient use of land while protecting identified values.
- c) Commercial uses are not to weaken the function of the town centre by drawing local service activities away from the centre.

### Rural Living Zone

- a) To provide for the standard range of uses in the zone.
- b) Commercial uses are not to weaken the function of the town centre by drawing local service activities away from the centre.

### Utilities Zone

- a) The reserve of Meander Valley Road is to provide for coordinated, multiple functions including:
  - i) the principal, central traffic corridor;

- ii) utilities;
- iii) pedestrian and bicycle connectivity to the activity centre; and
- iv) recreational amenity.

- b) To provide for the expansion of water supply infrastructure.

#### Open Space Zone and Recreation

- a) The bushland is to be reserved for public open space and is to be part of a connected network of recreation trails.
- b) Key recreational trails are to provide opportunities for pedestrian or cycling as a recreational pursuit through a looping network that links with the river, town centre and the existing township.
- c) Facilities are to support the use of the site for passive recreation.

#### Connectivity

- a) Development is to provide for a co-ordinated network of roads, pedestrian and bicycle paths that connects the activity centre, mixed use and residential areas and public open space.

## F2.4 Desired Future Character Statements

#### Local Business Zone

- a) The activity centre is to have a compact, higher density urban form that is well integrated with the existing centre across Meander Valley Road through the use of landscaping treatment, traffic calming and other urban design features that clearly indicate pedestrian and vehicular connectivity.
- b) The town centre is to be a high quality, urban environment integrating the design and layout of buildings and connecting public spaces through the use of hard and soft landscape architecture.
- c) The town centre is to provide a highly visible, focal public space that connects to the broader network of pedestrian, bicycle and recreational trails.

#### Urban Mixed Use Zone

- a) The density of development and smaller scale, mix of uses is to act as an 'urban village' transitional area between the commercial focus of the town centre and the suburban residential area.
- b) Development around the secondary junctions with Meander Valley Road is to be of an appropriate scale and nature to complement the 'urban village' and local service nature of the town centre.
- c) The Urban Mixed Use Zone, including the Education Site, is to contribute to active street frontages where it interfaces with the town centre by locating buildings and pedestrian access toward street frontages and vehicular access and parking generally directed to the rear of lots.
- d) Higher density development is prioritised to maximise opportunities for walking and cycling to services.
- e) Development height is to be generally limited to two storeys.

### General Residential Zone

- a) The zone is to provide for standard densities and types of suburban residential development, integrated with the preferred network of public open space, vegetated amenity corridors and roads.

### Low Density Residential Zone

- a) The zone is to provide for a graduated visual impact of development toward the bush reserve and the higher, elevated slopes and in transitioning to the adjoining Rural Living Zone through either individually, or a combination of:
  - i) developing at lower densities than the General Residential Zone;
  - ii) subdivision design that will protect natural and landscape values while providing for a high level of residential amenity;
  - iii) encouraging smaller lots where appropriate to facilitate the efficient use of land;
  - iv) minimising the amount of vegetation clearance for hazard management areas; and
  - v) providing widened, vegetated amenity corridors along contours and alongside roads that visually and functionally integrates with public recreation trails and key WSUD lines.

### Rural Living Zone

- a) The zone takes in the periphery of the Specific Area Plan and is to be a very low density to graduate the visual impact of the edge of the settlement toward rural land, the Bass Highway and nearby rural residential areas at Travellers Rest and Pateena Road.

### Open Space Zone

- a) The bush reserve is to be maintained and enhanced as natural bushland environment.
- b) Public facilities will be designed to blend with the natural landscape and be unobtrusive when viewed from lower elevations.
- c) The bush reserve will not be impacted at the edges by any need for adjoining hazard management areas.

### Utilities Zone

- a) Meander Valley Road will act as a central connectivity corridor, utilising its additional verge width for shared use paths and low key parklands in combination with the location of services.
- b) The provision of infrastructure will not visually detract from the bushland setting or landscape values associated with the location.

### Public Open Space

- a) Public open space areas will be designed and maintained to further the principles for Community Protection Through Environmental Design (CPTED) incorporating passive surveillance and visibility throughout the open space areas from public

vantage points.
b) Recreational trails will maintain a natural appearance linking with, and complementary to, the bushland reserve and provide clear legibility as a network through layout and design.
c) The design and appearance of public open space is to be complementary to its dual function with the WSUD treatment of stormwater.

## F2.5 Use Table - Local Business Zone

No Permit Required	
Use Class	Qualification
Natural & Cultural Values Management	
Passive Recreation	
Permitted	
Use Class	Qualification
Business and professional services	If co-located with a supermarket complex
Food Services	If co-located with a supermarket complex
General retail and hire	If for a supermarket If for specialty shops co-located with a supermarket complex
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification
Business and professional services	
Community meeting and entertainment	
Educational and occasional care	
Emergency services	
Food services	
General retail and hire	If not for a full line department store
Manufacturing and processing	
Residential	
Service industry	

Utilities	If not for minor utilities
Visitor accommodation	
<b>Prohibited</b>	
All other uses	

## F2.6 Use Table - Urban Mixed Use Zone

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Natural & Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Business and professional services	If not located on the Education Site
Educational and occasional care	If a school located on the Education Site If co-located with a school
Food services	If not located on the Education Site
Residential	If for multiple dwellings, communal residence, aged care home, respite centre, retirement village If for single dwellings on lots of 450m <sup>2</sup> or less If for home based business If not located on the Education Site
<b>Discretionary</b>	
Bulky goods sales	
Business and professional services	If located on the Education site
Community meeting & entertainment	
Educational and occasional care	
Emergency services	
General retail and hire	
Hotel industry	

