

Meander Valley Council



LAND USE PLANNING
REVIEW PANEL
Finally approved pursuant to
Section 24 of the
Land Use Planning and Approvals Act 1997
[Signature] 3/11/97
Chairperson
Title Secretary
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MEANDER VALLEY PLANNING SCHEME 1995

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PART ONE - ABOUT THIS SCHEME

1.1 PLANNING SCHEME TITLE

1.1.1 This is the Meander Valley Council Planning Scheme 1995 and is referred to as the Scheme.

1.2 PLANNING AUTHORITY

1.2.1 The Planning Authority is the Meander Valley Council and is referred to as the Council.

1.3 COMPOSITION OF THE SCHEME

1.3.1 The Scheme consists of:

- (a) the Ordinance which is this document, and
- (b) the Plans which show by colours and/or markings the various zones and other details and which are referred to as the Plan.

1.4 PLANNING AREA

1.4.1 The Scheme applies to all land within the area of the Meander Valley Council as shown as the Boundary of Scheme on the Plan.

1.5 PLANNING PERIOD

1.5.1 The Act requires Council to keep the Scheme under regular and periodic review. To provide for forward planning the Scheme projects ten years ahead. This is to allow for variations in growth, to maximise choice and to allow for progressive infrastructure planning.

1.6 PLANNING SCHEME GOAL

1.6.1 The goal of the Scheme through the regulation of the use and development of land is the Mission Statement of Council's Corporate Plan, that is, to ensure that the Meander Valley Council Area develops and progresses while the amenity, environment, lifestyle and range of products and services available in the area are retained, improved, extended and remain affordable.

1.7 PLANNING SCHEME OBJECTIVES

1.7.1 The objectives of the Scheme derived from the objectives of Council's Corporate Plan are:

- (a) To encourage the development and sustainable long term use of the commercial, industrial, residential, agricultural and resource based assets.
- (b) To promote the Planning Area through effective land use controls so as to maximise the benefit from tourism.

- (c) To provide for orderly and efficient development serving community needs now and in the future.
- (d) To provide and maintain a network of roads and streets for safe and convenient transport and communication.
- (e) To provide and maintain systems to dispose of stormwater in ways which minimise adverse impacts on properties and the environment.
- (f) To provide modern systems for the collection and disposal of effluent, which meet the required standards.
- (g) To ensure reticulated water supplies are safe and potable.
- (h) To prevent the contamination and pollution of water.
- (i) To ensure that the built environment meets all legal obligations and standards consistent with community expectations.
- (j) To provide for the effective and safe management of solid and liquid wastes.
- (k) To provide a physical, social and cultural environment which will maximise community well being.
- (l) To provide a comprehensive range of facilities and services which meet the reasonable needs of the community.
- (m) To provide and control indicative, informative, directional and regulatory signs.

1.8 PLANNING SCHEME STRATEGY

1.8.1 Urban Strategy

To recognise that the existing urban centres and townships have a primary role to serve the needs of the community. Centres near Launceston will continue to develop as dormitory suburbs for that city. Development will be encouraged in areas where the need can be demonstrated and where the costs for community services are minimised and affordable. The strategy also recognises Devonport for its employment and commercial contribution to residents of the Deloraine district.

The urban strategy seeks to minimise commuting distances and unnecessary travel.

The urban development strategy aims to:

- (a) maximise use of utility services and infrastructure;
- (b) provide for orderly urban expansion in conformity with utility service programs;
- (c) regulate development likely to close off future options; and

- (d) provide for the development of the towns and villages as separate entities and the prevention of ribbon development linking urban centres.

1.8.2 Rural Strategy

The rural area contains the principal resources for farming, forestry, mineral extraction and nature conservation of the planning area.

These resources are primary employment generators, their economic development and sustainable management is important requiring catchment protection, conservation, wilderness protection, landscape protection and other amenity considerations. The strategy is to recognise the inter-relationships of resource conservation, economic activity, social and cultural interests. The interface between the urban centres, towns and the rural area is important to the strategy requiring the containment of urban land use so as to not adversely affect rural resources. Also, the intrinsic value of landscape is recognised as an important asset to the community. To enhance residents' amenity and visitors' experiences, new development must take into account such factors as siting and design, materials used and impact on important views and vistas.

The rural strategy is therefore the protection, conservation and sustainable development of rural resources.

1.8.3 Settlement, Use and Development Strategies

(1) Residential Strategy

Residential land is the largest component by area of urban development and to a significant extent other land use supports the residential function.

Council's residential strategy reflects the main thrust of the urban strategy. and is to minimise the cost to Council of residential development and to reduce unnecessary travel and commuting.

(2) Residential Low Density Strategy

The residential low density strategy is to provide for principally residential development to a range of densities covering diverse requirements. The strategy is to include areas defined in previous planning documents to recognise existing development. The Residential Low Density zone allows areas to be defined where densities are to be held at current levels because of constraints on infrastructure and protection of environmental attributes.

(3) Industry Strategy

The strategy for industry is to promote the concentration of activity at Prospect. Provision is also required for industrial activity associated with towns and the processing of products and servicing the rural economy. Where specific site requirements cannot be identified in advance, industrial activity with specific site requirements will be assessed on the basis of those requirements, particularly in locations near their source materials. The strategy for location of industry will stress the need for good access to major roads and rail facilities.

(4) Commercial Strategy

The commercial strategy has two components:

- (a) Business and Retail; and
- (b) Tourism.

These two components overlap. Nevertheless it is recognised that tourism as a commercial activity must at times be provided for in locations which are not considered part of the commercial structure.

(a) Business and Retail

Meander Valley is part of a region which for commercial purposes focuses generally on Launceston. The Scheme supports this regional approach and accepts a three tier business and retail hierarchy, namely, the Central Business District (Launceston City Centre), District Business Centres (Kings Meadows and Mowbray) and a number of Neighbourhood Centres of which the Prospect Vale Market Place is representative.

The business and retail strategy is for each urban centre to develop a basic business and retail area which will provide for the weekly shopping and post office, banking and medical services. The degree to which this can be done depends on population and accessibility. The Scheme seeks to ensure that these services are well located in relation to residential areas.

Neighbourhood centres are provided at Prospect Vale, Blackstone Heights, Hadspen, Carrick and Westbury. Deloraine functions as a centre for its own sub-region and is more akin to a District Business Centre.

(b) Tourism

Tourism is a sustainable contributor to the economic base of Meander Valley with potential for further expansion. Tourism takes many forms and the contribution of the small operator is significant. Accordingly recognition is given to a range of tourist related activities within appropriate zones, together with a discrete Tourist Facilities zone for uses which are best grouped together.

(5) Open Space Strategy

The open space strategy is to identify and protect areas for their recreational and/or scenic and environmental values. It recognises that open space can, where appropriate, be in either public or private ownership. The strategy intends that residents of both rural and urban areas, and visitors, have access to adequate open space. Within the context of the strategy riparian reserves will be required where it can be demonstrated that such reserves are able, or have the potential, to be a component of the open space strategy.

(6) Prospect Vale Strategy

Prospect Vale is a long established, predominantly residential area.

Shopping and commercial activities should generally be limited to the area zoned for that purpose opposite Vale Street. Non residential ribbon development along Westbury Road should be resisted.

Industrial land should be limited to that in the vicinity of Donald's Avenue.

Road access to Launceston is deficient as in practical terms all traffic accesses Westbury Road.

(7) Blackstone Heights Strategy

Blackstone Heights with Prospect Vale represents for this Council, the only practical area for residential expansion contiguous to the Launceston area. Residential development should be maximised where appropriate.

However, Blackstone Heights is perceived to have potential difficulties including environmental and amenity problems, utility servicing difficulties and road issues. The strategy is for:

- (a) Two residential areas to the west and east of Blackstone Hills separated by an area of skyline and scenic protection and having no road communication (except for possible safety links) between the two areas. The residential area to the east to be fully serviced and that to the west developed at a low density standard.
- (b) A road system for both residential areas which provides access to the Meander Valley Highway at Travellers Rest for the area west of Blackstone Hills and an additional access for the area east of Blackstone Hills.

A small Business Zone is provided off Neptune Drive.

(8) Hadspen Strategy

The strategy for Hadspen is to contain residential use and development in the area north of the Meander Valley Highway and clear of the probable flood areas of the South Esk River. The settlement is to be contained within this area until the remaining large holdings are developed to an urban density. Residential development south of the highway should only proceed following detailed assessment of community service requirements and the preparation of a development plan.

(9) Carrick Strategy

Carrick is easily accessible to Launceston. Thus, it is anticipated that as the sewerage system comes into operation development pressures will increase. Residential zoning has been provided within the sewerage district. The low population of Carrick (approximately 350 persons) has meant little incentive for business growth. A Village Zone is provided for business activity. If Carrick expands significantly a further business centre may be required. This is likely to be adjacent to the proposed Residential Zone. The slow growth of Carrick has meant that the

historical charm of the village is still evident. The opportunity therefore exists to encourage development which both reflects and consolidates this heritage.

(10) Hagley Strategy

Hagley has developed in a ribbon along the Bass Highway towards Westbury. Further residential growth in this area should be directed to Westbury. Expansion of Hagley is therefore not favoured.

(11) Westbury Strategy

Westbury is approximately 35 kilometres from Launceston and functions as a residential and service centre for the district.

Westbury as a town never reached the growth expectations of its founders. There is an extensive network of actual or theoretical roads and a small population occupying a very large area.

The business and civic activities initially centred on William Street and adjoining streets. Recent development has dispersed along the Bass Highway to access passing trade for principally food retailing and tourist accommodation and attractions.

The Bass Highway is programmed to by-pass the town, therefore the business activity will be less reliant on passing trade in the future. The town has historic, residential and streetscape attributes on which use and development will need to focus, and reveal. The Scheme zones Bass Highway and William Street Village. Higher order retail and administration functions should however be encouraged to consolidate to provide an easily accessible business centre in the vicinity of William Street.

(12) Exton Strategy

The settlement is not favoured for development and its small village role should continue. The area is zoned Village.

(13) Deloraine Strategy

Deloraine functions as a sub-regional centre. The Scheme supports the continuation of this role. The importance of development and utility services being complementary is stressed and areas proposed for development reflect this principle. Thus a partly developed residential area north of the Bass Highway connector where full utility services are not available is restricted to Residential Low Density with conditions so as not to compromise future Residential Zone development if that is desirable. A substantial Business Zone is supported but again the emphasis is on consolidation. An Industrial Zone is sited in south Deloraine and a further area has been zoned adjacent to the Mole Creek Road.

(14) Bracknell Strategy

Bracknell is a village within its own sub region including Bishopsbourne, Blackwood Creek, Liffey and Oaks Road. Expansion of the village by natural growth is anticipated based on local employment opportunities, available services, and family

connections. Water reticulation is limited and there is no sewerage system. Use and development will need to acknowledge these constraints.

Village zoning will enable a range of uses to be approved particularly serving the sub region.

(15) Mole Creek Strategy

Mole Creek is a small village within its own sub-region. Expansion of this centre other than by natural growth is not favoured. A Village Zone is provided.

(16) Meander Strategy

Meander is a small village within its own sub-region. This role should continue. Village and Residential Low Density zoning are provided.

(17) Chudleigh Strategy

Chudleigh is zoned Village to align with the area of consolidated settlement and to provide a focus for development in the district. Use and development will need to acknowledge constraints on physical infrastructure and drainage.

(18) Whitmore Strategy

Whitmore is a small settlement. Village zoning will acknowledge the historic context of the settlement in the district and provide a focus for the development of existing and new activities.

(19) Ugbrook Strategy

Ugbrook is a small settlement. Village zoning acknowledges the cluster of small blocks and potential focus of development in the district.

(20) Forests Strategy

Forests are recognised as having an important role across the rural spectrum for catchment management and scenic protection as well as production. All these purposes have a place in the rural strategy and Council seeks to further the use of appropriate land for forest purposes.

(21) Mineral Extraction Strategy

Minerals are site specific and subject to conservation, scenic and amenity concerns, including satisfactory road access, development of the mineral resource is encouraged. Where a mineral resource is known but not yet developed Council will endeavour to ensure that the resource is not compromised.

1.9 INTERPRETATION

1.9.1 A reference in the Scheme to any Act or other Statute shall be a reference to such Act or Statute as it may be amended from time to time.

1.9.2 In any instance of conflict between the apparent meaning of a heading and the specific provisions which follow it, the specific provisions shall take precedence.

1.9.3 Unless inconsistent with the context or subject matter:

Access or Vehicular Access:

a place where vehicles enter and/or leave a road from the adjoining property and including a private entrance, driveway, and farm gate;

Access Place:

a minor street providing local residential access with shared traffic, pedestrian and recreational use, but with pedestrian priority.

Access Street:

a street providing local residential access with shared traffic, pedestrian and recreation use with local traffic priority.

Act:

the *Land Use Planning and Approvals Act 1993*;

Amenity:

in relation to a particular area such qualities or values as contribute to the feeling of pleasantness, harmony and enjoyment.

Amenity or Rest Area:

any area where travellers may park and use facilities which may include shelters, picnic and barbecue sites and the like;

Block:

a piece of land all in one piece of the same owner and not intersected by any other land. [*Local Government (Building and Miscellaneous Provisions) Act 1993*]

Building:

includes:

- (a) a structure and part of a building or structure; and
- (b) fences, walls, out-buildings, service installations and other appurtenances of a building;
- (c) a boat or a pontoon which is permanently moored or fixed to land. (*Land Use Planning and Approvals Act 1993*)

Building Envelope:

a diagram drawn on a lot on a plan of subdivision defining the limits for the siting and/or wall height of any dwellings and/or outbuildings, private open space, driveways and garages or carports.

Conservation:

includes preservation, maintenance, sustainable use and restoration of the natural and cultural environment. (*Land Use Planning and Approvals Act 1993*)

Council:

the Meander Valley Council.

Demolition:

the damaging, defacing, destruction, pulling down, removal or dis-assembling of any building or works, in whole or in part.

Development:

- (a) the construction, exterior alteration or exterior decoration of a building; and
- (b) the demolition or removal of a building or works; and
- (c) the construction or carrying out of works; and
- (d) the subdivision or consolidation of land, including buildings or airspace; and
- (e) the placing or relocation of a building or works on land; and
- (f) the construction or putting up for display of signs or hoardings;

but does not include any development of a class or description, including a class or description mentioned in paragraphs (a) to (f), prescribed by regulations for the purposes of this definition. (*Land Use Planning and Approvals Act 1993*)

Dwelling:

a building or portion of a building used as a self-contained unit for cooking, eating, sleeping, washing and other domestic purposes, and occupied by one household.

Floor Area:

the total area of floor (including attic, basement and mezzanine) within the external walls of a building, but excludes any area of floor solely used for mechanical or electrical plant required for air conditioning, heating, power supply, fire control, lifts or similar services, or lift wells.

General Urban Speed Limit:

A prescribed limit for any city, town, or built-up area in the Traffic (General and Local) Regulations 1956;

Habitable Room:

as defined in the Building Code of Australia.

Height:

(in respect of a building) the vertical distance measured from the highest point of a building (not being a minor protrusion), to the natural ground level existing prior to the construction of that building, directly below that point.

Household:

one person, a family or up to eight persons not in the same family.

Industrial Activity:

one or more of the following operations:

- (a) the manufacture by whatever process of any product;
- (b) the breaking up, dismantling or separating into parts of any product;
- (c) the storage, recycling, treatment or disposal of solid, liquid and gaseous waste materials;
- (d) the mining or extraction of any substance;
- (e) the handling, treating, processing or packaging of any substance or product;
- (f) the repairing, laundering or servicing of any article; or
- (g) the renovation, alteration or adaptation of any good or article;
- (h) the bulk storage or wholesale distribution of materials, substances or products;

- (i) the garaging, parking, maintaining or cross loading of commercial vehicles transporting livestock or goods.

Information Bay:

an area of land, set aside for the exhibition of advertisements, maps, brochures and other devices thereby giving information on a range of facilities available to the public;

Integrated Development:

the subdivision and development of lots (and streets) for which development approval is given concurrently for subdivision, construction of streets, services and landscaping, and the siting and design of buildings.

Land:

includes:

- (a) buildings and other structures permanently fixed to land; and
- (b) land covered with water; and
- (c) water covering land; and
- (d) any estate, interest, easement, servitude, privilege or right in or over land.
(Land Use Planning and Approvals Act 1993)

Landscaping:

any area provided for the enhancement of the appearance of land, but does not include any area set aside for storage, vehicular passage, manoeuvring or parking, pedestrian access or circulation, or services appurtenant to any building or works.

Limited Access Road:

A State Road, or part thereof, that has been proclaimed as a Limited Access road under the provisions of Part IVA of the *Roads and Jetties Act 1935*;

Lot:

a block of land created by subdivision of a larger block of which it was part, or as the context requires, a lot is a block for the purposes of this Scheme.

Maintenance of Utility Services:

the carrying out by Council, road authority or other authorised body of any works, for the purpose of inspecting, repairing or replacing any sewers, mains, pipes, cables, or other apparatus, including the breaking open of any street, road or land for that purpose.

Major Road Works:

Road Works required for the construction of a new section of road not forming part of any existing road, eg., bypass of town or village but not including a road that will be located within a new subdivision development;

Major Road Improvement:

a Material Change in the capacity of a road eg., the construction of additional, or a reduction in the number of, traffic lanes and includes the construction of vehicle under-passes and over-passes and Traffic Calming measures that will result in a

Material Change. Also included are short sections of Road Works outside, but contiguous to, the existing Road zone where required;

Material Change:

a 10% or greater increase in traffic or turning movements;

Minimum Lot:

the minimum area and dimensions for a lot in a zone.

Minor Protrusion:

(in relation to height and setback) necessary vents, flues, and chimneys to residential buildings, domestic television receiving aerials and electric and television communication supply cables.

Minor Road Works:

within a Road zone:

- (a) all Road Works other than Major Road Works, Major Road Improvements, Other Road Works and Road Maintenance;
- (b) the introduction of kerbs, gutters, footpaths, road signs, traffic control and safety devices, street lighting, pedestrian and cyclist facilities including under- and over-passes;
- (c) the formation, widening, improvement or alteration of any existing access by, or on behalf of, the road authority; or
- (d) short sections of Road Works outside, but contiguous to, the existing Road zone where required.

Minor Road Works does not include the construction of any new or additional carriageway or traffic lane and any other works included under 'Major Road Improvement'.

Other Road Works:

works associated with Road Works, not otherwise defined;

Panel:

the Land Use Planning Review Panel.

Permit:

any permit, approval or consent required by the Scheme to be issued or given by Council in respect of the use or development of land.

Plan of Subdivision:

a plan submitted to a council for the purpose of a permit under the *Land Use Planning and Approvals Act 1993* in relation to the subdivision of land.

Planning Authority:

the Meander Valley Council.

Plot Ratio:

the ratio between the floor area of a building(s) and the area of the lot(s).

Primary Industry:

Use of land to convert natural resources into primary products. Includes agriculture, aquaculture, fishing, forestry and extractive industries.

Private Open Space:

any unroofed area adjoining a dwelling unit that could reasonably be used for domestic purposes by the residents of that dwelling unit as a yard, garden, recreation area or the like, but does not include any area used for vehicular passage manoeuvring or parking, for storage and services appurtenant to the dwelling unit, or which is part of another dwelling or building.

Public Authority:

any Corporation, Board, Commission, Trust or other body corporate or unincorporate that is established or constituted by or under any Act for any public purpose, but does not include the planning authority.

