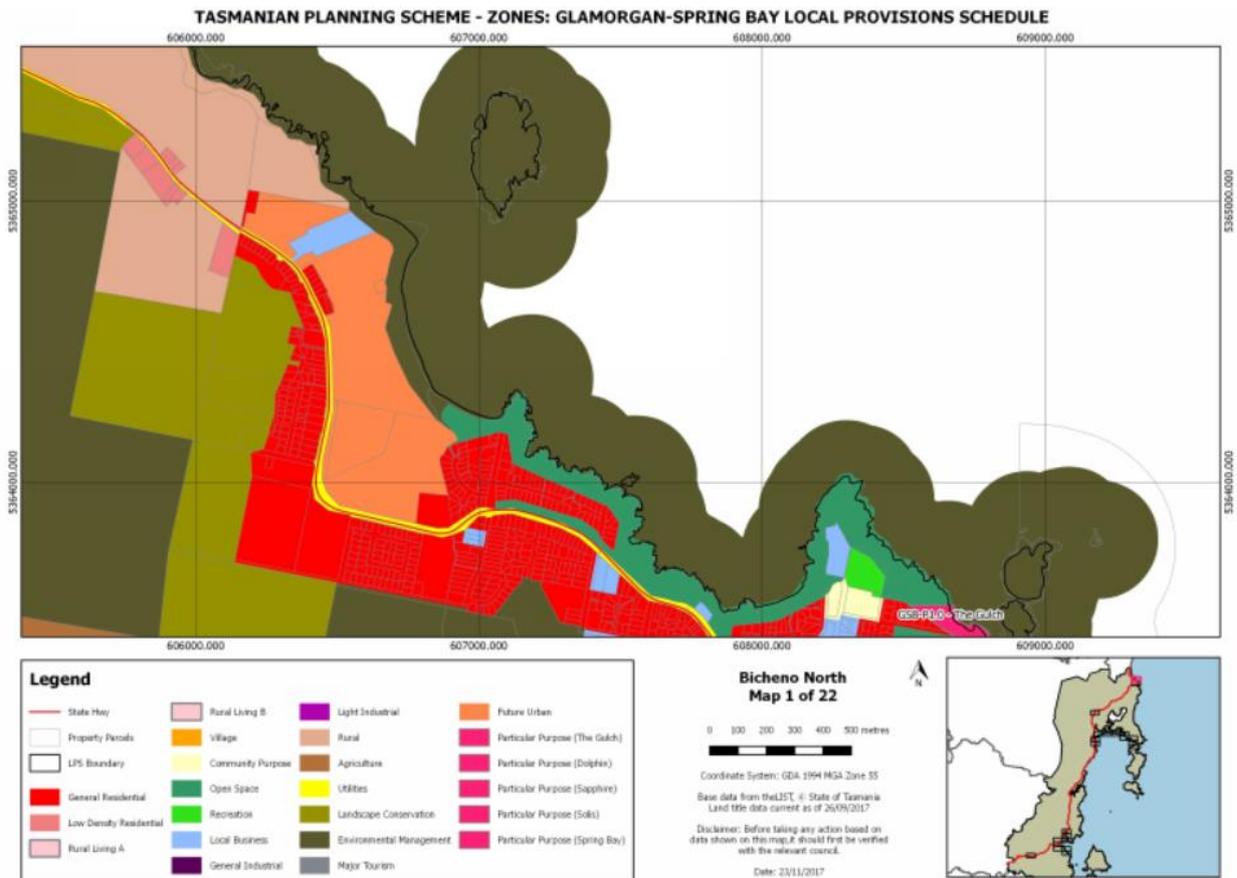


# ATTACHMENT 1 SUPPORTING REPORT



## GLAMORGAN SPRING BAY COUNCIL

### Local Provisions Schedule Supporting Report



- Version 1      Informal Exhibition Stage
- Version 2      35(1) submission to TPC seeking direction to publicly exhibit draft LPS

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## Overview of differences between current and proposed scheme

In most locations and for most forms of use and development, the new scheme will be similar to the existing scheme. The major changes are in response to differences in the structure of planning schemes and the types of zones that can be considered. Briefly, the major changes are:

- Applying the new Rural, Agriculture and Landscape Conservation Zone – which to some degree replace Rural Resource, Significant Agriculture and Environmental Living zones.
- Reverting Coles Bay and Swanwick to the Village Zone, as they were zoned under the 1994 planning scheme.
- A new Priority Vegetation Area, to certain zones, based on a Regional Ecosystem Model. This will replace the existing biodiversity protection area with more accurate and current data through a Regional Ecosystem Model that is being used by all Tasmanian Councils.
- Adopting the most recent (and more accurate) mapping of coastal inundation & erosion hazard with a new Statewide Code that moves more assessment of these hazards from the planning system to the building system.
- Adopting a coastal refugia overlay (ensure saltmarshes and coastal wetlands can shift as sea level rises).
- Re-introducing scenic protection areas that existed in the 1994 planning scheme.
- Adopting bushfire prone areas mapping (if prepared in time by Tasmanian Fire Service).
- Adopting a Road Attenuation Area to address potential traffic noise conflicts.
- The loss of setback and height standards for foreshore fronting lots.
- A new Resort Residential Specific Area Plan for existing and larger scale tourism sites broadly similar to the 1994 Planning Scheme Resort Residential Zone.

## Glossary

LUPPA	Land Use Planning and Approvals Act 1993
SPP	State Planning Provisions
LPS	Local Provisions Schedule
IPS	The Glamorgan Spring Bay Interim Planning Scheme 2015, which is the current planning scheme
1994 Scheme	The Glamorgan Spring Bay Planning Scheme 1994, which was in place prior to the current IPS
PPU	Planning Policy Unit, the department responsible for the SPP
TPC	Tasmanian Planning Commission, the independent body responsible for approval of the SPP and LPS
RMPS	Resource Management and Planning System, the suite of legislation that governs resource management and includes LUPPA

## 1.0 Introduction

### 1.1 Purpose of this report

This report supports the submission of the Glamorgan Spring Bay draft Local Provisions Schedule (LPS) to the Tasmanian Planning Commission (TPC) under section 35(1) of the *Land Use Planning and Approvals Act 1993* (LUPAA) for assessment as to whether it is suitable for approval by the Minister for formal public exhibition. The report demonstrates that the draft LPS meets the LPS criteria in section 34(2) of the LUPAA.

### 1.2 Background to the new scheme

A new planning scheme for Glamorgan Spring Bay is necessary to complete the Tasmanian Government's policy with respect to a single Tasmanian planning scheme. The policy is legislated via 2015 amendments to the Land Use Planning and Approvals Act 1993.

A single Tasmanian planning scheme is the latest of a series of land use planning reforms over the past 10 years. This current policy builds upon efforts from 2008 to 2015 that pursued regional planning and resulted in the current interim planning scheme, standards urban development controls via planning directive 4 & 4.1 and the Southern Tasmanian Regional Land Use Strategy (STRLUS).

This Tasmanian planning scheme will have two main parts:

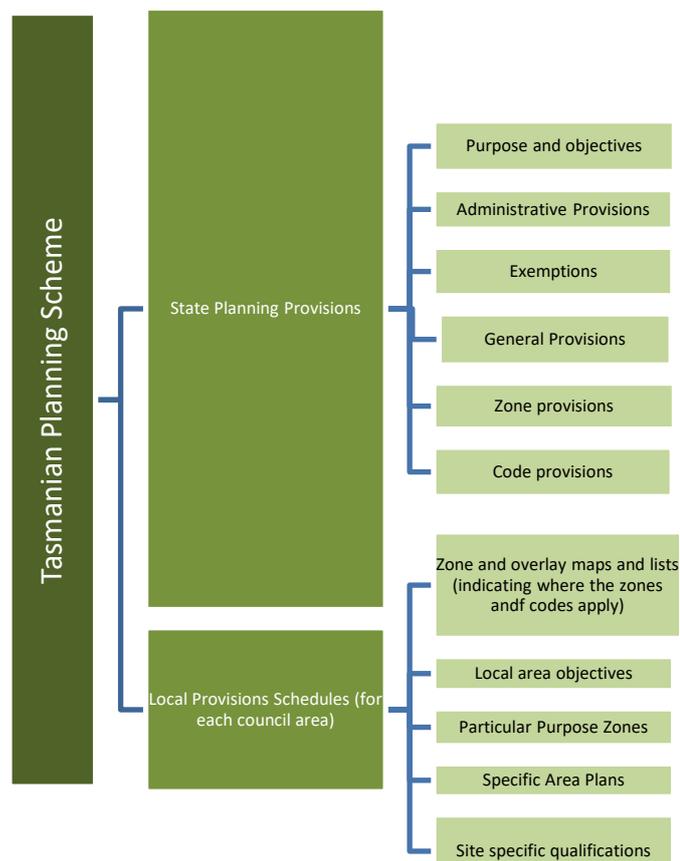
1. The State Planning Provisions (SPP) which contains the majority of development control rules for the 23 zones and 16 codes that will make up the new planning scheme. The SPP is the rule book for the new planning scheme.
2. The Local Provisions Schedule (LPS) which provides the zone and overlay maps, Particular Purpose Zones (such as for Spring Bay Mill) and any site specific development control.

The structure of the Tasmanian planning scheme is shown below in Figure 1.

The SPP has been completed and approved by the Minister for Planning.

The LPS is being prepared by Council. Once the LPS is complete, the LPS and SPP are essentially combined and the new planning scheme will be in force. To complete the LPS, Council requires the approval of the Tasmanian Planning Commission following public consultation and public hearings.

Figure 1. Structure of Tasmanian Planning Scheme ([www.planningreform.tas.gov.au](http://www.planningreform.tas.gov.au))



This new planning scheme is to some extent similar to Councils current interim scheme. There are however some significant differences between the current interim scheme and the new scheme. More significant changes will take place for rural areas due to new Agriculture Zone, Rural Zone and Landscape Conservation Zones.

### **1.3 Future planning reform and development**

Planning in Tasmania has been under constant review since 2008 when a Memorandum of Understanding was reached between Local and State Governments on the regional planning initiative. That MoU led to the current interim planning schemes and regional land use strategies. These are not insignificant achievements given earlier (failed) attempts for regional planning. The former government also standardised development control for single dwellings in all serviced residential areas via Planning Directive 4 and 4.1.

Despite the extent of reform of recent years, there appears to be a general acceptance that further work is required to improve the effectiveness and efficiency of statutory and strategic planning across Tasmania.

On completion of the Tasmanian planning scheme reform, the Tasmanian Government will pursue Tasmanian Planning Policies to provide a top-tier, overarching policy framework on key land use, environmental and economic issues. Below this level, the Tasmanian Government has also expressed support for renewed regional planning to provide more up to date and more effective regional strategies with a greater buy-in from State Agencies and infrastructure providers. There may also be opportunities to pursue – what is considered much needed - legislative review to address issues stemming from the current legislation, which is now over 20 years old for use and development, and essentially 60 years old for subdivision.

If Tasmanian Planning Policies create a State framework and regional planning enhanced through a review of the regional land use strategy, Council could turn its attention with some confidence to reviewing its own strategy documents such as Vision East and the township structure plans.

### **1.4 Approval process of the LPS**

A flow chart of the approval process is provided as Attachment 1.

The major steps of the process are:

- Preparation of the LPS (i.e., zone maps, code overlays and Particular Purpose Zones).

The preparation is supported by a number of bodies and guidelines including:

- Ministerial Guideline No 1. on zone and code application;
- Ministerial Advisory Statement – Transitional Arrangements for Existing Provisions;
- State level ‘scientific’ mapping of potential agricultural land, waterways and wetlands, electricity transmission easement, climate change refugia, coastal inundation hazard areas and coastal erosion hazard areas - to be converted into ‘policy’ mapping and applied through zones and code overlays;

- Planning Policy Unit Agricultural Land Mapping Project: Background Report May 2017;
  - A series of Practice Notes prepared by the Tasmanian Planning Commission;
  - A series of information sessions conducted by the Tasmanian Planning Commission;
  - The Technical Reference Group of the Southern Tasmanian planners; and
  - The Regional Ecosystem Model developed by Natural Resource Planning Pty Ltd to identify priority vegetation - coordinated by the Southern Tasmanian Council's Authority.
- Pre-exhibition submission to the Tasmanian Planning Commission.
  - Approval of the Tasmanian Planning Commission to formally exhibit the LPS.
  - 60 days of public exhibition allowing representations to be made.
  - Council report in response to public representations.
  - Tasmanian Planning Commission hearings.
  - Tasmanian Planning Commission approval.

With the number of steps involved, estimating a timeframe for completion is difficult. It is reasonable to expect that the formal steps will take at least 12 months starting from the completion of a draft LPS.

### **1.5 Consultation undertaken or required**

Unlike the current interim planning scheme, public exhibition must occur prior to the completion of the new scheme. The Tasmanian Planning Commission will also specify which public agencies must be consulted with.

Targeted consultation ahead of the pre-exhibition submission to the Tasmanian Planning Commission is proposed. This includes main agencies and infrastructure providers (Department of State Growth and TasWater in particular) and major landowners that may be affected. On this later point, farmers and owners of large rural properties have been invited to discuss the new scheme with Council staff. There are other areas and properties identified in the attached documents that should also be targeted for consultation.

### **1.6 What documents support the GSBC LPS?**

From the Tasmanian Government

([www.planningreform.tas.gov.au](http://www.planningreform.tas.gov.au) & [www.planning.tas.gov.au](http://www.planning.tas.gov.au)):

- The State Planning Provisions - SPP (i.e., the rule book);
- Section 8A Ministerial Guidelines on the application of zones and codes (i.e., advise and rules on applying the SPP);
- Minister's Advisory Statements;
- Tasmanian Planning Commission Practice Notes;
- The Southern Tasmanian Regional Land Use Strategy which provides (a somewhat outdated) overview of the region, key issues and key regional scale policies to implement in schemes and infrastructure delivery;
- Mapping of potential agricultural land (via consultants Macquarie Franklin);

- Mapping of electricity transmission lines, substations and communication infrastructure;
- Mapping of potential coastal refugia;
- Mapping of wetlands and waterways;
- Mapping of coastal inundation hazard areas; and
- Mapping of coastal erosion hazard areas.

## From Council

[www.gsbc.tas.gov.au](http://www.gsbc.tas.gov.au)

- Vision East
- Structure plans for Triabunna / Orford, Bicheno, Swansea & Coles Bay
- The current interim planning scheme and the 1994 planning scheme
- This LPS supporting statement that:
  - summarising the approach to the application of zones
  - Identifies all proposed changes from the interim planning scheme (other than inconsequential changes)
  - Provides explanation on all key components of the LPS
  - Identifies any areas of concerns with the SPP
- Mapping of priority vegetation, derived from the Regional Ecosystem Model and associated project coordinated by the Southern Tasmanian Council's Authority for the entire Southern Region. The same consultant has been engaged in the northern and north-west regions.

## 1.7 Structure of this Report

The report provides a technical compliance statement on how the draft LPS is considered to comply with the requirements of the Land Use Planning and Approvals Act 1993 (LUPPA) and regional land use strategies – sections 2 & 3.

The report provides a summary of settlement structure plans (section 4) and tourism strategies (section 5) which inform various provisions of the LPS.

Section 6 provides a summary of how the zones have been applied in the draft LPS.

Section 7 provides a summary of the use of Codes within the draft LPS.

Section 8 addresses Particular Purpose Zone whilst sections 9 and 10 address Specific Area Plans and Site Specific Qualifications

## **2.0 LPS Criteria – Section 34 of LUPAA**

The following provides a statement of compliance against the provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA) and is structured to respond to each criteria in the legislation in turn.

### **2.1 Structure of Local Provisions Schedule (LPS) as determined by the State Planning Provision**

Section 34 (2) of LUPAA requires that a LPS (Local Provisions Schedule) must contain provisions (i.e., the zones and codes) as specified within the SPP (State Planning Provision) at Clause LP1.0. These are summarised below – some of which are mandatory, and some not.

The Glamorgan Spring Bay LPS will include zone maps, overlap maps, code provisions, specific area plans and local area objectives as listed in the following:

#### **Zones to be used:**

- General Residential Zone (serviced residential areas)
- Low Density Residential Zone (un/under-serviced residential areas)
- Rural Living Zone (existing rural living areas)
- Village Zone (Buckland, and Coles Bay & Swanwick)
- Local Business Zone (existing commercial areas)
- Light Industrial Zone (existing industrial areas)
- Rural Zone (a new SPP zone)
- Agriculture Zone (a new SPP zone)
- Landscape Conservation Zone (a new SPP zone)
- Environmental Management Zone (foreshores and national parks)
- Utilities Zone
- Community Purpose Zone
- Recreation Zone
- Open Space Zone
- Future Urban Zone
- Particular Purpose Zone (Spring Bay Mill)
- Particular Purpose Zone (Saffire)
- Particular Purpose Zone (the Gulch)
- Particular Purpose Zone (North Bicheno)

Particular Purpose Zone (Dolphin Sands)

**Overlays to be created for:**

Road Attenuation Areas – under the Road and Railway Assets Code

Electricity Transmission corridors and buffer areas – under the Electricity Transmission Infrastructure Protection Code

Local Heritage Places – under the Local Historic Heritage Code

Future Coastal Refugia – under the Natural Assets Code

Priority Vegetation Area – under the Natural Assets Code

Wetland and Waterways – under the Natural Assets Code

Scenic Protection Areas & Corridors – under the Scenic Protection Code

Attenuation Areas – under the Attenuation Code

Coastal Inundation & Erosion – Under Coastal Inundation / Erosion Hazard Code

Bushfire Prone Areas – under Bushfire Prone Areas Code (subject to TFS)

Landslip Areas – under Landslip Hazard Code

**Code lists**

List of Local Heritage Places

Description of management objectives for scenic protection areas & corridors

Hazard levels for coastal inundation

**Specific Area Plans**

Specific Area Plans to be provided for:

Triabunna Marina (existing)

Louisville Road (existing)

Bicheno Golf Club (existing)

Resort Residential (new)

The former Resort Residential zoned properties are now zoned local business or low density residential. This means that any significant addition (greater than 300m<sup>2</sup>) of floor area is discretionary despite these being established sites and despite such additions being permitted in the 1994 planning scheme). This SAP would attempt to reintroduce as much of the former planning scheme as possible. Among other things this would ensure that there is no disincentive to invest in these established premises.

## Local Area Objectives

Proposed for Village Zone and Local Business Zone at Coles Bay & Swanwick

### **2.2 Contents of Local Provisions Schedule (LPS) as determined by Section 32 of LUPAA**

Section 32 provides a list of matters that an LPS must, or may, contain. These are addressed in turn.

#### **2.2.1 Municipal Area (32(2)(a))**

The LPS specifies that it applies to the Glamorgan Spring Bay municipal area in accordance with the SPP template.

#### **2.2.2 Mandatory SPP requirements for an LPS (32(2)(b))**

The mandatory requirements are adopted in full.

#### **2.2.3 Spatial Application of the State Planning Provisions (32(2)(c))**

Section 32(2)(c) and (e) requires that a LPS must contain maps, overlays, lists or other provisions that provide for the spatial application of the SPP's. Section LP1.0 of the SPP's outlines the manner in which the spatial application of the SPP's is to be represented.

The draft LPS is prepared in accordance with the application and drafting instructions included in the SPP's and in Guideline No.1 - Local Provisions Schedule Zone and Code Application issued by the Tasmanian Planning Commission. Further clarification of how the zones and codes have been applied is found throughout this report.

#### **2.2.4 Sections 11 and 12 of LUPAA (32(2)(d) & (f))**

Section 11 & 12 of LUPAA outline the matters that a planning scheme may, or may not, regulate.

The LPS has been prepared in a manner consistent with the scope of powers provided at clauses 11(2), 11(3) & 11 (4). The LPS does not propose any provisions that refer to a code of practice (11(6)) and there are no proclaimed wharf areas in the municipal area.

Section 12 recognises the continuing use and development rights for those uses and developments that were in existence before new planning scheme provisions take effect, or that have been granted a permit but have not yet been completed. Some, but not all, non-conforming uses that are protected by section 12 are identified in the body of the report.

The draft LPS does not seek to regulate matters outside the jurisdiction prescribed in sections 11 & 12 of LUPAA.

#### **2.2.5 Use of Overlays and Lists (32(2)(e))**

The SPP includes a number of Codes that are only given effect through maps or lists in the LPS. These are listed at section 2.1 above.

#### **2.2.6 Land Reserved for Public Purposes (32(2)(g))**

The draft LPS does not expressly reserve land for public purposes. The true meaning of this clause is not considered to be clear. Whilst older planning schemes did include

'reservations' for parks, forestry or other purposes, modern planning schemes use zones. Some of the zones applied in the LPS do limit the use of land for public benefit such as the application of the Community Purpose and Open Space Zones to public facilities and public open space. However, the use of these zones is not considered relevant for s32(2)(g)

### **2.2.7 Application of the detail of the SPP to a particular place or matter (32(2)(h))**

The LPS applies to SPP via zones and overlays consistent with Ministerial Guideline No. 1.

### **2.2.8 Overriding Provisions (32(2)(i))**

The draft LPS contains overriding provisions in that the contents of Particular Purpose Zones & Specific Area Plans override some provisions of the SPP's where those provisions modify or are in substitution for the SPP's. The draft LPS aims to achieve as much consistency as possible with the SPP's.

Most overriding provisions are protected under transitional arrangements in which Particular Purpose Zones and Specific Area Plans that exist as December 2015 can automatically carry forward with the consent of the Minister.

Other overriding provisions are provided through a Resort Residential Specific Area Plan, which is detailed in this report.

### **2.2.9 Modification of Application of SPP's (32(2)(j))**

The draft LPS does not seek to modify application of the SPP's. The SPP's are applied to land, use and development in accordance with the directions prescribed in Section LP1.0 of the SPP's and in consideration of Ministerial Guideline No.1.

The provisions of the SPP and the application of zones is behind the reasons for the new Resort Residential Specific Area Plan. This SAP meets the provisions of Section 32(4) as detailed in this report.

### **2.2.10 Limitations of LPS (32(2)(k) & (l))**

The provisions at 32 (2) (k) & (l) require a LPS to not include provisions that:

- the SPP specifies cannot be included in an LPS;
- otherwise exist in the SPP; and
- are inconsistent with the SPP.

It is considered that the draft LPS is compliant with these limitations.

### **2.2.11 LPS may include (32(3), (4) & (5))**

The LPS may include particular purpose zones, specific area plans and site specific qualifications.

A number of particular purpose zones are proposed, all of which are contained in the current scheme. Of these, all except for Saffire, are protected via transitional arrangements. Saffire particular purpose zone was created after December 2015 – and in response to representations made on the current interim planning scheme - which is the cut off for the transitional arrangements.

A number of specific area plans are proposed. Three of these are contained in the current scheme and protected via transitional arrangements. The Resort Residential specific area

plan is new and adopts provisions for some sites that were zoned Resort Residential under the 1994 planning scheme.

No site specific qualifications are proposed. Existing site specific qualifications (in use tables in the current planning scheme) are no longer required given the proposed zone and the scope of use possible.

32 (4) provides a merit based test of what an LPS may include via a particular purpose zone, specific area plan or site specific qualifications. For an LPS to include these provisions, it must be shown that:

*(a) a use or development to which the provision relates is of **significant social, economic or environmental benefit** to the State, a region or a municipal area; or*

*(b) the area of land has **particular environmental, economic, social or spatial qualities** that require provisions, that are **unique** to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

In terms of (a) 'a region' is not defined. It may mean the southern region, a sub-region such as the 'east coast' or 'south east' or part of the Glamorgan Spring Bay municipal area. Thus, the main considered under (a) is that there is a significant benefit to social, economic and environmental factors. In terms of (b) the test is whether there are unique qualities to an area that require additional planning provisions. For both (a) and (b) the tests of significance and uniqueness create a high bar for justifying provisions that are to override the SPP.

### 3.0 LPS Criteria – Section 34

#### 3.1 Schedule 1 of LUPAA – Objectives (34 (2) (c))

The first priority of a planning scheme is to meet the overarching objectives of the Act, which places a particular emphasis on ‘sustainable development’. ‘Sustainable Development’ is defined in the Act as:

*managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while:*

- a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and*
- b) Safeguarding the life supporting capacity of air, water, soil and ecosystems; and*
- c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.*

The definition of sustainable development is expanded through the various Schedule 1 Objectives of LUPAA.

The LPS must implement sustainable development whilst also applying the SPP within the constraints of LUPAA. LUPAA does provide for overriding provisions to be included in a LPS, subject to meeting the criteria of section 32(4), which can also relate to the Schedule 1 Objectives. The two components effectively work together to establish the rationale for inclusion of Particular Purpose Zones, Specific Area Plans and Site Specific Qualifications in a LPS.

On certain issues, it can be argued that there are completing obligations between the SPP and sustainable development

The following provides an overview of how the LPS will address the sustainable development objectives.

*Part 1 Objective: (a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*

The priority vegetation area in the draft LPS is based on the Regional Ecosystem Model (see Attachment 9). The Regional Ecosystem Model is being used by all Tasmanian Councils to prepare their priority vegetation area.