Manufacturing and processing	
Recreation	
Recycling and waste disposal	
Research and development	
Residential	
Storage	
Tourist operation	
Transport depot and distribution	If a bus terminal or taxi stand
Vehicle parking	
Visitor accommodation	
Utilities	
<b>Prohibited</b>	
All other uses	

## **F2.7 Use Table - Utilities Zone**

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Natural & Cultural Values Management	
Passive Recreation	
Transport depot and distribution	If a bus terminal or taxi stand
Utilities	If not located on CT 17137/1
Vehicle Parking	
<b>Permitted</b>	
Utilities	If for a reservoir on CT 17137/1
<b>Prohibited</b>	
All other uses	

## F2.8 Development Standards

### F2.8.1 Urban Mixed Use Zone – Density Control

<p>Objective:</p> <p>a) To provide for residential densities that are consistent with the local area objectives and desired future character for land within the Hadspen Specific Area Plan.</p>	
Acceptable Solution	Performance Criteria
<p>A1.1 Dwellings are constructed with a minimum site area per dwelling of 225m<sup>2</sup> and a maximum site area per dwelling of 450m<sup>2</sup>.</p> <p>A1.2 The development is for multiple dwellings on single or adjoining lots or single dwellings on lots of 450m<sup>2</sup> or less.</p>	<p>P1 The density of residential development is to appropriately support the objectives for higher densities in the zone and the intended character of the area, having regard to:</p> <ul style="list-style-type: none"> <li>a) topographical constraints;</li> <li>b) infrastructure or servicing constraints;</li> <li>c) the density of the surrounding area;</li> <li>d) proximity to services and public transport; and</li> <li>e) whether the development provides for a significant social or community housing benefit.</li> </ul>

### F2.8.2 Urban Mixed Use Zone – Building Design and Siting

<p>Objective:</p> <p>a) To ensure that the siting and design of development is consistent with the local area objectives and desired future character for land within the Specific Area Plan.</p> <p>b) To protect the residential amenity of lots by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents.</p> <p>c) To provide for private open space that is appropriate to a higher density residential environment.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Site Coverage must not exceed 60%</p>	<p>P1.1 Site coverage must have regard to:</p> <ul style="list-style-type: none"> <li>a) the existing site coverage and any constraints imposed by existing development or the features of the site;</li> <li>b) the site coverage of adjacent properties;</li> <li>c) the effect of the visual bulk of the building and whether it is consistent with the desired future character; and</li> </ul>

	<p>d) the capacity of the site to absorb stormwater run-off.</p> <p>P1.2 Dwellings must have:</p> <p>a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:</p> <p>(i) outdoor recreational space consistent with the projected requirements of the occupants and take into account any communal open space or nearby public open space; and</p> <p>(ii) operational needs, such as clothes drying and storage.</p>
<p>A2 Building Height must not exceed 8.5 metres</p>	<p>P2 The design and siting of buildings must:</p> <p>a) not cause unreasonable loss of amenity by:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining lot;</p> <p>(iii) overshadowing of an adjoining vacant lot;</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; or</p> <p>(v) overlooking of habitable room windows or private open space of an adjoining dwelling; and</p> <p>b) have regard to the intended or prevailing character of the surrounding area.</p>
<p>A3 Buildings must have a setback from a frontage of 3 metres or less.</p>	<p>P3 A building must have a setback from a frontage that is compatible with the intended or prevailing character of the surrounding area, having regard to:</p> <p>a) any topographical constraints;</p> <p>b) the function of the road; and</p> <p>c) the visual impact of the building when viewed from the road or pedestrian</p>



	pathways.
--	-----------

### F2.8.3 Local Business Zone – Public Space

<p>Objective:</p> <p>a) Development of the town centre is to be consistent with the Local Area Objectives and Desired Future Character Statements through the inclusion of a plaza or similar space that serves as a public gathering place.</p>	
Acceptable Solution	Performance Criteria
<p>A1 Development includes the provision of a minimum of 250m<sup>2</sup> dedicated public plaza that is not a pedestrian thoroughfare.</p>	<p>P1 Suitable public gathering areas are to be provided having regard to:</p> <ul style="list-style-type: none"> <li>a) the nature of the proposed uses;</li> <li>b) the interface with outdoor pedestrian areas and other public open space;</li> <li>c) the visibility of the space;</li> <li>d) the interface with roads and vehicular access ways; and</li> <li>e) the public amenity of the space.</li> </ul>

### F2.8.4 Subdivision

#### F2.8.4.1 General Suitability

<p>Objective:</p> <p>a) The division and consolidation of estates and interests in land is to create lots that are consistent with the Purpose, Local Area Objectives and Desired Future Character Statements of the Specific Area Plan.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution</p>	<p>P1 Each new lot must be suitable for use and development in an arrangement that is consistent with the Specific Area Plan, having regard to the combination of:</p> <ul style="list-style-type: none"> <li>a) slope, shape, orientation and topography of land;</li> <li>b) any established pattern of use and development;</li> <li>c) connection to the road network;</li> <li>d) availability of or likely requirements for utilities;</li> <li>e) requirements for public open space and vegetated amenity corridors;</li> </ul>