Road:

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, being a road which is the responsibility of the Minister administering the Roads and Jetties Act 1935 or, a road for which the Council has accepted responsibility by resolution or a road shown on the municipal map;

Road Authority:

for State Roads, the Minister administering the *Roads and Jetties Act 1935* and, for roads other than State Roads, the Council;

Road Depot:

a site on which buildings, machinery, stores and material all associated with Road Work and Road Maintenance activities are located. Does not include any such area used for temporary purposes during Road Works and occupied for less than twelve (12) months.

Road Layout:

the configuration depicted on a plan(s) and any accompanying text of the road alignment, including the position and width of carriageway(s), the location and layout of junctions and intersections, the siting and height of major cuttings and embankments, provisions for pedestrians and cyclists and any such further relevant information as may be required by the planning authority.

Road Maintenance:

- (a) the repair and/or replacement of any part of an existing road and its associated infrastructure, including carriageway resealing, replacement and/or upgrading of line markings, road signs, other traffic control devices, and street lighting;
- (b) maintenance of the road in a safe and satisfactory operational condition; or,
- (c) emergency works required for public safety;

Road Reservation:

land reserved by the Crown for road purposes, or roads marked on a final plan of subdivision. A Road Reservation does not make the land a Road, a Road Zone or a Future Road zone;

Road Stockpile:

a site permanently used for a stock of material held for future use;

Road Sign:

as defined for Regulatory Sign and Directional Sign in clause 6.3;

Roadwork:

- (a) work undertaken in, on, under or over the carriageway(s), road shoulders, medians, bridges, culverts, footpaths and verges including all drainage associated with the Road Works;
- (b) work necessary to install and maintain road signs, traffic control devices, infrastructure, landscaping, planting and tree removal required to ensure amenity and safe, efficient and convenient use of a road;

Sensitive Use:

Uses that involve temporary and permanent human habitation and also includes educational facilities and occasional care.

Setback (in respect of a building):

the shortest horizontal distance from a lot boundary to any part of a building on that lot, except service installations, minor protrusions and eaves overhang.

State Road:

a road that is proclaimed a State Highway or subsidiary road under the *Roads and Jetties Act 1935*.

Subdivide:

to divide the surfaces of a block of land 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; or
- (b) a lease of air space around or above a building; or
- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding ten years; or
- (d) the creation of a flat on a stratum plan; or
- (e) an order adhering existing parcels of land.

Subdivision:

- (a) the act of subdividing; or
- (b) the block of land subject to an act of subdividing.

Tourist Feature and Lookout:

an area where travellers may park to view the scenery or to view a site or object of geological, historical, archaeological or other interest;

Traffic Calming:

a variety of traffic management measures required to adapt the volume, speed and behaviour of traffic to the primary functions of the areas through which it passes;

Traffic Control Devices:

a variety of regulatory, message-based measures, such as road signs and line-marking, and other management devices to control, regulate, warn or guide traffic movement and behaviour;

Use:

in relation to land, includes the manner of utilising land but does not include the undertaking of development. (*Land Use Planning and Approvals Act 1993*)

Weighing Station:

a road-level weighing machine for vehicles, used especially to determine the weight of their load.

Works:

any change to the natural or existing condition or topography of land including:

- (a) the removal, destruction or lopping of trees and the removal of vegetation or topsoil,
- (b) the construction of a road and access to a road;
- (c) the provision of lighting, power, heating, water, telephone or similar utility service or supply;
- (d) a drainage or sewerage system or other similar installation;
- (e) construction such as dam, weir, canal; or
- (f) infilling or drainage of wetland.

Zone:

an area of land delineated on the Plan to be used, or developed in accordance with the requirements for the particular area.

PART TWO - PLANNING CONTROLS

2.1 REGULATION OF THE USE, DEVELOPMENT, PROTECTION AND CONSERVATION OF LAND

2.1.1 All use, development, conservation or protection of land within the planning area shall comply with all relevant provisions of the Scheme and where specified shall require a permit.

2.2 APPLICATION FOR A PERMIT

2.2.1 A use or development subject to clause 2.5 or 2.6 shall require an application for a permit. Where the applicant is not the owner of the land in respect of which the permit is required, an application is to:

- (a) be signed by the owner of the land; or
- (b) include a declaration by the applicant that the applicant has notified the owner about the application.

2.2.2 **Permit Required in respect of Clause 31.5 of the State Policy on Water Quality Management.**

An application for a permit for the use or development of land shall be accompanied by sufficient information to demonstrate that it will not result in the transport of sediments into surface waters such that environmental harm might be caused either during the carrying out of works, or the subsequent use of the land.

Council shall consider the information supplied with the application and determine whether,

- a) the capability of the land is sufficient to support the use or development without giving rise to sediment transport and
- b) if there is a risk of sediment transport into surface waters, the measures proposed to reduce such risk are adequate

Council may impose conditions on any permit to minimise the potential for erosion or water quality degradation.

For the purpose of this clause,

“surface waters” means all waters on the land surface, including both fresh and marine waters e.g. streams, lakes, estuaries and coastal waters. (State Policy on Water Quality Management 1997)

“environmental harm” means any adverse effect on environment (of whatever degree or duration) and includes an environmental nuisance. (Environmental Management and Pollution Control Act 1994)

“capability of the land” means the capability of the land as determined by the geological stability and slope of the land, erodibility of the soil and extent and type of vegetation cover, to sustain use or development.

2.3 USE OR DEVELOPMENT IN ZONES

2.3.1 Use or development shall be categorised into one or more of the categories defined in Part 8.

2.3.2 The status of a use or development for any category defined in Part 8 in any zone is shown in the Table of Use and Development in Part 8.

2.3.3 Single Use and Development

- (1) Where a proposed use or development constitutes a necessary, integral and subservient part of an existing or proposed use or development such use or development shall be similarly categorised under Part 8 and shall accord with the provisions for that use or development in the relevant zone.

- (2) A sign approved as part of a permit application shall be deemed part of that use or development and need not be the subject of a separate application.

2.3.4 Multiple Use and Development

Where a proposed use or development is not a necessary, integral and subservient part of an existing or proposed use or development then each use or development shall be categorised separately under Part 8 and shall accord with all the provisions for each use or development in the relevant zone.

2.4 PERMITTED (NO PERMIT REQUIRED) USE OR DEVELOPMENT

- 2.4.1 A use or development for land in a zone which is depicted in the Table of Use and Development as 'P1' may be undertaken without the application for a permit, provided that use or development complies with all relevant Scheme standards without invoking the provisions of clause 2.6.1(b).

2.5 PERMITTED (WITH PERMIT) USE OR DEVELOPMENT

- 2.5.1 A use or development for land in a zone which is depicted in the Table of Use and Development as 'P' shall not be undertaken without a permit, which Council shall grant with or without conditions, provided that use or development complies with all relevant Scheme standards without invoking the provisions of clause 2.6.1 (b).

2.6 DISCRETIONARY (WITH PERMIT) USE OR DEVELOPMENT

- 2.6.1 A use or development:
- (a) depicted as "D" (Discretionary) in the Table of Use and Development in Part 8; or
 - (b) of which any aspect :
 - (i) relies on any provision in the Scheme for the Council to waive, relax or modify any requirement of the Scheme; or
 - (ii) is subject to the Council's discretion to refuse or permit;

shall be a specified use or development which the Council has a discretion to refuse or grant a permit with or without conditions in accordance with s.57 of the Act.

2.7 PROHIBITED USE OR DEVELOPMENT

- 2.7.1 A use or development shall not be granted a permit, if :
- (a) it is depicted in a zone as 'X' in the Table of Use and Development;
 - (b) it is prohibited under any other provision of the Scheme; or

- (c) it would be in contravention of any relevant requirement of the scheme and there is no power for Council to waive, relax or modify that requirement.

2.8 OTHER APPROVALS

- 2.8.1 An approval or an exemption from approval provided for under the Scheme shall not affect any requirement to obtain any other licence, permit, approval, consent or sanction.

2.9 REQUIREMENT FOR AND EXEMPTION FROM PERMITS

2.9.1 Requirement for a Permit

Further to clause 2.2, a permit shall be required for the following use or development.

- (1) As categorised in Part 8 Table of Use and Development:
 - (a) Use and development for Forestry where on private land not declared a Private Timber Reserve.
 - (b) Use or development on land declared a Private Timber Reserve that is not directly associated with, or an integral part of a forest practices operation.
- (2) As specified in the relevant clause:
 - (a) Development for an access to a road as specified in clause 3.11 Roads;
 - (b) Use and development for a road, as specified in clause 3.11 Roads.
 - (c) Development for land clearing, as specified in clause 4.11 Vegetation and Tree Removal Protection;
 - (d) Use and Development for a sign as specified in Part Six.
- (3) Subject to Council's discretion and clause 2.6.1:
 - (a) Development for an outbuilding over 56m² in floor area or over 3m in height.

2.9.2 Exemption from the requirement for a Permit

A permit shall not be required for the following use or development:

- (a) the erection of, or external alteration to, a building to which the Building Regulations do not apply;

- (b) the internal alteration of a building, irrespective of whether the Building Regulations apply except where the building is listed as an item of Cultural Significance in Part 7;
- (c) demolition which is exempt pursuant to clause 2.13. (demolition)
- (d) Repairs and maintenance to buildings and works including:
 - (i) maintenance on any road, access track, bridge or culvert;
 - (ii) maintenance for drainage necessary to prevent or alleviate flood damage to property;
 - (iii) soil erosion, conservation and reclamation works ordered by or carried out under the supervision of the relevant public authority or the Council.

2.10 CONSIDERATION OF AN APPLICATION FOR A PERMIT

- 2.10.1 Before granting, either unconditionally or subject to conditions, or refusing a permit for a use or development Council shall take into consideration:
- (a) the Goal and Objectives of the Scheme, the Settlement Use and Development Strategies, Zone Intent and Policies, any relevant Development Standards and any other relevant provisions of the Scheme;
 - (b) any relevant proposals, reports or requirements of any person;
 - (c) whether any part of the land is subject to:
 - (i) landslip, soil instability, or erosion;
 - (ii) steep slope;
 - (iii) ponding or flooding;
 - (iv) bush fire hazard;
 - (v) a Protected Catchment District under Section 26 of the Water Act 1957;
 - (vi) pollution of the subject site or surrounding lands; or
 - (vii) other hazards to safety or health.
 - (d) whether the proposed use or development is satisfactory in terms of its siting, size or appearance and levels of emissions in relation to:
 - (i) existing site features;
 - (ii) adjoining land use and zones;
 - (iii) the streetscape and/or landscape;
 - (iv) the natural environment;
 - (v) an Item of Cultural Significance;
 - (vi) powerline easements;
 - (vii) a water supply for fire fighting purposes; or
 - (viii) any received pollution or hazard.
 - (e) any provisions of Part 4 of the Scheme not listed in this clause;
 - (f) whether there is adequate provision of landscaping, amenity, facilities and illumination for the development, and the treatment of the site generally;

- (g) whether the proposed use or development will adversely effect the existing and planned future use of adjacent land, and vice versa;
- (h) whether the proposed development will be supplied with an adequate level of infrastructure and services without detriment to existing users;
- (i) Whether the proposed use or development is adequately served by roads.
- (j) Whether the assessed impact of the proposed use or development is acceptable in terms of road safety, amenity, and efficiency.
- (k) The objectives of the Resource Management and Planning System of Tasmania;
- (l) the circumstances of the case and the public interest; and
- (m) any policy or code adopted by the Council.

2.11 CONSULTATION

- 2.11.1 Council may, in its consideration of an application for a permit, consult with or obtain the advice, opinion or recommendation of any person.

2.12 NON CONFORMING EXISTING USE OR DEVELOPMENT

- 2.12.1 Notwithstanding the provisions of clause 2.7 (prohibited) a permit may be granted to bring an existing use of land which does not conform with the Scheme into greater conformity.
- 2.12.2 The granting of a permit under 2.12.1 is at Council's discretion and subject to clause 2.6.1.
- 2.12.3 An application under 2.12.1, may involve:
- (a) development without a change of use.
 - (b) establishing an alternative prohibited use either in whole or in part, or
 - (c) any combination of (a) and (b).
- 2.12.4 Council shall not grant a permit under 2.12.1 unless it is satisfied that:
- (a) the proposed use or development will be less detrimental to the amenity of the locality than the existing non conforming use; and
 - (b) the proposed use or development will not prevent the achievement of the intent and objectives of the Scheme.
- 2.12.5 For an alternative prohibited use approved under clause 2.12.1 the provisions of clauses 2.12.2 and 2.12.3 shall apply to subsequent applications as if the alternative prohibited use so approved was a non conforming existing use.

2.13 DEMOLITION

- 2.13.1 Notwithstanding the provisions of Part 3, and subject to clause 2.6.1 Council in its discretion may grant a permit for the demolition in whole or in part of a building or works except where the provisions of clauses 2.13.2 apply.
- 2.13.2 A permit shall not be required for any demolition which:
- (a) has been granted a permit with other associated use or development;
 - (b) is for the purpose of a Permitted (No Permit Required) use or development; or
 - (c) is of a building, for which the Building Regulations would not apply for its erection.

2.14 TEMPORARY PERMIT

- 2.14.1 For a use or development prohibited under clause 2.7 Council in its discretion may, subject to clause 2.6.1, grant a Temporary Permit to enable that use or development to be established and undertaken for a limited period, provided that:
- (a) Council has not resolved to amend the provisions relating to the subject land;
 - (b) the period for which the permit is issued is not in excess of 2 years;
 - (c) the proposed use or development is of a temporary nature only; and
 - (d) the proposed use or development will not have or result in undue detrimental effect on the amenity of the neighbourhood through the creation of visual intrusion, noise, offensive smell, dust or other pollution, excessive traffic, loss of convenience or hazard of any kind.
- 2.14.2 Notwithstanding clause 2.14.1(2) and subject to adherence to all other provisions of clause 2.14 Council may grant extensions to a temporary permit for periods not exceeding 2 years in each instance.
- 2.14.3 The issue of a Temporary Permit pursuant to clause 2.14.1 or any extension pursuant to clause 2.14.2 shall be subject to the condition that no later than 6 months after the date of expiry of that Temporary Permit or such other period as is specified by Council, the restoration of the site subject to the Permit by or on behalf of the person (s) issued that Permit shall have been completed to the satisfaction of Council, without claim against Council for compensation. The restoration of the site shall include the removal from the site of all trace of any works, buildings, materials, plant or other equipment introduced and used for the purposes for which the Temporary Permit was granted.

2.15 SITE SPECIFIC PROVISIONS

- 2.15.1 Notwithstanding Clause 8.1.2, the use and development classification of Forestry shall be "D" on land comprised in Certificate of Title Volume 249662 Folio 1, Certificate of Title Volume 49523 Folio 1 and Certificate of Title Volume 48816 Folio 1 identified on the Plan by reference to this Clause.
(Amendment 3/98 - effective 15/2/99)
- 2.15.2 Notwithstanding Clause 8.1.2, use and development of land comprised in CT29565/1 (8 Casino Rise, Prospect Vale) for an administration and training facility in association with the adjoining motel and in accordance with the endorsed plans and subject to the conditions as set out in Permit 2001-0137-D0072 is permitted.
- 2.15.3 Notwithstanding Clause 3.6, use and development of land comprised in Certificate of Title 134997/1, 28 Bartley Street, Hadspen for a 2 lot subdivision including the excision of a house and balance land shall be permitted over the land in accordance with the endorsed plans and subject to the conditions as set out in Planning Permit PA\06\0053.
- Amendment
1/2006
27/6/06
- 2.15.4 Notwithstanding the provisions of Clause 3.6, subdivision for the excision of a 1.227ha lot from Certificate of Title Volume 124601 Folio 1 is permitted once only and when it is to facilitate the use and development of the land for Bulk Goods Retailing in accordance with Permit PA\06\0095.
- Amendment
4/2006
30/10/2006
- 2.15.5 Notwithstanding the provisions of Clause 3.6, subdivision for the excision of 3.94ha from the land comprised in Certificate of Title Volume 100747 Folio 1 is permitted once only, to facilitate the restoration and reconstruction of the existing Mayfield House on the land located at 1335 Mole Creek Road, Chudleigh, in accordance with permit PA\07\0124. Notwithstanding 8.1.2 Table of Use and Development, all other use and development is prohibited unless in accordance, with, or ancillary to, that provide for by Permit PA\07\0124.
- Amendment
7/2006
2/7/2007
- 2.15.6 Notwithstanding Clause 8.1.2, Use and Development for Restaurant, Place of Assembly and Educational/Cultural Establishment shall be "Discretionary" in accordance with Clause 2.6.1 on land comprising Certificate of Title Volume 150945/1 located at 468 & 470 Westbury Road, Prospect Vale.
- Amendment
4/2007
07/05/2008
- 2.15.7 Notwithstanding the provisions of Clause 3.6.3(3)(d) and Clause 8.1.2(1), use and development of the land at 5769 Bass Highway, Elizabeth Town (CT36187/1 for a House is permitted in accordance with Permit 09/0238.
- Amendment
2/2009
26/10/2009
- 2.15.8 Notwithstanding the provisions of Clause 3.6.3(3)(d) and Clause 8.1.2(1), use and development of the land at 28 Bartley Street, Hadspen (CT156194/2) for a House is permitted in accordance with Permit PA\10\0123.
- Amendment
4/2009
05/03/2010

3.1 RESIDENTIAL (R1) ZONE

3.1.1 Zone Intent

To provide principally for residential use and development and to further policies which aim to ensure that the amenity, health, and well being of residents is enhanced or protected.

3.1.2 Zone Policies

- (1) To protect the amenity of land for residential use and development.
- (2) To maximise the use of infrastructure and opportunities for economic extension.
- (3) Development for subdivision shall require the provision of full services namely reticulated water supply, storm water disposal, sewage disposal, electricity, sealed roads, kerb and channelling, footpaths and street lighting.
- (4) Notwithstanding the requirements of clause 3.1.2 (3) Council may vary the services requirements, for nominated areas.

3.1.3 Development Requirements and Standards in the Residential (R1) Zone

(1) Subdivision

Lot Size

- (a) Lots with an area greater than 450 square metres must be capable of containing a rectangle suitable for building purposes measuring 10 metres by 15 metres.
- (b) Lots with an area of less than 450m² must be capable of containing a rectangle suitable for building purposes measuring 10 metres by 15 metres or measuring 9 metres by 15 metres where a boundary wall position is nominated. A permit may only be granted where a building envelope plan is incorporated within the sealed plan of subdivision.
- (c) Lots with an area of less than 300m² must be part of an approved Integrated Development.

Orientation and Solar Efficiency

- (d) Subdivision design is to have regard to microclimatic efficiency, with lots being oriented and of sufficient dimensions to allow adequate solar access to living areas and private open spaces.

Access

- (e) Rear lots may only be approved where the applicant demonstrates to Council's satisfaction that no feasible alternative exists.

- (f) Lots shall have a minimum street frontage width in accordance with the following:-

<u>Lot Size (sq m)</u>	<u>Minimum Frontage</u>
<1,200	3.6m
1,200-3,000	6.0m
>3,000	Width necessary to accommodate the street reservation required to fulfil the ultimate re subdivision potential of the lot.

Public Transport - Bus Routes

- (g) Provision for bus routes is an integral part of residential planning. Subdivision and street design shall take into account the requirements of present and future bus operations. Accessibility to a bus route requires a street design which locates all lots within 400 metres of a present or future bus route. Council shall consult with the Metropolitan Transport Trust, the Department of Transport or other bus operators as appropriate.