The SPP restricts the priority vegetation area to certain zones only. Of note, the Agriculture Zone is excluded from the priority vegetation area. The Agriculture Zone will be the largest zone in the LPS by area and this exclusion is therefore a significant land use policy expressed in the SPP.

The SPP policy of excluding agricultural land from the priority vegetation area has regard to other legislation within Tasmania. This includes the Forest Practices System, which applies to land clearing for agriculture, and the *Threatened Species Protection Act 1995* which

applies to any threatened species regardless of what provisions apply in a planning scheme. However, the operational effect of the SPP is that vegetation removal in the Agriculture Zone for visitor accommodation, dwellings or other buildings will effectively be exempt from planning assessment regardless of any conservation value.

The purpose of the Agriculture Zone is to provide for potential agricultural activities. Agricultural landscapes have numerous patches of native vegetation with variable levels of conservation significance. It is not practical to exclude these patches from the Agricultural Zone nor possible under the SPP and associated guidelines.

The other operational effect of the SPP is to two different tiers of protection for native vegetation.

Given the existence of State legislation and conservation areas, there is a real policy question to address in terms of establishing a reasonable and balanced level of regulation within the land use planning system. It is arguable that too much emphasis is placed on native vegetation at the fringe of towns and settlements leading to significant costs and angsts for limited gain and too higher control over small-scale clearing on agricultural land. For instance, in the current Rural Resource Zone any clearing of native vegetation, irrespective of its conservation value or the extent of clearing, requires a discretionary process to be followed.

It is also arguable that the SPP is too far to the opposite side of the spectrum. In any case, the Tasmanian Planning Commission did not support the SPP in its approved form. The approved SPP was approved by the Minister by a decision that specifically overrode the TPC Panel's recommendation to review the management of native vegetation within the SPP.

The LPS must be prepared in accordance with the provisions of the SPP. However, it is not clear that the LPS will further the above objective to the extent necessary given the limitations on priority vegetation.

Looking beyond the priority vegetation issue, the LPS otherwise provides adequate protection to natural and physical resources by:

- protection of natural watercourses and wetlands, in a manner similar to the interim planning scheme;
- applying the Environmental Management Zone to reserves;
- having regard to potential coastal refugia;
- using the best available data and method to prepare the priority vegetation area through the Regional Ecosystem Model; and
- containing settlements to existing footprints.

*Part 1 Objective: (b) to provide for the fair, orderly and sustainable use and development of air, land and water.*

With the exception of rural areas, the LPS provides minimal change to the zoning of land from the current interim planning scheme.

Within towns, some relatively minor changes are proposed and these are specifically identified and justified in Section 6.3

In rural areas, the Rural Zone, Agriculture Zone and Landscape Conservation Zone are essentially new zones. Use and development control within each zone is established by the SPP, and the application of the zones informed by Ministerial Guidelines.

Attachments to this report provide a high level summary of changes between the IPS and the SPP which, among other elements, identifies where use rights (permitted or discretionary) vary.

*Part 1 Objective: (c) to encourage public involvement in resources management and planning.*

The LPS must undergo public exhibition for 60 days prior to being approved.

*Part 1 Objective: (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c).*

The Tasmanian government has stated that the policy behind the drafting of the SPP's is to apply regulation only to the extent necessary, thereby 'cutting red tape'. The express purpose of doing this is to facilitate economic development and certainly, it is well documented that in practice, over-regulation is a disincentive to economic development. The key is to find the right level of regulation.

All particular purpose zones and specific area plans in the LPS are to facilitate economic development, and all are considered to be sustainable, fair and orderly.

*Part 1 Objective: (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

This objective is provided for principally through legislative processes. The LPS will have more input from State agencies than the current interim planning scheme.

*Part 2 Objective: (a) to require sound strategic planning and co-ordinated action by State and local government.*

The new scheme will incorporate Council and State strategic planning, including the identification of land hazards and the SPP.

*Part 2 Objective: (b) to establish a system of planning instruments to be the principle way of setting objectives, policies and controls for the use, development and protection of land;*

This is a procedural objective.

*Part 2 Objective: (c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.*

With the exception of the earlier priority vegetation area note and the effect of standardised development control within urban areas, the LPS will apply zones in a manner that has consideration of environmental, social and economic effects. The LPS is in particularly informed by structure plans for each major settlement.

*Part 2 Objective: (d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation, and resource management policies at State, regional and municipal levels.*

This is a procedural objective.

*Part 2 Objective: (e) to provide for the consolidation of approvals for land use and development and related matters, and to co-ordinate planning approvals with related approvals.*

This is a procedural objective.

*Part 2 Objective: (f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania.*

The LPS is considered to further this objective through:

- Including the best available information and mapping on land hazards.
- Providing sufficient zoning for residential and visitor accommodation development within settlements for the medium term. Although, it is acknowledged that there is the limited land availability at Coles Bay and limited market range and choice within some settlements.
- Providing opportunities for commercial use in settlements through appropriate zoning.
- Providing opportunities for industrial development in appropriate locations.
- Providing the Recreation Zone and Open Space Zone where appropriate and including provisions in the SPP to consider walkability in new subdivisions.
- Identifying major roads for protection for Road Attenuation Areas.
- Applying appropriate zone and overlay controls to key public infrastructure.
- Applying scenic protection provisions to important vistas.

*Part 2 Objective: (g) to conserve those buildings and areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

The Local Heritage List maintains all existing heritage listings. The list includes private and public owned land, however public reserves and national parks include a number of other heritage and cultural places of value.

*Part 2 Objective: (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

All major public infrastructure is included in the Utilities Zone, having regard to current TasWater strategy. Transmission Infrastructure is protected via an overlay based on data supplied by TasNetworks. SPP provisions relate to the management of major State Roads.

The SPP do not provide the same consideration of stormwater infrastructure that the interim planning scheme does. It could be possible that development occurs that exceeds existing stormwater infrastructure in place potential leading to external costs being borne by ratepayers or conflicts on Stormwater Authority obligations under the Urban Drainage Act.

Council is required to prepare Stormwater System Management Plans which will provide an opportunity to evaluate stormwater capacity issues and identify necessary upgrades. Once in place, such Stormwater System Management Plans could address the above regulation and could be implemented via bylaws or other approaches to protect the broader community interest.

*Part 2 Objective: (i) to provide a planning framework which fully considers land capability.*

The State methodology that produced the 'Land Potentially Suitable for Agriculture Layer' to provide a recommendation for the State's agricultural estate, has taken into account land capability.

The draft LPS has examined at a more local level the constraints to land and the capability of the land.

### **3.2 State Policies (s34(2)(d))**

Section 34(2)(d) of LUPAA requires that a LPS is consistent with each State Policy. State Policies are made under Section 11 of the *State Policies and Practices Act 1993*. There are three State Policies and a number of National Environment Protection Measures (NEPM's) which have the effect of being State Policies.

#### **3.2.1 State Policy on the Protection of Agricultural Land 2009**

The purpose of the State Policy is to:

*conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.*

The stated objectives of the policy are:

to enable the sustainable development of agriculture by minimising:

- (a) conflict with or interference from other land uses; and
- (b) non-agricultural use or development on agricultural land that precludes the return of that land to a agricultural use”.

The eleven principles that support the policy relate to the identification of valuable land resources and the matters that can be regulated by planning schemes.

The SPP's were examined against the principles of the PAL Policy in the development of the Rural and Agriculture Zone provision.

Ministerial Guideline No.1 requires that land to be included in the Agriculture Zone should be based on the 'Land Potentially Suitable for Agriculture Zone', a methodology developed by the State through consultants Macquarie Franklin ([www.planningreform.tas.gov.au](http://www.planningreform.tas.gov.au)). The guidelines state:

*The guideline provides that in applying the zone, a planning authority may:*

*also have regard to any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which:*

- (i) incorporates more recent or detailed analysis or mapping;*
- (ii) better aligns with on-ground features; or*
- (iii) addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer.*

Further local analysis of the results of the State layer was undertaken for the draft LPS to determine the land that should be included in the Agriculture Zone.

### 3.2.2 Tasmanian State Coastal Policy 1996

The *State Coastal Policy 1996* (SCP) applies to the site as it is within 1 km of the high water mark.

The SCP three main guiding principles are:

- Natural and cultural values of the coast shall be protected.
- The coast shall be used and developed in a sustainable manner.
- Integrated management and protection of the coastal zone is a shared responsibility.

The SCP incorporates a number of themes, all of which have associated policy statements, including:

- Natural Resources & Ecosystems
- Cultural & Historic Resources
- Cultural Heritage
- Coastal Hazards
- Coastal Uses & Development
- Marine Farming
- Tourism
- Urban & Residential Development
- Transport
- Public Access & Safety
- Public Land
- Recreation

Many of these themes are addressed in equivalent terms in other strategic documents including the Southern Tasmanian Regional Land Use Strategy and township structure plans.

The particular purpose zones and specific area plans are all subject to the SCP.

The SCP is principally implemented via the use of zones and the use and development control provisions within the SPP zones. Public reserves and foreshore reserves are in the Environmental Management Zone or Open Space Zone. Urban zoning seeks to contain settlement footprint given that all settlements are subject to the SCP.

The SPP has regard to coastal development works, similar to the interim planning scheme.

In addition, overlays apply to:

- Within 40m of high water mark and along all watercourses
- Coastal inundation and erosion hazards
- Local heritage places within 1km of the coast

The consideration of marine farming shore facilities is currently deferred pending deliberation of the current amendment (AM 2017 / 01) before the Tasmanian Planning Commission for Spring Bay Seafoods.

### **3.2.3 State Policy on Water Quality Management 1997**

The State Policy on Water Quality Management 1997 (the Policy) is concerned with achieving:

*sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.*

The SPP require the mandatory inclusion in the LPS of the State mapped waterway protection areas, which are based on buffer distances contained in the current interim planning scheme and derived from the Forest Practices System.

The SPP also provides for the ability to condition permits to require sound construction practices such as soil and water management – which is also a requirement of the Building Act 2016.

### **3.2.4 National Environmental Protection Measures**

National Environmental Protection Measures (NEPMs) have the effect of being a State Policy and include:

- National Environment Protection (Air Toxics) Measure
- National Environment Protection (Ambient Air Quality) Measure
- National Environment Protection (Assessment of Site Contamination) Measure
- National Environment Protection (Diesel Vehicle Emissions) Measure
- National Environment Protection (Movement of Controlled Waste between States and Territories) Measure
- National Environment Protection (National Pollutant Inventory) Measure
- National Environment Protection (Used Packaging Materials) Measure

Some NEPMs are outside the jurisdiction of LUPAA. However some aspects are addressed through various SPP provisions relating to matters such as water quality, amenity impacts on residential uses due to noise emissions and site contamination assessment.

### **3.3 Southern Tasmanian Regional Land Use Strategy 2010 – 2035 (STRLUS) (s34(2)(e))**

The STRLUS is currently under a review to remove inconsistencies between the STRLUS and the SPP.

Consideration of the STRLUS is based on the version as declared and in effect at December 2017.

The draft LPS is considered to be consistent with the various policy positions. Attachment 7 provides a statement against each specific policy.

The overall approach of the STRLUS is to make efficient use of existing land and infrastructure through compact settlement strategies. Through compact settlements, other policy position relating to maintaining agricultural and natural resources are optimised.

The draft LPS provides for compact urban settlements to make use of existing infrastructure and minimise the encroachment of urban land into agricultural or natural landscapes. Urban growth will be provided through a combination of subdivision of larger titles within settlement footprints and smaller subdivisions or multiple dwelling developments.

The serviced residential settlements of Orford, Triabunna, Swansea and Bicheno must be included in the General Residential Zone. As such, these towns are subject to the same development control provisions as all other serviced areas in Tasmania. Concern has been raised that these development controls may not deliver infill in a manner that adequately has regard to the character of smaller coastal settlements. It is considered that, to date, these standard development control provisions have not lead to unreasonable development outcomes. Nevertheless, the following comments from the Tasmanian Planning Commission panel report into the SPP appropriately capture the importance of these controls and any future review of the controls should be seen as a priority.

*4.1.4 Residential development standards review Given residential development is the most commonly occurring form of development subject to the planning scheme, affecting the construction industry, owner builders and home owners, the Commission recommends that the General Residential and Inner Residential Zones be reviewed as a priority. Consistent standards were put in place when Planning Directive 4.1 – Standards for Residential Development in the General Residential Zone was issued in 2014. A sufficient period of time has elapsed since their implementation that it is now appropriate to:*

- evaluate the performance of the standards and whether the intended outcomes have been realised, including delivering greater housing choice, providing for infill development and making better use of existing infrastructure;*
- consider the validity of the claims that the standards are resulting in an unreasonable impact on residential character and amenity; and*
- introduce drafting that is more consistent with the conventions that apply to the SPPs generally.*

### 3.3.1 The Process Forward – Implementing and Monitoring the Southern Tasmanian Regional Land Use Strategy, 25 October 2011

The following outlines the current status of the implementation measures recommended in *The Process Forward*.

Implementation Issue	Status
Develop future governance arrangements between State and Local Government based on principles identified in the document.	No progress.
Residential Land Release Program – process and role of structure plans.	Relevant to land release and structure plan preparation  Council's four structure plans comply with the outline requirements for structure plans as provided in <i>the process forward</i> .
Infill Development Program	Applicable to Greater Hobart.
Recommendation 1. Introduce a state based monitoring and management system of native vegetation and approved vegetation clearing.	No progress.
Recommendation 2. Review State and Local Government RMPS processes for native vegetation clearance.	No progress.
Recommendation 3. Develop State Policy on climate change mitigation & adaptation	No progress.
Recommendation 4. Implement nationally adopted tiered approach to recognition of heritage values – i.e., State responsible for places of Tasmanian value & Council responsible for places of local value.	Limited progress.  There are 22 local listed places, and a further 84 places on the Tasmanian Heritage Register in the municipal area.  The Tasmanian Heritage Council is reviewing their listed places to determine if they are of State value and warrant inclusion on the Tasmanian Heritage Register (THR). To date, only minor changes have been made to a small number of THR listed properties in the municipal area. It could be expected that some of the 84 THR places may be more appropriately managed as local value. Further, there may be other places that warrant recognition and protection as local values.  Finally, a number of THR listed properties in rural areas remain on a 'whole lot' basis rather than to a smaller area around heritage buildings. This may mean that farm buildings some distance from a heritage building are subject to unnecessary regulation. These listings should be updated on conjunction with Heritage Tasmanian staff.

Recommendation 5. Systematically complete heritage surveys.	It has been a period of time since any wide ranging heritage survey was undertaken for the municipal area. This can be progressed with conjunction with the Swansea heritage museum.
Recommendation 6. Explore new and innovative ways to fund heritage management and maintenance.	No progress.
Recommendation 7. Undertake regional audit and education and health facilities to established links and gaps.	No progress.
Recommendation 8. Develop a consistent pricing system for developer charges for water and sewer.	No longer relevant under TasWater pricing structure.
Recommendation 9. Develop a policy relating to the physical location of government administration and services consistent with the Activity Centre hierarchy.	No progress.
Recommendation 10. Incentivise infill development.	Principally a Greater Hobart issue.
Recommendation 11. Standardise Council processes and fees associated with the construction phase of new development.	No progress.
Recommendation 12. Identify opportunities for surplus government land to be used for infill development.	Principally a Greater Hobart issue.
Recommendation 13. Consider establishing a 'land authority' with land banking powers to release infill development opportunities.	A 'infill development within Greater Hobart' report has been prepared <a href="https://www.stategrowth.tas.gov.au/__data/assets/pdf_file/0009/88776/Infill_development_within_Greater_Hobart_Stage_1_Final_Report.pdf">https://www.stategrowth.tas.gov.au/__data/assets/pdf_file/0009/88776/Infill_development_within_Greater_Hobart_Stage_1_Final_Report.pdf</a>
Recommendation 14. Tailor economic development strategies and urban design improvement strategies to attract a range of employment opportunities attractive to working age persons and their families.	Ongoing.
Recommendation 15. Provide regional consistency in the quality and availability of spatial data on native vegetation	The Regional Ecosystem Model used to identify priority vegetation provides the best available information for the region.
Recommendation 16. Complete stages 2 and 2 of the Tasmanian Coastal Vulnerability Mapping Project	This work has been completed by the Department of Premier and Cabinet, <a href="http://www.dpac.tas.gov.au/divisions/osem/mitigating_natural_hazards">http://www.dpac.tas.gov.au/divisions/osem/mitigating_natural_hazards</a>
Recommendation 17. Develop agreed criteria to determine relative significance of important landscapes and key landscape values.	No progress.
Recommendation 18. Undertake supply and demand analysis for aged care accommodation and nursing home beds	The status of this work at a regional level is unclear.  A municipal area analysis has not been completed.

Recommendation 19. Audit existing floor space in activity centres	Principally a Greater Hobart issue.
Recommendation 20. Undertake a detailed land supply analysis across the whole region and including all residential areas and utilise this in the review and update of the Regional Land Use Strategy	A review of the Regional Land Use Strategy has not occurred.
Recommendation 21. Update urban design manuals and incorporate into future review of the Regional Land Use Strategy.	A review of the Regional Land Use Strategy has not occurred and no progress has been made with respect to urban design.
Planning Scheme Zoning Framework	This was prepared to guide the implementation of the interim planning schemes and is now superseded by Ministerial Guideline No. 1.
Infrastructure Investment Plan	Those projects listed in the Infrastructure Investment Plan relevant to Glamorgan Spring Bay municipal area include: <ul style="list-style-type: none"> <li>(a) Swansea Water Supply – rectification works scheduled for 2018</li> <li>(b) Orford / Triabunna water/sewer strategy – which has been prepared by TasWater</li> <li>(c) Swan River Irrigation Scheme - complete</li> </ul>
Review and Monitoring - Recommendation for a 2012 review (in respect to project / resource limitation in initial strategy) and 5 yearly reviews thereafter	No progress.
Review and Monitoring – system of annual monitoring, evaluation and reporting to be implemented	No progress. No review ever completed.

### 3.4 Community Strategic Plan, July 2014 (s34(2)(f))

The Community Plan 2013 is currently under review in order to ensure its currency with respect to the requirements of the *Local Government Act 1993*. Consultation occurred during December 2017. The following is based on the version in effect at December 2017.

The Community Strategic Plan provides the following vision statement.

IN 2020 GLAMORGAN SPRING BAY WILL:

- Be proud of our united inclusive community.
- Be responsible for our environment, health, education, heritage and the arts, with a diverse progressive and prosperous economy.
- Offer an attractive lifestyle, in a beautiful place.

The Community Strategic Plan provides six future direction statements:

1. Build our community infrastructure
2. Age well in our communities
3. Grow our economy and employment opportunities
4. Protect and promote our natural beauty, environment and heritage
5. Be visitor friendly
6. Foster health and well being.

Each of these is addressed in turn.

## Direction 1. Build our community infrastructure.

STRATEGIC OUTCOMES	COUNCIL ROLE
A safe and well maintained road network across the municipality.	Provider, Facilitator, Advocate
A network of cycle and walking trails that connect communities.	Provider, Facilitator
Well maintained public amenities, parklands and recreational facilities that meet community needs.	Provider, Facilitator
Marine infrastructure supports and attracts commercial and recreational boat owners and activities to townships.	Provider, Facilitator, Advocate
Internet access speeds and phone and television coverage at current standards across the municipality.	Advocate

WHO SHOULD COLLABORATE AROUND THE STRATEGIC DIRECTIONS	PERFORMANCE INDICATORS
<ul style="list-style-type: none"> <li>• Government agencies</li> <li>• Community groups</li> <li>• Cycling groups</li> <li>• Parks and Wildlife Service</li> <li>• Sporting groups</li> <li>• Marine and Safety Tasmania (MAST)</li> <li>• Boat owners</li> <li>• Telecommunication companies</li> </ul>	<ul style="list-style-type: none"> <li>• Road maintenance expenditure</li> <li>• Kilometres maintained</li> <li>• Safety statistics</li> <li>• Facility usage</li> <li>• Boat registrations</li> <li>• Internet speeds</li> <li>• Extent of phone and internet coverage</li> </ul>

Of the strategic outcomes for Future Direction 1, road and marine infrastructure are most relevant to the LPS. The LPS includes a road and rail asset code to manage new or expanded traffic generating use. The major roads are the Tasman Highway and Coles Bay Road with other important secondary roads. These roads are afforded adequate consideration by the provisions of the road and rail asset code.

Marine infrastructure, for commercial or recreational purposes, requires the land adjacent to potential sites to be appropriately zoned. Marine infrastructure exists throughout the municipal area, with more significant infrastructure provided at Coles Bay, Bicheno (the Gulch), Swansea and Spring Bay.

Recreational marine infrastructure is classified as a 'Pleasure Boat Facility' which, of the zones used on the foreshore, is:

- discretionary in the Rural Zone
- permitted in the Agricultural Zone for boat ramp only
- prohibited in the Landscape Conservation Zone
- discretionary in the Environmental Management Zone
- discretionary in the Recreation Zone
- discretionary in the Open Space Zone, and
- prohibited in the Light Industrial Zone.

Commercial infrastructure – other than a marina - is classified by the commercial business. Major commercial uses could be aquaculture and tourism cruises.

## Direction 2. Age well in our communities.

STRATEGIC OUTCOMES	COUNCIL ROLE
A range of retirement living options is available across the municipality so people can age in the communities they want to.	Provider, Facilitator, Advocate
May Shaw play a leading role in the provision of aged care services across the municipality.	Facilitator, Advocate
Glamorgan Spring Bay is known as an age friendly community where people want to live and this generates a range of employment and training opportunities.	Facilitator, Advocate
WHO SHOULD COLLABORATE TO HELP ACHIEVE THE STRATEGIC OUTCOMES	PERFORMANCE INDICATORS
<ul style="list-style-type: none"> <li>• Aged care providers</li> <li>• Family Carers</li> <li>• Governments</li> <li>• May Shaw Health Centre</li> <li>• Independent retirees and pensioner lobby groups</li> <li>• COTA</li> <li>• Community &amp; recreation groups</li> <li>• Registered Training Organisations</li> </ul>	<ul style="list-style-type: none"> <li>• Retirement accommodation options</li> <li>• Number of retirees settling in the area</li> <li>• Census population data</li> <li>• Employment in the aged care sector</li> </ul>

The Community Purpose Zone has been applied to the main facility for May Shaw with various independent living units zoned General Residential.

Most retirement living options will be delivered via the General Residential Zone, which applies to the serviced areas of Swansea, Triabunna, Orford and Bicheno. In the General Residential Zone, all forms of residential use can be considered. Residential use includes a retirement village and other forms of residential use in which some form of care is provided.

The density provisions of the General Residential Zone do limit some forms of residential use that are related to retirement living units. Residential density is regulated by the standard provided on the following page.

The standard requires that multiple dwellings – irrespective of the number of bedrooms – with a density higher than 1 per 325m<sup>2</sup> of site area must either have a density ‘compatible’ with the surrounding or offer a ‘significant’ social or community benefit.

Retirement living needs for some individuals could be met via well-designed, small-scale unit proposals providing 1-2 bedroom units, limited car parking and communal outdoor space. Such arrangements may be appropriate for individuals that do not require, or cannot utilise, large dwellings or private open space. The provisions of the residential density standard do limit the ability to provide such options as:

- Part (a) does not consider purpose, design or scale, and
- Part (b) requires proposals to be delivered at a large scale in order to deliver a ‘significant’ benefit.

8.4.1 Residential density for multiple dwellings

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

**Direction 3. Grow our economy and employment opportunities.**

STRATEGIC OUTCOMES	COUNCIL ROLE
A diverse economic base of sufficient scale to provide a range of employment opportunities across communities.	Provider (through planning scheme), Facilitator, Advocate
The East Coast is recognised intrastate, nationally & internationally for its fresh food, wine, seafood and produce.	Facilitator, Advocate
Triabunna operates as a safe deep water port for cruise ships and freight.	Facilitator, Advocate
The skills development industry meets the needs of the local economy and industry and also attracts people to the area to gain training.	Facilitator, Advocate
The economy and productivity are supported by technologies.	Facilitator, Advocate
WHO SHOULD COLLABORATE TO HELP ACHIEVE THE STRATEGIC OUTCOMES	PERFORMANCE INDICATORS
<ul style="list-style-type: none"> <li>Swansea/Bicheno Community Bank</li> <li>Government Agencies</li> <li>Local political representatives</li> <li>Existing businesses and industry, including Aquaculture, Rock Lobster Association, Walnuts Australia and existing Chip Mill owners</li> <li>Local chambers of commerce and progress associations</li> <li>East Coast primary producers</li> </ul>	<ul style="list-style-type: none"> <li>Employment statistics</li> <li>Sales of local product</li> <li>Number of cruise ships</li> <li>Participation in and availability of training programs</li> <li>New business starts</li> <li>Technology coverage and usage</li> </ul>
<ul style="list-style-type: none"> <li>Events and festival organisers</li> <li>TASPORTS</li> <li>Marine and Safety Tasmania</li> <li>Natural Resource Management</li> <li>Telco's</li> <li>Schools, TAFE and Registered Training Organisations</li> <li>Community groups and committees</li> <li>East Coast Regional Tourism Organisation</li> </ul>	

The capacity to provide a diverse and scaled economic base is supported by the SPP. In most zones, a wider range of land uses can be considered than is the case for the current

interim planning scheme. In most zones, the SPP will increase the number of permitted and discretionary uses. In doing so, it must be recognised that use and development standards are provided that will manage amenity issues for all future applications.