	<p>f) hydrology and requirements for drainage;</p> <p>g) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</p> <p>h) potential exposure to natural hazards.</p>
--	--

#### F2.8.4.2 Infrastructure Contribution

<p>Objective:</p> <p>a) To provide for a Part 5 agreement, prior to the subdivision of land, to ensure that developer contributions are made towards the establishment costs of shared infrastructure.</p>	
Acceptable Solution	Performance Criteria
A1 An agreement pursuant to Part 5 – section 71 of the Act is entered into and registered on the title, providing for the schedule of costs and developer contribution toward shared infrastructure.	P1 No performance criteria

#### F2.8.4.3 Lot Area

<p>Objective:</p> <p>b) To provide for lot sizes that are consistent with the Purpose, Local Area Objectives and Desired Future Character Statements of the Specific Area Plan.</p>											
Acceptable Solution	Performance Criteria										
<p>A1.1 Each lot must:</p> <p>a) have a minimum area in accordance with Table F2.8.4.3 below; or</p> <p><b>Table F2.8.4.3</b></p> <table border="1"> <tr> <td>Local Business Zone</td><td>No minimum lot size</td></tr> <tr> <td>Urban Mixed Use Zone</td><td>450m<sup>2</sup></td></tr> <tr> <td>General Residential Zone</td><td>700m<sup>2</sup></td></tr> <tr> <td>Low Density Residential Zone</td><td>5000m<sup>2</sup></td></tr> <tr> <td>Low Density Residential Zone (Area A)</td><td>1600m<sup>2</sup> with an average lot density of 1 per</td></tr> </table>	Local Business Zone	No minimum lot size	Urban Mixed Use Zone	450m <sup>2</sup>	General Residential Zone	700m <sup>2</sup>	Low Density Residential Zone	5000m <sup>2</sup>	Low Density Residential Zone (Area A)	1600m <sup>2</sup> with an average lot density of 1 per	<p>P1 Each lot must provide sufficient useable area and dimensions, consistent with the Specific Area Plan, to allow for:</p> <p>a) buildings to be erected in a hazard free location;</p> <p>b) on-site parking and manoeuvrability;</p> <p>c) adequate private open space; and</p> <p>d) reasonable vehicular access from the carriageway of the road to a building area on the lot.</p>
Local Business Zone	No minimum lot size										
Urban Mixed Use Zone	450m <sup>2</sup>										
General Residential Zone	700m <sup>2</sup>										
Low Density Residential Zone	5000m <sup>2</sup>										
Low Density Residential Zone (Area A)	1600m <sup>2</sup> with an average lot density of 1 per										

(as identified in Fig 2.2.1)	3000m <sup>2</sup>
Rural Living Zone	2 hectares
Open Space Zone	No minimum lot size

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  
 c) be for the provision of utilities; or  
 d) be for the consolidation of a lot with another lot with no additional titles created; or  
 e) be to align existing titles with zone boundaries and no additional lots area created.

A1.2 Each Lot must have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.

#### F2.8.4.4 Provision of Water and Sewage Services

Objective: a) To provide for the connection of lots within the Local Business, Urban Mixed Use and General Residential Zones to a reticulated sewer. b) To provide for the connection of lots within the Local Business, Urban Mixed Use and General Residential Zones to a reticulated water supply. c) To provide lots within the Low Density Residential and Rural Living Zones with reticulated water and sewer services where feasible.	
Acceptable Solution	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.

#### F2.8.4.5 Provision of Stormwater Services

**Objective:**

- a) Subdivision is to provide for stormwater treatment through the principles of Water Sensitive Urban Design (WSUD) and principally directing stormwater to the identified Key WSUD Stormwater Lines and Wetland Dispersal Area.
- b) The stormwater system is to be designed to accommodate peak storm events and avoid flooding of development areas.
- c) The design of the WSUD stormwater system is to appropriately integrate into public open space and the road network by enhancing the 'natural environment' visual amenity of the public areas and taking public safety into account.
- d) The WSUD stormwater system is to be designed to minimise the long term maintenance obligations for Public Open Space.

**Acceptable Solution**

**Performance Criteria**

A1 No Acceptable Solution

- P1 The stormwater system is to be designed to accommodate the peak stormwater loads from lots and roads through a combination of the following elements as appropriate:
- a) an open swale network that can appropriately accommodate stormwater volumes and velocity;
  - b) vegetation planting to slow and filter stormwater;
  - c) constructed baffles to slow stormwater and prevent erosion;
  - d) detention basins to slow and gradually release stormwater resulting from higher impact storm events; and
  - e) underground pipes.

#### F2.8.4.6 Road Network

**Objective:**

- a) Subdivision is to provide for key junctions with Meander Valley Road consistent with the Specific Area Plan.
- b) The Main Town Centre Junction is the principal junction that is the focal point of the town centre and forms the principal link to the existing township.
- c) Secondary Junctions are a limited number of collector road junctions from the