(2) Building Design and Siting

Height and Building Siting

- (a) Buildings are to have a maximum height of 8 metres and are to comply with the following setbacks:
- (i) 1 metre minimum setback for walls up to 3 metres in height unless the wall is built to the boundary,
 - (ii) For that part of the wall over 3 metres height the minimum setback to be 1 metre plus 0.3 metres for every 1 metre of height over 3 metres, and
 - (iii) *Council may vary the setbacks from the side and/or rear boundaries of a block subject to Clause 2.6.1. (Amendment 1/98 - effective 4/8/98)*

Built to the Boundary/Zero Lot Line

- (b) A building envelope plan required under clause 3.1.3(1)(b) is to designate any boundary where a wall may be constructed to the boundary.
- (c) Walls may be built to side and rear boundaries where:
- (i) the maximum wall length is 50 per cent of each of the abutting property boundaries, where there are no existing boundary walls; and
 - (ii) the maximum wall length matches existing boundary walls plus 50 per cent of the remainder of each abutting property boundary.

Front Setbacks

- (d) The building line setback from the street boundary is to be in accordance with requirements set out in **Table 2**.
- (e) Where a streetscape plan has been prepared, the minimum setback shall be in accordance with that plan.

Table 2**RELATIONSHIP BETWEEN STREET TYPE AND SETBACK**

Street Type	Minimum Front Setback (m)	Minimum Side Street Setback for corner lots (m)
Access Places (Category V Road)	4.5	2
Access Street (Category V Road)	4.5	3
Collector Street (Category IV Road)	6	4
Trunk Collector (Category I,II,III Roads)	see (g) below	see (g) below

- (f) Porches and open verandas may project forward of the building line.
- (g) Where the street carries more than 3000 vehicles per day an acoustic study is required to demonstrate that traffic noise will not exceed $58dB(A)L_{10}$, measured at the facade of the dwelling closest to the street.

Private open space

- (h) Private open space should have a northerly orientation and be protected from overshadowing from any adjacent development so that a minimum of 20% of the space receives at least 2 hours sunlight on 21 June.
- (i) Private open space shall abut the dwelling it is to serve and be directly accessible from a habitable room of the dwelling (not being a bedroom), .
- (j) The minimum standards for private open space are as follows, except that Council may vary a standard subject to clause 2.6.1 .
- (i) a minimum area of 46.5 sq metres, with a minimum dimension of 4 metres, not steeper than 1 in 4 (25%) and is directly accessible from the dwelling at a level difference not exceeding 1.5 metres.

Privacy

- (k) Direct views between windows of habitable rooms, external doorways and private open spaces (including balconies and roof decks) of neighbouring dwellings are to be satisfactorily obscured or set apart a minimum distance 8.5 metres.

(4) Streetscape and Landscaping

- (a) Council may require the submission of an appropriately detailed streetscape plan for all new streets created by a subdivision.
- (b) Council may limit the maximum height of fences and walls to 1.8 metres.

- (c) Street intersections are to be designed to avoid the removal or degradation of any important landscape elements, particularly trees.
- (d) Public open space is to be provided in accordance with any Recreation/Open Space plan which has been adopted by the Council.
- (e) Public open space especially parks and/or playgrounds, are to be located so that generally no lot is further away than 500 metres safe walking distance.

Street Design in Historic Areas

- (f) Street design within historic areas should take account of the following guidelines:
 - (i) The street layout pattern should be consistent with the original street pattern ie. straight roads if the original roads are straight.
 - (ii) Street reserves should be consistent with the widths of the original reserves.
 - (iii) Verges should be designed to reflect the original form of the area.
 - (iv) The carriageway should be narrow (e.g. 6.0 metres) with gravel and/or grass verges on a consolidated base suitable for low key parking.
- (g) Street construction within historic areas shall be in accordance with guidelines prepared by Council.

(5) Utility Services

Electricity

- (a) Subject to technical constraints and HEC policy, Council shall require underground power.

(6) Access and Parking

- (a) Access and parking shall be provided in accordance with Part 5.

3.1.4 Specific Use and Development Provisions

- (1) In addition to the provisions of clause 3.1.3 a multi-unit dwelling or holiday unit/holiday cabin is required to comply with the following provisions.
 - (a) the design of buildings and the layout of the land generally, including the definition and means of separation of private and common entrances, footpaths, parking spaces, driveways and areas of common and private open space shall be such that the reasonable privacy of the occupants is ensured by the provision of remoteness from potential interference;

- (b) no pedestrian path or vehicle driveway giving access to a dwelling unit shall be closer than 1m from the wall of another dwelling unit, or 2m, if such wall contains a window with a sill height less than 2m above the level of the path or driveway;
- (c) in the preparation of the land for building construction purposes or when landscaping the land, every effort shall be made to retain existing trees and shrubs;
- (d) any common areas of open space shall be suitably landscaped, or developed in other appropriate ways for the enjoyment of the residents;
- (e) all areas of private open space shall be rendered suitable for the planting of a garden or lawn (or planted as such), or prepared in other suitable ways for the enjoyment of the occupants of the associated dwelling unit;
- (f) suitably designed and screened areas shall be provided for the storage of waste materials and garbage materials free from foraging animals;
- (g) satisfactory provisions shall be made for clothes drying facilities and mail and newspaper receptacles;
- (h) adequate storage for gardening and other tools and equipment shall be provided and suitably located for each dwelling unit;
- (i) in buildings of more than one storey, all pipes, ducts and vents servicing the building shall be concealed from public view;
- (j) where practicable, a common TV antenna shall be provided in lieu of individual antennae for each dwelling unit; and
- (k) at least one parking space per dwelling unit must be covered and located at a distance not greater than 30m from the dwelling unit which it serves.
- (l) **Minimum Setbacks.**

Front Boundary	Side and Rear Boundaries	
7.5 metres (from principal access)	Single Storey	3.0 metres
	Two Storey	4.5 metres
	Three Storey	6.0 metres

The Council may relax the setback requirement above subject to clause 2.6.1, and in consideration of:

- (i) the particular size, shape, contours or slope of the land;
- (ii) the adjoining land use and zoning;
- (iii) the position of existing buildings and degree of setbacks in the immediate area;

- (2) Council may, in its discretion, grant a permit for a multi-unit dwelling or holiday unit/cabin that is not in conformity with the requirements of clauses (a) to (k) above subject to the provisions of clause 2.6.1.

3.2 RESIDENTIAL LOW DENSITY (R2) ZONE

3.2.1 Zone Intent

To provide principally for low density residential use and development and to further policies which aim to ensure that the amenity, health, and well being of residents is enhanced or protected.

3.2.2 Zone Policies

- (1) To protect the amenity of land for residential use and development.
- (2) To encourage use and development which contribute to the natural and cultural resources that determine the character of the landscape.
- (3) Council may nominate requirements and standards for services and ensure development maximises the utilisation and minimises the need for extension or upgrading of services.

3.2.3 Development Requirements and Standards in the Residential Low Density (R2) Zone

(1) Subdivision

Lot Size

- (a) The table below specifies for the various locations A to E, the lot area, the diameter of a circle which the lot must contain, and the frontage to a public road.

Table to clause 3.2.3(1)(a)

Location	Minimum area	Minimum diameter circle (m)	Minimum road frontage (m)
A	2ha	50	6
B	5ha	60	6
C	9ha	70	6
D	15ha	100	6
E	1500m ²	20	3.6

(2) Building Design and Siting

Height

- (a) Maximum height 6m.
- (b) Subject to clause 2.6.1 Council in its discretion may approve a greater height provided that:

- (i) the solar access, privacy and amenity of adjoining properties is not unduly restricted; and
- (ii) the building is not visually obtrusive or detrimental to the landscape character of the local area.

Siting

- (c) The minimum siting and setback of buildings shall be as follows:

	Front Boundary	Side Boundary	Rear Boundary	Water Courses	Proclaimed State Roads
Area A	15m	7.5m	7.5m	50m	50m
Area B	30m	15m	15m	50m	50m
Area C	30m	15m	20m	50m	50m
Area D	30m	20m	30m	50m	50m
Area E	6m	1m	1m	30m	50m

- (d) The land between the building line and the boundary of a street or road shall not be used for any purpose other than:
 - (i) landscaping
 - (ii) a means of access;
 - (iii) the loading and unloading of vehicles;
 - (iv) the parking of private cars associated with a single house.
- (e) Subject to clause 2.6.1 Council may relax the setback requirements in consideration of:
 - (i) the particular size, shape, contours or slope of the land;
 - (ii) the adjoining land use and zoning;
 - (iii) the position of other buildings and prevailing setbacks in the immediate area;
 - (iv) the visual impact; and
 - (v) any recommendations of the Department of Transport with respect to a Proclaimed State Road;

Materials, Colours and Finishes

- (f) The external walls, roof, paving and other large surface areas of the building(s) and its surrounds, shall be finished in non-reflective materials and colours in harmony with the natural vegetation.

(3) Utility Services

Sewerage

- (a) sewage and sullage disposal in accordance with clause 4.1.

Water Supply

- (b) Where an existing reticulated supply is provided and spare capacity exists, development will be required to connect to the network.

(4) Access and Parking

- (a) Access and parking shall be provided on site in accordance with Part 3.11 and Part 5.
- (5) Notwithstanding the provisions of clauses 3.2.3(1)-(4), where land is served by Council's sewerage and water services and there is no requirement to extend or upgrade services, the development standards of the Residential (R1) zone shall apply to the subject land.

3.3 BUSINESS (B) ZONE

3.3.1 Zone Intent

To encourage the provision and retention of a range of business activities to service the needs of catchment populations.

3.3.2 Zone Policies

- (1) To recognise the benefit of consolidation as a means of providing and retaining a range of shopping and business services.
- (2) To consolidate the shopping and personal, community or business services in defined activity centres.

3.3.3 Development Requirements and Standards in the Business (B) Zone

(1) Subdivision

Lot Size

- (a) Minimum lot area shall be 180m² and proportioned so as to contain a rectangle of 15 metre depth by 10 metre frontage to a public road.

(2) Building Design and Siting

Height

- (a) Maximum height 8m.
- (b) Subject to clause 2.6.1 Council in its discretion may approve a greater height provided that:
 - (i) the solar access, privacy and amenity of adjoining properties is not unduly restricted; and
 - (ii) the historic or architectural integrity of particular buildings or works or the townscape character of the immediate locality is not diminished.

Siting and Setback

- (c) As determined by Council having regard to the prevailing setback, the need for appropriate car parking and the amenity of the area.

Design and Appearance

- (d) The design of buildings and any additions shall have regard to the character of the area and where applicable, the historic and/or architectural integrity of neighbouring buildings.

Landscaping

- (e) Council may require landscaping.

(3) Access and Parking

- (a) Access and parking shall be provided on site in accordance with Part 3.11 and Part 5.

3.4 VILLAGE (V) ZONE

3.4.1 Zone Intent

The Village zone is to apply to settlements where a zone separation of activities is not required. The zone is principally for residential use and development in accordance with policies which ensure that the amenity, health and well being of residents is enhanced or protected. The Village Zone is to provide the opportunity for a mix of land use whilst protecting residential amenity.

3.4.2 Zone Policies

- (1) To provide for a mix of use integrating residential and low impact commercial, industrial and community uses within townships.
- (2) To promote discrete nodes of activity through compact development within distinct boundaries.
- (3) To promote a commercial activity centre with the aim of enhancing the character and economic base.
- (4) To enhance particular characteristics of towns by ensuring new development respects existing built form and streetscape attributes.
- (5) To ensure streets and accesses are convenient and compatible for the joint use by people and vehicles.
- (6) To ensure use and development accords with any servicing strategy.
- (7) Council may determine requirements and standards for services in nominated areas. Development is to maximise the utilisation of, and minimise the need for extension or upgrading of services.

3.4.3 Development Requirements and Standards in the Village (V) Zone

(1) Subdivision

Lot Size

- (a) minimum lot size, 800m²
- b) minimum inscribed circle, 15m diameter
- (c) minimum frontage to a road, 15m
- (d) minimum frontage to a road by access strip or right of way, 3.6m.

(2) Building Design and Siting

Height

- (a) Maximum height 6m.
- (b) Subject to clause 2.6.1 Council in its discretion may approve a greater height provided that:
 - (i) the solar access, privacy and amenity of adjoining properties is not unduly restricted; and
 - (ii) the historic or architectural integrity of particular buildings or works or the townscape character of the immediate locality is not diminished.

Siting and Setbacks

- (c) The minimum siting and setback of buildings shall be as follows:

Front Boundary	Side Boundary	Rear Boundary
6 metres	3 metres	6 metres

Subject to clause 2.6.1 Council may relax a setback standard in consideration of:

- (i) the particular size, shape, contours or slope of the land;
- (ii) the adjoining land Use and zoning;
- (iii) the position of existing buildings and degree of setbacks in the immediate area;

Design and Appearance

- (d) The design of buildings and any additions shall have regard to the character of the area and where applicable, the historic and/or architectural integrity of neighbouring buildings.

(3) Utility Services

- (a) All development is to be connected to services where existing, or otherwise shall be supplied with adequate levels of infrastructure as determined by Council.

(4) Access and Parking

- (a) Access and parking shall be provided on site in accordance with Part 3.11 and Part 5.
- (b) Council in its discretion and subject to clause 2.6.1 may reduce the requirements for parking and access where the application involves the protection of a particular heritage area, involves the recycling of old buildings for new uses or where Council deems that the car parking generated by the use can be effectively accommodated in some other way.
- (c) Cash-in-lieu of providing on site parking may be required in accordance with clause 5.5.1.

3.5 INDUSTRIAL (IN) ZONE

3.5.1 Zone Intent

To provide for industrial use and development which primarily generates low to moderate levels of effluent, trade wastes, air or noise pollution.

3.5.2 Zone Policies

- (1) To maximise the efficient use of land and existing infrastructure and provide for the co-ordinated expansion and extension of infrastructure.
- (2) To ensure the form, siting and landscaping of development creates a desirable working environment.
- (3) To ensure emissions at the boundary of the zone meet the environmental quality requirements of adjoining zones.
- (4) To ensure activities within the zone are established at an appropriate safety distance from the zone boundaries and incompatible activities within the zone.
- (5) To ensure areas selected for industrial use and development are efficient in terms of transportation and access.
- (6) To ensure retail sales activities are compatible with and complementary to industrial activity.
- (7) To ensure the form, siting and landscaping of development is appropriate to any adjoining places of cultural significance as defined in Part 7.

3.5.3 Development Requirements and Standards in the Industrial (IN) Zone

(1) Subdivision

Lot Size

- (a) Minimum lot size 1000m² and so proportioned as to have a depth to width ratio of between 2:1 and 3:1.

- (b) No more than four lots shall have frontage to the head of a cul de sac.
- (c) Rear lots are to be discouraged and only considered where Council is satisfied that appropriate access for commercial vehicles can be obtained.

(2) Building Design and Siting

Height

- (a) Maximum height 10m.
- (b) Subject to clause 2.6.1 Council in its discretion may approve a greater height provided that:
 - (i) the appearance of the building or development will be compatible with surrounding buildings; and
 - (ii) the development will not adversely affect the streetscape, skyline or character of this area.

Siting and Setbacks

- (c) The siting and setback of development shall be as determined by Council having regard to:
 - (i) the zone intent and policies;
 - (ii) the provisions of a development plan;
 - (iii) the location and provision of services;
 - (iv) the requirements for access, loading and unloading, and storage;
 - (v) the requirements for employee and customer car parking;
 - (vi) the need for and provision of landscaping; and
 - (vii) adjoining zones.

Open Space and Landscaping

- (d) An application shall include a landscape plan of sufficient detail to enable assessment of the suitability of the proposed landscaping and providing:
 - (i) in the front building setback an adequately defined and protected area which shall be planted and maintained with shrubs and trees; and
 - (ii) side and rear boundaries setbacks landscaped and/or screened, as appropriate.
- (e) Any existing trees which it is considered necessary to remove or lop should be marked on the landscape plan submitted, along with a request for approval where required. Trees to be retained in close proximity to buildings or works must be adequately protected.

Design of Buildings

- (f) The design of buildings shall have regard to the appearance of the area. The colour of cladding materials shall be sympathetic to the area and non reflective.

Signs

- (g) Signs shall be integrated with the building or landscape design.

Fences

- (h) Parking areas and open storage areas shall be screened from public view by adequately protected dense planting or adequate screen fences.

(3) Utility Services

- (a) Subject to technical constraints and HEC policy, Council shall require underground power.
- (b) Appropriate on-site infrastructure shall be provided to maintain water quality by preventing contaminants from entering water courses and Council's stormwater system.

(4) Access and Parking

- (a) Access and parking shall be provided in accordance with Part 3.11 and Part 5.

(5) Environmental Quality

- (a) The maximum allowable levels of noise, odour, dust and other emissions at the outer edge of the zone shall comply with the requirements of the *Environmental Management and Pollution Control Act 1994*
- (b) Arrangements satisfactory to Council shall be made for the collection and disposal of all trade effluent or waste.

(6) Development Plan

- (a) Council may require the submission of a development plan pursuant to clause 4.13 prior to considering an application for use or development.

3.5.4 Development Requirements and Standards in the Industrial Zone at Birralee Road, Westbury

- (1) Notwithstanding Clauses 3.5.3(1) to 3.5.3(6), development in the Industrial Zone shall be in accordance with Clauses 3.5.4(1) – 3.5.4(8).

(2) Subdivision

- (a) Subdivision shall have a permitted status if:
 - (i) it is in accordance with the Outline Development Plan in 3.5.4(9) (Ref – GJ Walkem & Co - 07.527, P02); or
 - (ii) it provides for a minimum lot size of 5000m² with each of CT's 136796/1, 24832/2 (Stages 1 & 2 independently) 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% of the land area has lots with an area of less than 1 hectare.

- (b) Subdivision that is not in accordance with Clause 3.5.4(2)(a) may be considered, subject to Clause 2.6.1 and the intent and policies of the zone.
- (c) Subdivision is to provide for:
 - (i) Sewer connection to each lot;
 - (ii) Stormwater dispersal to an approved system;
 - (iii) Reticulated water supply connection to each lot;
 - (iv) Telecommunications services;
 - (v) Underground power supply and appropriate street lighting;
 - (vi) Road reservations of 25m and carriageway widths of 10m;
 - (vii) Appropriate footpath connection within the subdivision and to Birralee Road;
 - (viii) A minimum frontage of 12m;
 - (ix) Specified access requirements in Clause 3.5.4(4);
 - (x) The building exclusion zone required under the Gas Pipelines Act 2000.
- (d) Lots 1 & 2 (or a singular lot over the same area) indicated on the Outline Development Plan, located on CT151111/1, may only be created when the use of the buildings is converted to a permissible non-sensitive use.
- (e) Stage 2 shall not be developed or used for activities permissible in the Industrial Zone unless and until:-
 - (i) an appropriately sized stormwater detention basin capable of catering for a 1:100 storm event, is constructed; and
 - (ii) an appropriately sized sewer pump station is installed to service the catchment of Stage 2.

(3) **Parking**

- (a) The number of car parking spaces shall be provided in accordance with Part 5 of the Planning Scheme and relevant Australian Standards AS2890.1 and AS2890.2;
- (b) Car parking spaces provided for public use are to be sealed;
- (c) Provision shall be made for the safe, on-site loading and unloading and manoeuvring of vehicles.