The LPS will maintain the existing zones for Spring Bay marina. As noted in later sections of the report, there is a need to review the zoning of land near the marina as a separate process to this.

**Direction 4. Protect and promote our natural beauty, environment and heritage.**

STRATEGIC OUTCOMES	COUNCIL ROLE
A clean and healthy environment.	Provider, Facilitator, Advocate
Towns and villages develop and grow but not at the expense of their individual character and identity.	Provider, Facilitator, Advocate
Development does not compromise our natural beauty or cultural heritage.	Provider, Facilitator, Advocate
Glamorgan Spring Bay is a leader in resource efficiencies (water, waste and energy).	Provider, Facilitator, Advocate
Productivity increases whilst maintaining and improving natural values.	Provider, Facilitator, Advocate

WHO SHOULD COLLABORATE TO HELP ACHIEVE THE STRATEGIC OUTCOMES	PERFORMANCE INDICATORS
<ul style="list-style-type: none"> <li>• Natural Resource Management and land managers</li> <li>• Catchment managers</li> <li>• East Coast primary producers</li> <li>• Property developers</li> <li>• Community groups and committees</li> <li>• Governments and government agencies</li> <li>• Council’s Heritage group</li> <li>• Planning authorities</li> </ul>	<ul style="list-style-type: none"> <li>• State of the environment reports</li> <li>• Water quality and quantity</li> <li>• Feral pests and invasive species</li> <li>• Recycling statistics</li> <li>• Development and building applications</li> <li>• Alternative energy production and usage</li> </ul>

The four main settlements each have a structure plan and consideration of character is discussed in section 4.0.

Natural values, landscape and heritage are provided consideration principally via the codes in the LPS. In addition, the Landscape Conservation Zone and Environmental Management Zone protect the values.

The priority vegetation area is based on the Regional Ecosystem Model, which is discussed in more detail below. This model is considered the most comprehensive, current and accurate model of biodiversity values available and represents the best possible consideration of natural values.

The LPS proposes to reintroduce landscape controls that existed in the 1994 planning scheme.

Water, waste & energy usage is not directly controlled via the planning scheme other than via the Utility Zone – for key assets – and the Electricity Transmission Protection Area Code.

## Direction 5. Be visitor friendly.

STRATEGIC OUTCOMES	COUNCIL ROLE
Tours, trails and events showcase the natural landscapes, fine wine and fresh produce of the East Coast	Provider, Facilitator
The East Coast has a common identity and brand developed through collaboration	Facilitator, Advocate
Visitor infrastructure and information is well developed	Provider, Facilitator
Maria Island becomes a key attraction for intrastate, interstate and international visitors	Advocate
Festivals, events, cultural activities, conferences and meetings bring visitors all year round	Provider, Facilitator, Advocate
The East Coast is connected to the Tasman Peninsula by an improved road network	Advocate
WHO SHOULD COLLABORATE TO HELP ACHIEVE THE STRATEGIC OUTCOMES	PERFORMANCE INDICATORS
<ul style="list-style-type: none"> <li>• East Coast Regional Tourism Organisation (ECRTO)</li> <li>• Local producers</li> <li>• Event and festival organisers</li> <li>• Service clubs and community groups</li> <li>• Government funding agencies</li> <li>• Parks and Wildlife Service</li> <li>• School groups</li> <li>• Accommodation and venue providers</li> <li>• Conference and meeting organisers</li> <li>• Tasmanian Convention Bureau</li> <li>• Natural Resource Management</li> <li>• Community groups and committees</li> </ul>	<ul style="list-style-type: none"> <li>• Visitation statistics</li> <li>• Facility usage</li> <li>• Numbers and attendance at events and conferences</li> <li>• Market share of state visitors</li> <li>• Visitors to National Parks</li> <li>• Grant funds obtained for facility development</li> </ul>

The visitor friendly strategic outcomes largely sit outside the planning system and planning schemes.

It should be noted that tourism and visitor accommodation can be considered across urban and rural land on their merit. A Resort Residential Specific Area Plan is proposed for existing larger scale visitor accommodation sites.

## Direction 6. Foster health and well being

STRATEGIC OUTCOMES	COUNCIL ROLE
All families have reasonable access to primary, secondary and tertiary education	Advocate
Communities have access to local health and wellness services and facilities	Provider, Facilitator, Advocate
Infrastructure and recreation activities support healthy lifestyles and participation levels	Provider, Facilitator, Advocate
Engaged, creative and vibrant communities have the capacity to independently make things happen	Facilitator, Advocate
Townships work together, have open communication and cooperate with one another, whilst keeping their identity	Facilitator, Advocate
There is access to and coordination of, reasonable transport services	Facilitator, Advocate
The Municipality is prepared for emergency events.	Provider, Facilitator, Advocate

WHO SHOULD COLLABORATE TO HELP ACHIEVE THE STRATEGIC OUTCOMES	PERFORMANCE INDICATORS
<ul style="list-style-type: none"> <li>• Schools and school associations</li> <li>• May Shaw Health Centre</li> <li>• Health service providers</li> <li>• East Coast Health</li> <li>• Government agencies</li> <li>• Parks and Wildlife Service</li> <li>• Private transport operators</li> <li>• Community groups and committees</li> <li>• The arts and crafts community</li> </ul>	<ul style="list-style-type: none"> <li>• Census population data</li> <li>• Increase in young families</li> <li>• School attendance and retention rates</li> <li>• Levels of educational attainment</li> <li>• Health data, incidence of lifestyle diseases</li> <li>• Participation in community projects</li> <li>• Participation in arts and cultural activities</li> </ul>

Of the health and well being strategic outcomes that are within the scope of the planning system it is noted that:

- School facilities are included in the Community Purpose Zone.
- May Shaw is included in the Community Purpose Zone, whilst other community health centres or consulting rooms can be considered in most urban zones.
- The Tasman Highway and other major roads are protected through the Road and Railway Assets Code.

The SPP does omit any consideration of ways and open space within subdivision design. This does not assist in providing infrastructure and recreation activities that support healthy lifestyles.

### 3.5 Adjoining Municipal Areas and Coordination (s34(2)(g))

Section 34(g) requires that the planning scheme:

*as far as practicable, is consistent with and co-ordinated with and LPS's that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates.*

At the time of writing, adjoining municipal areas do not have advanced draft LPSs to review. At the boundary, all land is either in the Rural Zone, Agriculture Zone or Environmental Management Zone and it will be necessary to ensure consistency unless conditions of ground warrant a zone boundary change.

In Code overlays, consistency will be delivered in mapped overlays for watercourse, coastal refugia, natural hazards, priority vegetation and electricity infrastructure due to common approaches to mapping those issues.

Each of the adjoining municipalities will be notified of the LPS directly and may forward submissions in regard to any issues at the interface.

### **3.6 Gas Pipelines Act 2000 (s34(2)(h))**

This is not applicable to the municipal area.

## 4.0 Structure Plans

### 4.1 Bicheno Structure Plan (revised 2014)

Key points of the Structure Plan include:

#### Vision

*Bicheno will maintain its seaside village feel that balances the township's existing character (which has emerged from its historic fishing and whaling origins) with future growth aspirations. It will provide affordable and diverse living options for residents and holiday accommodation options for visitors. It will realise the potential of its natural, coastal and cultural assets and its location as a gateway to the Freycinet and Douglas Apsley National Parks.*

#### Recommended Option

The recommended option includes the expansion of light industrial zoning (provided for), infill development of residential areas (provided for) and limiting unit development to around the town centre only (not provided for by the SPP or LPS).

#### Settlement Structure

The urban area has a linear, ribbon style structure bounded by the coastline and hilly forested backdrop maximising coastal outlook.

The town centre has a fragmented form and no clearly identifiable core – the connections from commercial activity to the coast is limited.

Coastal walkways provide connectivity across the township.

The coastal outlook and views to the north and east are considered to be key assets, with views to the coast and hills having significant importance to the town.

#### Infrastructure

Bicheno is well placed to benefit from recreational cycling on the East Coast.

There is generally adequate water and sewer services overall but deficiencies in some locations due to pipe size (TasWater will be developing a water and sewer strategy).

Electricity is supplied via a 22V main which may not have capacity for new, large loads.

#### Population

The total population is 647 persons.

In comparison to Glamorgan Spring Bay averages, Bicheno has:

- A higher median weekly income
- A lower unemployment rate
- A higher proportion of people born overseas
- The same proportion of indigenous population
- A slightly younger population yet fewer family households with relatively high rates (compared to Tasmania) of couple families with no children
- A higher proportion of technicians / trades, labourers and sales and less clerical and administrative occupations

- The same average household size
- A higher degree of socio-economic disadvantage

### Dwelling Supply & Demand

By 2030, the population is projected to increase to 750 persons using the medium growth scenario from the 2008 State Demographic Change Advisory Council. This requires 49 additional dwellings for permanent residents (2.6 per year on average) and a further 53 holiday houses (2.7 per year on average).

Between 1999/2000 and 2013/2014, 127 dwellings were approved (9 per year on average).

The gap between the projected dwellings and the recent history of building approvals is discussed in the Structure Plan. The Structure Plan also predates recent visitor economy growth, discussed in section 5. At current rates of dwelling approval (from 2009/2010 onwards), 221 dwellings would be required.

The 2011 census night occupancy rate was 48% which is higher than other settlements but significantly below the Tasmanian rate.

There is 49ha of vacant residential land. This would include 32.6ha at North Bicheno Particular Purpose Zone and 8.5ha of Future Urban Zone land in the south.

There is 53ha of vacant rural living land.

### Economic Activity

Key areas include the town centre (supermarket, food, tourism, bank, school, and community hall), aquaculture at The Gulch, tourism with a focus on nature based and vineyard activities.

### Urban Design

The Structure Plan recommends that commercial and residential develop incorporate a number of urban design principles. These include consideration of existing character, key views and vistas, scale and setback of adjoining buildings and the use of eaves, colours, decking and cladding.

The Local Business Zone does include requirements for active street frontage but the Structure Plan also considers the need to address local character and key views and vistas. The General Residential Zone provides no urban design standards.

## 4.2 Coles Bay Structure Plan 2016

Key points of the Structure Plan include:

### Vision

*Coles Bay will continue to maintain its status as an idyllic seaside town situated as the gateway to the Freycinet National Park and Wineglass Bay. Coles Bay will look to balance the town's existing character with future opportunities to improve liveability and amenity of Coles Bay for both residents and visitors. Key capital works projects, along with well managed future development for both residents and tourists, will ensure that Coles Bay retains the key attributes that make it the exceptional and unique place it is.*

### Population

The total population is 305 persons.

In comparison to Glamorgan Spring Bay averages, Coles Bay has a high proportion of non-permanent residents. Coles Bay also has a high turnover of population.

### Dwelling Supply & Demand

The Structure Plan notes that the limited long-term data on population makes future projections limited. It uses a 1% per annum growth rate and projects that by 2021 the population would increase to 335 persons.

The Structure Plan projects that by 2021, 15 dwellings for permanent residents (1.5 per annum) and 57 holiday houses (5.7 per annum) would be required. By 2030, 137 additional dwellings would be required in total.

The 2011 census night occupancy rate was 20% which is particularly low.

### 4.3 Swansea Structure Plan 2016

Key points of the Structure Plan include:

#### Vision

*Swansea will maintain its coastal town feel that balances the towns existing character with future growth ambitions. It will continue to provide affordable and diverse living options for residents and holiday accommodation options for tourists. The town will strive to build on its natural, coastal, community and cultural assets and continue to benefit from its central location on Tasmania's East Coast and the nearby Freycinet National Parks.*

#### Settlement Structure

The urban area has a linear form following the coastline, and road network, providing a direct visual and physical connection with the coast.

The town centre has a fragmented form with a centre located at the intersection of Franklin Street and Victoria Street.

The coastal outlook, level of community facilities and services, heritage and connectivity to the coast and beaches are considered to be key assets.

#### Infrastructure

There are adequate water and sewer services, with the water supply being upgraded at present. Electricity supply is adequate for planned growth.

#### Population

The total population is 771 persons.

In comparison to Glamorgan Spring Bay averages, Swansea has:

- A older population, with almost half the population over 55 (at 2011 census)
- A relatively high proportional of people who need assistance
- A high turnover of population

#### Dwelling Supply & Demand

The Structure Plan uses past growth rates as a projection for future population growth, with a rate of 1.5% per annum used.

By 2030, the population (with 1.5% compound growth rate) is projected to increase to 1023 persons. The structure plan projects out to 2021 with a projected population of 895 persons. This requires 6.2 additional dwellings for permanent residents per annum and 3.9 holiday houses per year. By 2021 therefore 101 additional dwellings is required and 192 dwellings by 2030.

The 2011 census night occupancy rate was 60% which is higher than Bicheno and Orford but less than Triabunna.

There is 31ha of vacant residential land. There is 121.5ha of vacant rural living land.

#### Economic Activity

Key areas include the town centre (two supermarket, food, tourism, bank, school, and community hall), aquaculture in Great Oyster Bay and tourism.

## Urban Design

The Structure Plan recommends that low quality prefabricated houses not be developed along key entry points to Swansea.

#### 4.4 Triabunna / Orford Structure Plan (2014 revision)

Key points of the Structure Plan include:

##### Vision

*Triabunna and Orford will provide a sustainable lifestyle and destination choice that realises the potential of their natural assets and links to convicts, maritime and forestry history.*

*The settlements will retain their individual characters and roles but will also work together as a complementary system.*

*Triabunna's future will focus on its role as:*

- *A regionally important service hub, housing and employment centre;*
- *A working and recreation boating node; and*
- *The gateway to Maria Island.*

*Orford's future will focus on:*

- *Providing a beach lifestyle choice for residents and visitors; and*
- *Retaining its character as a place where the bush meets the sea.*

##### Recommended Option

The recommended option includes infill development of residential areas with some minor expansion (provided for) and limiting unit development to around the town centre only (not provided for by the SPP or LPS).

##### Settlement Structure

The urban area of Orford has a linear, ribbon style structure bounded by the coastline and hilly forested backdrop maximising coastal outlook. The urban footprint of Orford is not well defined. Triabunna is positioned either side of the port and in a flat valley with a grid street layout.

Triabunna town centre extends along Vicary and Charles Street with some mix of residential and industrial use. Orford has a smaller and compact commercial area but one lacking clear definition of arrival points.

Coastal walkways provide connectivity across Orford but connectivity between the two is currently limited.

##### Infrastructure

Water services to Orford and Triabunna are adequate but require increased capacity to meet growth. Sewer services are adequate. TasWater has developed a water and sewer strategy.

Electricity is supplied via the Triabunna substation which has capacity for future growth.

##### Population

Triabunna has a population of 766 whilst Orford has a population of 518 persons.

In comparison to Tasmanian and Glamorgan Spring Bay averages, it is noted that:

- Triabunna median age is 42 years whilst Orford is 57 years

- Triabunna median weekly income is low at \$675
- Both have a high unemployment rate (12.3% for Triabunna and 11.6% for Orford)
- A higher proportion of people born overseas
- Both settlements have a relatively high proportion of indigenous population
- A relatively low proportion of people employed in sales and professionals and high proportion of machinery operators
- A higher degree of socio-economic disadvantage, particularly for Triabunna which is among the top 9% most disadvantage area nationally.

### Dwelling Supply & Demand

By 2030, the population is projected to increase to 888 persons for Triabunna and 600 persons for Orford using the medium growth scenario from the 2008 State Demographic Change Advisory Council. This requires 51 additional dwellings for permanent residents at Triabunna and 39 at Orford (4.8 per year on average combined) and a further 9 holiday houses at Triabunna and 39 at Orford (2.5 per year on average combined).

Between 1999/2000 and 2013/2014, 207 dwellings were approved across both settlements.

The gap between the projected dwellings and the recent history of building approvals is discussed in the Structure Plan. The Structure Plan also predates recent visitor economy growth, discussed in section 5. At current rates of dwelling approval (from 2009/2010 onwards), 289 dwellings would be required.

The 2011 census night occupancy rate was 86% for Triabunna but 30% for Orford. For Triabunna this is particularly high compared to the municipal area whilst Orford is particularly low.

There is 32.5ha of vacant residential land, excluding Solis. There is 20.6ha of vacant rural living land.

### Urban Design

The Structure Plan recommends that commercial and residential develop incorporate a number of urban design principles. These include consideration of existing character, key views and vistas, scale and setback of adjoining buildings and the use of eaves, colours, decking and cladding.

The Local Business Zone does include requirements for active street frontage but the Structure Plan also considers the need to address local character and key views and vistas. The General Residential Zone provides no urban design standards.

## 5.0 Tourism Strategies

The East Coast economy is the 6<sup>th</sup> most tourism dependant region in Australia. Over 2013 to 2016 visitations to the East Coast increased by 53% - Coles Bay visitations increased 67%. 19% of employment in Glamorgan Spring Bay is in the accommodation and food services segment whilst 15.4% is in the agriculture, forestry and fishing segment (as at 2011 census).

The Tourism Industry is guided by a number of Tasmanian, East Coast and township specific plans, marketing campaigns and strategies, including:

- The Great Eastern Drive brand
- T21 – Tasmanian Visitor Economy Strategy 2015-2020, with a focus on expanded access and investment in capacity and quality tourism infrastructure
- The East Coast Destination Management Plan, June 2013
- Tasmania's Cycle Tourism Strategic Action Plan to 2020
- Agri-Tourism Strategy to 2020
- The East Coast Regional Tourism Organisation

The current priorities for tourism is to focus on smoothing seasonality, further developing natural strengths and the agriculture/aquaculture sector, addressing skills and infrastructure and taking advantage of emerging opportunities. This will, among other management activities, entail:

- Promotion, and leveraging off, of the Great Eastern Drive
- A focus on the natural environment, wildlife and heritage
- Access to niche agricultural products and paddock to plate type enterprises
- Enhancement of waterfront precincts to provide attractions and facility access for tourism, cruiseships, aquaculture and freight
- Improvement to town facilities, services and identifiable gateways
- New and expanded events to smoot seasonality
- Access via walking, cycling, car or air
- Shifts into emergent activities such as mountain bike trails & deep ocean fishing.

Destination Action Plans have been prepared, or are close to completion, for:

- Spring Bay
- Bicheno
- Swansea
- Freycinet
- East Coast Wineries.

## **6.0 Zones**

### **6.1 Application of Zones – Guidance Documents**

Ministerial Guideline No 1 - Local Provisions Schedule Zone and Code Application was issued in May 2017 by the TPC, with the approval of the Minister, under Section 8A of LUPAA. The guideline outlines instructions for the application of the SPP with particular emphasis on Section LP1.0 of the SPP's which outlines the requirements for the contents of the LPS.

Guideline No.1 contains 'should' statements for the zoning of land and in doing so, recognises that there will be circumstances whereby sustainable outcomes are not achieved without variation in zone type, or the inclusion of overriding local provisions.

### **6.2 Summary of Changes & Transitional Provisions**

The following provides a summary of zone changes that are proposed in the draft LPS.

## 6.3 Settlement Zoning

### 6.3.1 Orford

Zone	Number of lots (1)	Mean Lot Size	Medium Lot Size	% lots capable of subdivision (2)	% lots capable of multiple dwelling (2)
GRZ (General Residential Zone)	804	1473 m <sup>2</sup>	883 m <sup>2</sup>	87.4%	48.3%
LDRZ (Low Density Residential Zone)	201 (+29 approved)	5321 m <sup>2</sup>	2224 m <sup>2</sup>	37%	20%
RLZ (Rural Living (A) Zone)	100	2.25 ha	-	37%	-
Local Business Zone	28	-	-	-	-
(1) Includes exist. Strata & Fee Simple Lots. Excludes roads, open space and lots with permits for >5 subdivisions not yet created					
(2) Capable is by reference to the acceptable solution for the zone					

### Summary

The zoning of Orford largely reflects the recommendations of the Triabunna / Orford Structure Plan, which is available at <http://gsbc.tas.gov.au/wp-content/uploads/2016/06/Triabunna-Orford-Structure-Plan-2014-Revised.pdf>.

The approach taken is to maintain the existing interim planning scheme zones with the exception of some properties (detailed below) where there is a need or opportunity to better match tenure, recent subdivision design & permits or to reflect existing infrastructure services.

On this last point, the new planning scheme requires the General Residential Zone to be used where land is or can be fully serviced. There are some properties around Wattle Grove & Prosser Street which are now zoned Low Density Residential but are fully serviced and therefore included in the General Residential Zone.

The overall approach is to:

- Apply the General Residential Zone to serviced areas.
- Apply the Low Density Residential Area where there are water or sewer constraints, where there is limited road infrastructure in place (e.g., Paradise Court), limited stormwater infrastructure in place (e.g., Holkam Court) or due to topography (e.g., sections of Mary Street, Feldwick Lane).

- Apply the Local Business Zone to the existing commercial areas at the Corner of Charles Street & Esplanade & near intersection of Alma Road & Tasman Highway).
- Apply the Community Purpose Zone to school & library.
- Apply the Future Urban Zone to land identified in the Triabunna / Orford Structure Plan as being suitable & necessary for future urban growth. The zone allows the future development to be factored into infrastructure planning & would provide a basis for development plan work to identify the most efficient and practical road and servicing design and determine what natural values could or should be retained where applicable.

### **Further work**

Holkam Court and surrounds is currently within the Low Density Residential Zone. This area represents a major strategic planning issue to resolve through future work due to the issues of stormwater (under)capacity and climate change impacts projected for the Tasman Highway corridor.

The area is proposed to be retained in the Low Density Residential Zone (LDRZ), notwithstanding the fact that the land is fully serviced by water and sewer infrastructure – and therefore a candidate for the General Residential Zone (GRZ).

The LDRZ applies to 27.5ha of land in 28 titles that range from 1455m<sup>2</sup> to 4.2ha in size. 27.5ha could support in excess of 150 lots at a 1500m<sup>2</sup> minimum lot size in the LDRZ and in excess of 400 lots if included in the GRZ.

The increase in density that could arise under either the LDRZ or GRZ zone would represent a significant change for the amenity of the area. In addition, the stormwater network of open drains is inadequate for future growth. A stormwater system management plan will be developed in 2018 to identify options and costs for network upgrades to alleviate current flood issues and potentially accommodate future options under either zone scenario. Until such work is completed and a cost effective strategy developed for stormwater the area is considered to be under-serviced.

A further issue for this area is the potential effects of coastal inundation and erosion at Raspins Beach and the Tasman Highway corridor. The existing Tasman Highway may become exposed to inundation or erosion that necessitates some form of physical protection or relocation.