<p>development areas that distribute traffic to Meander Valley Road.</p> <p>d) The principal alignment of the road network is north-east to south-west and north-west to south-east to align with the contours of the land.</p> <p>e) The road network is to provide for a hierarchy of local roads and collector roads in a connected, looping layout that maximises permeability and access to the town centre and Meander Valley Road.</p> <p>f) The road network is to provide for shared use together with bicycle and pedestrian mobility.</p> <p>g) Where public open space and recreation trails cross roads, clear visual elements and traffic calming measures are to be incorporated into the design to indicate a slower traffic speed environment and pedestrian crossings.</p> <p>h) The road network is to provide for public transport at an appropriate standard to accommodate accessible buses and bus stops.</p>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution	<p>P1 The road network is to be designed to provide an accessible and safe neighbourhood road system having regard to:</p> <ul style="list-style-type: none"> <li>a) the topography of the land;</li> <li>b) a hierarchy of anticipated traffic volumes on local, collector and arterial roads;</li> <li>c) integration with pedestrian, bicycle and recreation routes;</li> <li>d) an appropriate speed environment and any traffic calming that may be warranted; and</li> <li>e) standards for accessible public transport and emergency service vehicles.</li> </ul>

#### F2.8.4.7 Public Open Space

<p>Objective:</p> <p>a) Subdivision is to provide for a network of public open space that is consistent with the Local Area Objectives and Desired Future Character Statements of the Specific Area Plan.</p>	
Acceptable Solution	Performance Criteria
A1 No acceptable solution	<p>P1 The public open space network is to be designed to provide a high level of amenity and connectivity having regard to:</p> <ul style="list-style-type: none"> <li>a) the topography of the land;</li> </ul>

	<ul style="list-style-type: none"> <li>b) requirements for vegetated amenity corridors;</li> <li>c) integration of shared use for pedestrians and bicycles;</li> <li>d) integration of WSUD stormwater requirements;</li> <li>e) public safety; and</li> <li>f) provision of clear legibility at road crossings.</li> </ul>
--	---

## **F3 Carrick Rural Living Specific Area Plan**

### **F3.1 Purpose of Specific Area Plan**

#### **F3.1.1 The purpose of this specific area plan is to:**

- a) provide for the co-ordinated subdivision of land; and
- b) provide for the subdivision of land consistent with the local area objectives;

### **F3.2 Application of Specific Area Plan**

The specific area plan applies to the area of land designated as SAP 3 on the Planning Scheme maps and in figure F3.1.

#### **F3.2.1 Local Area Objectives**

To provide diversity in the size of lots and optimising lot yield by graduating the density of lots through smaller lots located at the settlement periphery, moving to larger lots where protection of threatened vegetation and larger setbacks to the Liffey River, Bass Highway or other features are preferred.

The vegetation and woodland landscape character to the eastern side of Bishopsbourne Road is to be maintained. Subdivision incorporating the native vegetation is to be configured to provide for bushfire hazard management areas and accesses that minimise the removal of standing vegetation and provide for substantial separation distances between building areas.

Subdivision incorporating the open landscape toward between the Liffey River and Bishopsbourne Road is to be configured consistent with the character objective for a graduated density toward the south, with dimensions to allow for appropriate separation between buildings, separation between buildings and adjoining access ways and to accommodate bushfire hazard management areas within each lot.

### F3.3 Development Standards

#### F3.3.1 Subdivision

##### F3.3.1.1 General Suitability

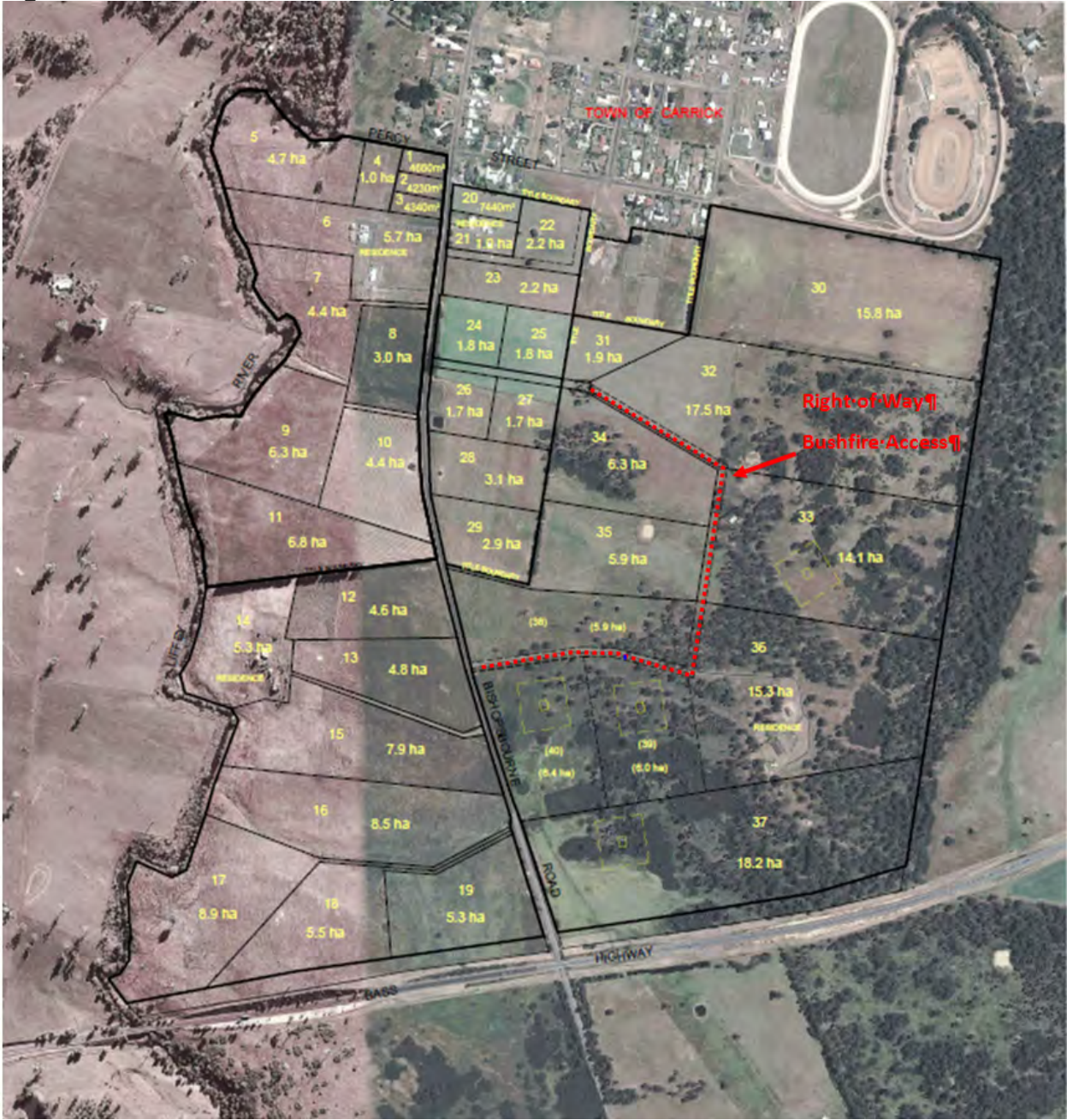
<p>Objective:</p> <p>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Specific Area Plan.</p>	
Acceptable Solutions	Performance Criteria
A 1 No Acceptable Solution	P1 Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the purpose of the Specific Area Plan, having regard to the combination of: <ul style="list-style-type: none"><li>a) slope, shape, orientation and topography of land;</li><li>b) any established pattern of use and development and the efficient use of land for infill;</li><li>c) connection to the road network;</li><li>d) availability of or likely requirements for utilities;</li><li>e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and</li><li>f) potential exposure to natural hazards.</li></ul>