(4) **Access**

- (a) Lots shall not have direct access to Birralee Road.
- (b) Notwithstanding Clause 3.5.4(4)(a) above, the existing farm accesses to CT151111/1 may intensify in use by an additional 20 vehicle movements per day as permitted status for a permitted use. Greater intensification of the use shall require a new access to a side road.
- (c) Access to the fuel depot located on CT103017/1 will be required to relocate to a side road upon any intensification of that use.
- (d) For existing accesses other than those described in the above clauses, any alterations to the use will be subject to a Traffic Impact Assessment with the design requiring approval from the Department of Infrastructure, Energy and Resources.

- (e) Access on side roads is to be located a minimum distance of 50m from any junction with Birralelee Road.

(5) Building Design and Siting

(a) Height

- (i) The maximum height of the predominant building form is to be 15m with ancillary structures such as towers, stacks and the like to be a maximum height of 30m.
- (ii) Subject to Clause 2.6.1, Council in its discretion may approve a greater height provided the development will not adversely affect the character of the industrial precinct or the surrounding rural landscape.

(b) Setbacks

- (i) The setback to the Birralelee Road boundary is to be a minimum of 15 metres.
- (ii) The setback to the boundary of all other roads is to be a minimum of 8 metres.
- (iii) The side boundary setback is to be a minimum of 3 metres, with at least one side boundary setback providing a minimum of 6 metres width for access by emergency vehicles.
- (iv) The rear boundary setback is to be minimum of 6 metres.

(c) Building Materials

- (i) The predominant building materials are to be non-reflective.

(d) Landscaping

- (i) The setback area to Birralelee Road is to be landscaped with a combination of upper and lower storey vegetation to enhance the appearance of the development to Birralelee Road, allowing for safe access and visibility;
- (ii) For that part of the precinct located to the west of Birralelee Road, development on the lots located to the southern and western boundaries is to include screening vegetation along the boundary to provide appropriate visual mitigation of the proposed buildings and use of the site when viewed from the Bass Highway;
- (iii) Existing trees are to be retained where practicable.

(e) Notwithstanding Clauses 3.5.4(5)(a)(i), 3.5.4(5)(d)(i) and 3.5.4(6), on lots 1,2,3,4,5,6,7,8 and 17 of CT151111/1 and CT103017/1:-

- (i) the maximum height of a building, structure or sign shall not exceed 8m;
- (ii) buildings, structures and signs shall be sited and designed to minimise the loss of views from Birralelee Road to the south,
- (iii) landscaping within the Birralelee Road setback may be discontinuous and should be of a height that enables the retention of views to the horizon.
- (iv) Subject to Clause 2.6.1, Council in its discretion may approve a greater height for a building or structure in accordance with a plan for the siting of development on the lots that demonstrates minimal visual impact on the rural landscape.

(6) Signage

- (a) Signage shall be in accordance with Part 6 of the Planning Scheme;
- (b) Signage shall not be visible from the Bass Highway;
- (c) Signage fronting the Birralee Road shall be limited to those premises with direct access to Birralee Road;
- (d) Notwithstanding Clause 6.2.4, signage in accordance with a signage plan prepared by the road authorities allowing for identification at the road junctions, is permitted.

(7) Environmental Quality

- (a) Noise, odour and dust and other emissions shall comply with the requirements of the *Environmental Management and Pollution Control Act 1994*;
- (b) Provision is to be made for the satisfactory collection and removal of trade waste.
- (c) Provision shall be made for the appropriate management of stormwater to prevent adverse impacts on adjoining lots;
- (d) Provision shall be made for the appropriate management of stormwater to prevent pollutants and sediment from entering watercourses including treatment of open drains for erosion control and the use of traps or sumps.
- (e) Provision shall be made for the appropriate treatment of the identified drainage lines and associated buffer area to protect the environmental qualities of the watercourses as habitat.

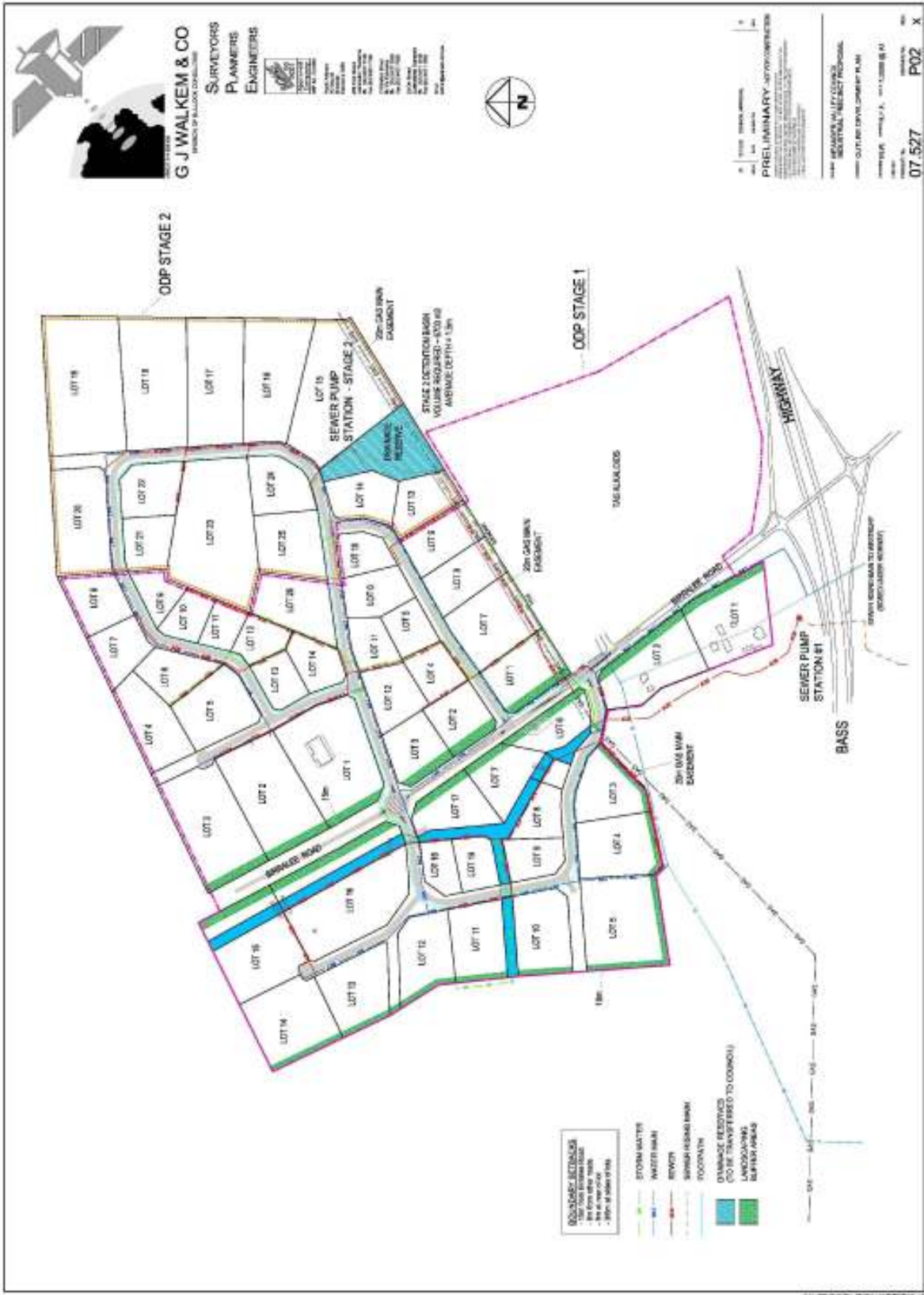
(8) Uses and Developments

Notwithstanding Clause 8.1.2, within the Industrial Zone at Birralee Road:-

- (i) the following uses and developments are permitted (with Permit) – Freight Transport Depot, Office, Storage Facility, Contractors Depot, Industry Low Impact, Industry Medium Impact, Utility Services (Minor);
- (ii) the following uses and developments may be permitted at Council's discretion – Agriculture, Animal Saleyard/Stockyard, Intensive Animal Husbandry, Industry High Impact, Service Station, Shop Local, Take Away Food Shop, Utility Services (Major), Vehicle Sales;
- (iii) All other uses or developments listed in Clause 8.1.2 are prohibited.

(9) Refer to Diagram overleaf

(9)



3.6 RURAL (RUI) ZONE

3.6.1 Zone Intent

- (1) To provide for and protect the use or development of resources for agriculture, forestry, mining and other primary industries as a priority; and
- (2) To promote economic development that is compatible with primary industry activities and landscape.
- (3) Rural zoning is to conserve:
 - (a) resources for economic development;
 - (b) significant scenic areas;
 - (c) recreational opportunities;
 - (d) water catchments;
 - (e) significant flora and fauna habitats; and
 - (f) areas of cultural significance

3.6.2 Zone Policies

- (1) To ensure the continued productivity of the agricultural resource by preventing the conversion of agricultural land by non agricultural use and development. Plantations may not be established on prime agricultural land except in accordance with the current State Policy for the Protection of Agricultural Land.
- (2) To ensure that the ability to conduct primary industry activities will not be constrained by potential conflict between those uses and other sensitive uses.
- (3) To provide for the growth of extractive industries in accordance with appropriate environmental standards and with due consideration to minimising the conversion of agricultural land.
- (4) To provide for public utilities where the amount of agricultural land converted is kept to a minimum, it does not unreasonably fetter agricultural use, and where the location is reasonably required for the utility to operate efficiently.
- (5) To provide for tourism-related use and development where the Rural Strategy for the protection, conservation and sustainable development of rural resources will not be compromised.
- (6) To allow consideration of certain other uses only in locations that do not compromise the continued productive capacity of primary industries.
- (7) To protect ecological and landscape values.

- (8) To ensure that the location of use and development not associated with primary industries, does not compromise planning scheme strategies to direct residential, commercial and industrial uses to identified nodes of settlement or purpose built estates.

3.6.3 Development Requirements and Standards in the Rural (RUI) Zone

(1) Subdivision

- (a) An application for subdivision is subject to Clause 2.6.1 and must demonstrate the primary industry purpose and that the ability to conduct a sustainable agricultural enterprise is not compromised, as submitted in a report prepared by a suitably qualified agricultural consultant who is a member of the Australian Institute of Agricultural Science and Technology.
- (b) Subdivision for the purposes of excising an existing house is prohibited.
- (c) Subdivision for the purposes of Utility Services Major, Utility Services Minor or a public facility, must demonstrate that the ability to conduct a sustainable agricultural enterprise is not compromised.
- (d) Notwithstanding Clause 3.6.3(1)(b), an excision of a heritage item listed on the Tasmanian Heritage Register can be considered for a permit, if it can be demonstrated that the historic cultural heritage significance of the property in its entirety will be protected or enhanced and that the subdivision will not compromise the Policies of the Zone.
- (e) A lot must:
- (i) Provide for the required setbacks of the zone, to any existing building.
 - (ii) Have access to a road directly, by licenced road reserve or Right of Carriageway noted on the Certificate of Title.
- (f) Boundary Adjustment

An application for a boundary adjustment:

- (i) Must demonstrate the primary industry purpose and that the ability to conduct a sustainable agricultural enterprise is not compromised; or
- (ii) Must demonstrate that the boundary adjustment is to remedy title boundary irregularity in access, development, buildings or infrastructure and that the ability to conduct a sustainable agricultural enterprise is not compromised.
- (iii) A report prepared by a suitably qualified agricultural consultant who is a member of the Australian Institute of Agricultural Science and Technology or for other primary industries, a professional person suitably qualified in the relevant field, may be required to support the application.

(g) General Requirements for Subdivision and Boundary Adjustment

- (i) Notwithstanding Clause 3.6.3(1)(e)(i), subject to Clause 2.6.1, the setbacks to an existing building can be reduced if it can be demonstrated that the existing use of that building will not be adversely affected by primary industries activities, which can include buffering as result of topography, vegetation and other buildings or structures.
- (ii) Access for all lots must be constructed in accordance with the Meander Valley municipal standard or, for State roads, in accordance with the requirements of the relevant State Department.

(2) Strata Schemes

Creation of a Strata Scheme is Prohibited.

- (a) Notwithstanding Clause 3.6.3(2), the creation of a Strata Scheme for the Wiiteena Community located at 318 Wiiteena Road, Jackeys Marsh (CT208351/1) is permitted once only.

(3) Protection of Agricultural Land

- (a) Subject to Clause 8.1.2 – Use and Development not related to a primary industry must demonstrate that the Zone policies will not be compromised. A report by suitably qualified persons may be required to support the application.
- (b) Development for a habitable building is integral to an agricultural enterprise and permitted (with permit) if:
 - (i) The capital value of the land exceeds 1 Million dollars, as submitted in a report prepared by a suitably qualified agricultural consultant who is a member of the Australian Institute of Agricultural Science and Technology or a registered valuer who is a member of the Australian Property Institute.
 - (ii) All minimum building setbacks are met; and
 - (iii) All other applicable Planning Scheme standards are met.
- (c) Development for a habitable building on a lot where the capital value of the land is less than 1 Million dollars is discretionary and must:
 - (i) be necessary, integral and subservient to:
 - an agricultural activity, demonstrated in a report prepared by a suitably qualified agricultural consultant who is a member of the Australian Institute of Agricultural Science and Technology; or

- other primary industries, demonstrated in a report by a professional person, suitably qualified in the relevant field.
- (ii) be subsequent to the establishment of an ongoing primary industry.
- (d) Notwithstanding Clauses 3.6.3(3)(b) and 3.6.3(3)(c), development for a habitable building on a lot with an area less than 40ha is prohibited.
- (e) Notwithstanding Clauses 3.6.3(3)(b)-(d), development for a habitable building on a lot is permitted where it is to replace a habitable building:
 - (i) that is destroyed; and
 - (ii) where there is an existing use right; and
 - (iii) where the building area does not increase by greater than 100m² or the height of the building is not increased to greater than a single storey or the location of the development is not changed.
 - (iv) Where the requirements of Clause 3.6.3(3)(e)(iii) are not met, a replacement habitable building is subject to Clause 2.6.1 and all other applicable Planning Scheme standards and must demonstrate that the intent and policies of the zone are not compromised.
- (f) Notwithstanding Clauses 3.6.3(3)(b)-(d), subject to Clause 2.6.1, development for subsequent additional habitable buildings on a lot must:
 - (i) be necessary, integral and subservient to:
 - an agricultural activity, demonstrated in a report prepared by a suitably qualified agricultural consultant who is a member of the Australian Institute of Agricultural Science and Technology; or
 - other primary industries, demonstrated in a report by a professional person, suitably qualified in the relevant field; and
 - (ii) be located within the curtilage of the existing farm cluster.
- (g) An extension of no greater than 100m² to an existing house or an outbuilding described in Clause 2.9.1(3) that is associated with an existing house is permitted (with permit) once only subject to Clause 3.6.3(4)(c) and (d).
- (h) A Home Occupation is permitted (no permit required) when associated with an existing house.
- (i) Notwithstanding Clause 8.1.2, Use and Development for a Bed & Breakfast Establishment is subject to Clause 2.6.1 and all other applicable Planning Scheme standards when located within an existing house or buildings located with the curtilage of an existing house.
- (j) An Ancillary Apartment may be permitted subject to Clauses 3.6.3(4)(c) and (d).

(4) **Building Design and Siting**

Height

- (a) The maximum height of a building or structure shall not exceed 8m.
- (b) Subject to Clause 2.6.1, a development may have an increased height in consideration of Clause 3.6.3(4)(h).

Setbacks

- (c) Development must comply with the following setbacks:

Front Boundary	Side Boundary	Rear Boundary	Water Courses	State Roads
50m	50m	50m	50m	100m

The intent for the setback from a road is to ensure an adequate corridor free of buildings, alongside existing or future roads, for one or more of the following purposes:

- (i) to allow for future road upgrading including provision for other movement systems eg., footpaths, bicycle paths and horse riding trails;
 - (ii) to avoid potential road safety hazards, eg. obstruction of sight distance, distracting lights;
 - (iii) to reduce the impact of buildings to preserve the visual amenity of the road corridor; or
 - (iv) to allow for noise attenuation to dwellings.
- (d) Subject to Clause 2.6.1, development may have a reduced setback in consideration of:
 - (i) a more efficient use of the land for primary industry;
 - (ii) the particular size, shape, contours or slope of the land;
 - (iii) the adjoining land use and zoning;
 - (iv) the position of other buildings and prevailing setbacks in the immediate area;
 - (v) the visual impact; and
 - (vi) any recommendations of the Department of Transport with respect to a Proclaimed State Road;
 - (e) Notwithstanding Clause 3.6.3(4)(c) and 3.6.3(4)(d), a sensitive use must be setback from adjoining primary industry activities, a minimum distance of 300m.
 - (f) Notwithstanding Clause 3.6.3(4)(e), an extension to an existing house or an outbuilding described in Clause 2.9.1(3) that is associated with an existing house, is subject to Clause 3.6.3(4)(c) and (d).
 - (g) Subject to Clause 2.6.1, the setback between a sensitive use and a primary industry activity may be reduced, if the sensitive use is protected against potentially adverse impacts through effective buffering as a result of topography, existing or proposed vegetation screening, the location of existing development on the site, building materials or components and the like.

Design of Buildings, Structures and Works

- (h) The design of buildings, structures and works shall aim to achieve minimal alteration of the rural landscape through attention to:-
- (i) the protection of skylines, ridgelines, areas of visual prominence or high landscape value visible from public roads;
 - (ii) the siting, setbacks, bulk, form, height, scale and external finishes of buildings and structures;
 - (iii) the number, size and relationship of buildings, building additions and structures, including the visual impact of consolidating, separating or clustering various elements of the proposed development;
 - (iv) harmonising the forms and colours of buildings or structures with the natural contours and colours of the surrounding landscape;
 - (v) minimising the visual impact of vegetation clearance, excavations or the deposition of fill;
 - (vi) the establishment and maintenance of locally appropriate screening vegetation;

and Council may impose conditions in respect of any matters listed in this clause.

3.7 RURAL B (RU2) ZONE

3.7.1 Zone Intent

To provide locations for the joint establishment of a house and commercial activity.

3.7.2 Zone Policies

- (1) To cater for a mix of land use where a house and commercial activity can co-exist.
- (2) The principal use is residential, but the amenity considerations are akin to the Rural (RU1) zone. The zone provides for commercial activities such as transport depot, mechanical repairs and bulk goods retailing on larger lots.
- (3) The zone should be located near urban settlements and have access to the main road system.
- (4) A condition on the establishment of a commercial activity should be that a house pre-exists or is part of the application for a permit for a commercial activity.
- (5) Commercial activity is to conform to the requirements of a Low Impact Industrial Activity.

3.7.3 Development Requirements and Standards in the Rural B (RU2) Zone

(1) Subdivision:

Lot Size

- (a) Minimum lot size, 2 ha.
- (b) Minimum inscribed circle, 50m diameter
- (c) Minimum frontage, 20m.

(2) Building Height and Siting

- (a) Maximum building height 12m.

Minimum setbacks

Front Boundary	Side Boundary	Rear Boundary	Water Courses	Proclaimed State Roads
15m	7.5m	7.5m	50m	50m

(3) Design of Buildings

- (a) The design of buildings shall have regard to the need to protect skylines from inappropriately sited development and non-reflective materials should be used in all new development. Where reflective materials are used the development is to be sited and conditioned so as to minimise loss of amenity and nuisance.

(4) Landscaping

- (a) Council shall have regard to the need for additional landscaping or tree planting to enhance the visual impacts of development.

(5) Utility Services

- (a) The adequacy of utility services shall be taken into account by Council in assessing development applications.

(6) Access and Parking

- (a) Access and parking shall be provided in accordance with Part 5.

3.8 COMMUNITY PURPOSES (CP) ZONE

3.8.1 Zone Intent

To make provision for community facilities and services which have suitable locational and physical characteristics to service the needs of the catchment population.