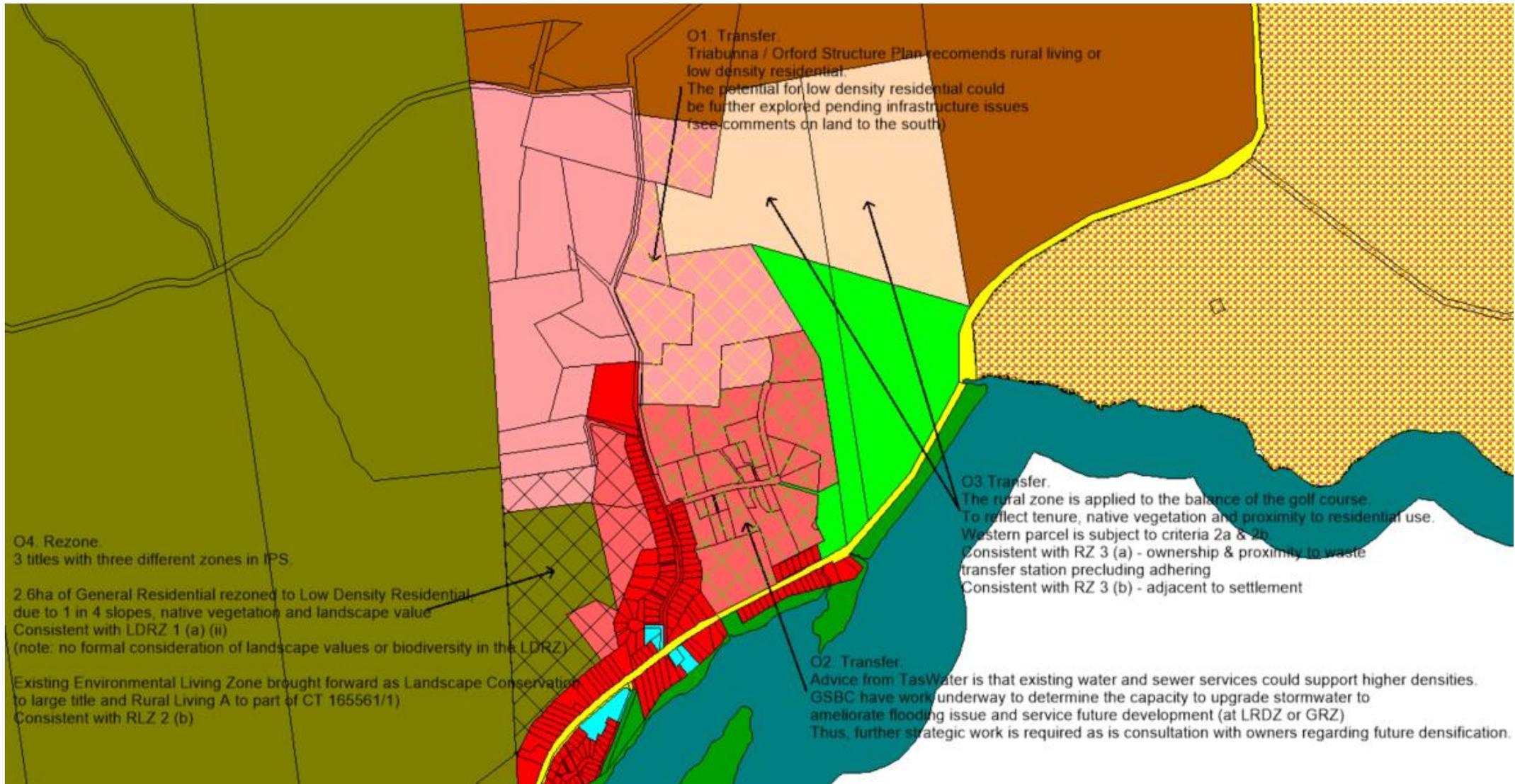
## Detail

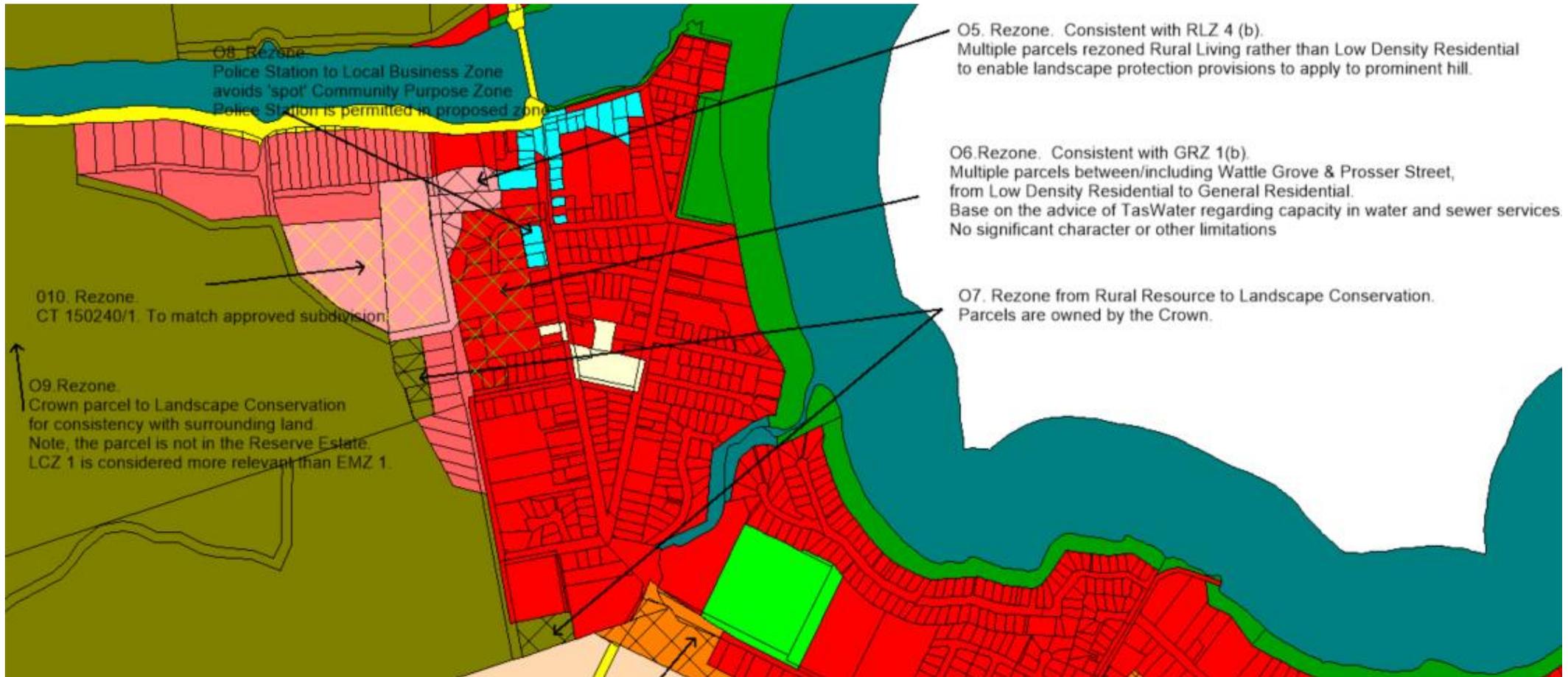
The following images show the proposed zoning. Where there is a change proposed a brief explanation is provided. If there are no comments or explanation provided for a property this means there is no change from the current planning scheme.

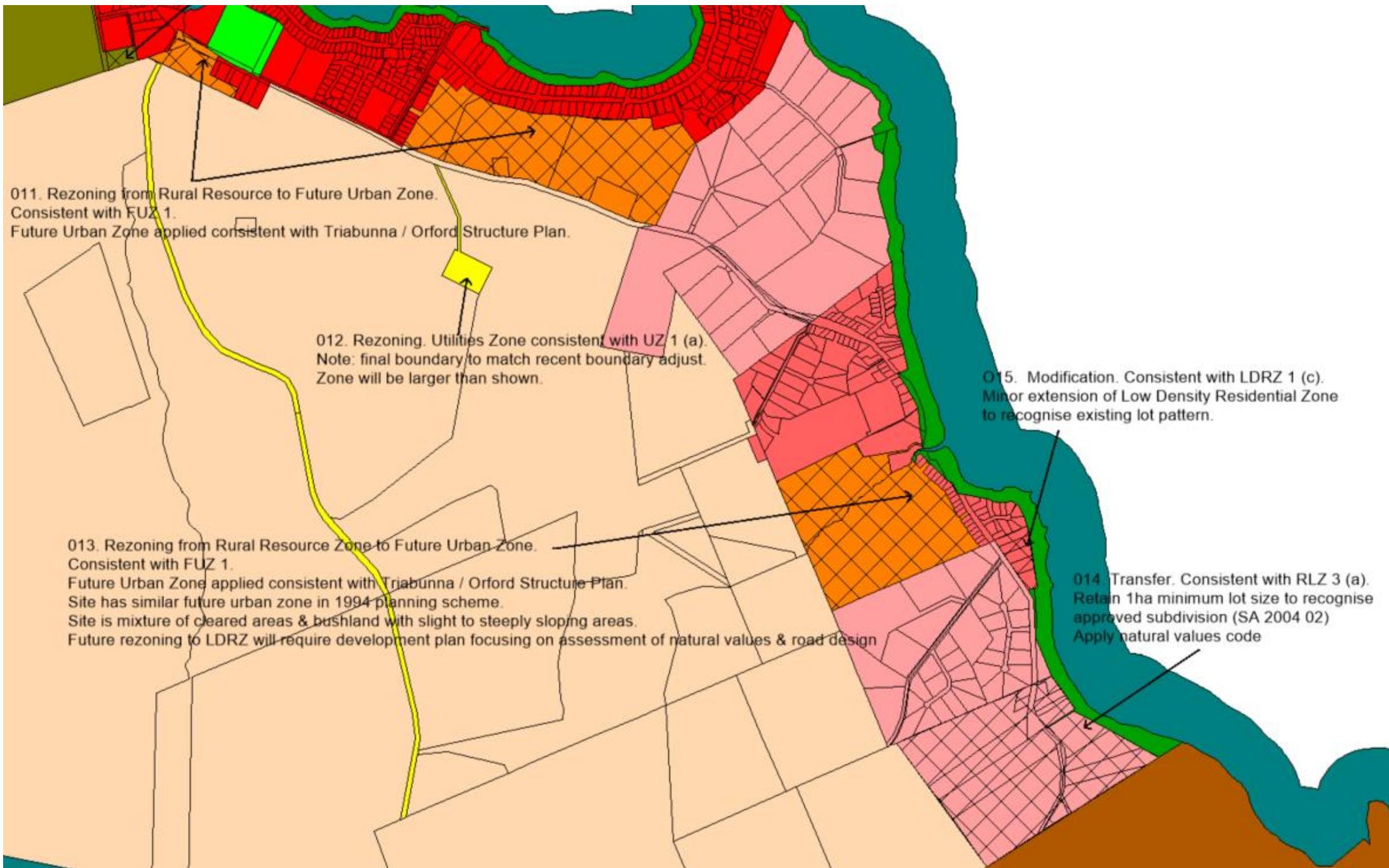
Where comments are provided there are three categories:

- Rezoning. This indicates that a strategic shift in zoning is proposed.
- Modification. This indicates a modification, such as enlarging or reducing the area of the zone.
- Transfer. This indicates that no change is actually proposed, but with some explanation as to why this is the case.

Each comment will reference a rule in the Ministerial Guideline No. 1 Local Provisions Schedule (LPS): zone and code application, such as RLZ 1 (a) or GRZ 2. These must be read in conjunction with the Guidelines No. 1 which is available at [http://www.planning.tas.gov.au/news/news\\_items/guidance\\_for\\_drafting\\_lps](http://www.planning.tas.gov.au/news/news_items/guidance_for_drafting_lps).







### 6.3.2 Triabunna

Zone	Number of lots (1)	Mean Lot Size	Medium Lot Size	% lots capable of subdivision (2)	% of lots capable of multiple dwelling (2)
GRZ (General Residential Zone)	393	1833 m <sup>2</sup>	1032 m <sup>2</sup>	61.6%	84.7%
LDRZ (Low Density Residential Zone)	11	13623 m <sup>2</sup>	12939 m <sup>2</sup>	91%	72%
RLZ (Rural Living (A) Zone)	4	3.3 ha	-	75%	-
Local Business Zone	37	-	-	-	-
(1) Includes exist. Strata & Fee Simple Lots. Excludes roads, open space and approved lots					
(2) Capable is by reference to the acceptable solution for the zone					

### Summary

The zoning of Triabunna largely reflects the recommendations of the Triabunna / Orford Structure Plan, which is available at <http://gsbc.tas.gov.au/wp-content/uploads/2016/06/Triabunna-Orford-Structure-Plan-2014-Revised.pdf>. There are only a small number of zone changes proposed to Triabunna.

The overall approach is one of:

- General Residential Zone applied to all serviced areas.
- Low Density Residential Zone applied only to where there are water and sewerage constraints that preclude (economically) a higher density (as confirmed by TasWater).
- Applying the Local Business Zone to the existing commercial areas along sections of Vicary and Charles Street.
- Applying the Community Purpose Zone to the school, existing cemeteries & churches and to the former Council Chambers and adjoining fire station.
- Applying the Light Industrial Zone to existing industrial uses or potential industrial uses to meet local demand.

### Rural Zone

Triabunna is surrounded by good quality agricultural land and is therefore bordered by the Agriculture Zone in most instances. The exceptions to this are two separate areas of small lots; one to the north of the Tandara and one to the east of Freestone Point Road.

The area north of Tandara includes a number of small lots with a mix of rural, residential and industrial uses. In terms of agriculture, the area is constrained by size and proximity to residential uses. Although some lots are part of 'Okehampton' these are sporadic across the area and are constrained by size and surrounding uses. In the long-run this area may be suitable for expansion of the General Residential Zone and the Rural Zone maintains this option into the longer-term. It should be noted that the Triabunna / Orford Structure Plan identifies a portion of this area as being appropriate for the Rural Living Zone, and the approach recommended is inconsistent with the strategy.

The area east of Freestone Point Road consists of a number of crown grant lots around 4ha in size. Generally, these lots are in separate ownership and the rural zone is considered consistent with RZ 3 (a) & (b).

### **Non Conforming Use**

The PWS/Forestry Tasmania Depot (east of 1 Victoria Street) is proposed to remain in the General Residential Zone and continue as a non-conforming use. The scale of the depot is relatively small and has operated for a number of years without significant amenity issues. As a non-conforming use, additions can be considered but this cannot be significant in size.

Within the industrial areas, dwellings exist at 21A Tasman Highway & 49 Henry Street and have a non-confirming use status.

### **Further Work**

The land including and within the vicinity of the marina is subject to a number of different, and potentially conflicting, zones, particularly where fronting Esplanade West. In this area the General Residential, Local Business, Community Purpose, Open Space & Light Industrial Zones are used across a relatively small area. As the marina has expanded, new opportunities and challenges have been created which arguably are not catered for by the zoning, particularly the residential zone which has a narrow scope for non-residential use. The patchwork of zones is not effective in managing different land uses and a more uniform approach is warranted. Arguably, a mixed-use type zone should apply between Vicary Street (which is predominantly within the Local Business Zone) and land adjoining the marina / Esplanade West. This would provide opportunities for non-residential uses related to the marina (car parking, Chandler, services & repairs, food, etc) as well as residential and visitor accommodation uses.

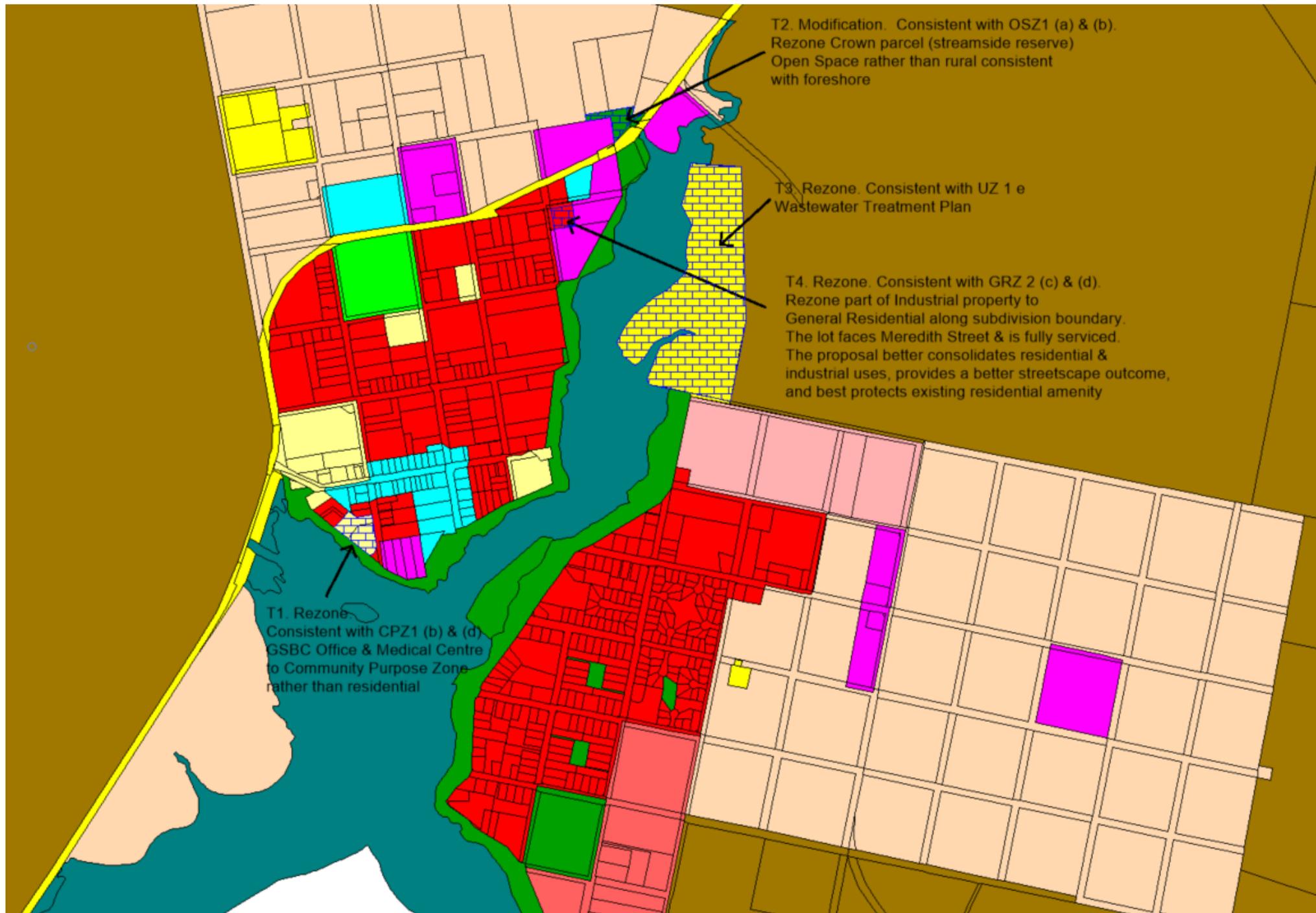
## Detail

The following images show the proposed zoning. Where there is a change proposed a brief explanation is provided. If there are no comments or explanation provided for a property this means there is no change from the current planning scheme.

Where comments are provided there are three categories:

- Rezoning. This indicates that a strategic shift in zoning is proposed.
- Modification. This indicates a modification, such as enlarging or reducing the area of the zone.
- Transfer. This indicates that no change is actually proposed, but with some explanation as to why this is the case.

Each comment will reference a rule in the Ministerial Guideline No. 1 Local Provisions Schedule (LPS): zone and code application, such as RLZ 1 (a) or GRZ 2. These must be read in conjunction with the Guidelines No. 1 which is available at [http://www.planning.tas.gov.au/news/news\\_items/guidance\\_for\\_drafting\\_lps](http://www.planning.tas.gov.au/news/news_items/guidance_for_drafting_lps).



### 6.3.3 Swansea

Zone	Number of lots (1)	Mean Lot Size	Medium Lot Size	% of lots capable of subdivision (2)	% of lots capable of multiple dwelling (2)
GRZ (General Residential Zone)	604	1779 m <sup>2</sup>	885 m <sup>2</sup>	49.1%	82.6%
LDRZ (Low Density Residential Zone)	-	-	-	-	-
RLZ (Rural Living (A) Zone)	141	2.56 ha	2.12 ha	64%	-
Local Business Zone	64	-	-	-	-
(1) Includes exist. Strata & Fee Simple Lots. Excludes roads, open space and lots with permits for >5 subdivisions not yet created					
(2) Capable is by reference to the acceptable solution for the zone					

### Summary

The zoning of Swansea largely reflects the recommendations of the Swansea Structure Plan, which is available at <http://gsbc.tas.gov.au/wp-content/uploads/2017/05/Swansea-Structure-Plan-Version-5-FINAL-April-2016-.pdf>. As the majority of the recommendations of the Swansea Structure Plan are reflected in the current interim planning scheme, there are only a small number of zone changes proposed. All zone changes are identified in the following.

The overall approach is one of:

- General Residential Zone applied to all urban areas. As there are no water and sewerage constraints the Low Density Residential Zone is not used.
- Applying the Rural Living Zone with a 1ha minimum lot area to the large area west of the town with a small extension to the south-east.
- Applying the Local Business Zone to the existing commercial areas along Franklin Street and to the Bark Mill and Holiday Park.
- Applying the Community Purpose Zone to the main May Shaw premise, school, existing cemeteries & churches .
- Applying the Light Industrial Zone to existing industrial uses or potential industrial uses to meet local demand including a new area adjacent to the waste transfer station and TasWater assets.

A summary of modifications recommended on the basis of consistency with the Swansea Structure Plan include:

- Relocation of the Light Industrial Zone.
- 4ha of additional General Residential Land in south Swansea beside Cathcart Street crown reservation.

Zone modifications include:

- Expanded use of Open Space Zone along foreshore in lieu of Environmental Management Zone for consistency.
- Utilities Zone to all TasWater assets (Noyes Street).
- General Residential to the former historical society and community garden at Noyes Street consistent with Council resolution to dispose of that land. The General Residential Zone is also applied to the adjoining police residence / station. Whilst both sites have public use at present the use is not considered significant to warrant a specific zone.
- Rural Living Zone to a small number of properties at the southern edge of Swansea.
- Open Space Zone to existing walkways and trails.
- Minor extension of residential zoning to existing lots on the northern side of the Bark Mill which are currently within the Rural Resource Zone.
- Rationalisation of Community Purpose Zone. This zone applies to the Scout Hall, former SES, community garden and police residence but these uses can be catered in a residential or local business zone and are not significant enough to warrant the Community Purpose Zone.

Beyond the above, the majority of which are further explained below, the zonings reflect the current interim planning scheme.

Returning to the Swansea Structure Plan, the following recommendations are not pursued at this stage:

- Expansion of Community Purpose Zone associated with May Shaw. The recommended expansion of the Community Purpose Zone reflected the independent living units which can be appropriately managed within the General Residential Zone.
- Commercial infill development along Franklin Street and up to the Bark Mill. This represents a significance change and should be considered in a separate planning scheme amendment.
- Residential Expansion in the vicinity of Dove Lane. As this land is low lying the recommendation should only be implemented once engineering is confirmed. As it is low lying, the land has no coastal view and the land may not meet market needs.
- The investigation areas at Waterloo Point and rural land to the north are not pursued in this process.

## **Rural Zone**

Swansea is surrounded by agricultural land and as such the Agriculture Zone borders the majority of the town. The exceptions to this are at the north of Swansea in the future development investigation area identified in the Swansea Structure Plan and at the south between Swansea and Piermont on land that has been subdivided into lifestyle lots. These zones are considered consistent with rules RZ 3 (a), (d) & (e).

## **Non Conforming Use**

The landscape/fuel/concrete batch plant adjacent to the Bark Mill is zoned General Residential and will be able to continue as a non-conforming use. The Swansea Structure Plan identifies that this use would preferably be relocated to a new industrial zone (which is provided for). The General Residential Zone in the Statewide framework is somewhat broader than the interim planning scheme version and more capable of attracting re-development.

Non conforming use also exists at the corner of Gordon Street & Tasman Highway (a transport depot).

As a non-conforming use, additions can be considered but this cannot be significant in size.

Within the existing Light Industrial Zone, dwellings exist at 4 & 8 Murray Street & 2 Burgess Street have a non-conforming use status. It is recommended that the Light Industrial Zone no longer applies to 6 Murray Street which is a small residential title.

## **Further Work**

### *'South' Swansea Roads & Public Open Space*

Siting of an open space area in Swansea on the southern side of Duck Creek that can be acquired through further subdivision or public open space cash contributions from recent subdivisions in that area. In south Swansea open space is available at the foreshore only. A central area would provide opportunities for play equipment and parks and provide an insurance against the projected sea level rise. This however is not necessary for the zoning of land.

Equally, south Swansea may benefit from a local area plan to give direction to the provision of roads and infrastructure. A proliferation of cul-de-sacs should not be the default position.

### *Waterloo Point and Future Development Investigation Areas*

The potential Waterloo Point residential and marina development must be subject to a separate process, should it proceed.

### *Zoning of former Resort Residential Properties*

The 1994 Planning Scheme's Resort Residential Zone was translated into either Local Business or Low Density Residential Zone under the structure of the interim planning scheme. This applies to the Holiday Park & Bark Mill. This had the effect of creating areas of Local Business Zone that are separate to any central area or activity centre. As the Local Business Zone has a number of permitted uses that may be less than ideal away from the centre of Swansea, consideration should be given to other zones or mechanisms. A Resort Residential Specific Area Plan is provided to provide a permitted status for tourism related uses on established sites.

### *Piermont*

Piermont is an approved staged strata / community development scheme proposal providing for a number of residential properties at a low density residential scale. Piermont ([167109/1500](#) / [137375/3](#) & others) has however always had a rural zone. Consultation on the LPS should target the owners of Piermont to determine any interest or benefit in a more targeted zone.