### F3.3.1.2 Lot Requirements

<p>Objective:</p> <p>To ensure that subdivision:</p> <ul style="list-style-type: none"> <li>a) locates lots in an arrangement that is consistent with the local area objective;</li> <li>b) provides area and dimensions of lots that are appropriate for the purpose of the Rural Living Zone and is consistent with the local area objective;</li> <li>c) provides for appropriate wastewater disposal and stormwater management in consideration of the characteristics of the land; and</li> <li>d) provides frontage and access to a road in locations that do not adversely affect the function of Bishopsbourne Road, in particular aggregating access points or establishing a new road and junction appropriate for the degree of use.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Subdivision must be in accordance with and include the building areas and right of way shown in figure F3.1 Subdivision Development Plan.</p>	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> <li>a) provide for each lot, sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> <li>i) a dwelling to be erected in a convenient, appropriate and hazard free location; and</li> <li>ii) appropriate disposal of wastewater; and</li> <li>iii) on-site parking and manoeuvrability; and</li> <li>iv) adequate private open space; and</li> <li>v) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and</li> </ul> </li> <li>b) be consistent with the local area objective having regard to: <ul style="list-style-type: none"> <li>i) the topographical or natural features of the site; and</li> <li>ii) the ability of vegetation to provide buffering; and</li> <li>iii) any features of natural or cultural significance; and</li> <li>iv) the presence of any natural hazards.</li> </ul> </li> </ul>

Figure F3.1 - Subdivision Development Plan



## **F4 Harley Parade Specific Area Plan**

### **F4.1 Purpose of Specific Area Plan**

F4.1.1 The purpose of this specific area plan is to:

- a) provide detailed requirements for subdivision development within the General Residential Zone at 1 Harley Parade, Prospect Vale.

### **F4.2 Application of Specific Area Plan**

F4.2.1 The specific area plan applies to the area of land designated as F4 Harley Parade Specific Area Plan on the Planning Scheme maps.