3.8.2 Zone Policies

To enable ready public access by locating community facilities and services close to public transport routes and commercial activity centres.

3.8.3 Development Requirements and Standards in the Community Purposes (CP) Zone

(1) Development

(a) Development shall take into account the requirements of the adjacent zones in respect of density, height, siting and setbacks, open space, pedestrian facilities and landscaping, design and appearance, access and parking, and the relationship to, and amenity of neighbouring buildings.

(2) Subdivision

(a) Subdivision shall be appropriate to the approved use or development and land required for the use or development shall be amalgamated into a single title.

(3) Utility Services

(a) The services of sewerage, drainage, water reticulation and electricity shall be provided to the satisfaction of Council.

(4) Access and Parking

(a) Access and parking shall be provided in accordance with Part 3.11 and Part 5.

3.9 TOURIST FACILITIES (TF) ZONE

3.9.1 Zone Intent

To provide for use and development principally providing tourist attractions and activities in locations that enable ready public access by locating close to public transport routes and commercial activity centres or in locations that have specific attributes that benefit the particular tourist activity.

3.9.2 Zone Policies

- (1) To ensure all roadways, access ways and walkways within the area and giving access to the area are sited and designed to minimise environmental impact and visual intrusion.
- (2) To ensure use or development does not restrict community access to public land or facilities.
- (3) To ensure use or development does not compromise areas of high conservation value.
- (4) To ensure the scale of development is directly related to the capacity of the site and adjacent areas without degrading the physical environment.
- (5) To ensure that development does not intrude into views, vistas or skyline areas.
- (6) To protect and enhance environmentally sensitive areas within the site including natural or remnant vegetation in visually prominent locations.

3.9.3 Development Requirements and Standards in the Tourist Facilities (TF) Zone

(1) Subdivision

- (a) Council in its discretion and subject to clause 2.6.1 may grant a permit for subdivision for a proposed use or development.
- (b) Where there is more than one title, land required for the use or development shall be amalgamated into a single title.

(2) Development Plan

- (a) Council may require a the submission of a Development Plan prepared in accordance with clause 4.13.

3.10 OPEN SPACE (OS) ZONE

3.10.1 Zone Intent

- (1) To provide for the use or development of public and private land for open space purposes and to ensure the adequate provision of public open space throughout the Planning Area.
- (2) To conserve significant natural features.

3.10.2 Zone Policies

- (1) To encourage appropriate use of Open Space zoned land for recreational purposes.

- (2) To encourage the development of an integrated open space system which protects environmental qualities.

3.10.3 Development Requirements and Standards in the Open Space (OS) Zone

(1) Subdivision

- (a) Subdivision shall be appropriate to the approved use or development and land required for the use or development shall be amalgamated into a single title.

(2) Building Design and Siting

Height

- (a) Maximum height, 8m.
- (b) Council in its discretion and subject to clause 2.6.1 may approve a greater height where the development will not adversely affect the streetscape, skyline or character of the area.

(3) Siting and Setbacks

All development shall:-

- (a) take account of the siting provisions of adjoining zones.
- (b) be so located so as to not cause any nuisance, undue noise, loss of privacy, views or sunlight, or loss of amenity to any adjoining sensitive uses.

(4) Design of Buildings

- (a) The design of buildings shall take account of the need to enhance recreational, landscape or environmental values.

(5) Open Space and Landscaping

- (a) Council shall have regard to the need for additional landscaping or tree planting to assist in ameliorating the visual impacts of development.

(6) Utility Services

- (a) The adequacy of utility services shall be taken into account by Council in assessing any development application.

(7) Access and Parking

- (a) Access and parking shall be provided in accordance with Part 3.11 and Part 5.

3.11 ROAD ZONE

3.11.1 Zone Intent

- (1) To provide for the use, development, amenity, safety and efficiency of roads.
- (2) To establish a system of road categories and requirements for access to and from roads.

3.11.2 Zone Policies

- (1) To enable the public road system to be planned, constructed and maintained in a manner which accords with the concept of public accountability community consultation and the objectives of sustainable development;
- (2) To ensure that roads are sustainable in terms of their functions and the use and development of the areas they serve;
- (3) To ensure that roads are designed and maintained to reflect the landscape, townscape, heritage qualities and access requirements of the area through which they pass;
- (4) To ensure that the planning, use and development of roads is integrated with other movement systems, including rail, bus, bicycle and pedestrian networks;
- (5) To establish a road hierarchy which enables the appropriate road functions to be recognised and managed accordingly and to ensure, where appropriate, compatibility with the road network of adjoining Councils.

3.11.3 ROAD (RD1) ZONE

(1) Land Deemed To Be Included In a Road Zone

- (a) Land that is a Road under the responsibility of a road authority; and
- (b) Land either resolved or proclaimed by a road authority as a road;
- (c) On the sealing of a plan of subdivision a road will become a Road zone.

(2) Use And Development In A Road Zone

- (a) Use and development of land in a Road zone is subject to Table 1.

Table 1.
USE AND DEVELOPMENT IN THE ROAD ZONE

PERMITTED (NO PERMIT REQUIRED)
An access by a road authority during road construction.
With the approval of the road authority, commercial or any other activity on any road or part thereof for any purpose that may be conducted under a bylaw or other legislation.
Other Road Works for a Category V Road integral to another use or development.
Road Maintenance
The use of the land for the passage of vehicles, bicycles, pedestrians and led, driven and ridden animals and the legal parking of any of the foregoing.
Maintenance of Utility Services.
PERMITTED (WITH PERMIT)
Utility Services (Minor)
Major Road improvements
Major Road Works
Other Road Works other than for a Category V Road integral to another use or development
Minor Road Works
DISCRETIONARY
Information Bay
Tourist Features and Lookouts (including parking areas)
Amenity or Rest Area
Road Depot
Roadside Stall in a Category III - V Road
Subdivision
Utility Services (Major)
Weighing Stations
PROHIBITED
Roadside Stall in a Category I or II Road
All Other Use and Development except signs (see Part 6) and access (see clause 3.11.3(5))

(3) Approval Procedures For Certain Road Work

Road Maintenance and Minor Road work

- (a) The carrying out of works by or for a road authority on land adjoining the boundary of a Road zone required for, or incidental to, road maintenance or minor road works, shall not require the issue of any further or separate Permit.

Major Road Improvement

- (b) An application for a Permit for a 'Major Road Improvement' shall where required by the planning authority, include community consultation together with social, economic and traffic impact assessments and environmental

impact assessments made in accordance with the principles embodied in Section 74 of the *Environmental Management and Pollution Control Act 1994*.

Major Road Works

- (c) An application for a Permit for a 'Major Road Works' shall include community consultation, together with social, economic and traffic impact assessments and environmental impact assessments made in accordance with the principles embodied in Section 74 of the *Environmental Management and Pollution Control Act 1994*.

(4) Road Hierarchy Categories

Intent:

- (a) to set the strategic road pattern through the classification of roads according to function;
- (b) to achieve a consistent road network across Council boundaries;
- (c) to set access standards necessary for the operational efficiency and safety of the road network; and
- (d) to assist in linking road design, function and capacity to land use and development.

Categories:

- (e) The Road Hierarchy comprises five (5) categories.

(5) Access

Subject to the provisions of the Road Hierarchy Tables, clause 3.11.3(6):

- (a) An existing access shall be deemed to be a 'new access' where it is required to service;
 - (i) a change in use or development or
 - (ii) an intensification of an existing use resulting in a material change in the use of the access.
- (b) A Permit is required for the development and use of a new access to a Category I, II, or III road irrespective of whether it is associated with any other development or use proposal.
- (c) A new access for road Categories I, II and III must, and for road Categories IV and V should, comply with the minimum sight distance standards in **Attachment 1**. The Safe Intersection Sight Distances shown are the minimum standard and the Entering Sight Distances should be achieved wherever practicable.
- (d) Access to a Category I, II or III road should be located not less than 50 metres from an access located on the opposite side of that road when measured

between the centreline of those access points along the centreline of that road.

Amendment
2/2005
22/11/05

- (e) A Permit can be granted for an access on a side road within 100 metres of a junction with a Category 1 road or 50 metres of a junction with a Category II or III road, subject to qualified traffic advice that the access will not adversely affect traffic or pedestrian safety.
- (f) For the purposes of (e) above, the distance shall be measured from the holding line at the junction of the side road with the Category I, II or III road.
- (g) For Category I, II or III roads, a Permit for an access may, as a condition, direct that other existing accesses be permanently closed.
- (h) Crown Reserves, rights-of-way, or reserved roads of any description are not to be used as accesses other than in conformity with the Road Hierarchy Tables.

(6) Road Hierarchy Tables

(a) Category I Roads (Strategic Network)

(i) Function

Road Function	Traffic Function	Category I Roads
Inter-regional links which facilitate and support long-term economic development. Important tourist routes.	Long distance, inter-regional commercial, freight and passenger movement. Roads essential for the promotion of the tourism industry.	Bass Highway. Illawarra Main Rd (south of Bass Highway)

(ii) Access Status

New Access	New Road Junctions
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<p>Permitted (Permit required) For a use or development which is within a General Urban Speed Limit.</p> <p>Discretionary (Permit required) For a use or development which: a) is agreed by the road and planning authorities that the use or development is of National or State importance; or b) is within an Urban Speed Limit.</p> <p>Prohibited All other use and development</p>	<p>Permitted A junction which is within a General Urban Speed Limit.</p> <p>Discretionary (Permit required) A junction which: a) is agreed by the road and planning authorities that the use or development is of National or State importance; or b) is within a Residential zone and an Urban Speed Limit applies.</p> <p>Prohibited All other junctions</p>
---	--

(iii) Access Management

Method	Administered by
Limited Access complemented by Scheme.	Department of Transport initially, complemented by planning authority.

(b) Category II Roads (Arterials)

(i) Function

Road Function	Traffic Function	Category II Roads
Regional roads of State importance and to provide inter-urban links.	Medium distance, linking Strategic Network (Cat. I) with discrete centres.	Illawarra Main Rd (north of Bass Highway), Lake Highway. Mole Creek Main Road Liena Road.

(ii) Access Status

New Access	New Road Junctions
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<p>Permitted (Permit required) For a use or development which is within a General Urban Speed Limit.</p> <p>Discretionary (Permit required) For a use or development where no alternative access is possible.</p>	<p>Permitted (Permit required) when within a General Urban Speed Limit.</p> <p>Discretionary (Permit required) where no alternative access is possible.</p>
---	---

(iii) Access Management

Method	Administered by
Limited Access where appropriate. Otherwise, the Scheme.	Department of Transport, and planning authority.

(c) Category III Roads (Sub-Arterials)

(i) Function

Road Function	Traffic Function	Category III Roads
To provide accessibility to outlying rural areas and/or provide significant intra-urban links.	Medium distance rural and important intra-urban movement.	Westbury Road (Prospect Vale) Birrilee Main Road Meander Valley Highway - (Formerly Bass Highway) Pateena Road

(ii) Access Status

New Access	New Road Junctions
<p>Permitted (Permit required) For a use or development which is within a General Urban Speed Limit.</p> <p>Discretionary (Permit required) For a use or development where no alternative access is possible.</p>	<p>Permitted (Permit required) when within a General Urban Speed Limit.</p> <p>Discretionary (Permit required) where no suitable alternative access is possible.</p>

(iii) Access Management

Method	Administered by
Control exercised through the Scheme.	Planning authority, in conjunction with Department of Transport.

Complementary Limited Access where appropriate.	
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(d) Category IV Roads (Feeders)

(i) Function

Road Function	Traffic Function	Category IV Roads
Collector and distributor roads that link Access Roads (Cat. V) to Arterial and Sub-Arterial Roads (Cats. II & III).	Local traffic.	Bartley Street Hadspen (Meander Valley Highway to Main Road) Bishopsbourne Road Blackstone Road (Pitcher Parade to Panorama Road) Bracknell Lane Bracknell Road Bridgenorth Road Casino Rise Cluan Road Country Club Avenue Dunorlan Road Ecclestone Road Liffey Road Las Vegas Drive Main Street Hadspen (Meander Valley Highway to Bartley Street) Meander Road Mount Leslie Road Osmaston Road Porters Bridge Road Pitcher Parade River Road Railton Road Selbourne Road Union Bridge Road Weegena Road (Dunorlan to Weegena) Westwood Road Willow Lane

(d) Category IV Roads (Feeders) (cont.)

(ii) Access Status

New Access	New Road Junctions
<p>Permitted (Permit required) For a use or development which</p> <p>a) is within a General Urban Speed Limit; or</p> <p>b) not within a General Urban Speed Limit and one access per lot. Where possible access is to be on a common boundary and combined with the access serving the adjacent property.</p> <p>Discretionary (Permit required) For all other accesses.</p>	Permitted

(iii) Access Management

Method	Administered by
Planning scheme. Where possible, access to be via adjacent Access Road (Cat. V).	Planning authority.

(e) Category V Roads (Access)

(i) Function

Road Function	Traffic Function	Category V Roads
Primarily property access.	Local traffic.	All public roads not listed in Categories I-IV.

(ii) Access Status

New Access	New Road Junctions
Permitted	Permitted

(iii) Access Management

Method	Administered by
Planning scheme.	Planning authority.

(7) Setbacks From Roads

- (a) The siting and setback of buildings are specified for each zone.
- (b) New roads shall be designed to ensure that the setback requirements from existing residential buildings can be met. Where this is not possible the road authority must require appropriate attenuation measures to be incorporated into the road design to ensure that the noise level at the facade of any existing residential building shall not exceed more than 63 db(A)L1018hrs.
- (c) The setback from a Future Road zone shall be as specified for the underlying zone.

3.11.4 FUTURE ROAD (RD2) ZONE

(1) Zone Intent

- (a) To identify land required for the construction of future roads as land set aside and reserved for a public purpose;
- (b) To protect the corridor of a future road where the road design has not been undertaken.
- (c) To ensure that a proposed road is not compromised by use or development which may prevent the construction of a road along its chosen route; and
- (d) To enable the planning and development of adjoining lands to proceed in conformity with future roads.

(2) Future Road (RD2) Zone And Road Zone

- (a) A Future Road (RD2) Zone shall identify the zoning that would apply if the land were no longer reserved.
- (b) Land in a Future Road (RD2) zone shall become a Road zone on completion of road works for that part within the road reserve. Land no longer required for road purposes shall be zoned according to the zoning that otherwise applies to the land.

(3) Use or Development In Future Road Zones

- (a) Use or development for a road, including major road works and major road improvements is a permitted (with permit) use or development.
- (b) The undertaking of works, the erection of a temporary building or the temporary use of any land in the Zone is a permitted (with permit) use or development provided the written approval of the road authority is given.
- (c) A permit granted for the temporary use or development of land in a Future Road zone shall be a Temporary Permit issued under this clause and shall be effective for a period not exceeding two (2) years.

- (d) The granting of a permit for the temporary use or development of land does not preclude the granting of further permits.

3.11.5 Deficient Junctions

- (1) A deficient junction is a road junction to a Category I, II or III road outside an area subject to a General Urban Speed Limit that has been identified by a Traffic Impact Assessment as being deficient in terms of sight distance and/or geometry.
- (2) A Permit for a use that will generate a Material Change in the daily traffic volume on a side road to a deficient junction shall not be commenced until the junction has been upgraded to current national "AustRoads" standards and certified accordingly by the relevant road authority.
- (3) Clause 3.11.5(2) does not apply where the daily side road traffic volume, including that generated by the proposed development will be less than 100 vehicle movements.

3.11.6 Traffic Impact Assessments

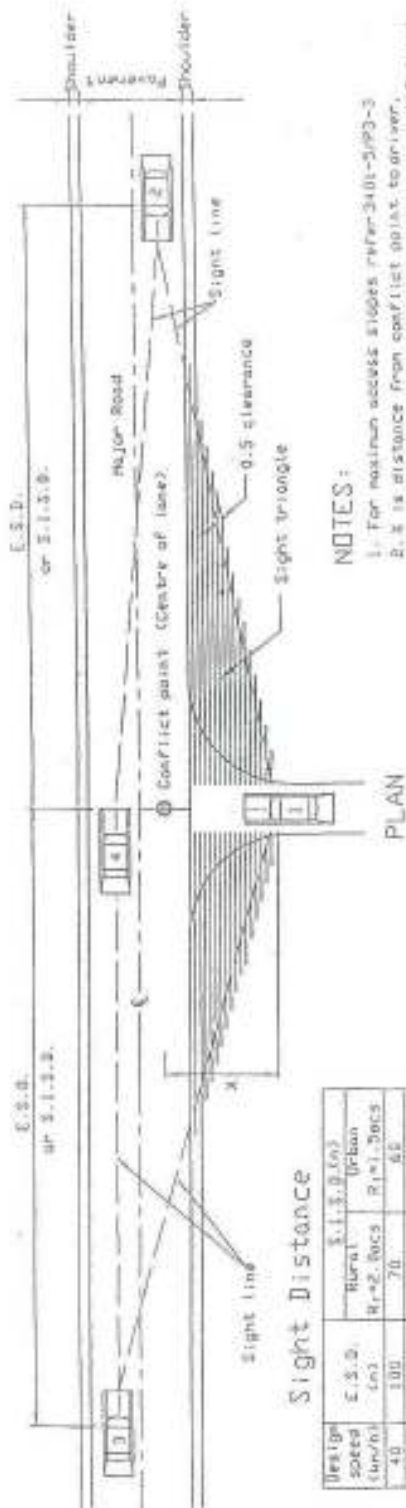
- (1) A Traffic Impact Assessment is a study to ascertain for a proposed use or development:
 - (a) the impact on the road network including whether the road network can accommodate the additional vehicles without decreasing safety standards; and
 - (b) the land use, amenity and environmental implications including whether the traffic would create additional noise and intrusion.
- (2) A Traffic Impact Assessment shall be submitted with all applications involving:
 - (a) A new side road junction, or a direct access, to a Category I, or II road.
 - (b) A use or development with direct access to a Category III, IV or V road that will make a material change to that road.
 - (c) Road Works constituting a Major Road Improvement or Major Road Works.
- (3) The responsibility for producing a Traffic Impact Assessment document lies with the applicant.
- (4) A Traffic Impact Assessment shall be undertaken both for present day conditions and the assessed future situation.
- (5) A Traffic Impact Assessment shall be referred to the road authority together with a copy of the planning application and the relevant Scheme provisions.
- (6) The road authority shall provide a report to Council within 28 days of referral, or such longer period as may be agreed. Council shall consider all recommendations received from the road authority prior to making a decision on the application.

3.11.7 Referrals To The Road Authority

- (1) An application for a permit must be referred to the Road Authority for comment wherever the Scheme requires the approval, agreement, recommendation of, or consultation with, the road authority, together with:
 - (a) a copy of the application; and
 - (b) a report from the planning authority providing details of:
 - (i) the relevant zone;
 - (ii) the permitted and discretionary uses for the subject zone and use category for the intended use of the land;
 - (iii) the sight distance, and speed of traffic passing, the proposed access or accesses;
 - (iv) a locality plan that will enable the land to be identified and inspected;
 - (v) where required by the planning authority, a request for a joint inspection of the land; and
 - (vi) any other matters which the planning authority considers should be addressed by the road authority.
- (2) The Road Authority shall provide a report to the planning authority within 28 days which may include:
 - (a) advice that the Road Authority does not wish to make any representation with respect to the application; or
 - (b) advice on matters which should be considered by the planning authority when making a determination on the application; or
 - (c) conditions which the planning authority should attach to a Permit.
- (3) Within 14 days of making a determination the planning authority shall advise the road authority accordingly and where a Permit has been granted a copy of the Permit is to be forwarded to the road authority.