### **Detail**

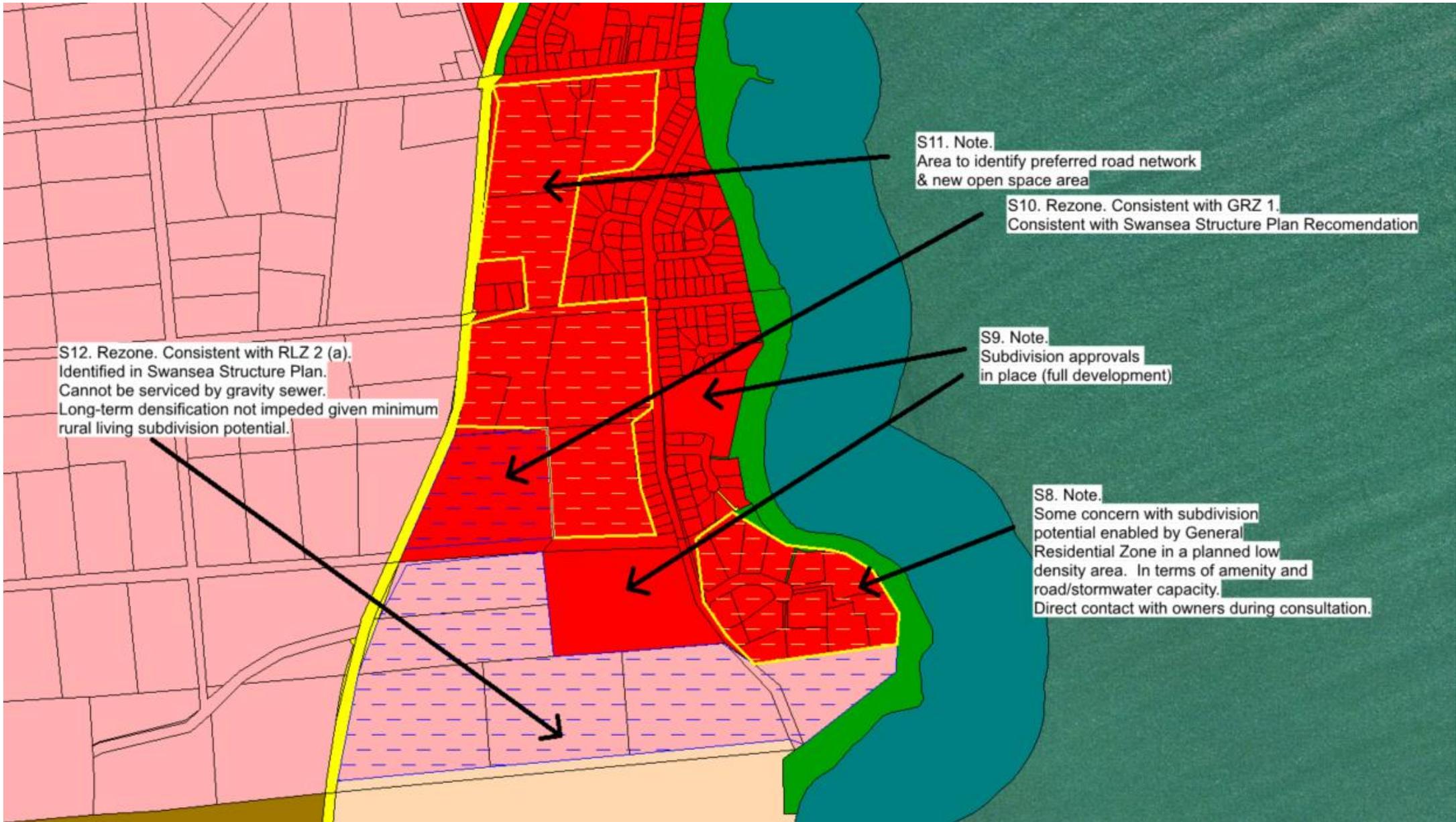
The following images show the proposed zoning. Where there is a change proposed a brief explanation is provided. If there are no comments or explanation provided for a property this means there is no change from the current planning scheme.

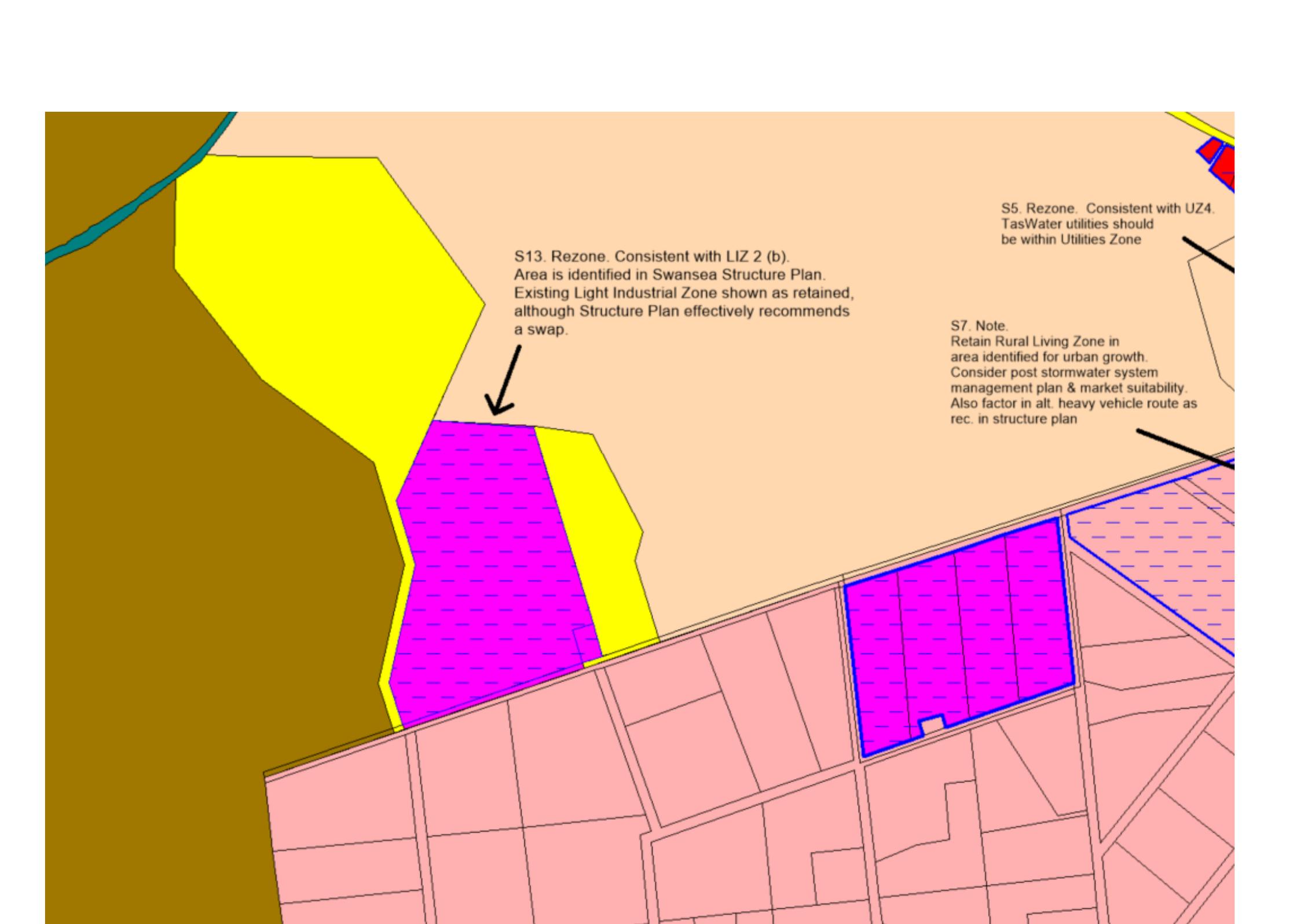
Where comments are provided there are three categories:

- Rezoning. This indicates that a strategic shift in zoning is proposed.
- Modification. This indicates a modification, such as enlarging or reducing the area of the zone.
- Transfer. This indicates that no change is actually proposed, but with some explanation as to why this is the case.

Each comment will reference a rule in the Ministerial Guideline No. 1 Local Provisions Schedule (LPS): zone and code application, such as RLZ 1 (a) or GRZ 2. These must be read in conjunction with the Guidelines No. 1 which is available at [http://www.planning.tas.gov.au/news/news\\_items/guidance\\_for\\_drafting\\_lps](http://www.planning.tas.gov.au/news/news_items/guidance_for_drafting_lps).







S13. Rezone. Consistent with LIZ 2 (b).  
Area is identified in Swansea Structure Plan.  
Existing Light Industrial Zone shown as retained,  
although Structure Plan effectively recommends  
a swap.

The map displays several zoning areas: a large yellow area at the top left, a brown area on the far left, a pink area at the bottom, and a light orange background. A blue hatched area is outlined in blue, and a purple hatched area is outlined in purple. A blue line representing a river is on the left. Text boxes with arrows point to specific areas on the map.

S5. Rezone. Consistent with UZ4.  
TasWater utilities should  
be within Utilities Zone

S7. Note.  
Retain Rural Living Zone in  
area identified for urban growth.  
Consider post stormwater system  
management plan & market suitability.  
Also factor in alt. heavy vehicle route as  
rec. in structure plan

### 6.3.4 Bicheno

Zone	Number of lots (1)	Mean Lot Size	Medium Lot Size	% of lots capable of subdivision (2)	% of lots capable of multiple dwelling (2)
GRZ (General Residential Zone)	795	1233 m <sup>2</sup>	807 m <sup>2</sup>	34.7%	86.5%
LDRZ (Low Density Residential Zone)	-	-	-	-	-
RLZ (Rural Living (A) Zone)	-	-	-	-	-
Local Business Zone	46	-	-	-	-
(1) Includes exist. Strata & Fee Simple Lots. Excludes roads, open space and lots with permits for >5 subdivisions not yet created					
(2) Capable is by reference to the acceptable solution for the zone					

### Summary

The zoning of Bicheno largely reflects the recommendations of the Bicheno Structure Plan, which is available <http://gsbc.tas.gov.au/wp-content/uploads/2017/07/Bicheno-Structure-Plan-2014-FINAL..pdf>. As the majority of the recommendations of the Bicheno Structure Plan are reflected in the current interim planning scheme, there are only a small number of zone changes proposed. All zone changes are identified in the following.

The overall approach is one of:

- General Residential Zone applied to all urban areas. As there are no water and sewerage constraints the Low Density Residential Zone is not used other than for a small number of lots to the north of Bicheno.
- Applying the Local Business Zone to the existing commercial areas along Burgess & Foster Street and to other visitor oriented businesses that were formally zoned Resort Residential in the 1994 Planning Scheme (Diamond Island, Silver Sands, Bicheno by the Bay, Seaview Holiday Park, Bicheno Cabin & Tourism Park, Sea Life Centre, Beachfront Resort & others).
- Applying the Community Purpose Zone to the school, library and existing cemeteries & churches.

- Applying the Light Industrial Zone to existing industrial uses centred on aquaculture in the vicinity of Harveys Farm Road and around the Waste Transfer Station with a minor reduction in the area of the zone. This is proposed at the request of the owner and is considered reasonable in order to ensure consolidation of any future industrial activities. The IPS zoning could provide a dispersed arrangement of industrial uses with lesser separation. The extent of zoning remains above 50ha in size and is adequate for local service industry needs. The zone boundary is shown between lot corners in the draft, but will be modified to follow the boundary of a road reserve.

Zone modifications are minimal and largely inconsequential and are documented below.

### **Landscape Values**

Bicheno is set within an environment of scenic hillsides under native vegetation. Some of these hills form Crown land which has been zoned Environmental Management in the current scheme (which is to be maintained). Some hills are under private ownership and have been zoned as rural or equivalent for many years. It is proposed that the most significant hills be contained within the Landscape Conservation Zone to give express consideration of landscape value. This does not mean that use and development cannot occur but rather that the landscape setting for the town is given the major consideration in evaluating any future proposal.

### **Non Conforming Use**

The Light Industrial Zone near Harveys Farm Road does include some residences. It is understood that these relate to the commercial use occurring on the land. The landowners will be targeted for consultation to confirm the appropriateness of the zone.

### **Further Work**

Minimal. The major land use issue is how to consider the North Bicheno growth area which is separately discussed.

Water infrastructure is a potential limitation on future development in some sections. TasWater have commenced a process to develop a water and sewerage services strategy for Bicheno which will be particularly useful in ensuring the town has access to sufficient and cost effective services.

Interest has been expressed in transitioning the Gulch to a more tourist oriented area which, among other aspects, would remove the restriction of restaurant / café use. Council has previously sought that change in the interim planning scheme and again is proposed within the draft LPS.

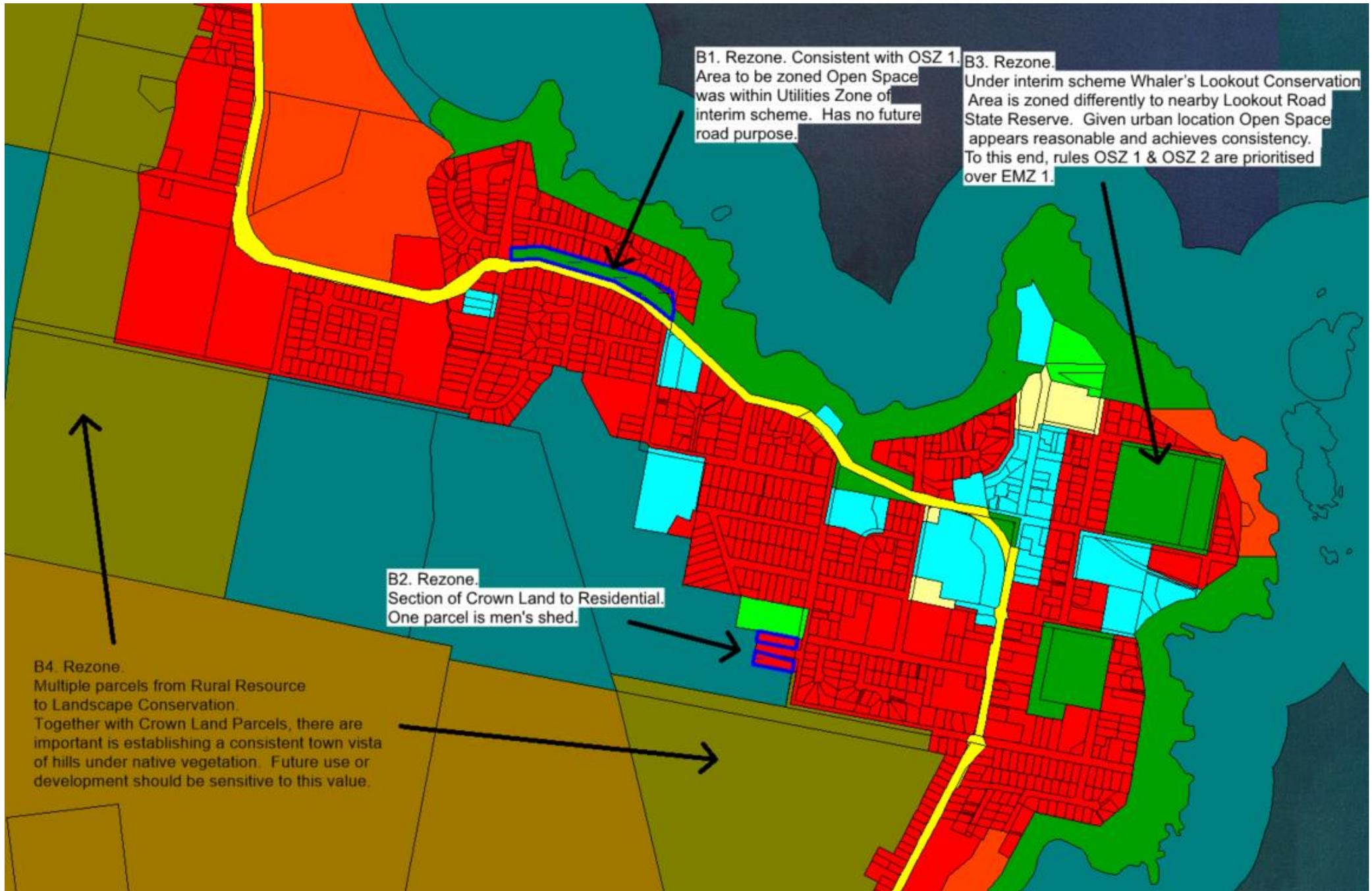
## Detail

The following images show the proposed zoning. Where there is a change proposed a brief explanation is provided. If there are no comments or explanation provided for a property this means there is no change from the current planning scheme.

Where comments are provided there are three categories:

- Rezoning. This indicates that a strategic shift in zoning is proposed.
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B1. Rezone. Consistent with OSZ 1. Area to be zoned Open Space was within Utilities Zone of interim scheme. Has no future road purpose.

B3. Rezone. Under interim scheme Whaler's Lookout Conservation Area is zoned differently to nearby Lookout Road State Reserve. Given urban location Open Space appears reasonable and achieves consistency. To this end, rules OSZ 1 & OSZ 2 are prioritised over EMZ 1.

B2. Rezone. Section of Crown Land to Residential. One parcel is men's shed.

B4. Rezone. Multiple parcels from Rural Resource to Landscape Conservation. Together with Crown Land Parcels, there are important is establishing a consistent town vista of hills under native vegetation. Future use or development should be sensitive to this value.

### 6.3.5 Coles Bay & Swanwick

<b>Coles Bay township</b>	<b>Swanwick Township</b>
253 lots excluding Iluka, Crown and Local Business Zone properties	346 lots excluding subdivision balance title, 68 Swanwick Drive and Local Business Zone properties
Average lot size of 1173m <sup>2</sup>	Average lot size of 1298m <sup>2</sup>
Median lot size of 1006m <sup>2</sup>	Median lot size of 1078m <sup>2</sup>
<b>Suburb Level Statistics</b>	
<b>Includes Coles Bay township, Swanwick &amp; rural area through to Friendly Beaches Road</b>	
Population (Suburb): 535	
Median age: 53 years	
Dwellings: 508	
Unoccupied dwellings (census night): 80.3%	
Employment: 42.7% accommodation, 7% café & restaurant, 6.3% pubs & taverns, 6.3% travel agency, 4.9% building and other industrial cleaning services	

Coles Bay & Swanwick were zoned Village in the 1994 planning scheme. In the current interim planning scheme the Low Density Residential Zone (LDRZ) has been applied. This change saw minor change only to the development standards for height and setback, but did narrow the range of uses. In particular, multiple dwellings and local shop became prohibited. Conversely, the limitations on no more than 2 visitor accommodation units per lot from the 1994 planning scheme no longer applies.

The small commercial centre around Garnet Avenue is contained within the Local Business Zone. The Local Business Zone also applies to the Iluka and to a small number of lots in Swanwick.

The zoning of Coles Bay township and Swanwick in the new planning scheme is largely a choice between the LDRZ and the Village Zone. The SPP LDRZ is broader than the current LDRZ and would reintroduce multiple dwellings and local shops and also allow for food services to be considered. The SPP Village Zone is also broader than the 1994 Village Zone as shown by the number of possible uses in the table below. Whilst the SPP Village Zone would appear to give potential for unnecessary or inappropriate uses to be introduced, the Village Zone includes a strong use standard that has regard to amenity and limits the likelihood of any potential outcomes.

The use standard in the SPP Village Zone would require all non-residential uses greater than 250m<sup>2</sup> to be of a scale and intensity that is consistent with the character of the area. This test would likely limit a number of the potential uses that are provided for in the SPP Village Zone. This non-residential use standard is considered more useful and applicable than the equivalent clause in the SPP LDRZ which only has regard to residential amenity.

## Zone Comparison

Those in bold are considered core uses for Coles Bay & Swanwick.

Those marked (+) are uses that would be new uses in comparison to the current interim LDRZ.

	<b>1994 Village Zone</b>	<b>Interim LRDZ</b>	<b>SPP LDRZ</b>	<b>SPP Village Zone</b>
Minimum Lot Size	1000m <sup>2</sup> (discretion DA & SA)	1000m <sup>2</sup>	1500m <sup>2</sup>	600m <sup>2</sup> (if on sewer)
Height	8.0m 5.0m on foreshore	8.5m 5.0m on foreshore	8.5m	8.5m
Front setback	4.5m	4.5m	8.0m	4.5m
Side setback	1.5m	1.5m (if within envelope)	5.0m	3.0m
Rear setback	1.5m	4.0m (if within envelope) 15m on foreshore	5.0m	3.0m
Permissible boundary wall	3.0m high, 6.0m long	3.0m high, 9.0m long	Nil	Nil
Permissible outbuildings	85m <sup>2</sup> & 4.5m high	No regulation	No regulation	No regulation
Use Standard	Nil	-	All discretionary uses must not cause unreasonable loss of amenity	Non-residential use > 250m <sup>2</sup> (300m <sup>2</sup> for visitor accomm.) must be of scale & intensity consistent with character
		Hours of operation & commercial vehicle movement	Hours of operation & commercial vehicle movement	Hours of operation & commercial vehicle movement
		External lighting	External lighting	External lighting
<b>Uses</b>				
No Permit Required Use	Nil	Natural & Cultural Values Management	Natural & Cultural Values Management	Natural & Cultural Values Management
		Home-based child care		Home-based business
		Passive Recreation	Passive Recreation	Passive Recreation
		Minor Utilities	Minor Utilities	Minor Utilities
		Dwelling	Dwelling	Dwelling
Permitted Use (expressed in SPP definitions)	Dwelling	Visitor accommodation	Visitor accommodation	Visitor accommodation
	Home Business			(+) Business & Professional Services (all forms)

	Minor Utility			Community Meeting & Entertainment
	Passive Recreation			Education & Occasional Care (incl. home-based child care)
				Emergency Services
				(+) Food services (all forms)
				(+) General Retail & Hire (all forms)
				(+) Multiple dwellings
				(+) Service Industry (excluding panel beating / motor repair)
				Sport & Recreation
				(+) Storage
Discretionary Use (expressed in SPP definitions)	Community Meeting & Entertainment	Community Meeting & Entertainment	Community Meeting & Entertainment	(+) Bulky Goods Sales
	Multiple Dwellings		(+) Multiple Dwellings	(+) Cemetery
	Local Shop		(+) Local Shop	(+) Remand Centre
	Communal Dwelling	Emergency Services	Emergency Services	(+) Craft Industries
	Sport & Recreation	Sport & Recreation	(+) Food services (excluding drive-thru take-away)	(+) Equipment and Machinery Sales or Hire
	Education & Occasional Care	Day respite facility	Education & Occasional Care (incl. home-based child care)	(+) Hotel
	Miscellaneous	Animal breeding or boarding	Home-based business	Animal breeding or boarding
	Visitor Accommodation (max two units per lot)		Sport & Recreation (indoor centre or sports ground)	(+) Pleasure Boat Facilities
	Major Utility (Telecommunications)	Major Utilities	Major Utilities	Major Utilities
			(+) Business & Professional Services (medical / vet centres)	(+) Resource Processing (excl. abattoir, sawmill, saleyards)
				(+) Service Industry (all forms)
				(+) Tourist Operation
				(+) Transport Depot & Distribution
				(+) Research & Development
			(+) Vehicle Fuel Sales & Service	
			(+) Vehicle Parking	

The SPP LDRZ will increase the range of uses that can be considered, but does not capture all potential uses that are considered necessary or desirable given changes in the visitor economy, limited land availability and the limited extent of Local Business Zone.

For instance, in the SPP LDRZ General retail and hire is possible only for a local shop. A local shop may only sell groceries or convenience items and must not exceed 200m<sup>2</sup> of floor area. This use does include the hiring/sale of bikes, kayaks and other recreational assets and retail of speciality items. Whilst retailing should establish in a Local Business Zone, this is not practical given limitations on suitably zoned and priced land.

In terms of Storage, one storage business is established in the Local Business Zone at Swanwick. Storage of boats, vehicles and recreational goods may expand over time and is not an ideal use for a Local Business Zone that is constrained in size. The use could occur in surrounding rural properties but these are limited in number. Providing flexibility for some storage use in conjunction with residential use appears reasonable and necessary.

For Business & professional services, in the SPP LDRZ medical related professional services can be considered but travel agency, real estate agency, and other business services cannot.

Service industry is a further use for consideration. This use includes a number of low amenity uses such as panel beating but does include commercial laundry. Despite the distance to Hobart or Launceston the economics of a commercial laundry at Coles Bay are perhaps unlikely to hold. However, service industry in association with the visitor economy cannot be considered in the Rural Zone or the Landscape Conservation Zone and is inappropriate for the Local Business Zone in the area.

Finally, tourist operation cannot be considered in the SPP LDRZ. Coles Bay is dependant on the tourism industry and has experienced +60% growth in visitation over the past four years. It is essential and practical to be able to consider tourist operations.

Visitations to Coles Bay have grown significantly. Parks & Wildlife Service have commissioned a Master Plan which will be complete in early 2018. Whilst the focus of the Master Plan is on improving the visitor experience, it is relevant to the town as both experience inadequate infrastructure to appropriately manage visitations. The town particularly suffers from inadequate parking of private vehicles but particularly boat trailers. The Master Plan is likely to make recommendations on parking, movement of people into the park by car, bus, ferry or foot and provision of sewerage.

The growth of visitations has had a number of effects:

- An increase in partial change of use of dwellings to visitor accommodation. Given the unoccupied dwelling percentage increased by only 1% between the 2011 and 2016 census, this appears to reflect shack owners making greater use of supplemental income stream.

- An increase in the number of complaints relating to parking, particularly boat trailer parking
- New business opportunities on tourism which, within the town proper, largely relate to small cruise activities from existing marine infrastructure
- An increase in support services and business, such as firms to manage rental properties
- A general shortage of accommodation, particularly affordable longer-term workers accommodation.

Some small-scale tourism businesses operate as home-based businesses with office, cleaning and storage (kayaks, boats, bikes, etc) however many are at the maximum extent of what can occur as a home-based business. With a small number of commercial sites available, accommodating tourism businesses is difficult.

For these reasons, the Village Zone is proposed. This will allow the following uses to be considered:

- Multiple dwellings
- Local shop & more significant retail
- Food services
- Transport depot and distribution
- Storage
- Sport & Recreation (Indoor Gym)

The development standards within the Village Zone are considered reasonable. Whilst some express a view that 8.5m height is too high it is nevertheless the standard height across almost all SPP zones, is what applies under the current scheme and is only 0.5m higher than the standard in the 1994 planning scheme. The side setbacks of 3.0m (or half wall height) are larger than the interim planning scheme yet reasonable given the median lot size.

To ensure the use standards within the Village Zone work effectively a series of Local Area Objectives are proposed in the draft LPS. The intent of the Local Area Objectives are to clarify and articulate appropriate non-residential uses within the Village Zone having regard to future needs, existing amenity, urban design and prioritisation of the Garnet Avenue area.