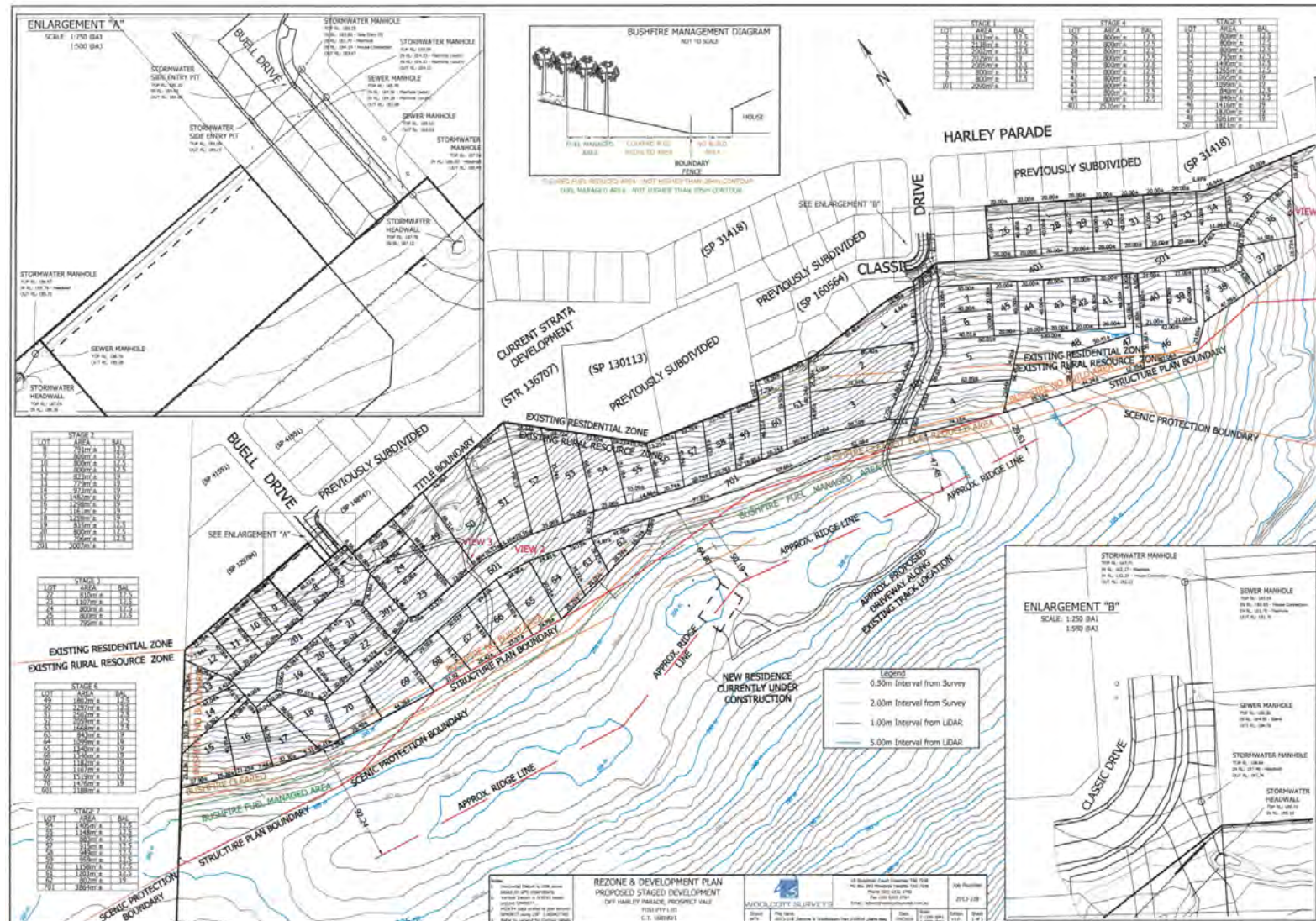
### **F4.3 Development Standards**

#### **F4.3.1 Subdivision**

Objective: a) To provide for the subdivision of land in accordance with the Development Plan.	
Acceptable Solution	Performance Criteria
A1 Subdivision must be in accordance with the Development Plan in Figure F4 - 1.0.	P1 Subdivision is generally consistent with the Development Plan and maintains a public road connection between Buell Drive and Classic Drive.



**Figure F4 - 1.0      Development Plan**



## **F5 Westbury Road Specific Area Plan**

### **F5.1 Purpose of Specific Area Plan**

F5.1.1 The purpose of this specific area plan is:

- a) To establish a community focal point by providing a centrally located area for passive recreation that is complemented by a mix of use and development on separate lots;
- b) To consolidate the provision of car parking within the site;
- c) To manage vehicular access to and from Westbury Road and the circulation of vehicles and pedestrians within the site; and
- d) To provide for the subdivision of lots on the site in accordance with Figure 5.2.1 Westbury Road Development Plan.

### **F5.2 Application of the Specific Area Plan**

F5.2.1 The specific area plan applies to the area of land designated as SAP F5 on the planning scheme maps and in Figure F5.2.1 - SAP F5.

F5.2.2 In this specific area plan, F5.4.4 – Car Parking is in substitution for clauses E6.6.1, E6.6.3 and E6.6.4 of E6 Car Parking and Sustainable Transport Code.

### **F5.3 Use Table**

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Business and professional services	
Food services	
General retail and hire	
Natural and cultural values management	
Passive recreation	
Residential	If for a home based business
Utilities	If for minor utilities
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods sales	
Community meeting and entertainment	

Educational and occasional care	
Emergency services	
Hotel industry	
Pleasure boat facility	If for a boat ramp
Research and development	
Residential	If: a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and b) not listed as No Permit Required
Visitor accommodation	If: a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and b) not a camping and caravan park or overnight camping area
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Custodial facility	If for a remand centre
Equipment and machinery sales and hire	
Hospital services	
Manufacturing and processing	
Residential	If not listed as No Permit Required or Permitted
Resource processing	If for food and beverage production
Service industry	
Sports and recreation	
Storage	
Tourist operation	
Transport depot and distribution	If for: a) a public transport facility; or b) distribution of goods to or from land within the zone
Utilities	If not listed as No Permit Required
Vehicle fuel sales and service	
Vehicle parking	
Visitor accommodation	If not listed as Permitted
<b>Prohibited</b>	
All other uses	

## F5.4 Use Standards

### F5.4.1 Discretionary Uses

<p><b>Objective:</b> That discretionary uses support the establishment of a community focal point by providing for a mix of uses that encourages visitation and activity.</p>	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	<p>P1 A use listed as discretionary supports the establishment of a community focal point having regard to:</p> <ul style="list-style-type: none"> <li>a) the type of use and whether it encourages visitation and activity;</li> <li>b) the scale and intensity of the proposed use;</li> <li>c) the vehicular access requirements and traffic movements associated with the proposed use;</li> <li>d) the location of the proposed use and its relationship to an area for Passive recreation and the street.</li> </ul>