Attachment 1 - Access - Sight Distances

SIGHT DISTANCES
(2 LANE ROAD ONLY)



Sight Distance

Design speed (km/h)	E.S.D. (m)		E.I.S.D. (m)	
	Rural R _r =2.0a	Urban R _u =1.0a	Rural R _r =2.0a	Urban R _u =1.0a
40	100	70	70	65
50	125	90	90	85
60	160	115	115	105
70	200	140	140	130
80	245	175	175	165
90	300	210	210	200
100	360	250	250	240
110	420	295	295	285
120	500	330	330	320

DEFINITIONS:

- E.S.D. = Entering Sight Distance
Distance required by driver stopped on a minor road to enable entry to a major road such that traffic on the major road is unimpeded. This is to be provided where possible.
- E.I.S.D. = Safe Intersection Sight Distance
Distance required by driver on a major road to observe a vehicle moving from a minor road into a collision situation and to decelerate and stop before reaching conflict point. This is the minimum standard required.
- R_t = Driver reaction time
- Design Speed = A speed fixed for the design and correlation of some geometric features of a carriageway that influence vehicle operation. Design Speed should not be less than the speed at or below which 85% of vehicles travel. (85th Percentile Speed)

NOTES:

- 1. For maximum access slopes refer 3401-5/23-3
- 2. 1/2 distance from conflict point to driver, for National Highway X=7m, for other roads X=5m/minist

SIGHT LINE REQUIREMENTS

- All sight lines (driver to object vehicles) are to be between points 1.2m above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 2.5m to the stop and below, and 2.8m above all sight lines.
- These sight line requirements are to be maintained over the full sight triangles for vehicles at any point between positions 1, 2 and 3 and the access junction.
- A driver at position 1 must have sight lines to see cars at any point between the access and positions 2 and 3.
- A driver at any point between position 3 and the access must have sight lines to see a car at position 4.
- A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

DESIGN SPEED FOR THE DESIGN AND CORRELATION OF SOME GEOMETRIC FEATURES OF A CARRIAGEWAY THAT INFLUENCE VEHICLE OPERATION. DESIGN SPEED SHOULD NOT BE LESS THAN THE SPEED AT OR BELOW WHICH 85% OF VEHICLES TRAVEL. (85th PERCENTILE SPEED)

DEPARTMENT OF TRANSPORT, TASMANIA	
JUNCTIONS AND ACCESSES	
SIGHT DISTANCE STANDARDS	
DATE	3401-5/24-1
DESIGNER	
DRAWING	
REVISED	
APPROVED	
DATE	

LAND USE PLANNING REVIEW PANEL

3.12 UTILITY SERVICES (US) ZONE

3.12.1 Zone Intent

To provide for land to be set aside for utility services.

3.12.2 Zone Policies

- (1) To limit the range of potential land use by specifying the principal purpose for which a particular area is intended to be used by notation on the Plan.
- (2) To protect utilities from encroachment by incompatible use and development.
- (3) To ensure use and development for utility services is carried out in an effective, efficient, safe and environmentally sensitive manner with minimal impact on the environmental quality and amenity of surrounding zones.

3.12.3 Development Requirements and Standards in the Utility Services (US) Zone

(1) Development

- (a) A development shall take into account the requirements of the adjacent zones in respect of density, height, siting and setbacks, open space, pedestrian facilities and landscaping, design and appearance, access and parking, and the relationship to, and amenity of neighbouring buildings.

(2) Subdivision

- (a) Subdivision shall be appropriate to the approved use or development and land required for the use or development shall be amalgamated into a single title.

3.13 SPECIAL (S) ZONE

3.13.1 Zone Intent

To provide for areas with attributes or character that require resolution of zoning or arrangements for development in response to the inherent qualities or constraints.

3.13.2 Zone Policies

- (1) To regulate or prohibit use or development considered likely to compromise future land use options.
- (2) To require a development plan to determine the manner in which land is to be developed.

3.13.3 Zone Requirements

- (1) Unless otherwise determined for areas delineated in clause 3.13.4, use and development shall be in accordance with the Table of Use and Development.

Development for subdivision shall be restricted to Minor Subdivision clause 4.2, and other development standards shall be as determined by Council.

3.13.4 Delineated Areas

(1) Bradford Ave Prospect Vale

Within the area zoned SPECIAL 1 : -

Amendment
1/2004
24/12/2004

- (a) the status of use and development shall be the same as for the RESIDENTIAL R1 zone;
- (b) use and development shall be in accordance with a Development Plan approved by Council pursuant to clause 4.13.1;
- (c) the Final Plans for subdivision of a residential lot (or lots) shall not be sealed until -
 - (i) the Department of Primary Industry Water & Environment has identified any land in the zone considered to be potentially contaminated and has approved a plan of remediation works; and
 - (ii) the required remediation works have been completed to the satisfaction of, and approved by the Department;
- (d) Notwithstanding clause 4.7.1 a permit may apply to any land identified under (c) (i) above.

(2) Deloraine

Land bounded by West Church, Beefeater and West Barrack Streets and Bass Highway, Deloraine shall have the same use and development status as for Residential (R1) zoning. Development shall be according to a development plan approved by Council prepared for the entire area, showing the layout of lots and integration of drainage including stormwater management devices and arrangements for services.

Amendment
1/2008
15/12/2008

(3) DELETED

PART FOUR – GENERAL PROVISIONS

The following development requirements and standards shall apply unless otherwise stated elsewhere in the Scheme.

4.1 SULLAGE & SEWAGE DISPOSAL RESTRICTION ON USE AND DEVELOPMENT IN UNSEWERED AREAS

- 4.1.1 A development for subdivision shall be prohibited if each lot is not suitable for the legal disposal of sullage and sewage within its proposed boundaries.
- 4.1.2 A use shall be prohibited if the subject land is not suitable for the legal disposal of sullage and sewage within its boundaries.
- 4.1.3 Boundaries referred to in clauses 4.1.1 and 4.1.2 may include an easement on the title for the purpose of household sewage and sullage disposal.

4.2 BOUNDARY RELOCATION AND REORGANISATION OF TITLES

- 4.2.1 Minor boundary relocation in any zone is a Permitted (with permit) development provided:
- (a) no additional title is created; and
 - (b) there is no substantive change in the size or shape of existing blocks; and
 - (c) such minor boundary relocation is consistent with the intent and requirements for the zone, and any other relevant provisions of the Scheme, other than minimum lot size.
 - (d) Notwithstanding 4.2.1(a), (b) and (c) above, minor boundary relocation in the Rural Zone is subject the provisions of Section 3.6.
- 4.2.2 Reorganisation of titles in any zone is a Discretionary development provided:
- (a) no additional title is created; and
 - (b) such reorganisation of titles is consistent with the intent and requirements for the zone, and any other relevant provisions of the Scheme, other than minimum lot size.
 - (c) Notwithstanding 4.2.2(a) and (b) above, reorganisation of titles in the Rural Zone is subject to the provisions of Section 3.6.

4.3 MINOR SUBDIVISION

- 4.3.1 Subdivision for the following purposes is a Permitted (with permit) development:-
- (a) use and development for Utility Services (Minor) or Utility Services (Major); or
 - (b) to provide for public access, public open space or other reserve; or
- 4.3.2 Amalgamation of titles is permitted (with permit) provided no additional title is created and that such amalgamation is consistent with the intent and standards for the zone other than minimum lot size.

4.4 PROBABLE FLOOD AREAS

- 4.4.1 Land subject to a one in a 100 year (1% probability) flood interval or where shown on the Plans as a probable flood area, shall be deemed land subject to flood hazard.
- 4.4.2 Where a permit is required, it shall not be granted for use or development on land deemed to be land subject to flood hazard unless Council is satisfied that:

- (a) The use or development would not unduly restrict the free flow of a watercourse in flood or result in higher flood levels or accelerated water flow; and
- (b) The occupancy of buildings will not put occupants at risk.

4.4.3 In considering a permit for the use or development of land subject to flood hazard Council shall have regard to the following:

- (a) The materials and construction methods for the proposed development.
- (b) The storage of materials and location of electrical equipment in the design of building.
- (c) Pollution which may result from the escape of fuel or other hazardous materials.
- (d) Whether the building can withstand the force of flowing flood waters, including debris and buoyancy forces.

4.5 WATERCOURSE PROTECTION

4.5.1 For the purposes of controlling erosion and pollution and for the protection of water quality, hydrology, botanical, zoological, landscape values and natural drainage functions of streams, rivers and wetlands, Council in assessing an application for a Permit affecting a watercourse shall have regard to the need to:

- (a) require an appropriate setback;
- (b) control erosion and to prevent siltation;
- (c) avoid unnecessary removal of vegetation;
- (d) protect bank stability; and
- (e) minimise adverse changes in the hydrology regime.

4.6 UNSTABLE LAND

4.6.1 Council shall not grant a permit for the use or development of land which is of known or suspected instability, has a slope greater than 25%, or is a filled or reclaimed area, unless it is satisfied that:

- (a) the use or development will not cause further soil erosion, landslip or subsidence;
- (b) the use or development will not cause danger to people or property; and

- 4.6.2 Council may require the applicant to obtain a report from a recognised engineering geologist or relevant authority as to the suitability of the land for the proposed use or development.

4.7 CONTAMINATED LAND

- 4.7.1 Council shall not grant a permit for the use or development of land which is known or is suspected to be contaminated, unless it is satisfied that
- (a) the use or development will not be detrimentally affected by the contamination;
 - (b) there is no danger to users or the general public by the use or development of the contaminated land; or
 - (c) there has been decontamination of the land to the satisfaction of Council.
- 4.7.2 Council may require the applicant to obtain a report from a suitably qualified person or relevant authority as to the suitability of the land for the proposed use or development.

4.8 LAND SUBJECT TO BUSH FIRE HAZARD

- 4.8.1 Notwithstanding the provisions of clause 2.5.1 in an area advised by the Tasmania Fire Service to be an area of bushfire hazard, the granting of a permit shall be discretionary and subject to clause 2.6.1 .

4.9 SCENIC PROTECTION AREA

- 4.9.1 Council shall ensure areas of visual prominence or high landscape value are protected from scarring. Use or development for land shown on the Plan as Scenic Protection Area shall require a permit granted at Council's discretion subject to Clause 2.6.1. A permit shall not be granted for the use or development of any land which Council considers to have visual prominence or high landscape value or which lies wholly or partly within the areas shown on the Plan as Scenic Protection, unless any buildings are carefully designed and sited so as to blend with the landscape and works do not cause scarring.
- 4.9.2 A permit for a use or development in a Scenic Protection Area may include conditions for the:
- (a) provision of screening by the retention of existing trees, or the planting of trees in accordance with a landscape plan approved by Council;
 - (b) design, height, materials, colour, siting and orientation of any buildings and/or works.
- 4.9.3 Before granting a permit for a use or development wholly or partly within a Scenic Protection Area, Council shall obtain the written advice of either:

- (a) a town planner who is eligible for corporate membership of the Royal Australian Planning Institute; or
- (b) a landscape architect who is eligible for membership of the Institute of Landscape Architects.

4.10 KARST AREAS

- 4.10.1 Use and development in the Karst area shown on the Plan is subject to clauses 4.10.2 - 4.10.3.
- 4.10.2 Karst has an importance and influence on the landscape and use and development shall not adversely affect the sensitivity of the area.
- 4.10.3 A use or development in the karst area shall be prohibited if that use or development is likely to:
 - (a) induce unacceptable levels of soil erosion and subsequent sedimentation within the Karst system;
 - (b) adversely alter the hydrology of the Karst system, or may potentially lead to ground surface instability;
 - (c) pollute surface and sub surface waterways;
 - (d) adversely affect land stability or create a safety hazard.

4.11 VEGETATION AND TREE REMOVAL PROTECTION

- 4.11.1 The clearing of land or destruction of any trees or natural understorey in any zone shall require a permit granted at Council's discretion and subject to clause 2.6.1.
- 4.11.2 A permit is not required for the purpose of:
 - (a) any soil conservation or reclamation works including approved Landcare activities;
 - (b) tree removal for maintenance purposes by Council or public authorities;
 - (c) reduction of hazard including fire;
 - (d) providing clear access for vehicles along existing or approved access tracks;
 - (e) building construction or maintenance provided that the tree is within 10 metres of a building;
 - (f) the removal of any dead or diseased trees, or branches, pruning and the general maintenance of a garden;

- (g) general requirements:-
 - (i) improvements to existing pasture or cropping land; or
 - (ii) for fence posts, firewood, construction requirements and clearing associated with maintaining property where previously cleared;
- (h) the removal of trees required to facilitate a use or development that has been granted a permit by Council;
- (i) tree removal associated with implementing a Whole Farm Plan;
- (j) forest practices within a Private Timber Reserve.

4.11.3 Where timber harvesting has been completed under a Timber Harvesting Plan, the further clearing or harvesting of vegetation required to be retained under that plan for the purpose of streamside reserves, protection of rare and endangered species, karst or steep slope is prohibited unless such clearing or harvesting is approved under a subsequent Timber Harvesting Plan.

4.11.4 Before granting a permit under clause 4.11.1 Council shall take into account:

- (a) the quality and extent of vegetation to be removed;
- (b) the proposed means of removal;
- (c) the potential for soil erosion, instability, land slip or salinization;
- (d) the need for livestock shelter and shade;
- (e) the protection of watercourses;
- (f) the amenity value, and visual significance in hilltop and mountain areas and retention of vegetation along roads;
- (g) the availability of vegetation corridors to facilitate the movement of native animals from one uncleared area to another;
- (h) the protection of wildlife habitats, particularly wetlands;
- (i) the retention of plant species diversity or the presence of rare or endangered plant species and associations;
- (j) remnant value of vegetation associations characteristic of a district or region prior to clearing for agriculture;
- (k) association with sites of special scientific, or cultural significance; and
- (l) the Forest Practices Code

- 4.12.1 Development, use or activity shall only be granted a permit:
- (a) at a place where its emissions are not likely to cause environmental harm or environmental nuisance; or
 - (b) in any place where environmental harm, is not being, or likely to be caused.
- 4.12.2 An Attenuation Distance shown on the Plan defines an area where a use or development may be adversely affected by pollution or nuisance. A proposed use or development that may be sensitive to emissions, shall only be granted a permit if a site assessment acceptable to the Council shows that topographic or other factors reduce or can be modified to reduce adverse affects to a tolerable level.

4.13 DEVELOPMENT PLAN

- 4.13.1 Where a proposed use or development either:
- (a) complies with the provisions of the Scheme but is considered by Council to be of such size or significance in terms of its consequences for 'sustainable development'; or
 - (b) can only be achieved through an amendment to the Scheme; or
 - (c) is required by the Scheme;

Council shall require the submission of a Development Plan that has regard to, and where relevant incorporates the matters identified in clause 2.10.

- 4.13.2 A Development Plan may be required to include the following:
- (a) An assessment of the capability of the land proposed to be used for the development, and the constraints and opportunities for sustainable development.
 - (b) An assessment of the infrastructure provision in the locality in terms of its capacity to meet the demands of the proposed development including:
 - (i) local and regional road access;
 - (ii) other transport services;
 - (iii) water supply;
 - (iv) waste water disposal;
 - (v) open space provision;
 - (vi) solid waste disposal;
 - (vii) commercial and community facilities;
 - (viii) education and health facilities.
 - (c) A detailed description of the proposal including:
 - (i) proposed use(s) of the land;
 - (ii) layouts proposed for roads, footpaths, walking tracks, cycle tracks and other public ways;
 - (iii) plan of subdivision;

- (iv) building development standards (including energy conservation measures);
- (v) measures proposed to be used to protect landscape and cultural values and the visual amenity of the site and the locality;
- (vi) areas to be set aside for conservation and land management together with a description of how the land is to be managed;
- (vii) measures proposed for the rehabilitation, protection and management of water courses and wetlands;
- (viii) measures proposed for both solid and liquid waste management;
- (ix) measures proposed for the protection of fragile landforms such as sand dunes, wetlands, areas of high erodability.

The development plan shall also indicate the responsibilities for achieving particular aspects of the proposed development.

PART FIVE - CAR PARKING

5.1 NUMBER OF PARKING SPACES REQUIRED

- 5.1.1 The minimum number of parking spaces to be provided for a use or development is specified in Table 5.2 and the location and minimum width for accesses shall be in accordance with this Part.
- 5.1.2 Subject to clause 2.6.1 Council may waive, relax or modify a provision of this Part, if particular circumstances warrant.
- 5.1.3 For a use or development not listed in Table 5.2, the minimum number of parking spaces shall be determined by Council.
- 5.1.4 Except as provided under clause 5.1.5 where the use or development is for more than one use of land, the minimum number of parking spaces to be provided on the subject land shall not be less than the sum of the requirements for each use.
- 5.1.5 Where the use or development is for more than one use of land, but the separate uses operate at different times of day, the minimum number of parking spaces to be provided on the subject land shall be not less than the use requiring the greater number of spaces.
- 5.1.6 Where an application for a permit involves a change in use the additional parking requirements shall be the difference in requirements for the proposed use and the existing number of car parking spaces on the land.

5.2 CAR PARKING TABLE

Use of Land	Minimum Number of Car Parking Spaces to be provided
Consulting Rooms/ Health Centre	1 space per 30 m ² plus 1 space per staff member
Educational/Cultural Establishment	8 car spaces per person employed at the establishment
Holiday Unit/Cabin	1 space per dwelling unit <u>plus</u> 2 spaces for each 3 persons employed on the site
Home Occupation	2 spaces
Hospital	1 space per 4 beds available to patients plus 4 spaces per 100 m ² of administration area
Residential Building	1 space per 5 persons <u>plus</u> 1 space per staff member
House	2 spaces (may be tandem)

Industry	1 space per 100 m ² of floor area, or 2 spaces per 3 persons employed on the premises, whichever is the greater; <u>and</u> 1 space per 25 m ² used for office(s)
Licensed Establishment	1 space per 3 m ² of bar floor area available to the public, <u>plus</u> 1 space per 6 m ² of lounge and beer garden floor area available to the public, <u>plus</u> 8 spaces for drive-in bottle shop, <u>plus</u> 1 space per 6 seats available in the dining room; <u>plus</u> 1 space per 2 suites/bedrooms
Motel	1 space per suite/bedroom (<u>plus</u> requirement for Licensed Establishment as applicable)
Multi-Unit Dwelling	
Up to 2 Bedrooms	1.5 spaces per Unit
Three or More Bedrooms	2.0 spaces per Unit
Access on a cul-de-sac or from Carriageway less than 7 m wide	2.0 spaces per Unit
Office	1 space per 40 m ² of floor area
Place of Assembly	1 space per 15m ² of main hall or 1 space per 5 seats, whichever is greater
Restaurant	7 spaces per 100 m ² net floor area
Service Station	2 Spaces per 100 m ² net floor area, or 10 spaces, whichever the greater; <u>plus</u> 1 space per 20 m ² net floor area used for motor vehicle repair
Shop Local	5 spaces per 100 m ² of net floor area
Shopping Complex	5.5 spaces per 100 m ² of gross lettable floor area
Take Away Food Shop	1 space per 15 m ² of floor space available to the public

5.3 PARKING SPACE REQUIREMENTS

5.3.1 For a use or development:

- (1) The minimum dimension of a parking space shall be 5.5 metres x 2.6 metres.
- (2) Vehicles of a size normally associated with the use of the land shall be able to enter the land from a road and subsequently regain access to a road, whilst moving in a forward direction:
 - (a) for a residential use that requires four or more parking spaces or;
 - (b) any other use of land that requires three or more parking spaces.
- (3) Satisfactory provision shall be made for the ingress and egress of vehicles to each parking space, and for the manoeuvring and turning of vehicles.
- (4) Council may require provision for the on-site loading, unloading and manoeuvring of service vehicles.
- (5) Parking of vehicles between the building line and the street shall only be permitted with the approval of Council.
- (6) All car parks shall be constructed to the standards required by Council's Engineer.
- (7) A parking area shall not be located directly on a road frontage and a suitable buffer screen shall be provided.
- (8) Provision shall be made where required for parking for disabled persons in accordance with A.S. 1428.