The foreshore, which is a Conservation Area, and contains the Esplanade, Jetty/Breakwater and Boatramp is zoned Environmental Management. The foreshore is an important resource for flora, public recreation, boating and landscape. The growth in visitations and increase boating & cruise usage has placed increased pressure for upgraded infrastructure to meet user needs and minimise impacts to other parts of the town (such as overflow boat trailer parking).

## 6.4 Zoning of rural & agricultural areas

In rural & agricultural areas, one of three zones can be used:

- Agriculture zone: provides for agricultural activities and uses that support agriculture.
- Rural Zone: provides a wider range of uses where agricultural potential is limited, such as forestry, or to existing uses that have operational requirements such as buffers or require separation from other uses, such as quarries. It can also be used for lots that are 'constrained' in terms of agricultural use, such as clusters of smaller titles or lots adjoining settlements.
- Landscape Conservation: provides for the protection and management of landscapes for scenic or conservation purposes.

As these zones have no direct equivalent in the current planning scheme, a key issue for the Local Provisions Schedule (LPS) is how to apply these zones. The following outlines the key differences between the zones and the rationale on how they have been applied. It is important to note that of these three zones, the agriculture zone is likely to be the largest by land area.

### *Key differences between the three zones*

	Agriculture	Rural	Landscape Conservation
Intent	To provide for agricultural activities and avoid unrelated non-agricultural activities.	To provide for less significant agriculture as well as rural activities, forestry & quarries.	To protect landscapes.
Subdivision	Limited potential. Subdivision must either: <ul style="list-style-type: none"> <li>• provide for an agricultural use, or</li> <li>• excise an existing dwelling or visitor accommodation building subject to a prohibition on a house on the balance lot.</li> </ul>	Limited potential. Subdivision must either: <ul style="list-style-type: none"> <li>• provide a 40ha minimum lot size with discretion for smaller (but cannot be for a residential or visitor accommodation use), or</li> <li>• excise an existing dwelling or visitor accommodation building subject to prohibition on a house on the balance lot.</li> </ul>	Limited potential. 50ha minimum lot size that may be reduced to 20ha.
Land Uses	Permitted uses include agriculture and activities associated with agriculture including paddock to plate type ventures.  Discretionary uses must generally be associated with agriculture (transport, storage, manufacturing, bulky goods sales) but also include education & occasional care, animal boarding & food services & retail not associated with agriculture.	Permitted uses include agriculture and activities associated with agriculture, including paddock to plate type ventures as well as mining and storage among others.  Few uses are prohibited, as the zone is a form of a mix use zone where many activities may be appropriate.	Permitted uses are limited.  Discretionary uses include tourism, agriculture, food services, education & occasional care outdoor recreation, animal boarding.
Residential	Discretionary. Must be associated with agriculture or located on a lot with no agricultural potential & the lot cannot be included in adjoining agricultural lots.	Discretionary and must not impact an adjoining use.	Permitted for additions, discretionary for new.
Native vegetation	No consideration & no restriction. Agricultural clearing is regulated by State processes. Clearing for reasons other than agriculture is controlled by the planning scheme.	Code provisions can apply to minimise impact or to prevent clearing where values are significant.	Code provisions can apply to minimise impact or to prevent clearing where values are significant.
Scenic Landscapes	Can be considered via Code / Mapped Overlay.	Can be considered via Code / Mapped Overlay.	Limitations on building height & scale. Code / Mapped overlay provisions may also apply.

### *How the three zones are to be applied*

The use of zones is guided by Ministerial Guidelines (**Ministerial Guideline No. 1**) which set criteria as to when a zone can or can't be applied.

These Guidelines incorporate the results of an Agricultural Land Mapping project that was run by the State Government. The mapping project identified land that is potentially suitable for inclusion in the Agriculture Zone. The mapping is based on modelling of factors such as crop suitability (based on soil, climate & topography) and water supply.

The Agricultural Land Mapping project had two main outputs. One output is the map of land potential suitable for inclusion in the Agricultural Zone. This is all land that due to crop suitability and water could support some form of agriculture. The second output is a subset of the first and shows lots that are constrained (in terms of being used for agricultural) by small lot size, existing non-agricultural land use such as residential development (based on capital value per ha) or proximity to residential zonings.

For determining the zone boundary, Council's task is to essentially 'ground truth' these two outputs in response to the conditions on ground and in response to the criteria set out in Ministerial Guideline No. 1.

The guidelines and information on the mapping is available at [www.planningreform.tas.gov.au](http://www.planningreform.tas.gov.au).

The Agricultural Land Mapping project has taken a largely precautionary approach to defining potential agricultural land, which gave each lot every opportunity to be classified as potential agricultural land. As a result of this conservative approach to modelling, there are areas of land identified as potentially suitable for inclusion in the Agriculture Zone that are currently under native vegetation, forestry or conservation covenants or, at face value, have limited agricultural potential due to slope, vegetation, and past or current land use.

Having regard to the guidelines and agricultural mapping, the approach taken for apply the Agricultural Zone, Rural Zone and Landscape Conservation Zone has been as follows:

- If less than 50% of a lot is mapped as potentially suitable for agriculture, apply the Rural Zone. This criteria is considered reasonable as lots that are not fully mapped as agriculture are more likely to indicate where the 'every effort' approach to the modelling is weakening and the land is more limited than what is suggested by the mapping.

Despite this above, where such lots adjoin good quality agricultural land in the same ownership, the above criteria may be disregarded on a case by case basis.

- If slope is greater than 1 in 5 for approximately 50% of a lot, apply the Rural Zone. Such slopes reflect practical limitations on agriculture and generally align with existing native vegetation cover or forestry given the practical limitations. In practice, this rule is more relevant at the fringe of land mapped as potentially suitable for agriculture.
- If land is used for level 2 quarrying, forestry or subject to a Private Timber Reserve, apply the Rural Zone.

- If land is constrained (i.e., the second output), there must be three or more adjacent or nearby constrained lots before consideration will be given to either the Rural Zone or Landscape Conservation Zone.

This rule has regard to the ability to adhere the constrained title to agricultural land given existing development of the lot and its agricultural potential. This is particularly important as the standards in the Agriculture Zone will only permit a house in the Agriculture Zone in one of two circumstances:

1. The house is associated with a commercial scale farm
2. The house is on a lot that cannot support commercial agriculture and that lot cannot be adhered into any other agricultural land.

These four criteria have been applied with some flexibility and should not be viewed as an arbitrary rule set. The overriding objective is to establish areas of zones that are broadly consistent in topography, slope, vegetation and use, and that apply across a large area of land so that there is minimal change in zone across the municipal area. Zoning must reflect a consistent land use pattern within the zone.

#### *Native vegetation*

The SPP do not allow native vegetation to be considered in the Agriculture Zone. This largely reflects existing regulation by the State Government for vegetation clearing associated with agriculture, forestry or mining which sit outside the land use planning system.

On native vegetation, consistent with the policy setting of the SPP, native vegetation is not a major consideration for applying the zones. There is a practical difficulty of zoning small, medium or large tracts of native vegetation within agricultural areas without distorting the purpose of the Agriculture Zone, which is to identify land that is or may be used for productive agriculture purposes, or creating significantly challenges in establishing zone boundaries.

It is recognised that the above approach does create a number of difficulties. For one, there are areas of high conservation native vegetation within the Agriculture Zone that have no protection in the land use planning system. There are also a number of properties included in the Agriculture Zone that are subject to conservation covenants which limit agricultural potential.

For the Rural Zone and Landscape Conservation Zone, a priority vegetation overlay can be applied to consider native vegetation whilst maintaining the overall purpose of the zone. The priority vegetation overlay has been developed on a Statewide basis and addressed through a separate document to this.

#### *Landscape Conservation Zone*

The following does not provide a detail explanation and further documentation will be provided in support of any use of this zone.

Broadly however the Landscape Conservation Zone is applied to land that:

- Is initially excluded from the Agricultural Zone

- Is judged to contain landscape values that are significant to the extent that they ought to be expressly recognised and protected.

Landscapes can be recognised by either the Landscape Conservation Zone or a Scenic Landscape Overlay. Where landscape values are part of a broad landscape pattern the zone is applied. Where landscape values are more discreet or isolated or relate to matters that are separate to how the land has been used and should continue to be used, the overlay is applied.

The assessment of landscape values has largely involved consideration of the degree to which the landscape is visible from towns and main tourism roads and assets or whether the landscape was afforded consideration in the 1994 Planning Scheme.

## **7.0 Codes**

### **7.1 Code 1.0 Signs Code**

This code does not require or allow LPS input or modification.

### **7.2 Code 2.0 Parking and Sustainable Transport Code**

The code can have regard to precinct parking parks which override car parking numbers – i.e., require more or less than otherwise would be the case. There are no areas identified in the municipal area that warrant departure from the code provisions given the ability to vary car parking numbers.

### **7.3 Code 3.0 Road and Railway Assets Code**

The Code provides for the specification of roads (either mapped or in table for) that are to be subject to provisions that consider noise mitigation within habitable buildings. A mapped Road Attenuation Area is proposed for the Tasman Highway, Coles Bay Road, Lake Leake Road, Freestone Point Road and Wielengta Road. Of these, the first four roads are the major arterial roads in the municipal area. The inclusion of Wielenta Road takes a long-term approach to that road and its potential to become an extension of the Great Eastern Drive.

At the time of writing, further clarification and advice on the application of this code and the use of the Road Attenuation Area has been sought from the Department of State Growth. That advice may see amendments made to the Road Attenuation Area.

### **7.4 Code 4.0 Electricity Transmission Infrastructure Protection Code**

The Code provides for the protection of transmission infrastructure such as transmission line into the Triabunna substation. The LPS includes a mapped overlay based on data supplied by TasNetworks. The overlay essentially provides a buffer area around transmission lines and substations and any use or development within that area must satisfy TasNetworks.

### **7.5 Code 5.0 Telecommunications Code**

This code does not require or allow LPS input or modification.

## **7.6 Code 6.0 Local Historic Heritage Code**

The Code applies to local heritage places and therefore places listed on the Tasmanian Heritage Register are not subject to this code.

The draft LPS provides a table of heritage listed places which is based on the equivalent list in the current planning scheme, with the exemption of:

- The Bicheno Youth Hostel. This has been demolished after several years in a dilapidated state.
- The Quarry Point quarry and Luther Point tramline cutting. These have been separated into individual listings. The tramline cutting has been restricted to where physical evidence of the tramline remains given the lack of physical or documented evidence of the actual alignment it took between Quarry Point and Luther Point.

There are 22 local listed places, and a further 84 places on the Tasmanian Heritage Register in the municipal area.

The Tasmanian Heritage Council is reviewing their listed places to determine if they are of State value. The status of this work within Glamorgan Spring Bay is not known. Some of the 84 places may be more appropriately managed as local value. Further, there may be other places that warrant recognition and protection as local values. Finally, a number of Tasmanian Heritage Listings in rural areas remain on a 'whole lot' basis rather than to a smaller area around heritage buildings, and these listings should be updated on conjunction with Heritage Tasmanian staff.

## **7.7 Code 7.0 Natural Assets Code**

The Code has three components:

1. Future coastal refugia
2. Waterway and coastal protection
3. Priority vegetation

### **7.7.1 Future Coastal Refugia**

The Natural Assets Code includes provisions relating to future coastal refugia for native vegetation under climate change projections. Essentially, the purpose is to identify where coastal vegetation, particularly saltmarshes and wetlands, may shift to under sea level rise.

Areas of future refugia are directly related to mapped projections of future sea level rise. Essentially, areas that are projected to be inundated by king high tide or more regular / permanent inundation by 2100 (and mapped as such in the Coastal Inundation Hazard Area) could support areas of coastal wetlands and saltmarshes. Thus, the mapped area of future coastal refugia matches the mapping for coastal inundation. It essentially reflects where the water is projected to be by 2100 and therefore where coastal vegetation may also be if free to move as sea level rises.

There are significant restrictions on use and development in areas of future coastal refugia. These include:

- Works must be for a purpose dependant on a coastal location, which precludes residential.
- Works must not impede future landward transgression of wetlands, saltmarshes and other coastal habitat by impediments or changes to drainage.
- Works must otherwise minimise impact and should generally have a light touch

For the majority of the coastline, the refugia area applies only to crown foreshores. However, there are a number of private properties at Swansea, Swanwick, Dolphin Sands and Orford that are identified as future refugia given that these areas are also identified as future inundation.

Facilitating landward transgression of future coastal refugia encompasses more tools than planning scheme regulation alone. For landward movement to occur, there must be an agreed framework across planning, road authorities and land managers (particularly the Crown as owner of the foreshore) to remove any obstacles to movement.

In the urban areas where the potential for future refugia is identified there is no broader agreed framework and no consultation with the community.

At Orford, the Triabunna and Orford Communities and Coastal Hazard Report prepared by Council in conjunction with the Climate Change Office outlines the extent, and cost, of climate change hazards. This has not yet identified adaptation strategies and is not sufficiently advanced to warrant the refugia overlay.

At Swanwick and Dolphin Sands, the projections for inundation have been identified for some time and are adopted in the current planning scheme. No community engagement or detailed work has occurred in this area.

Where private land, often with dwellings, is identified as future coastal refugia the associated overlay is only reasonable where discussions have been had with those communities and adaptation strategies agreed to that would facilitate the movement of refugia in the long term.

For the above reasons, the refugia overlay is only proposed to apply to public land or large parcels other than for small, inconsequential areas.

Note to Commission: The processing error in PPU supplied data has been corrected by manual delete of all non-lidar grids.

### **7.7.2 Waterway and Coastal Protection**

The mapped overlay is based on information supplied by the State which applies a 10m, 20m, 30m or 40m buffer to waterways or high water mark dependant on their scale. This has been modified to exclude urban areas where the watercourse is managed as part of the Council stormwater network. The mapped overlay is required by section LP1.7.5 (a) of the SPP.

### **7.7.3 Priority Vegetation Area**

Section LP1.7.5(b) of the SPP requires that each LPS must contain an overlay map showing priority vegetation areas that:

- include threatened native vegetation communities as identified on TASVEG Version 3 published by DPIPW;E;
- be derived from threatened flora data from the Natural Values Atlas published by DPIPW;E;
- be derived from threatened fauna data from the Natural Values Atlas for the identification of significant habitat for threatened fauna species, published by DPIPW;E.

A planning authority may modify the priority vegetation area derived from the above listed datasets, if field verification, analysis or mapping undertaken at a local or regional level by the planning authority, or a suitably qualified person on behalf of the planning authority:

- finds any anomalies or inaccuracies in the State data,
- provides more recent or detailed local assessment of the mapping and data; or
- identifies native vegetation or habitat of local importance.

As a starting point, using the default approach and data prescribed for inclusion by the SPP and associated guidelines would a blunt instrument as it is based on the broad sweeping ranges of threatened fauna. Accordingly, 100% of the municipal area would be included in the Priority Vegetation Area if the default approach was used.

The Southern, Northern & North-West Region has engaged Rod Knight of Natural Resource Management Pty Ltd to undertake an analysis based on his 'Regional Ecosystem Model'. A summary description of the model is included at Appendix 8. The model is a complex layering of biodiversity values that refines the focus on areas of importance. In summary, the model:

- Integrates spatial data on the distribution of the major components of biodiversity, and the factors affecting them;

- Models key biodiversity attributes that derive from multiple inputs;
- Analyses the relationships among the components of biodiversity and the environment; and
- Spatially identifies areas which have immediate or potential conservation concerns, and provides indicators of their relative importance, to inform approaches and priorities for management.

It is important to note that vegetation and habitat of 'local importance' may also make a contribution to the protection of the State's biodiversity. In this context, at the time of writing, the three regional organisations have engaged Natural Resource Management to run the model for the purposes of preparing the priority vegetation area for each of the municipal LPS's. This provides a consistent approach across all municipal areas that is well-informed and directly comparable when assessing not only the LPS's, but also when assessing future development applications.

One challenge with implementing the Regional Ecosystem Model, and the SPP more generally, is that it is not possible to expressively prioritise or preference higher biodiversity values over others. The current interim planning scheme allows a low, medium and high category to apply to values which correspond to a hierarchy of planning regulation consistent with an minimise, mitigate or avoid outcome focus. In contrast, all priority vegetation is equally important under the SPP framework. In reality, some biodiversity values are clearly more important than others particularly those that are relatively scarcer or have experienced a proportionally higher rate of clearance. Within the Regional Ecosystem Model, specific & tailored planning approaches could be developed for each type of biodiversity value including potential acceptable thresholds for clearance or requirements for expert reports.

The issues are best considered through masked own habitat. In the Regional Ecosystem Model the most significant value – by area – is masked owl habitat. There is 88,180 ha of masked owl habitat identified in the model within the municipal area. Practically, the loss of any small amount of that habitat is inconsequential. Yet, in the SPP framework it would be valued as highly as any other threatened or vulnerable community and specie.

The SPP defines four types of biodiversity values that can be considered within the priority vegetation area. In the following tables, these four types are listed in the left-hand side column whilst the middle and right-hand columns broadly describe how those are reflected in the Regional Ecosystem Model. Again, Attachment 9 provides more detail on the Regional Ecosystem Model.

111,000 ha of biodiversity overlay in current interim planning scheme. This overlay does not apply to State forests or State reserves and National Parks. The Priority Vegetation Area applies to 183,100 ha but is mapped as applying to State forests and State reserves and National Parks (of which there are more than 70,000 ha).

Definition in SPP	Asset/issue as per REM	REM
Forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the <i>Nature Conservation Act 2002</i>	Threatened communities	Standard REM attribute.
A threatened flora species	Threatened species	All threatened flora species are modelled based on recorded locations and rule sets for each species
Forms a significant habitat for a threatened fauna species	Threatened species/hollow dwelling habitat	All threatened fauna species modelled habitat, other than those classified as 'Landscape Dependent Fauna'
Native vegetation of local importance	Potential habitat for threatened species	Threatened fauna species modelled habitat for 'Landscape Dependent Fauna'
	Other priority species (non-threatened)	Na
	Relative reservation	Native vegetation communities with <30% reservation in bioregion
	Relative rarity	Native vegetation communities with <2,000 ha in bioregion
	Clearing bias	Na
	Connectivity	Na
	Remnant vegetation	Native vegetation remnants (<200 ha) on land components cleared of >70% of native vegetation
	Riparian vegetation	Na
Vegetation condition	Na	
	Landscape Ecological Function	Na

## 7.8 Code 8.0 Scenic Protection Code

A scenic protection area or scenic protection code may be applied to the Rural Zone, Agriculture Zone, Rural Living Zone, Landscape Conservation Zone, Open Space Zone or Environmental Management Zone.

The draft LPS re-introduces various elements of the 1994 Planning Scheme on landscape, which are summarised in the following.

### 7.8.1 Landscape Protection in the 1994 Planning Scheme

Landscape protection was implemented in the 1994 planning scheme either by the Coastal Rural Zone, the Scenic Protection clause or by the Scenic Corridor provisions, which are outlined below.

#### Coastal Rural Zone from 1994 Planning Scheme - Overview

In the 1994 planning scheme, the Coastal Rural Zone applied to the area:

- east of the Tasman Highway between Rocky Hills & Swansea,
- between Swanwick and Coles Bay south of Coles Bay Road, and
- east of the Tasman Highway to the north of Bicheno excluding the Golf Course.

The Coastal Rural Zone restricted use, height and setback and provided design criteria that sought to protect landscape character. These provisions do not apply to these areas in the current interim planning scheme.

The areas that were subject to the Coastal Rural Zone have a high degree of landscape value and are adjacent to key tourism roads.

The intent of the Coastal Rural zone is to protect the scenic amenity, coastal landforms, rural use and rural character values of land within the zone and adjacent areas.

The objectives of the Coastal Rural zone are:

- a) to retain land for primarily agricultural purposes and maintain the rural character and high scenic quality of the coastal landscape;
- b) to protect the important vistas (particularly from the Tasman Highway) of areas such as Freycinet Peninsula, Great Oyster Bay and Maria Island from inappropriately located use or development;
- c) to recognise activities including aquaculture, tourism or recreation which might be an appropriate use or development where consistent with zone objective (a) and (b).

**Subdivision:** no potential other than for public purposes

**Height:** 5m

**Setback:** 50m

**Use:** agriculture, aquaculture, passive recreation, dwelling, home business, outbuilding, utilities, East Coast Nature World, visitor accommodation for six units at Dension River (CT 15497-4)

**Design criteria:** In determining an application for a permit in the Coastal Rural zone the Council shall take into consideration:

- I. the need to protect the natural environmental and landscape character;
- II. the need for any proposed buildings or works to harmonise with the environment;
- III. the impact of the proposed use or development on the adjacent land use activities; and
- IV. the provisions of the Coastal Policy.

### **Scenic Protection/Conservation Clause (6.12) from 1994 Planning Scheme**

This clause applied to Paradise Gorge, Orford and foreshore areas.

**Use:** agriculture, aquaculture, passive recreation, dwelling or in association with a Development Plan

**Design Criteria:** *Buildings shall be located in unobtrusive locations and in particular shall:*

- (i) be located well below ridge lines; and*
- (ii) be located in such a way as to not be visible against the skyline when viewed from state Roads or major settlements and not be visually prominent from foreshore areas frequented by the public*

*Building shall be designed in such a way as to be unobtrusive and not detract from the natural*

*character of the area and in particular:*

- (i) buildings should be predominantly of a single storey;*
- (ii) the profile of buildings should be low and the roof lines should complement the natural form of the land; and*
- (iii) the mass of buildings shall be minimised by variations in wall roof lines.*

### **7.8.2 Landscape Protection in the Statewide Planning Provisions**

#### **Landscape Conservation Zone**

Purpose Statements:

- To provide for the protection, conservation and management of landscape values.
- To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

**Use:** passive recreation, dwelling, food services, tourism, agriculture, outdoor recreation and visitor accommodation.

**Height:** 6m

**Site coverage:** 400m<sup>2</sup>

**Colours:** must be dark natural tones of grey, green or brown

**Design Criteria:** *Building and works must be located to minimise native vegetation removal and the impact on landscape values, having regard to:*

- (a) the extent of the area from which vegetation has been removed;*
- (b) the extent of native vegetation to be removed;*
- (c) any remedial or mitigation measures or revegetation requirements;*
- (d) provision for native habitat for native fauna;*
- (e) the management and treatment of the balance of the site or native vegetation areas;*
- (f) the type, size, and design of development; and*
- (g) the landscape values of the site and surrounding area.*

And,

*Buildings and works must be located to minimise impacts on landscape values, having regard to:*

- (a) the topography of the site;*
- (b) the size and shape of the site;*
- (c) the proposed building height, size and bulk;*
- (d) any constraints imposed by existing development;*
- (e) visual impact when viewed from roads and public places; and*
- (f) any screening vegetation, and*

*If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no*

*other suitable building areas.*

### **Scenic Protection Code**

Buildings within a Scenic Protection Area are subject to the following (with a similar provision for clearing of vegetation):

*Buildings or works within a scenic protection area must not cause an unreasonable reduction of the scenic value of a scenic protection area, having regard to:*

- (a) the topography of the site;*
- (b) the location of, and materials used in construction of, driveways or access tracks;*
- (c) proposed reflectance and colour of external finishes;*
- (d) design and proposed location of the buildings or works;*
- (e) the extent of any cut or fill required;*
- (f) any visual impact on a skyline;*
- (g) any existing or proposed screening; and*
- (h) the purpose of any management objectives identified in the relevant Local Provisions Schedule.*

The above criteria allow for management objectives to be drafted.

### 7.8.3 Proposed LPS Clauses

#### Paradise Gorge

The provisions of the Landscape Conservation Zone are considered equivalent to the Scenic Protection/Conservation Clause of the 1994 planning scheme. It is proposed to apply the Landscape Conservation Zone to these areas.

#### Coastal Rural Zone

Whilst the Coastal Rural Zone addressed use and development, the use of the land is considered less important. The area between Rocky Hills & Swansea is to be in the Agriculture Zone whilst Coles Bay and Bicheno will be in the Rural Zone. The Rural Zoned does provide for a wide range of uses which may not necessarily be related to agriculture. But in terms of scenic protection, it is considered that built more is more relevant.

A Scenic Protection Area is proposed for areas formally within the Coastal Rural Zone.

#### Proposed management objectives

The performance criteria in the SPPs allow the LPS to include management objectives for Scenic Protection Areas in order to describe what is important about an area and to outline any specific objectives that are not fully catered for by other clauses in the Performance Criteria.

The management objectives must therefore be read in conjunction with the Performance Criteria, which can be summarised as requiring development to respond to topography, location, material, colours, design and screening vegetation.

### 7.9 Code 9.0 Attenuation Code

The Attenuation Code addresses potential conflict through noise, odour or other issues that can be generated from industrial scale use.

The Attenuation Code may apply by a mapped overlay or for use and development within specified distances as detailed in tables contained in the Code.

The interim planning scheme relies on both a mapped and non-mapped approach. The interim planning scheme includes a mapped overlay – which works in conjunction with the table of attenuation distances. The mapped overlay applied to the premises in the following table. The table shows the site, the diameter of the mapped attenuation buffer and the distance specified in the table in the code.

In addition, there are a number of other sites – particularly Level 2 quarries – that are not mapped but are subject to the Code in the current planning scheme.