### F5.4.2 Sensitive Uses

<p><b>Objective:</b> That the use of land for sensitive uses does not adversely impact on the operation of existing industrial activities on adjacent land.</p>	
Acceptable Solutions	Performance Criteria
A1 Sensitive uses must be setback a minimum distance of 40m from the boundary of Certificates of Title 32077/2 and 32077/3 and the Light Industrial Zone.	<p>P1 Sensitive uses:</p> <ul style="list-style-type: none"> <li>a) are sited so that the emissions of adjoining industrial activities will not adversely impact upon the amenity of the proposed use; or</li> <li>b) include measures to mitigate potential adverse impacts on the proposed use.</li> </ul>

### F5.4.3 Layout of Uses

<p><b>Objective:</b> That the area shown in Figure F5.2.1 - SAP F5 is developed to accommodate a mix of uses at a scale that supports the area's role as a community focal point.</p>	
Acceptable Solutions	Performance Criteria
A1 Lots 1, 2, 4, 5, 6, 7 and 8 shown in Figure F5.2.1 - SAP F5 are developed for separate uses.	<p>P1 The area shown in Figure F5.2.1 - SAP F5 is developed to accommodate a mix of uses at a scale that supports the area's role as a community focal point, having regard to:</p> <ul style="list-style-type: none"> <li>a) the type of use and whether it encourages visitation and activity;</li> </ul>

	<ul style="list-style-type: none"> <li>b) the scale and intensity of the proposed use;</li> <li>c) the relationship of the proposed use to other uses and an area for passive recreation; and</li> <li>d) the vehicular access requirements and traffic movements associated with the proposed use.</li> </ul>
--	--

#### F5.4.4 Car parking

<p><b>Objective:</b></p> <p>To provide an adequate number of car parking spaces that are primarily located in a shared, on-site car parking area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Lot 3 provides car parking spaces to service uses on lots 1, 2, 4, 5, 6, 7 and 8 on Figure F5.2.1 - SAP F5 at a rate of 1 space per 30m<sup>2</sup> of net floor area until the area of lot 3 is fully developed.</p>	<p>P1 The number of car parking spaces must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> <li>a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</li> <li>b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>i) variations in car parking demand over time; or</li> <li>ii) efficiencies gained by consolidation of car parking spaces;</li> </ul> </li> <li>c) the availability and frequency of public transport within reasonable walking distance of the site;</li> <li>d) the availability and frequency of other transport alternatives;</li> <li>e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</li> <li>f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</li> <li>g) the effect on streetscape; and</li> <li>h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</li> </ul>



## **F5.5 Development Standards**

### **F5.5.1 Subdivision**

**Objective:**

To provide for subdivision that allows for vehicular access to and from Westbury Road and within the site; separate lots for a mix of use and development; and centrally located areas for car parking and passive recreation.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 The size and layout of lots in a subdivision is generally in accordance with the lot layout shown in Figure F5.2.1 - SAP F5.</p>	<p>P1 The size and layout of lots in a plan of subdivision allows for vehicular access to and from Westbury Road and within the site; separate lots for a mix of use and development; and centrally located areas for car parking and passive recreation, having regard to:</p> <ul style="list-style-type: none"><li>a) the floor area and outdoor spatial requirements of future use and development;</li><li>b) the scale of future development including building height and setbacks;</li><li>c) orientation of future development to Westbury Road;</li><li>d) the safety of interaction between pedestrians and vehicles;</li><li>e) provision for car parking and passive recreation within the site;</li><li>f) the safety of vehicular access to and from Westbury Road;</li><li>g) pedestrian circulation within the site, including access to public transport.</li></ul>

## F5.5.2 Provision for Passive Recreation

### Objective:

To provide an area used for Passive recreation that assists to establish a community focal point.