- (9) Unless otherwise specified, the layout and minimum dimensions of parking spaces and circulation areas shall be in accordance with the relevant Australian Standard.

5.4 VEHICULAR ACCESS REQUIREMENTS

- 5.4.1 Unless specified otherwise in the Scheme, the minimum width of a vehicular access point to a road shall be:

No. of Parking Spaces to be Provided	Minimum Width of Vehicular Access Point to a Road
1 to 4	3.0 metres
5 to 20	5.0 metres or 2 x 3.0 metres
21 and over	6.0 metres or 2 x 3.0 metres

- 5.4.2 Unless specified otherwise in the Scheme or at Council's discretion in special circumstances a vehicular access point to a road shall be:

- (a) located not closer than 6 metres from an intersection, or within 6 metres of a break in a median strip;
- (b) located so that vehicles entering or leaving the land are clearly visible to traffic on the road, and vice versa; and
- (c) where the land has frontage with more than one road, located on the road with the lowest traffic volume.

- 5.4.3 In a Rural (RU) or Residential Low Density (R2) zone, vehicle access from the road pavement to the property boundary to serve a dwelling, shall be by a formed all weather driveway and such driveway shall:

- (a) have adequate shoulders and stormwater drainage; and
- (b) be designed to relate to the natural topography and drainage pattern.

5.5 CASH IN LIEU

- 5.5.1 Council may at its discretion require or accept a cash payment in lieu of the provision of part or all of the required car parking spaces. The cost of each space shall be determined by the market value of land in the vicinity plus the cost for the development of an equivalent number of parking spaces.

PART SIX - SIGNS

6.1 SIGNAGE REQUIREMENTS

- 6.1.1 The use or development for a sign is subject to the provisions of this Part.
- 6.1.2 Notwithstanding any provision relating to Permitted (no permit required) use or development the provisions of this Part apply.
- 6.1.3 Unless approved as part of a single use or development under clause 2.3.3, or is an exempt sign under clause 6.3, a sign shall not be displayed without a permit granted at Council's discretion and subject to the provisions of clause 2.6.1 .
- 6.1.4 All signs shall be kept in good order and shall be constructed, fixed or maintained to the satisfaction of Council.
- 6.1.5 Council may impose a time limit on the period for which a sign may be displayed. In all cases a time limit of five years applies to any sign not related to the subject site unless the sign is otherwise exempted by this Part. Council may grant an extension of time for a permit subject to a time limit not exceeding 5 years.
- 6.1.6 A sign granted a permit subject to a time limit under clause 6.1.5 shall be removed to the satisfaction of Council on expiry of the time limit.

6.2 Safety and Amenity

- 6.2.1 A sign shall not:-
- (a) create a traffic hazard and/or resemble the flashing light(s) of a police, fire service, ambulance, or other emergency service vehicle;
 - (b) create a loss of sunlight and/or daylight within any dwelling unit;
 - (c) for any area, adversely affect visual amenity or create a nuisance in terms of its:
 - (i) size;
 - (ii) colour;
 - (iii) movement;
 - (iv) illumination;
 - (v) position;
 - (vi) shape; or
 - (vii) standard of design or construction.
 - (d) diminish in any way the visibility or effectiveness of any information, direction, safety, warning, traffic control or other like sign of Council or a statutory authority;
- 6.2.2 A sign other than an exempt sign shall not be displayed on land used or developed principally for residential purposes except for the purposes of a home occupation or domestic business.
- 6.2.3 A sign within Residential zones shall not be illuminated.

- 6.2.4 In the Rural and Road zones, a sign proposed or erected on land unrelated to the activity conducted on the subject land or remote from the premises to which it refers shall be prohibited.

6.3 Exempt Signs

- 6.3.1 The following signs are exempt from the requirement for a permit.

(1) **Regulatory Sign**

A sign relating to safe and effective use of a road, railway, waterway or airway if erected at the direction of a public authority.

(2) **Directional Sign**

A sign to assist navigation to a destination if erected at the direction of a public authority.

(3) **Temporary Event Sign**

A sign not exceeding 5m² including advertising for local, educational, cultural, religious, social or recreational functions or events erected for a period not exceeding thirty (30) days.

(4) **Real Estate Sign**

A sign within the following categories placed upon the relevant property for a period not exceeding sixty (60) days:

- (a) A sign indicating that a property is FOR SALE having a size not greater than 1.5 metres x 1.0 metres.
- (b) A sign indicating that a property is TO LET having a size not greater than 1.5 metres x 1.0 metres.
- (c) A sign indicating that a property is FOR AUCTION having a size not greater than 2.5 metres x 2.0 metres.
- (d) A sign fixed on private property indicating the direction to the property in categories (a), (b) and (c) having a size not greater than 1.5 metres x 1.0 metres.

(5) **Election Sign**

An election poster having an area not greater than 1.0m² being displayed for the period only between the issuing of a writ for an election and fourteen (14) days after the election.

(6) **Internal Sign**

A sign inside a building that cannot be seen from outside the building.

(7) **Construction Sign**

A sign not exceeding 2m² indicating the construction works taking place on the subject site provided it is removed at the completion of the work.

6.4 Signs Standards

6.4.1 To enhance amenity and to provide for equity and uniformity, Council may adopt standards for the design, dimensions and shape of signs.

PART SEVEN - ITEMS OF CULTURAL SIGNIFICANCE

7.1 STATEMENT OF CONSERVATION INTENT

7.1.1 The conservation intent is to retain the cultural significance of a place.

7.2 PLACES OF CULTURAL SIGNIFICANCE

7.2.1 All places of cultural significance that are on the Register of the National Trust of Australia (Tasmania), or Register of the National Estate are listed places and subject to the provisions of this Part.

7.2.2 Notwithstanding the provisions of clauses 2.3.2 2.4, 2.5, and 2.7, a use or development of a listed place shall not be undertaken without a permit granted at Council's discretion and subject to clause 2.6.1. A permit shall only be issued if the use or development is to preserve, restore, reconstruct or adapt the place.

7.2.3 A Permit is required for the following development on all listed places:

- (a) demolition for the purpose of preserving, restoring, reconstructing or adapting the place;
- (b) painting of any previously unpainted exterior fabric;
- (c) painting or otherwise permanent blanking out of any external window;
- (d) sandblasting by dry or wet grit, or cleaning by chemical products of any exterior fabric including the removal by whatever method of any applied coating;
- (e) the cladding of any exterior fabric of a building;

- (f) the extension or addition to a building or the development of a new building; and
- (g) internal alteration to a building where a building approval is required.

7.2.4 (1) Where Council considers a proposed use or development may affect a listed place it shall require the applicant to submit an assessment of the significance of the use or development of the place, including the:

- (a) level of impact; and
- (b) procedures to be carried out to mitigate adverse impacts.

(2) As the circumstances require an assessment under clause 7.2.4(1) shall:

- (a) for standing structures be in accordance with the principles of the Australian ICOMOS (Burra) Charter for the Conservation of Places of Cultural Significance; and
- (b) for sub-surface remains, include an archaeological predictive study to recover historic evidence;

7.2.5 Before considering an application for a permit affecting any listed place, Council shall obtain the written recommendation of:-

- (a) a town planner who is eligible for Corporate membership of the Royal Australian Planning Institute; or
- (b) the National Trust of Australia (Tasmania)

7.2.6 Should Council grant a permit contrary to the recommendation provided to it under clause 7.2.5 it shall record its reason for doing so.

7.3 ABORIGINAL CULTURAL HERITAGE

7.3.1 Where Council considers a use or development may affect a place of Aboriginal Cultural Heritage it shall require the preparation of an aboriginal site survey.

7.3.2 A permit may be granted at Council's discretion and subject to clause 2.6.1 for use or development involving a place of Aboriginal Culture Heritage. Council may relax any standard specified in the Scheme in respect to a place of Aboriginal Cultural Heritage.

7.3.3 Use or development shall not impact on a place of Aboriginal Cultural Heritage without a permit granted by the Minister under the *Aboriginal Relics Act 1975*.

7.4 DEFINITIONS

7.4.1 Within this Part the following definitions from the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter) have these meanings:

Adaptation

means modifying a place to suit proposed compatible uses.

Compatible Use

means a use which involves no change to the culturally significant fabric, changes which are substantially reversible, or changes which require a minimal impact.

Conservation

means all the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may according to circumstance include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

Cultural Significance

means aesthetic, historic, scientific or social value for past, present or future generations.

Fabric

means all the physical material of the place.

Maintenance

means the continuous protective care of the fabric, contents and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction and it should be treated accordingly.

Place

means site, area, building or other work, group of buildings or other works together with associated contents and surroundings.

Preservation

means maintaining the fabric of a place in its existing state and retarding deterioration.

Reconstruction

means returning a place as nearly as possible to a known earlier state and is distinguished by the introduction of materials (new or old) into the fabric.

Restoration

means returning the EXISTING fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

PART EIGHT - STATUS OF USE AND DEVELOPMENT

8.1 USE AND DEVELOPMENT

8.1.1 Legend to Table of Use and Development.

Use and development classifications:

P1 means permitted (no permit required) use or development in accordance with clause 2.4;

- P means permitted (with permit) use or development in accordance with clause 2.5;
 D means discretionary (with permit) use or development;
 X means prohibited use or development.

Zones

- (1) Residential Zone (R1).
- (2) Residential Low Density Zone (R2).
- (3) Business Zone (B).
- (4) Village Zone (V).
- (5) Industrial Zone (IN).
- (6) Rural Zone (RU1).
- (7) Rural B Zone (RU2).
- (8) Community Purposes Zone (CP).
- (9) Tourist Facilities Zone (TF).
- (10) Open Space Zone (OS).
- (11) Road Zone (RD1).
- (12) Future Road Zone (RD2).
- (13) Special Zone (S).
- (14) Utility Services Zone (US).

8.1.2 Table of Use and Development

	R1	R2	B	V	IN	RU1(1)	RU2	CP	TF	OS	RD1(2)	RD2(2)	S	US
RESIDENTIAL														
Ancillary Apartment House	P	P	D	P	X	P(4)	P	X	X	X			X	X
Home Occupation	P1	P1	P1	P1	P1	P(4)	P1	P1	P1	X			P1	X
Domestic Business	D	D	X	X	X	D	X	X	X	X			X	X
Residential Building	D	X	D	D	X	X	X	P	X	X			X	X
Residential Complex	P	X	X	P	X	X	X	P	P	X			X	X
Multi-Unit Dwelling	P	X	D	D	X	X	X	X	X	X			X	X
BUSINESS														
Amusement Machine Centre	X	X	P	X	X	X	X	X	P	X			X	X
Art or Craft Studio or Workshop	D	D	P	P	X	D	D	P	P	X			X	X
Bed and Breakfast Establishment	D	D	P	P	X	D(4)	X	X	P	X			X	X
Bulk Goods Retailing	X	X	P	D	D	D	D	X	X	X			X	X
Car Park	X	X	P	D	X	X	X	X	X	X			X	X
Take-Away Food Shop	X	X	P	D	X	X	X	D	D	D			X	X
Freight Transport Depot	X	X	D	D	P	D	D	X	X	X			X	P
Garden Centre	X	D	P	X	D	D	D	X	X	X			X	X
Holiday Unit/Holiday Cabin	D	X	X	D	X	X	X	X	P	X			X	X
Licensed Establishment	X	X	P	D	X	D	X	X	P	D			X	X
Market	X	X	X	D	D	D	X	X	P	D			X	X
Motel	X	X	P	D	X	X	X	X	P	X			X	X
Office	X	X	P	P	D	X	X	D	X	X			X	X
Passenger Transport Facility	X	X	P	P	X	X	X	P	D	X			X	X
Restaurant	X	X	P	P	X	D	X	X	P	D			X	X
Road Side Stall	D	D	X	D	X	D	X	D	X	D			X	X
Service Station	X	X	P	D	P	D	X	X	X	X			X	X
Shop Local	D	X	P	P	P	X	X	X	D	D			X	X
Shop	X	X	P	P	D	X	X	X	X	X			X	X
Shopping Complex	X	X	P	X	X	X	X	X	X	X			X	X
Storage Facility	X	X	D	D	P	D	X	X	X	X			X	P
Tourist Operation	X	X	X	D	X	D	X	X	P	D			X	X

Vehicle Sales	X	X	P	D	D	X	X	X	X	X			X	X
Veterinary Establishment	X	X	P	P	X	D	X	X	X	X			X	X
INDUSTRIAL														
Contractors Depot	X	X	D	D	D	D	D	X	X	X			X	X
Industry Low Impact	X	D	P	D	P	D	D	X	D	X			X	D
Industry Medium Impact	X	X	D	X	P	D	X	X	X	X			X	D
Industry High Impact	X	X	X	X	X	D	X	X	X	X			X	X
FARMING AND FORESTRY														
Agriculture	X	D	X	D	X	P	P	X	X	P			X	P
Animal Keeping	D	D	X	X	X	P	D	X	P	X			X	X
Animal Saleyard/ Animal Stockyard	X	X	X	X	D	P	X	X	X	X			X	X
Forestry	X	X	X	X	X	P	P	X	X	D			X	P
Intensive Animal Husbandry	X	X	X	X	X	D	X	X	X	X			X	X
	R1	R2	B	V	IN	RU1(1)	RU2	CP	TF	OS	RD1(2)	RD2(2)	S	US
	R1	R2	B	V	IN	RU1(1)	RU2	CP	TF	OS	RD1(2)	RD2(2)	S	US
COMMUNITY AND RECREATION														
Camping Ground / Caravan Park	X	D	X	D	X	D	X	X	P	D			X	X
Consulting Rooms / Health Centre	D	X	P	P	X	X	X	P	X	X			X	X
Educational / Cultural Establishment	D	D	P	P	X	D	X	P	P	D			X	X
Hospital	X	X	X	X	X	X	X	P	X	X			X	X
Motor Sport Facility	X	X	X	X	X	D	X	X	D	X			X	X
Place of Assembly	D	D	P	P	X	D	X	P	D	D			X	X
Recreation Active	D	D	X	D	X	D	D	P	P	D			D	X
Recreation Passive	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1			P1	P1
Welfare Building	D	X	X	P	X	X	X	P	X	X			X	X
OTHER														
Miscellaneous Road (2)	X	X	D	D	D	D	D	D	D	X			X	D
Sign (3)														
Utility Services (Major)	X	X	D	X	D	D	D	D	D	D			X	P
Utility Services (Minor)	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1			P1	P1
	R1	R2	B	V	IN	RU1(1)	RU2	CP	TF	OS	RD1(2)	RD2(2)	S	US

(1) Access to a Category I Road and Illawarra Main Road (north of Bass Highway) shall be prohibited for all use and development except:

- Agriculture
- Forestry
- Home Occupation
- Recreation Passive
- Utility Services (major)
- Utility Services (minor)

(2) see clause 3.11

(3) see Part 6.

(4) see clause 3.6 Rural (RU1) Zone

(5) Industry Medium Impact on the area of land shown in dark outline on the Plan, contained in CT17076/1 is PROHIBITED. (Amendment 2/2010 – 28th August 2010)

* *Amendment 2/98 altered House in the R1 and R2 zones from a P use to a P1 use effective from 6/11/98*

8.2 DEFINITIONS

8.2.1 Unless inconsistent with the context or subject matter the definitions mean land or buildings used or developed for:

Agriculture

the following purposes:

- (a) propagate, cultivate or harvest plants;
- (b) keep, breed, board or train animals; or
- (c) propagate, cultivate, rear or harvest living resources of the sea or inland waters,

but does not include any other farming or forestry operations defined elsewhere in this Part.

Amusement Machine Centre

a building that contains three or more coin, token or card operated machines, or other devices for amusement or gain.

Ancillary Apartment

an additional dwelling that is appurtenant to a house, provided that the floor area of the additional dwelling is not greater than 80m² , or 50% of the floor area of the house, whichever is the lesser.

Animal Keeping

the breeding, boarding or keeping of 3 or more predominantly domestic animals over the age of 3 months, including the use of premises for a cattery, kennel or stable but does not include intensive animal husbandry or the keeping of working farm dogs on the same land as a farm operation.

Animal Stockyard/Animal Saleyard

the holding of animals pending sale or for the purpose of a market for the sale of animals, but does not include the breeding or long-term growing or fattening of animals.

Art or Craft Studio or Workshop

an arts or crafts studio or workshop where the siting and operation of the activity does not exceed that of a Low Impact Industrial Activity and may include the exhibition or sale of products produced at the site.

Bed and Breakfast Establishment:

a building providing overnight accommodation with breakfast, on a private or communal basis, including a boarding house, lodging and other premises such as "back-packers" accommodation but does not include a motel or licensed establishment.

Bulk Goods Retailing

the sale of goods or materials that are of such size, shape or weight as to require:

- (a) a large area for handling, storage or display; or
- (b) direct vehicular access to the site by members of the public, for the purpose of loading goods or materials into their vehicles after purchase.

Caravan Park/Camping Ground

the temporary accommodation of people using caravans, campervans, tents, cabins and the like, including ancillary facilities which cater for the occupants of the Caravan Park/Camping Ground and manager's office and residence.

Car Park

the parking of motor vehicles as a public or private car park, but does not include part of any road used for parking, a Transport Depot or a Saleyard.

Consulting Rooms/Health Centre

the provision of health care services or medical treatment of out-patients including diagnosis, preventative care or counselling, but does not include a Hospital or Veterinary Establishment.

Contractors Depot

the storage of any equipment and/or materials used in the building, construction or related industries, including the lease or hiring out such equipment.

Domestic Business

a Home Occupation except that:

- (a) the use may involve the full time employment on the premises of one non-resident and/or
- (b) the total floor area for the business does not exceed 60m² .

Educational/Cultural Establishment

a preschool, nursery, child day care centre, creche, kindergarten, primary or secondary school, tertiary education institution, library, art gallery or museum but does not include a retail establishment for art, craft or sculpture.

Forestry

establishing, managing or harvesting of trees.

Freight Transport Depot

the bulk handling and the storage of goods or materials in transit including the parking, servicing or repair on site of vehicles used to transport the goods or materials.

Garden Centre

the cultivation and wholesale or retail sale of plants, trees or shrubs, and other garden supplies.

Holiday Unit/Holiday Cabin

a dwelling providing temporary accommodation;

Domestic Business

a Home Occupation except that:

- (a) the use may involve the full time employment on the premises of one non-resident and/or
- (b) the total floor area for the business does not exceed 60m² .