Site	Status	Mapped Attenuation	Table Attenuation
Elphinstone, Triabunna	Current manufacturing	a 1000m diameter buffer	500m in SPP 500m in IPS
Light industrial uses north of Triabunna	Various light industrial uses	a 500m diameter buffer	Nil
The former settlement ponds at Triabunna	Closed - relocated	a 650m diameter buffer	N/A
Triabunna waste	Active	a 100m diameter	150m in SPP

transfer station		buffer	150m in IPS
Former seafish site, Triabunna	No processing at present	a 2000m diameter buffer	500m in SPP (if Level 2) 1000m in IPS
Cnr Boyle & Freestone Point Road	Concrete Batch Plan	A 600m diameter buffer	200m in SPP 100m in IPS
Orford quarry	Active	a 1000m diameter buffer	1000m in SPP 1000m in IPS
Orford Wastewater Treatment Plant	Active	a 350m (generally) diameter buffer	Varies accordingly to type and scale
Design in Stone, Buckland	Active	a 400m diameter buffer	300m in SPP 300m in IPS
Sand River Road, Buckland Quarry	Active	a 600m diameter buffer	Depends on processes – which are unknown
Swansea Sewerage Treatment Plant	Active	A 800m diameter buffer	Varies accordingly to type and scale
Swansea Tip	Now a waste transfer station	A 600m diameter buffer	150m in SPP 150m in IPS
Coles Bay Sewerage Treatment Plant	Active	A 500m diameter buffer	Varies accordingly to type and scale
Bicheno Sewerage Treatment Plant	Active	A 1000m diameter buffer	Varies accordingly to type and scale
Bicheno Tip	Now a waste transfer station	A 1000m diameter buffer	150m in SPP 150m in IPS

Where a mapped attenuation area is provided it will override the distance given in the table. This allows for a tailored attenuation area that is bigger or smaller than the standard to suit the circumstances of a particular site.

In the interim scheme, it is understood that the mapped attenuation areas are not based on specific studies or requirements but were carried forward from the 1994 Planning Scheme and therefore reflects the past use of these sites. This would partially explain the differences in distances between the mapped attenuation areas and the table distances given.

Ideally, all existing uses that can affect amenity would be included in a mapped overlay as this conveys important information to owners and neighbours of the site. A mapped overlay would also be publicly available via [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au) and [www.iplan.tas.gov.au](http://www.iplan.tas.gov.au)

However, the current mapped attenuation errors appear to be excessive in size and in the absence of any supporting analysis it is considered that they should not apply within the LPS. It is considered more reasonable and practical to rely on the standard attenuation distances provided in the table in the Attenuation Code.

The exception to this is the attenuation area applied to the former Safcol / Seafish processing plant at Freestone Point Road. This attenuation exists in the current planning scheme and provides a strategic function given the long-term direction for industrial land in that area. This attenuation area is to be carried forward into the LPS.

## 7.10 Code 10.0 Coastal Erosion Hazard Code

The mapping for the coastal erosion code overlay is provided by the Department of Premier and Cabinet. It provides four levels of hazards: low, medium, high and investigation areas.

The only element of the mapping that warrants further consideration are the 'investigation areas'. These areas are defined as:

*an area adjacent to the coastline for which there is insufficient information to classify it into Acceptable, Low, Medium, or High hazard bands. The width of the area is the cumulative width of the Low, Medium, and High hazard bands. In this area a site specific investigation is required to classify the land into one of the hazard bands.*

The current interim planning scheme is based on 'version 1' of the DPAC modelling. A 'version 2' is now available which includes substantially less investigation areas than the 'version 1' due to the incorporation of more up to date information & investigations.

Specifically, the investigation areas no longer apply to

- Bicheno (west of and including the Sea Life centre)
- Swansea (Bluff Circle)
- Swansea (Some titles surrounding Saltwater Creek)
- Triabunna (Some titles at One Tree Point)

The investigation areas in version 2 apply to several rural or Crown parcels and to developed areas at:

- Swansea (Rapp Street)
- Triabunna (2, of four, titles at One Tree Point)
- Triabunna (Esplanade East – near the Wastewater Treatment Plant)
- Orford (Paradise Gorge, both sides, Esplanade and near Riverside Drive)

Although the mapping is prepared by the Department of Premier and Cabinet, the process to review the mapping is via the Tasmanian Planning Commission.

For the reasons offered below, it is considered appropriate to modify the following investigations areas.

### **Swansea (Rapp Street)**

In the interim planning scheme, the investigation area applies to some 90m of land on the southern side of Saltwater Creek on both sides of the Tasman Highway and then extending south and apply to land between Rapp Street and the coast.

The 'version 2' investigation area is significantly less in extent than that contained within the current interim planning scheme. It does apply to a number of private properties with some overlap with the inundation code.

It is considered that the investigation area at Rapp Street should be deleted from 1 to 9 Rapp Street (and apply to 11 Rapp Street) as the titles are above 5m in elevation, sit behind a wide foreshore and fully developed.



View from beach adjacent to Rapp Street, showing 1 Rapp Street on top of rocky knoll.

### **Orford – Paradise Gorge**

Both sides of the Prosser River (Paradise Gorge) there are properties that are included in the investigation area but are clearly located on very rocky areas. The extent of rock is evident and the area should be removed from the ‘investigation area’.

### **7.11 Code 11.0 Coastal Inundation Hazard Area**

The mapped overall is based on updated ‘version 3’ mapping produced by the Department of Premier and Cabinet.

The mapping is significantly more accurate and reliable than the mapping in the current interim planning scheme.

One edit is proposed to the ‘version 3’ mapping in order to remove the Triabunna marina to reflect the reclaimed land and physical shore protection that has been provided via stages 1 – 4 of the marina development.

### **7.12 Code 12.0 Flood-Prone Areas Code**

This Code is not used in the LPS.

### **7.13 Code 13.0 Bushfire Prone Areas Code**

The Code will apply either by a mapped overlay or text-based description. Tasmanian Fire Service are preparing a mapped overlay but it is not currently available. When prepared it may be implemented through the LPS or via an amendment to the current planning scheme.

#### **7.14 Code 14.0 Potentially Contaminated Land Code**

The Code will apply either by a mapped overlay or text-based description. The draft LPS does not include a mapped overlay.

#### **7.15 Code 15.0 Landslip Hazard Code**

The Code applies via a mapped overlay. This mapped overlay is the same as what applies to the current interim planning scheme.

#### **7.16 Code 16.0 Safeguarding of Airports Code**

This Code is not applicable.

## **8.0 Particular Purpose Zones**

All Particular Purpose Zones are afforded a transitional protection in which they are automatically included in the LPS by virtue of existing in the current interim planning schemes. The exception to this is the Saffire Particular Purpose Zone which was created relatively recently in response to representations received on the interim planning scheme. No changes of any strategic kind are proposed for the particular purpose zones from their form and provisions as provided in the current interim planning scheme.

## 9.0 Specific Area Plans

All Specific Area Plans are afforded a transitional protection in which they are included in the LPS by virtue of existing in the current interim planning schemes. The exception to this is the Resort Residential Specific Area Plan which is a new provision.

### 9.1 Resort Residential Specific Area Plan

The 1994 planning scheme provided a Resort Residential Zone which had the intent of:

- a) to maximise opportunities for development of holiday accommodation and related Uses in readily accessible areas close to visitor attractions;*
- b) to protect the character and amenity of existing development;*
- c) to ensure that the amenity of existing residents is fully protected; and*
- d) to allow for large scale holiday accommodation complexes where there is a mixture of uses (holiday accommodation, private residential, motel, retail outlets etc.)*

The main standards of the zone were:

- Subdivision to be in accordance with a development plan
- 8m height or 5m in fronting the foreshore
- Scale and form of buildings consistent with the area and nearby buildings

In the zone, dwellings and visitor accommodation were permitted uses.

In the interim scheme the Resort Residential Zone was not permitted and the properties converted to either the General Residential Zone, Low Density Residential or Local Business Zone. This is problematic – in terms of managing future use and development in a reasonable and fair manner - in a number of ways including:

- Tests in the Low Density Residential Zone that non-residential uses must be compatible with the character of use in the zone, which is doubtful for some of the existing sites,
- Applying the Local Business Zone out of centre which could allow uses to establish as permitted uses that are better located within the core business areas of towns, notwithstanding use standards within that zone.
- All future development of these sites will be discretionary notwithstanding their established nature. This is a disincentive to investment.
- The SPP visitor accommodation use standards are appropriate for smaller scale development but less so for larger scale operations in smaller coastal settlements.

The merit based test for this proposed Resort Residential Specific Area Plan is the provisions at section 32(4) of LUPAA, which state:

*(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*

*(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

The Resort Residential Specific Area Plan is considered to meet part (a) given the economic and social benefits that tourism provide to the local economy, as summarised in section 5. Based on the size and growth of tourism and the demands for overnight accommodation, the benefit afforded by these existing sites is considered significant. Further, there has been limited growth in visitor accommodation via more traditional, large-scale accommodation enterprises and a noted need for continue investment in existing premises. The Resort Residential Specific Area Plan will assist in facilitating ongoing investment by providing a permitted status for new applications subject to compliance with relatively large setback and residential amenity considerations at the boundary. It has been documented that potential investors seek brownfield opportunities where there is a degree of certainty and community acceptance.

The following properties were included in the Resort Residential Zone, of the 1994 Planning Scheme.

Property	Developed for	Interim Scheme Zone	Adjoining land	Notes
Eastcoaster Resort	Motel, conference centre, accommodation, restaurant, jetty, café, indoor & outdoor pool, 90approx.. 70 rooms	Low Density Residential	Approved Solis development & Low Density Residential Development (4000m <sup>2</sup> lots)	Arguably, scale of existing is inconsistent with surrounding low density residential use  All future development will be discretionary as more than 300m <sup>2</sup> of gross floor area currently exists
Spring Beach Holiday Villas	Villa accommodation	Low Density Residential	Residential	A small operation, largely subdivided for residential use
Blue Waters, Orford	Motel, restaurant	Local Business	Residential, foreshore	Appropriate Local Business Zone, generally consistent with Ministerial Guidelines LBZ 4 (a)  All future development will be discretionary (unless above or behind existing buildings)
Triabunna Cabin & Caravan Park	Caravan Park	Local Business	Service station, school, Council office, residential	Appropriate use of the Local Business Zone, consistent with Ministerial Guideline LBZ 1 & LBZ 2  All future development will be discretionary (unless above or behind existing buildings)
Tandara	Motel, restaurant	Local Business	Industrial, rural, residential	Out of centre Local Business Zone application arguably inconsistent with Local Business Zone application guidelines

				All future development will be discretionary (unless above or behind existing buildings)
Aqua Sands Drive, Swansea	Residential subdivision	General Residential Zone	Residential	Appropriate residential zone
Cnr Gordon St & Tasman Hwy, Swansea	Vacant Residential	General Residential Zone	Residential	Appropriate residential zone
Swansea Holiday Park (2 Bridge Street)	Caravan park, cabins	Local Business Zone & General Residential Zone (to subdivide area)	Residential	Out of centre Local Business Zone application arguably inconsistent with Local Business Zone application guidelines  All future development will be discretionary (unless above or behind existing buildings)
Meredith House, Swansea	Guesthouse	General Residential Zone	Residential	Appropriate residential zone
1 Maria Street, Swansea	Residential	Local Business Zone	Commercial	Appropriate use of the Local Business Zone, consistent with Ministerial Guideline LBZ 1 & LBZ 2
Amos House & Swansea Ocean Villas (3 Maria Street)	Motel	Local Business Zone	Commercial	Appropriate use of the Local Business Zone, consistent with Ministerial Guideline LBZ 1 & LBZ 2
19 Franklin Street, Swansea	Gallery	General Residential Zone	Commercial and residential	Potentially more appropriate for Local Business Zone
Swansea Beach Chalets (27 Shaw Street)	Caravan park, cabins	General Residential Zone	Residential	Arguably, no suitable zone  3ha of developed & 1.5ha of vacant land  All future development will be discretionary as more than 300m <sup>2</sup> of gross floor area currently exists  Test for any future application is if scale is compatible with surrounding residential character. Arguably, this test cannot be satisfied given existing size of

				operation
Swansea Cottages (43 Franklin Street)	Units	General Residential Zone	Residential	Appropriate residential zone  All future development will be discretionary as more than 300m <sup>2</sup> of gross floor area currently exists
Saffire	Restaurant, motel	Particular Purpose Zone	Crown land	Appropriate for Particular Purpose Zoe
Edge of the Bay	Units, residential, restaurant	Low Density Residential Zone	Crown land	All future development will be discretionary as more than 300m <sup>2</sup> of gross floor area currently exists  Is an isolated 'spot' use of the Low Density Residential Zone with no surrounding residential land use.
Bicheno by the bay	Units	Local Business Zone	Residential, crown land	All future development will be discretionary (unless above or behind existing buildings)
Cnr James and Fraser Street, Bicheno	Vacant land	General Residential Zone	School, foreshore, residential	Appropriate residential zone
Silver Sands	Closed	Local Business Zone	Foreshore	Appropriate use of the Local Business Zone, consistent with Ministerial Guideline LBZ 1 & LBZ 2  All future development will be discretionary as more than 300m <sup>2</sup> of gross floor area currently exists
Chadwin Street & Jetty Road	Residential	General Residential Zone	Residential	Appropriate residential zone
Sea Life Centre	Accommodation, restaurant	Local Business Zone	Foreshore, residential	Out of centre Local Business Zone application arguably inconsistent with Local Business Zone application guidelines  All future development will be discretionary (unless above or behind existing buildings)
Bicheno East Coast Holiday	Cabins, caravan park	Local Business Zone	Retail, residential	Appropriate Local Business zoning

Park				All future development will be discretionary (unless above or behind existing buildings)
Bicheno Caravan Park	Caravan Park	General Residential Zone	Caravan park, residential	All future development will be discretionary as more than 300m <sup>2</sup> of gross floor area currently exists
Tribe, Sinclair, Morrison & Champ Street, Bicheno	Residential area, vacant land	General Residential Zone	Residential, caravan park	Appropriate residential zone
Champ, Morrison, Sinclair Street & Beattie Av	Residential area, Beachfront Resort	General Residential Zone & Local Business Zone	Residential, caravan park	Appropriate residential zone  For the Beachfront Resort, out of centre Local Business Zone application arguably inconsistent with Local Business Zone application guidelines  All future development will be discretionary (unless above or behind existing buildings)
Seaview Holiday Park, Bicheno	Units, camping	Local Business Zone	Crown land, residential	Out of centre Local Business Zone application arguably inconsistent with Local Business Zone application guidelines  All future development will be discretionary (unless above or behind existing buildings)
Tasman Hwy, between Lovett & Murray St	Residential, Bicheno Cabin & Tourist Park, Service Station	General Residential Zone & Local Business Zone	Residential	Appropriate residential zone  For the Bicheno Cabin & Tourist Park and Service Station, out of centre Local Business Zone application arguably inconsistent with Local Business Zone application guidelines  All future development will be discretionary (unless above or behind existing buildings)
Wintersun Gardens Motel	Units, Residential	General Residential Zone &	Residential	Appropriate residential zone

		Local Business Zone		
Redbill Beach & rural land to north (39 Tasman Hwy)	Vacant – approved cabins in part	Particular Purpose Zone North Bicheno	Residential	Appropriate Particular Purpose Zone

Of these, a Specific Area Plan is proposed for the:

- The Eastcoaster Resort (unless the Eastcoaster is included in the Major Tourism Zone)
- Blue Waters, Orford (28 Tasman Highway, Orford CT 154149/3)
- Tandara (17 Tasman Highway, Triabunna CT 49912/1)
- Swansea Holiday Park (2 Bridge Street, Swansea CT 170785/50)
- Swansea Beach Chalet (27 Shaw Street, Swansea CT 64899/11, CT 52088/4, CT 152163/1, CT 52088/5)
- Edge of the Bay, excluding strata scheme (2308 Coles Bay Road, Coles Bay CT 30805/3, CT 170909/1)
- Bicheno by the Bay (Cnr Foster & Fraser Street, Bicheno – new titles being issued)
- Sea Life Centre (1 Tasman Highway, Bicheno CT 239790/1)
- Bicheno East Coast Holiday Park (4 Champ Street, Bicheno CT 148695/1)
- Bicheno Caravan Park (52 Burgess Street, Bicheno CT 7159/1, CT 38927/3,
- Beachfront Resort (68-70 Foster Street, Bicheno CT 130369/2)
- Seaview Holiday Park, Bicheno (29 Banksia Street, Bicheno CT 158014/1)
- Bicheno Cabin & Tourist Park (30 Tasman Highway, Bicheno CT 14320/1)

The overall impact of the Specific Area Plan would be to provide permitted status for most intensifications to the existing use but also increase setback and privacy requirements beyond the underlying zone to also clearly protect residential amenity.

## 10.0 Site Specific Qualifications

Prior to the informal consultation process, no site specific qualifications were considered necessary. Those properties with existing site specific qualifications from the interim planning scheme – being shacks at River and Rocks Road and the former Buckland Bazaar – are provided for within the proposed zones.

Multiple owners of land in the Future Urban Zone have requested flexibility for caravan parks which are prohibited in the zone. The use is considered reasonable as it is temporary in nature (as clearly established in a RMPAT decision on the Huon Valley caravan park). A use qualification is provided for in response to the community feedback.

## **11.0 Attachments**

### **11.1 Attachment 1 – Flow Chart of Process**

See separate PDF document

## **11.2 Attachment 2 – Key differences between the State Planning Provisions and current planning scheme.**

Comparison of State Planning Provisions and current Glamorgan Spring Bay Interim Planning Scheme.

### **Objectives Section**

The interim planning scheme provided an objectives section. This section was not relevant to the assessment of any application but provided background and context to the scheme and for planning scheme amendments. This provision is not included in the SPP or LPS.

### **Definitions**

A number of additional terms are defined which will assist with interpretation of provisions. Most are not particularly noteworthy.

It is considered that the definitions relating to agriculture are unnecessary complex and warrant review. Among other matters, there are definitions of Agriculture Use (which is drafted as a use class rather than use) and crop production which have significant overlap. Further, the definition of Resource Processing includes activities such as animal sale yards which involve no processing at all. These terms are used in exemptions and use tables and it is important that each term represents a distinct element of agriculture. For instance, it is exempt to lay pipes for an agricultural use but not for a crop production use, and is likely an unintended consequence of too complex definitions.

There is a definition of cinema which is the sole use definition that brings into it the concept of a financial reward. Given no other use is defined in this way it also warrants review.

### **Exemptions**

Broadly, the exemptions are similar but they are expressed more precisely and with a more logical structure.

There is a new exemption for new vehicle crossings. This may necessitate Council adopting a by-law and/or works permit process in lieu of more indirect planning control.

Some concern lies with:

- The exemption for home-based child care which is limited to 6 non-resident children only. Federal and State regulation permit 8 non-resident children and the exemption therefore serves no purpose. Any home-based child care would operate under federal requirements and therefore have 8 children and require a permit from Council.

- The exemption for unroofed decks which applies only to decks that are not attached to a dwelling
- The limited degree of alignment between the planning scheme and Building Act exemptions
- A general exemption for all front fences which would override the front fence standard that applies to Dolphin Sands

Some of the activities listed in the exemptions, would also be more effectively and clearly assessed if they were dealt with in one section of the scheme only, and expressed as:

Rain tanks	water	Exempt if, (a) ... (b) ...	Permitted if, (a) ... (b) ...	Otherwise discretionary and assessed having regard to: (a) ... (b) ...
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These reason for this is that some discrete activities in the exemptions can lack directly relevant use or development standards that can inform the exercise of discretion when the exemption does not apply. For instance, it is not clear how a non-exempt heat pump or air conditioning unit would be assessed in a zone without any relevant standard.

**General Provisions Section**

The SPP General Provisions are broadly similar to those in the current interim planning scheme, but there are some new clauses.

There is a new standard for a change of use from one use to another in the same use class (i.e., from a post office to a real estate agent) and exempts such changes where a number of considerations are met.

The general provision for access across land in another zone introduces a general discretion in all cases which is not considered necessary. Such circumstances have been avoided in putting the zone provisions together.

There is a new General Provision that means certain types of development are not classified into a use class. This means that signs, land filling, retaining walls, subdivision and coastal protection works are useless forms of development. Practically, this means a retaining wall is a retaining wall regardless of whether it is for a house or industrial use.

There is a new General Provisions for sheds on vacant land in the Low Density Residential, Village and Rural Living Zones. This requires that a permit be issued for such a shed if it is the only shed on the site, it is less than 54m<sup>2</sup>, room remains for a future dwelling and a number of other criteria are met.

This clause is useful to some degree but it is not self-executing and does not inform how discretion should be applied if the criteria are not met and does not apply to the General Residential Zone.

### **Drafting Style**

The drafting of standards is generally different to that of the interim planning scheme – as discussed in Attachment 3.

Overview of variations between existing Interim Planning Scheme (IPS) and Statewide Planning Scheme (SPP)								
(+) indicates a new element in the SPP in comparison to the IPS (-) indicates an element of the IPS that has been removed in the SPP								
Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Existing IPS	SPP Equivalent							
General Residential	General Residential	(+) Primary & high schools	(-) local shop not displace res use	No change	(-) 4m rear setback	(-) north facing window	(-) internal lot standard	Anticipate less discretionary developments given removal of 4m rear setback
			(+) General clause for all discretionary uses				(-) public open space design consideration	

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments	
Low Density	Low Density	(+) consulting room, medical centre, & similar	(+) General clause for all discretionary uses	No change	Front setback increased from 4.5m to 8m	(+/-) residential density for multiple dwellings of 1500m <sup>2</sup> if serviced, 2500m <sup>2</sup> if unserviced with discretion to 1200m <sup>2</sup> and 2000m <sup>2</sup> respectfully	(-) public open space design consideration	Anticipate increased number of discretionary developments given new setback provisions, many of which will be unnecessary	
							(-) internal lot standard		
		(+) Primary & high schools	(-) noise level standard (managed by hours of operation)				Minimum lot size increased from 1000m <sup>2</sup> to 1500m <sup>2</sup> (1200m <sup>2</sup> under performance criteria)		
		(+) food services (excluding a take-away)							
		(+) local shop							
	(+) multiple dwellings			(-) north facing window					
				Side setback increased from 1.5m to 5m	(-) garage width standards				
					(-) privacy standard (note new side setback)				
Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments	
Rural Living	Rural Living	Agriculture is permitted rather than discretionary	(-) noise level standard (managed by hours of operation)	No change	Side setback decreased from 20m to 10m (-) 100m setback to EMZ	Site cover increased from 375m <sup>2</sup> to 400m <sup>2</sup>	Minimum lot size is 1ha, 2ha, 5ha or 10ha. Was a standard 1ha under IPS.	Zone is a combination of Rural Living and Environmental Living zones from interim planning scheme, hence approach to minimum lot size	
		(+) local shop							(-) cut and fill standard
		(+) food services up to 200m <sup>2</sup>							(-) light reflectance value standard
		(-) manufacturing and processing							(-) outbuilding standard
		(+) tourist operation							(-) avoid native vegetation and skylines
						(-) public open space design consideration			
						(-) internal lot standard			

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Environmental Living	Rural Living	(+) veterinary centre	(-) noise level standard (managed by hours of operation)	8.5m, was 7.5m	10m, reduced from 30m	Site cover increased from 300m <sup>2</sup> to 400m <sup>2</sup>	Was 10ha – 10ha can be specified in the Rural Living Zone	The Rural Living Zone does not provide a standard for tree removal and works on the skyline/ridgeline. For areas once zoned Environmental Living this is a significant change.
	The environmental living zone has been deleted	(+) animal breeding & boarding				(-) cut and fill standard		
		(+) food service				(-) light reflectance value standard		
		(+) local shop				(-) outbuilding standard		
		(+) resource processing				(-) standard to avoid native vegetation and skylines		
		(+) vehicle fuel sales and service						
Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Village Zone	Village Zone	More uses are permitted, rather than discretionary, including:	(+) general non-residential use standard	no change	side setback increased from 2m to 3m	(-) building design standard	(-) public open space design consideration	
		business and professional services, community meeting, food services and general retail & hire	(-) noise level standard				(-) internal lot standard	

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Local Business	Local Business	No Permit Required status for:	(+) discretionary use standard on amenity and character	No change	side setback to residential zone increased from 3m to 4m	(-) landscaping standard	minimum lot size reduced from 300m <sup>2</sup> to 200m <sup>2</sup>	
		(+) business and professional services	(+) discretionary use standard on activity centre hierarchy					
		(+) food services	(+) discretionary use standard for scale of retail uses and bulky goods uses					
		(+) general retail & hire						
		Permitted status for:	(-) noise level standard					
		(+) bulky goods sales						
		(+) food services						
		(+) emergency services						
		(+) hotel industry						
		(+) visitor accommodation not on street frontage						
		New discretionary uses for:						
		(+) manufacturing & processing						
		(+) storage						