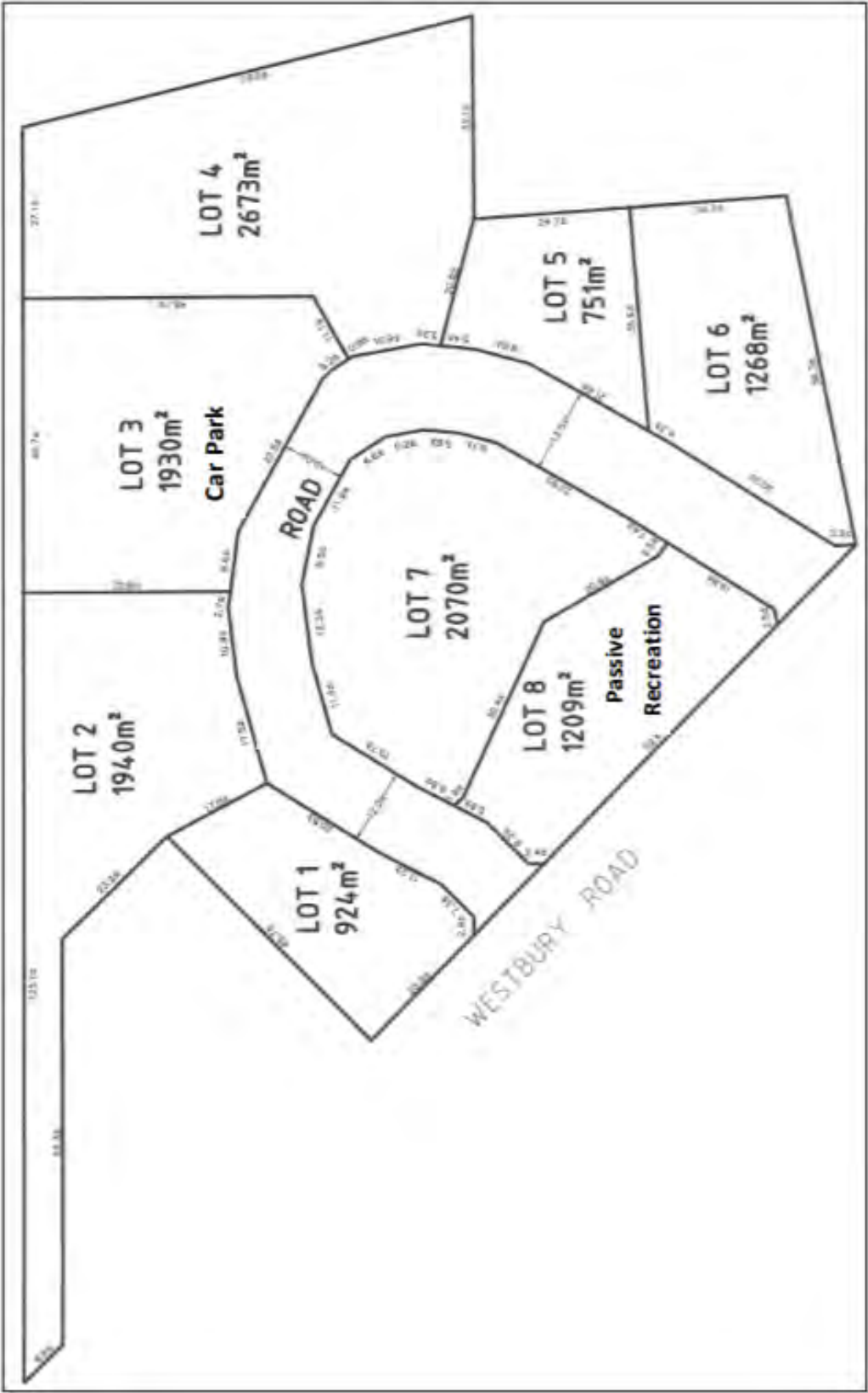
### Acceptable Solutions

A1. Lot 8 on Figure F5.2.1 - SAP F5 is to be for Passive recreation and site coverage of must not be more than 30% of the area of Lot 8.

### Performance Criteria

- P1 A suitable area is to be provided for Passive recreation, having regard to:
- a) the location and orientation of other publicly accessible areas within the area shown in Figure F5.2.1 - SAP F5;
  - b) its proximity or frontage to Westbury Road and opportunities for landscaping and works that complement the streetscape;
  - c) visibility from public streets to provide for passive surveillance; and
  - d) pedestrian accessibility from a public street or car parking area.

Figure F5.2.1 - SAP F5



# 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	Department of Primary Industries,	As at effective date

Incorporated Documents		
Principles for the RMPS	Parks, Water and Environment, State of Tasmania	
Crime Prevention Through Environmental Design: Guidelines for Queensland	Queensland Police, State of Queensland	2007
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
The conservation plan: a guide to the preparation of conservation plans for places of European cultural significance (James Kerr)	National Trust of Australia, New South Wales	1990
Site Investigations for Urban Salinity	NSW Department of Land and Water Conservation.	2002

Referenced Documents		
Document Title	Description	Date
insert document title	insert description	insert date

## Appendix 2 – Planning Scheme Amendments

Number	Description	Effective Date
01/2015	Rezone various titles in Hadspen and insert F2 Hadspen Specific Area Plan	23 February 2016
02/2015	Amend section 10.2 Use Table for the General Residential zone to insert Bulky Goods Sales, Equipment and machinery sales and hire, Food Services, Service Industry and Storage as discretionary uses at CT 15085/1 27 Tower Hill Street, Deloraine.	10 March 2016
04/2015	Rezone various titles to rural living and two titles to Rural Resource, insert table 13.1 lot sizes, make modifications to local area objectives, desired future character statements and development standards in the Rural Living Zone and insert F3 Carrick Rural Living Specific Area Plan.	6 January 2017
	Interim Planning Directive No. 1.1 Bushfire-Prone Areas Code	23 February 2017
03/2015	Rezone part of CT 168190/1, 1 Harley Parade, Prospect Vale from Rural Resources zone to General Residential zone and insert specific area plan F4 Harley Parade Specific Area Plan, after F3 Carrick Rural Living Specific Area Plan.	1 June 2017
MEA UA2-2017	Delete clause 16.4.1 A4.2	2 August 2017
MEA UA3-2017	Urgent Amendments – Meander Valley Interim Planning Scheme 2013	4 August 2017
	Planning Directive No. 5.1 Bushfire-Prone Areas Code	1 September 2017
MEA UA4-2017	Amend Clause 9.5 - Access Over Land in Another Zone	25 January 2018
01/2017	Rezone 361, 363, 367, 369, 375, 377 and 379-381 Westbury Road, Prospect Vale from Light Industrial to General Business	18 May 2018
MEA UA1-2018	Amend permitted Residential use class qualifications in the Light Industrial and General Industrial Zones at Lansdowne Place, Deloraine	23 August 2018
01-2019	Insert Resource Processing as a	25 March 2020

	discretionary use into the Urban Mixed Use Zone - 15.2 Use Table with a qualification for a distillery at 67 Meander Valley Road, Westbury	
--	--	--