Home Occupation

a non-domestic operation associated with a dwelling, provided such operation has no greater impact on the amenity of the neighbourhood than could be reasonably expected were the land to be used solely for a dwelling, but does not include any non domestic operation which at any time involves:

- (a) the assistance of any person who is not a resident of the dwelling unit;
- (b) the use of more than 30m² of floor area;
- (c) the use of motive power, except for any electric motor supplied from a general purpose outlet;
- (d) the use of a commercial oven or boiler;
- (e) the enlargement of or extension to any public utility service to the land;
- (f) the visibility from adjacent land of materials, equipment or articles used or produced on the land, except during their actual transfer to or from the land;
- (g) the advertising in any place or way of the sale of goods or services from the land, except for the display on the land of one only non-illuminated sign not greater than 0.2m².
- (h) the advertising of the activity by any way or means which is not commensurate with the scale of an activity which is intended to be subservient to the principal use of the land as a dwelling unit;
- (i) the unsightly appearance of the land, or noise, air or other pollution, electrical interference or waste product emanating therefrom;

- (j) the use of the land by more than one commercial vehicle;
- (k) the refuelling, servicing or repair of any motor vehicle on the land;
- (l) visits to or trips from the land by any vehicle which requires other than a Class c licence to drive;
- (m) more than the occasional caller;
- (n) the generation of any traffic or on-street parking problem.

Hospital

the medical care including diagnosis, preventative care and counselling of in-patients, whether or not out-patients are also provided with care or treatment, and may include associated residential accommodation.

House

a dwelling on its own lot including any outbuilding(s) ordinarily appurtenant thereto.

Industry High Impact

An industry which may cause in the surrounding area significant adverse impact on the environmental quality as a result of routine operations (including traffic), or from foreseeable but unplanned events; and / or serious environmental harm from foreseeable but unplanned events.

Industry Medium Impact

An industry which may cause at the boundary of the property significant adverse impact on the environmental quality as a result of routine operations (including traffic), or from foreseeable but unplanned events; and / or environmental nuisance or material environmental harm from foreseeable but unplanned events.

Industry Low Impact

An industry which at the boundary of the property has no significant adverse impact on the environmental quality as a result of routine operations (including traffic), or from foreseeable but unplanned events; and/or has no material or serious environmental harm or environmental nuisance from foreseeable but unplanned events

Intensive Animal Husbandry

any form of production where animals are either reared in confined areas or within the confines of a building or buildings, or where feeding is undertaken primarily by hand or by machinery, excluding any husbandry carried out for the personal enjoyment of, or consumption by, the owner (s) or occupier (s) of the land.

Licensed Establishment:

any premises in respect of which a General Licence has been issued in accordance with the relevant liquor licensing laws including Hotels and Taverns;

Land Clearing

the destruction or removal of trees or other vegetation.

Market

a market under Part 12, Division 4, of the *Local Government Act 1993*.

Miscellaneous

any use or development not specifically defined elsewhere in this Part.

Motel

the temporary accommodation of persons predominantly arriving by motor vehicle where each accommodation unit has private bathroom facilities and where meals may be provided for the persons accommodated in the motel or for the general public.

Motor Sport Facility

a course or circuit where motor vehicles are driven or ridden for recreation or raced in organised competition.

Multi Unit Dwelling

more than one dwelling on a block.

Office

the administration of a business, public authority, or the carrying on of an agency, practice of a profession or the like.

Passenger Transport Facility

the assembly, transport, dispersal or interchange of passengers, including transfer from one mode to another, including any facilities required for the parking, storage and manoeuvring of any passenger transport vehicle.

Place of Assembly

the gathering of people to attend events, functions, meetings or receptions, whether or not for the purposes of gain including the development of land for a Community centre or hall, religious worship and associated activities and may include instruction, tuition, meetings, training or other community activities.

Recreation Active

recreational purposes not elsewhere defined in this Part, but does not include a speedway, track or circuit of any kind used for motorised vehicle sport.

Recreation Passive

recreation or conservation activities with unrestricted public access during hours when open where such activities do not alter or damage the environmental qualities of the land or have a detrimental effect on the amenity of the land or its environs.

Residential Building

the permanent accommodation of two or more households, sharing in common, for living purposes, part(s) of a building including a boarding house, hostel, lodging house, residential club or residential college.

Residential Complex

permanent residential accommodation which may consist of a grouping of self-care units as well as a hostel and/or nursing home accommodation together with ancillary facilities provided for the use of residents. Ancillary facilities may include chapels, medical consulting rooms, meeting rooms, recreational facilities, therapy rooms, kiosk facilities and the like.

Restaurant

a place providing food for consumption on the premises whether or not the premises are licensed premises and whether or not entertainment is provided.

Roadside Stall

a stall not exceeding 20m² in floor area or ground area that is used for the sale of the produce of Agriculture, or Intensive Animal Husbandry from adjoining or nearby land in the same ownership.

Service Station

the fuelling of vehicles, the supply of lubricants and other requirements, the carrying out of servicing such as oil-changing, greasing and cleaning, and may include mechanical repairs, and the sale of associated accessories, parts or the like.

Shop Local

a retail establishment primarily for the retailing of food and convenience goods for the residents of the locality, the gross floor area of which does not exceed 250m².

Shop

one or more premises retailing goods or personal services with unrestricted access to the general public including minors, during trading hours.

Shopping Complex

more than one Shop where the combined gross floor area of all shops is in excess of 250m².

Sign

any advertisement, notice, representation, slogan, symbol, statement or supergraphic whether illuminated or not.

Storage Facility

the storage of goods within which no trade (whether retail or wholesale) or industry is carried on, but does not include a Warehouse or a Scrap Yard.

Take-Away Food Shop

the sale of food and/or drink, primarily prepared on the premises, for consumption exclusively or primarily off that land.

Tourist Operation

an integrated tourist activity that may provide accommodation, recreation or entertainment and may include a wildlife park, country club, theme park, indoor or outdoor display of historical, natural or other interest, or any other similar attraction. The use does not include any specific type of recreation or tourist accommodation elsewhere defined. The use includes the provision of four or more holiday units or cabins.

Utility Services (Major)

water treatment, sewage treatment, waste transfer station, refuse disposal site, a power generating works, a council works depot and an electricity substation or switching station of more than 100 kilovolts.

Utility Services (Minor)

water, sewerage, stormwater, electricity or telecommunications services reticulated to the immediate area including a sewage or water pump station of not more than 2 megalitre capacity, an electrical substation of less than 100 kilovolts, a water supply reservoir, or domestic recycling facility.

Vehicle Sales

the sale, hire or display of motor vehicles, boats, caravans, machinery, motor cycles, trailers and the like and may include incidental servicing, sales and repairs.

Veterinary Establishment

premises used for or in connection with the treatment of sick animals.

Welfare Building

a residence for the care of children, the physically or mentally handicapped or the aged or the infirm, including a home for the care of State Wards or orphans, a benevolent institution or a nursing or convalescent home, except that any such residence for not more than six people shall be defined in accordance with this Part as a House, or other residential use, as appropriate.

Part B Telecommunications Infrastructure Schedule

B.1 Telecommunications Infrastructure Schedule

1. Principles

- i. To accommodate the provision of telecommunications infrastructure to allow equitable access by all residents, whilst minimising the impact of such infrastructure on community values in accordance with the objectives of the Resource Management and Planning System.
- ii. To encourage co-location and sharing of facilities, where such capacity exists, and where doing so will not compromise the objectives as stated in Appendix 1.
- iii. To ensure proposals for the installation of telecommunications infrastructure form part of a local or regional network plan to enable consideration of the proposal on a broader and potentially regional basis.

2. Use or Development

- i. Any development in compliance with Section 3 of this Schedule is deemed to be exempt and does not require planning approval.
- ii. All other development requires planning approval and is required to demonstrate compliance with the objectives as specified in Appendix 1 of this Schedule and to which the provisions of section 57 of the *Land Use Planning & Approvals Act 1993* apply.

2.1 Relationship to the Scheme

To the extent that any statement contained in this Schedule is inconsistent with any other provision of this Scheme the provisions of the Schedule shall apply in relation to telecommunications infrastructure.

2.2 Matters for Consideration

In determining any application for issue of a planning permit, the planning authority must be satisfied the proposal has demonstrated that the objectives and performance criteria in Appendix 1 will be achieved during the installation and operation of the proposed telecommunications infrastructure.

2.3 Definitions

Areas of environmental significance are as defined in *Telecommunications (Low-impact Facilities) Determination 1997*.

Infrastructure development means, in relation to telecommunications infrastructure, the planning, design, construction, maintenance and use of telecommunications infrastructure.

Line means a wire, cable, optical fibre, tube, conduit, waveguide or other physical medium used, or for use, as a continuous artificial guide for, or in connection with, carrying communications by means of guided electromagnetic energy. (This adopts the *Telecommunications Act 1997* definition).

Low Impact Facilities

- i. A facility described in Part 3 and the Schedule of the *Telecommunications (Low-impact Facilities) Determination 1997*, is a low-impact facility only if it is installed, or to be installed, in the areas described in Part 2 of the *Telecommunications (Low-impact Facilities) Determination 1997*.
- ii. However, the facility is not a low-impact facility if the area is also an area of *environmental significance*.

Performance criteria are statements identifying the means of achieving the stated objectives

Telecommunications infrastructure means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network.

Telecommunications network means a system, or series of systems, that carries or is capable of carrying communications by means of guided and/or unguided electromagnetic energy. (This adopts the *Telecommunications Act 1997* definition).

Tower means a tower, pole, mast or similar structure used to supply a carriage service by means of Telecommunication.

To assist clarification of definitions arising from the implementation of this Schedule, reference is also to be made to the following Commonwealth Government documents:

- *Getting the Message: Guidelines for the Management of Telecommunications Infrastructure June 1997*
- *Telecommunications Code of Practice 1997*
- *Telecommunications (Low-impact Facilities) Determination 1997*.

3. Exemptions

The following development is exempt from requiring a planning permit:

- i. the installation and development of *low-impact facilities*;
- ii. works involved in the inspection of land by a carrier to identify suitability for its purposes;
- iii. the installation and development of a facility granted a facility installation permit by the Australian Communication Authority;

- iv. works involved in the maintenance of telecommunication facilities; and
- v. works meeting the transitional arrangements defined in Part 2 of Schedule 3 of the *Telecommunications Act 1997*

4. Information Required

4.1 Application requirements

An application for a permit must be submitted to the Council. The application shall include the following:

- (a) a completed application for development in a form prescribed by the Council;
- (b) sufficient information to demonstrate to the satisfaction of the Council that the objectives and performance criteria in Appendix 1 will be achieved during the installation and operation of the proposed telecommunications infrastructure;
- (c) a complete copy of the certificate of title of the land on which the development is proposed;
- (d) where the applicant is not the owner, the application must be signed by the owner or be accompanied by an authorisation in writing from the owner for submission of the application;
- (e) details of the proposed telecommunications network proposed within the local area and its relationship to the proposed development;
- (f) any plans or other information prescribed for development in 4.2; and
- (g) any fees prescribed by the Council.

4.2. Plans To Accompany Applications

4.2.1 A site plan for the proposed development at a scale of not less than 1:200, which includes a north point and shows:

- (a) the boundaries and dimensions of the site or the area affected by the development;
- (b) the location of any existing buildings on the site indicating those to be retained or demolished;
- (c) location of any proposed buildings on the site, and their relationship to buildings on adjacent sites, streets and accessways;
- (d) the use of adjoining properties;
- (e) Australian Height Datum Levels;

- (f) natural drainage lines, watercourses, coastal dunes, beach systems and wetlands; and
- (g) any proposals for the rehabilitation of the land on which the development is to occur.

4.2.2 A detailed layout plan with dimensions at a scale of not less than 1: 100 showing;

- (a) plans and elevations of proposed and existing buildings showing the materials to be used on external walls and roofs;
- (b) trees and vegetation to be retained and removed;
- (c) the dimensions, layout and surfacing materials of all access roads, turning areas and parking areas;
- (d) the relationship of the elevations to natural ground level, showing any proposed cut or fill;
- (e) the location and capacity of any existing services or easements on the site or connected to the site; and
- (f) a plan of the proposed landscaping of the site.

4.2.3 Where the Council is satisfied that any of the above information is not relevant to the assessment of the proposal, that information may be omitted from the application.

4.2.4 In accordance with section 54 of the Act, the Council may require the applicant to provide additional information including an Environmental Impact Report prepared in accordance with Appendix 2 of this Schedule, before it considers the application.

Appendix 1

OBJECTIVES

PERFORMANCE CRITERIA

visual amenity									
<p>To minimise any detrimental impact upon the visual amenity of a locality by reducing prominence of telecommunications infrastructure.</p>	<p>The location of infrastructure is within existing utility corridors and sites and uses existing infrastructure, unless a need to do otherwise is demonstrated.</p> <p>Aerial telecommunication lines or additional supporting structures are erected and operated in residential and commercial areas only where overhead cables operated by other utilities are in existence.</p> <p>Best practice methods are used to reduce the visual impact of infrastructure or to conceal infrastructure within the surrounding natural or built environment.</p> <p>Clearing for infrastructure corridors and facilities is minimised to limit visible prominence while responding to functional and safety requirements.</p> <p>Infrastructure:</p> <ul style="list-style-type: none"> • avoids skyline positions (ie. where a structure would be seen in silhouette); • crosses hills diagonal to the principal slope or crosses at the low point of a saddle between hills; or • is located around the base of hills or along the edge of existing clearings unless a need to do otherwise is demonstrated. <p>Equipment housing and other visually intrusive infrastructure is screened or concealed from public areas.</p> <p>The height of freestanding aerials, towers and masts is within the following limits:</p> <table border="0" style="margin-left: 20px;"> <tr> <td>• rural areas</td> <td>60 metres</td> </tr> <tr> <td>• industrial areas</td> <td>45 metres</td> </tr> <tr> <td>• commercial areas</td> <td>40 metres</td> </tr> <tr> <td>• residential areas</td> <td>20 metres</td> </tr> </table> <p>Telecommunications infrastructure may only exceed specified height limits if:</p> <ul style="list-style-type: none"> • a pattern of infrastructure or vegetation above the specified height limit exists in a particular location; and • it has no adverse impact on heritage or ecological values or visual amenity. 	• rural areas	60 metres	• industrial areas	45 metres	• commercial areas	40 metres	• residential areas	20 metres
• rural areas	60 metres								
• industrial areas	45 metres								
• commercial areas	40 metres								
• residential areas	20 metres								

To protect important public views such as vistas to significant public buildings, streetscapes and heritage areas.	Telecommunications infrastructure does not intrude into identified important public views or measures are taken to minimise intrusion.
To avoid obstruction of private views from the building line/principal windows by telecommunication lines.	Placement of telecommunication lines avoids or minimises obstruction of private views.

Residential amenity	
To protect residential amenity	Infrastructure servicing a network (facilities not requiring installation on an individual street basis) is not located in residential areas unless a need to do otherwise is demonstrated.

environmental values	
To protect threatened species or species at risk of becoming a threatened species (as defined in the <i>Threatened Species Protection Act 1995</i>) and the habitats, ecological communities or places essential to their continuing existence.	The proposed infrastructure does not adversely impact on identified threatened species or species at risk of becoming a threatened species.
To protect areas identified as having significant natural values.	The proposed infrastructure does not adversely affect areas identified as having significant natural values.
To protect flora and fauna, habitats and ecological communities.	The proposed infrastructure uses best practise environmental management to minimise harm to the environment.

land stability	
To ensure that telecommunications infrastructure does not cause land instability.	<p>Telecommunications infrastructure (including specific access routes) does not cause erosion or cause land instability during installation and operation.</p> <p>Telecommunications infrastructure is not located in areas of known unstable land where the risk is identified as unacceptable for development or installation of infrastructure.</p>

agricultural land	
To protect the productive capacity and efficient farming operations of agricultural land.	<p>Infrastructure installation and operation does not degrade or restrict the productive capacity of agricultural land.</p> <p>Infrastructure is placed on property boundaries or fence lines (not including road alignment boundaries).</p>

heritage values	
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<p>To protect items, places or areas identified as having aboriginal, natural, cultural, or maritime heritage significance.</p>	<p>Proposals for construction and operation of telecommunications infrastructure are approved by the Tasmanian Heritage Council in accordance with the requirements of the <i>Historic Cultural Heritage Act 1995</i> and/or are consistent with recommendations by the Aboriginal Heritage Section of DELM.</p>
<p>access</p>	
<p>To ensure that telecommunications infrastructure does not impede movement of vehicular and other modes of transport.</p>	<p>The location of aerial telecommunications infrastructure allows adequate clearance for vehicular traffic and will not pose a danger or encumbrance to other land users or aircraft.</p>

Appendix 2

Table 1 Checklist for Environmental Impact Report by Carriers

Item:	Comment:
1. Type of Facility and location	<ul style="list-style-type: none"> • Location of the facility (antenna and ground installation).
2. Purpose and need for the proposed facility	<ul style="list-style-type: none"> • The need for the facility and its role within a network. • The anticipated need for, and likely locations of, further installations to provide an overall appreciation of the impact. • Liaison with other Carriers. • The feasibility of co-location, etc. • Siting options. • Installation option.
3. Design	<ul style="list-style-type: none"> • Design drawings of the facility: antenna(s), towers, ground installation, etc. • Explain choice of structure. • Details of adjacent landuses. • Details of any adjacent structures. • Details of access (roads, etc). • Description of materials and finishes. • Details of existing vegetation to be removed or damaged in the vicinity, including identification of any trees to be removed. • Details of revegetation and site stabilisation. • Arrangement for provision of power to site. • Details of any external lighting.
4. Description of the physical environment and possible physical impacts.	<ul style="list-style-type: none"> • Address potential impacts arising from the construction and maintenance of the facility, (eg. flora, fauna, noise, erosion and runoff control, construction of access and power supply, areas of special significance. • Focus on aspects which are particular to the site. • Details of measures to protect local environment (including flora and fauna) during construction (eg. erosion and runoff control, vehicle management, stockpiling and storage).
5. EME	<ul style="list-style-type: none"> • Projected EME levels for proposed sites.
6. Visual Assessment	<ul style="list-style-type: none"> • Assessment of the impact of the proposal in visual terms. Refer to separate checklist.
7. Social Issues (if appropriate)	<ul style="list-style-type: none"> • Discussion of community concerns. • Impact on areas of special significance.
8. Consultations	<ul style="list-style-type: none"> • Details of consultations with the land owners/occupants. • Carriers must consult with owners before lodging application.
9. Conclusion and Recommendations	<ul style="list-style-type: none"> • Summary of the relevant issues. • Alternative technical and design options. • Alternative locations including co-masting options. • Discussion of cumulative impacts. • Recommend actions to mitigate or minimise impacts. • Justification of the proposal. • Conclusions.

10. Plans	<ul style="list-style-type: none"> • Location Plan. • Site Plan/Landscape Plan. • Design of facility (plan and elevations of antenna and ground installation).
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Table 2 Visual Assessment Checklist

<p><i>Context:</i></p> <p><i>Siting:</i></p> <p><i>Appearance:</i></p> <p><i>Plans and Photos</i></p>	<ul style="list-style-type: none"> • The visual catchment of the site (and installation). • The elements that go to make up the landscape or townscape context, including slope, cover, colour, vegetation or built environment, and major features. • The physical scale of the proposed telecommunication infrastructure. • Presence of other antennas and vertical elements. • Any special landscape value of the site. • Cumulative impact of this and further antennas. • Relationship to existing vegetation and the potential intrusiveness of the installation. • Relationship to buildings/structures. • Height of the antenna in relation to the surrounding landform. • Topographical features and natural vegetation. • Impact on skyline or treeline. • Distance from sensitive receptors. • Materials (particularly relevant for ground installations). • Colour. • Reflectivity. • Design. • Height. • Antenna type and bulk. • Plant and room. • Proposed landscape work. • A plan is to be prepared indicating the viewshed of the antenna, the location of any key viewing points. The scale of the plan will depend on the extent of visual impact.
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