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Light Industrial Zone	Light Industrial Zone	Permitted status for:	(+) discretionary use standard	Height increase to 10m from 9m	Front setback reduced from 10m to 5.5m	(-) building design standard (-) light reflectance standard	Frontage reduced from 25m to 20m (-) road design standard	<p>Light Industrial Zone land in GSBC is generally opportunistic – in the sense it applies because of past/current land rather than reflecting a broader industrial park</p> <p>Where the Light Industrial Zone is used strategically, such as along Freestone Point Road and Harvey’s Farm Road this is generally to consolidate and protection the operation of discrete activities, such as aquaculture.</p> <p>The SPP Light Industrial Zone is well suited to industrial parks in Greater Hobart. It is less suited to GSBC but is nevertheless workable. Following determination of the Freestone Point Road planning scheme amendment further consideration will be given to the issue of aquaculture in this zone.</p>
		(+) emergency services	(-) noise level standard					
		(+) port and shipping						
		(+) research and development						
		(+) transport depot & distribution						
		(+) vehicle fuel sales & service						
		New discretionary uses for:						
		(+) community meeting & entertainment						
		(+) crematoria						
(+) domestic animal breeding & boarding								

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments			
Rural Zone	Rural Resource Zone	Permitted status for		Height increased to 12m from 10m			Minimum lot size reduced from 80ha to 40ha				
Note: this is largely a new zone for where 'agricultural use is limited or marginal'		(+) veterinary centre, agribusiness office	(+)use standard that use requires rural location for operation reasons			Front setback reduced from 20m to 5m				(-) boundary reorganisation standard	
		(+) animal breeding & boarding									
		(+) emergency services	(+) discretionary use standard addressing scale of use and infrastructure capacity			(-) 100m setback to EMZ	(-) cut and fill standard		(-) light reflectance value	(+) excise existing dwellings & visitor accomm.	
		(+) extractive industry									
		(+) food services associated with agricultural use									
		(+) general retail & hire if associated with agricultural use	(-) sensitive use standard							(-) standard to avoid native vegetation and skylines	(-) subdivision of heritage places
		(+) manufacturing & processing ass. with extraction industry	(+) discretionary use standard addressing protection of agricultural land				Side setback reduced from 50m to 5m		(-) standard to avoid native vegetation and skylines	(+) new standard requiring dwellings to have right of way frontage - prohibits dwellings relying on Crown reserved roads	Discretion to consider lots less than 40ha if required for rural use
		(+) research & development									
		(+) resource processing									
		(+) storage	(+) discretionary use standard addressing adjoining uses								
		Discretion. status for:									
		(+) business & professional services									
		(+) community meeting & entertainment									
		(+) food services - any									
		(+) general retail & hire - any									
(+) manufacturing & processing - any											

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Significant Agricultural	Agriculture	Permitted status for:	(+) discretionary use standard ensuring use is requires rural location for operation reasons	Height increased to 12m from 10m	Front setback reduced from 20m to 5m	(+) new standard requiring dwellings to have right of way frontage - prohibits dwellings relying on Crown reserved roads	Minimum lot size reduced from no subdivision of any kind to no minimum lot size if further purpose of zone	
Note: this is largely a new zone for all agricultural use		(+) food services associated with agricultural use	(+) discretionary use standard addressing protection of agricultural land		Side setback for non-sensitive use reduced from 100m to 5m			
		(+) general retail & hire if associated with agricultural use	(+) discretionary use standard for prime agricultural land - not applicable	Side setback for sensitive use increased from 100m to 200m	(-) light reflectance value standard			
		(+) boat ramp	(-) sensitive use standard			(-) plantation forestry standard	(-) subdivision of heritage places	
		Discretionary status for:	(+) discretionary use standard for residential use - more restrictive	(-) 100m setback to EMZ	(-) standard to avoid native vegetation and skylines			
		(+) bulky goods sales						
		(+) animal breeding & boarding						
		(+) food services - any						
		(+) general retail & hire - any						
		(+) manufacturing & processing ass. with extraction						
		(+) storage						
		(+) tourist operation						
	(+) transport depot & distribution							
	(+) education							

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Environmental Management	Environmental Management	The following uses are some of the uses that were only possible in the IPS if provided for by a reserve management plan but will be discretionary:	(+) discretionary use standard	6m, reduced from 7.5m	10m, reduced from 30m	Minimal change	Minimal change	Minimal change
		General retail & hire	(-) use standard for only reserved land					
		Food services						
		Educational & occasional care						

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Landscape Conservation	Nil	NPR / Permitted uses are passive recreation, natural & cultural values management, minor utilities and additions to dwellings	Use standards for:	Is 6m	Front setback of 10m	(+) new standard requiring dwellings to have right of way frontage - prohibits dwellings relying on Crown reserved roads	Minimum lot size of 50ha with discretion to 20ha	
		Discretionary uses are:	Hours - for some uses		Side setback of 20m	(+) Light reflectance value		
		community meeting & entertainment	Visitor accommodation			(+) Site coverage of 400m <sup>2</sup>		
		Animal breeding & boarding	For all discretionary uses			(+) Design standard for avoid native vegetation and skylines		
		Emergency services						
		Food services up to 200m <sup>2</sup>						
		General retail & hire associated with tourist operation						
		Single dwelling						
		Resource development						
		Outdoor recreation area						
		Tourist operation						
		Visitor accommodation						

Zones		Use Table	Use Standard	Height	Setback	Other development standards	Subdivision	Comments
Utilities Zone	Utilities Zone	Minimal changes	Minimal changes	Separate standard for buildings & poles/antennas etc	Minimal changes	Minimal changes	Minimal changes	Minimal change
Community Purpose Zone	Community Purpose Zone	Minimal changes	Minimal changes	No change	Minimal changes	(-) passive surveillance standard	New minimum lot size of 600m <sup>2</sup> (no minimum previously)	Minimal changes
						(-) landscaping standard	(-) public open space design consideration	
Recreation Zone	Recreation Zone	(+) camping ground	Minimal changes	Minimal changes	Minimal changes	Minimal changes	Minimal changes	Minimal changes
		(-) motor racing facility						
		(+) new use of 'major sporting facility' to be discretionary						
Open Space Zone	Open Space Zone	(+) cemetery	Minimal changes	Height increased from 6.5m to 10m		(-) landscaping standard	Minimal changes	Minimal changes
		(+) resource development dependent on a coastal location						
		(+) tourist operation						
		(+) transport depot associated with ferries, water taxis						

### 11.3 Attachment 3 - 'Have Regard To' drafting style

The SPP generally, but not always, includes performance criteria that have been drafted on a 'have regard to' basis. This differs from a 'must do' approach that exists in most performance criteria in the current interim planning scheme.

The change is far more practical and reflects circumstances where not every criteria in a performance criteria is applicable to a site or proposal. This means that the assessment can focus on the key points. For instance, the following shows wetlands and waterway clauses from the interim scheme and SPP. For the interim, (a) to (i) must be achieved. For the SPP, adverse impacts to natural assets must be avoided having regard to those applicable matters below.

The SPP will provide a more reasonable basis for decision-making and more efficient decision by virtue of having to considered only those matters are relevant.

Current IPS E11.7.1 P1	SPP – C7.6 P1.1
<p>Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) avoid or mitigate impact on natural values;</li> <li>(b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;</li> <li>(c) avoid or mitigate impacts on riparian or littoral vegetation;</li> <li>(d) maintain natural streambank and streambed condition, (where it exists);</li> <li>(e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</li> <li>(f) avoid significantly impeding natural flow and drainage;</li> <li>(g) maintain fish passage (where applicable);</li> <li>(h) avoid landfilling of wetlands;</li> <li>(i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.</li> </ul>	<p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> <li>(a) impacts caused by erosion, siltation, sedimentation and runoff;</li> <li>(b) impacts on riparian or littoral vegetation;</li> <li>(c) maintaining natural streambank and streambed condition, where it exists;</li> <li>(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</li> <li>(e) the need to avoid significantly impeding natural flow and drainage;</li> <li>(f) the need to maintain fish passage, where known to exist;</li> <li>(g) the need to avoid land filling of wetlands;</li> <li>(h) the need to group new facilities with existing facilities, where reasonably practical;</li> <li>(i) minimising cut and fill;</li> <li>(j) building design that responds to the particular size, shape, contours or slope of the land;</li> <li>(k) minimising impacts on coastal processes, including sand movement and wave action;</li> <li>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</li> <li>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</li> <li>(n) the guidelines in the Tasmanian Coastal Works Manual.</li> </ul>

#### **11.4 Attachment 4 – Informal Consultation Outcomes**

Through December 2017 and January 2018, letters were sent to many rural land owners advising them of the upcoming scheme and to seek an opportunity to discuss the new scheme and what it may bring and to gain information on how various properties are used. Approximately 30 owners have made contact to discuss these issues.

There has also been consultant with TasWater, and some tourism industry leaders.

A pre-compliance briefing session has also been held with the Tasmanian Planning Commission.

Through February and March 2018, informal consultation continued and consisted of:

- the LPS, explanatory material and fact sheet documents on Council website
- a hardcopy in public libraries or similar in Bicheno, Swansea and Coles Bay and in the Council office
- letters to owners of land Bicheno, Swansea, Triabunna and Orford with zone changes identified in this property
- letters to owners of land in coastal hazard 'investigation areas'
- letters to all State agencies and infrastructure providers, and
- availability of Council staff for direct enquiries.

This informal consultant period should be ongoing until such time that the TPC provides consent to commence the formal public exhibition process, which may take some months.

Results of the informal consultation are outlined in the following pages.

From December 2017 to March 2018, approximately 400 letters were sent to owners

38 conversations were held and 8 written submissions received. Of the written conversations, 8 resulted in modifications (some made prior to the informal exhibition) and 1 identified issues of concern with proposed zones that are not – at this stage – proposed to be resolved in the persons favour. All others were supportive or content with the proposal.

Written submissions are outlined in the following.

Submission	From	Site	Issue	Response
1	D Young & P Lingard	69 Old Spring Bay Road, Swansea	Land identified for Rural Living Zone is supported	Noted
2	D Hamer	Bresnehan's Road, Little Swanport 172777/1	Land identified for part Rural, Part Agriculture. Considers Landscape Conservation appropriate	The entire site is identified as potential agricultural land in State mapping. Western most lot is too steep for agriculture and is proposed for Rural Zone with large coverage of priority vegetation area. This has been reviewed by AK and considered appropriate. Landscape Conservation Zone is applied for scenic landscape values as opposed to environmental landscape values at this stage. The Agriculture Zone does apply to marginal land. To avoid multiple zone, all 172777/1 should be Rural
3a	L Taylor	General	<i>Within the documentation - Page 35 of 126 Bicheno population is 647, I think that this is from the 2006 census, the March edition of Bicheno Forward stated population now 853</i>	From 2016 census, Bicheno Urban Centre & Localities has total population of 740.  647 is from the Bicheno Structure Plan and is from the 2011 census. The section referred to is discussing the structure plan.  The growth is significant at 14% or 2.8% per annum.
3b	L Taylor	Gulch, Bicheno	<i>The particular purpose zone (The Gulch) is shown on map 2 of 22 Bicheno as dark</i>	The Gulch particular purpose zone is to have the same boundaries as it does in the current interim

			<i>red ... on page 62 of 126 it states "is a more tourist oriented area". The light industrial purple colour does not appear. Will this preclude the operation of the commercial fishery operations from the wharf, the use of the slipway, the oyster hatchery, glass bottom boat etc. The online map is not entirely clear or easy to interpret.</i>	planning scheme (zone runs over two pages). Commercial aquaculture related activities will continue to occur. Paper and online maps are the same.
3c	L Taylor	Bicheno	<i>On the online map an area from Redbill to Diamond Island is shown in orange (future urban). Is this to be low density residential, rural living or general residential?</i>	This area is current in the North Bicheno Particular Purpose Zone. The future urban is in error as no intent to change and an equivalent particularly purpose zone provided in the text of the LPS. The particular purpose zone maintains a long-held provision that the area is to be developed in conjunction with a development plan for residential and tourism purposes.
3d	L Taylor	Bicheno	<i>The paper map 2 of 22 (as above) does not show detail of any areas to the North of the school, hall &amp; library (cream - community purpose). Is the council yard in Old Tram Rd. zoned utilities or residential, if the council yard is moved to light industrial (purple) would it be then near the waste management centre. Would the current yard revert to community open space or residential if such a move eventuated</i>	Council depot is now part Local Business and Part Residential. School and library are now in the Community Purpose Zone. No change is proposed. The Depot could move in the future and if so enable commercial use of that land. Land is crown land.
3e	L Taylor	Bicheno	Is the Community Health & Resource centre in Foster St. zoned community purpose?	The centre is currently in the General Residential Zone and this is to be maintained as is. The scale of the centre does not warrant a specific zone. Future additions will be permitted in minor in nature of discretionary if major.
3f	L Taylor	Bicheno	<i>The rural living zone to the North of</i>	North of Bicheno a small number of lots are

			<i>Bicheno (online map) 1 of 24, 3 of 24. Is this area consisting of titles already in existence or will there be further subdivision allowed. Further subdivision from North of Diamond Island to the Denison River would result in coastal strip development of the worst kind.</i>	proposed for Low Density Residential Zone, rather than current Rural Zone, on the basis that they exist, are near the settlement and have no rural values. The LDR Zone would allow subdivision but would not extend the already existing ribbon development in the area. The LPS does not permit any ribbon development and would re-apply landscape protection that existed in the 1994 planning scheme.
3g	L Taylor	Cherry Tree Hill	<i>On the online map 5 of 24 the area around Cherry Tree Hill is zoned as Landscape Conservation and Environmental Management rather than rural, is this arising from the National Estate listing and does this alter the previous rural residential or agricultural zoning.</i>	This proposed zoning is not based on National Estate Listing. The lots are currently in the Rural Resource Zone and this proposal zone does represent a change in zoning to these properties. Feedback from one affected owner is supportive. Further consultation should take place.
4	J Hackett	Swanwick	Recreation area in Swanwick should be zoned Recreation.	The recreation area, which is adjacent to the roundabout along Swanwick Drive has been included in the Village Zone. It is currently in the Open Space Zone.
5a	A Sullivan	Coles Bay	Iluka and surrounds not zoned Local Business	The draft has included Iluka in the Village Zone rather than the current Local Business Zone. The main existing activities are permitted in the Village Zone. The rationale is to have one Local Business Zone at Coles Bay (at Garnet Av) and to signal a higher priority for core commercial activities whilst the Iluka area maintains a mix of larger floor area activities. The final zoning of Coles Bay must have regard to the outcomes of the Freycinet Master Plan and any potential implications of that Master Plan which require a review of the Coles Bay Structure Plan. It is considered appropriate to retain the draft as is

				whilst the master plan is finalised.
5b	A Sullivan	Coles Bay	Local Area Objective 12.1(d) is very complex	Correct The objective seeks to direct uses generating high car parking demand located near public car parking unless car parking is accommodated on site. It would work in conjunction with Council's cash in lieu of car parking policy. The Freycinet Master Plan is expected to provide long-term direction for car parking. All provisions in the LPS relating to Coles Bay will require review and revision in light of the Master Plan once it is finalised.
5c	A Sullivan	Dolphin Sands PPZ	<i>Should GSB-P1.5.2 (e) should read 300m<sup>2</sup>, not 300<sup>4</sup>m<sup>2</sup>.</i>	Yes
6	S & M Dumaresq	Kennedia Place, Swansea	Objects to General Residential Zone for Kennedia Place on the basis of unwelcome subdivision potential	Under the Interim Planning Scheme Kennedia Place is in the General Residential Zone. Kennedia Place is a low density subdivision with typical lot sizes of around 3500m <sup>2</sup> . The GRZ therefore creates significant development potential by way of subdivision or unit development that will fundamentally alter the character of the zone. Concerns were raised during the interim planning scheme process and accordingly all Kennedia Place owners were notified in writing of this new scheme. Only one response has been received to date. It is considered that the current draft be unmodified but this issue be revisited after further public consultation.
7a	P Wolfhagen	'Black Point', adjoining Swanwick	Scenic Protection provisions are generally acceptable but should note that much of the native vegetation is regrowth that has been encouraged by the owners. Some cassurina's are selectively logged for furniture timber and clearing is necessary for fire management and to potentially	Noted. Alter the management objectives for this area to reflect this advice. Works associated with agriculture are exempt from the provisions.

			expand the existing orchard.	
7b	P Wolfhagen	'Hepburn Point', adjoining Swanwick	<p><i>I was very interested, and a little alarmed, to learn from you about the 'township structure plan', and the inclusion of our property in the 'future urban growth zone'. I would be very grateful if you could forward me more information about this, so that I can be better informed.</i></p> <p><i>As we discussed, I look forward to meeting you at 'Black Point' at some future date, so that we can go forward with mutual understanding.</i></p>	Noted.
8	D Bricknell	Dolphin Sands	<p><i>GSB-P1.5.2 Visitor Accommodation</i></p> <p><i>I disagree with A1 where it states that Visitor Accommodation must be accommodated in 'existing buildings'.</i></p> <p><i>Does this mean that any 'new' buildings cannot be used for visitor accommodation?</i></p>	<p>A1 means visitor accommodation in an existing building is acceptable. If visitor accommodation is to be in a new building it will be discretionary and evaluated against the Performance Criteria, which states:</p> <p><i>Visitor Accommodation must:</i></p> <ul style="list-style-type: none"> <li><i>(a) not cause an unreasonable loss of amenity and privacy to adjoining properties;</i></li> <li><i>(b) be of a scale that respects the character and use of the area;</i></li> <li><i>(c) not adversely impact the safety and efficiency of the local road network;</i></li> <li><i>(d) not unreasonably disadvantage owners and users of rights of carriageway; and</i></li> <li><i>(e) have a gross floor area of not more than 300m<sup>2</sup>.</i></li> </ul> <p>In other words, new visitor accommodation buildings will be discretionary with a maximum floor area 300m<sup>2</sup> (floor area for outbuildings or a house</p>

				<p>don't count towards the 300m<sup>2</sup>)</p> <p>Dolphin Sands is one of few areas where there is an absolute maximum of 300m<sup>2</sup>. The reason for this is largely historical. Prior to the 2015 planning scheme, visitor accommodation was prohibited at Dolphin Sands. At that time it was decided to allow limited visitor accommodation. In the interim planning scheme there is no 300m<sup>2</sup> limit but there is a limit that only one building can be used for visitor accommodation. A 300m<sup>2</sup> limit does allow two or three small units.</p>
9	N Shephard	Land adjoining Two Mile Creek, Spring Beach	Low Density Residential Zone is more appropriate than Future Urban as the commencement of subdivision works at 41 Happy Valley Road provide practical access to the site. Indicative subdivision layout submitted.	<p>The Structure Plan identifies the area for future urban expansion. It is currently zoned Rural Resource but is more appropriately zoned Future Urban. The submission argues the 'future' component is unnecessary as the land can now be developed and there is a demand for such land. Supply and demand are ultimately controlled by the Southern Tasmanian Regional Land Use Strategy. Spring Beach is discussed in the regional strategy as a shack settlement but no supply objectives are provided.</p> <p>With the Ryans Road and 41 Happy Valley Road subdivision there is very little available land in Spring Beach. An application has been lodged – but not considered – for a 10 lot subdivision on adjoining land at 334 Rheban Road. Infill development is possible but limited to a few larger pre-existing lots. The submission is supported as there are no practical or strategic obstacles to a Low Density Residential Zone.</p>
10	R Rand	Overshadowing of solar panels – generally and	Suggests that performance criteria for height include consideration of solar panels.	Whilst a local provision such as the proposed Resort Residential SAP could include such provision, the issue is broader and applies to all

		specifically with reference to the Resort Residential SAP		residential areas. The issue will be raised with the TPC Panel.
11a	J Andrews	Dolphin Sands – visitor accommodation	<i>I consider the sections re visitor accommodation being in an existing building are too restrictive a) Some blocks are as yet undeveloped and so any development on those blocks it would seem cannot be used for visitor accommodation b) small separate buildings for this purpose as long as they cannot be classed as a separate residence, eg have no kitchen, should be allowed.</i>	See 8
11b	J Andrews	Dolphin Sands - colour	<i>I consider that the colour being prescribed for buildings in the area is ridiculously restrictive and melancholy! Black-brown-grey?! There are many buildings already built and occupied for several years that are not within this gloomy colour scheme and have been accepted over time by the community. Ours is off white - the colour of clouds and bleached sand; one is pale blue the colour of our sunny skies; others have blue roofs and even sand coloured walls, BUT the ones that stand out are the black and dark green. So many blocks have been built on now that to introduce this sort of restriction is, in my opinion, absurd.</i>	<p>The comment raises an important and valid point.</p> <p>The colour scheme provisions are in the existing interim planning scheme. The 1994 planning scheme required that “All buildings are to be designed so as to blend with the special landscape setting of the area”. The interim scheme has made an attempt to be more clear on what colours ‘blend’ but has not appropriately reflected the coastal character of the area.</p> <p>It is intended that the Dolphin Sands Particular Purpose Zone will be approved under transitioning provisions in LUPAA which will preclude any significant change. Advice will be sought from the TPC Panel as to whether this clause can be modified.</p>
11c	J Andrews	Dolphin Sands – native vegetation	<i>Siting the building with reference to native vegetation - what is native vegetation? My understanding is that the coastal wattle</i>	The provision in the scheme reflects important biodiversity values that are found in Dolphin Sands and is drafted in a manner consistent with other

			<p><i>was seeded and is an introduction from Victoria. It is also an horrendous fire hazard. In the past recommendation was to clear 30m around the house. Is this wattle considered native? Some say that marram grass is not native! Wouldn't it be better to make recommendation that those plants enabling a stability of the dunes are left and the dangerous ones cleared as much as possible or some such?</i></p>	<p>zones. Native vegetation is defined in the State Planning Provisions as:</p> <p><i>“means plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes”</i></p>
12a	C & I Melrose	Dolphin Sands – Visitor accommodation	<p><i>The draft planning scheme for Dolphin Sands proposes that visitor accommodation be restricted to within existing buildings only. ...</i></p> <p><i>Our business Melshell Sea Farms is struggling to find employees accommodation in the area during summer, this planning scheme will not assist this east coast predicament that many businesses have been facing over the past 2 years. We also envisage that our community residents could benefit with added income by offering visitor accommodation. The dolphin sands blocks are large and separate dwellings are achievable without visual pollution and environmental impacts.</i></p>	See 8.
12b	C & I Melrose	Dolphin Sands – Visitor accommodation	Subdivision should be possible.	No further subdivision has been a long standing policy for Dolphin Sands PPZ originating in the 1994 Planning Scheme. Introducing subdivision represents a fundamental change that would require detailed consideration of the impact that this would have to public safety and native vegetation.

## **11.5 Attachment 5 - Desired Policy Changes to Statewide Planning Provisions**

The development of the Statewide Planning Provisions involved consultation of key stakeholders and the community. Some, but not all comments made by Council and local government planners were adopted in the approved SPP. The SPP will, it is hoped, be developed on an ongoing, continual improvement basis and it is appropriate for a Planning Authority to identify key areas for review.

The following is an initial list of policy positions in the SPP that should be subject to review. It is by no means comprehensive or detailed and provides a basis for advocacy when any future opportunity arises. A key issue in the large urban context which sit behind many State Planning Provisions and which have limited application to rural areas and cause unnecessary discretionary applications. The SPPs are far better in this regard but improvement can be made in order to minimise unnecessary discretionary applications.

The General Residential Zone be modified to:

- Remove universal density and subdivision standards and allow graduated approach to planned density in order to preference unit development in proximity to activity centre consistent with township structure plans, and to recognise the established character of settlements and to best manage change that will occur.
- In considering privacy between windows and decks, enable assessment to have regard to the level of privacy inherent in the design of any adjoining window or deck.
- Redraft all standards to a 'have regard to' basis consistent with other zones in the SPP.
- Provide for the management of sheds on vacant land as per others zones.
- Provide a siting and scale standard specific for outbuildings reflecting the need for owners to provide relatively large and high sheds for boat storage whilst maintaining sound streetscape outcomes.
- 'Break up' the building envelope on larger lots in order to 'drap' multiple building envelopes over a lot or provide some other specific design considerations for larger than normal residential buildings on larger lots – such as conjoined units.
- Introduce public open space design considerations for subdivision.
- Modify the residential density performance criteria to remove the requirement for a 'significant' social housing benefit which may constrain small-scale independent living units.

The Low Density Residential Zone be modified to:

- Stagger side setback standard in response to lot size to avoid unnecessary discretions.
- Introduce public open space design considerations for subdivision.
- Provide a siting and scale standard for outbuildings.

The Rural Living Zone be modified to:

- Introduce public open space design considerations for subdivision.
- Provide a siting and scale standard for outbuildings.

- Provide the ability to provide an overlay for sites within the zone where skyline or native vegetation warrant consideration.

The Rural Zone be modified to:

- Allow access to a dwelling from a Crown reserved road.

The Agriculture Zone be modified to:

- Exclude the excision of existing visitor accommodation and dwellings, and review subdivision provisions, and provide a consistent approach to dwellings in association with agriculture.
- Allow for consideration of priority vegetation following a comprehensive review of the natural assets code and the development of an appropriate policy on the extent of biodiversity consideration necessary in the land use system and the degree of interaction with existing legislation.

The Application Requirements be modified to:

- Exclude the requirement to provide any title information on the basis that the Planning Authority already has access to this information and the public disclosure of such information serves no benefit.

A copy of the current certificate of title is a mandatory requirement but the schedule of easements is a 'maybe' requirement. Practically, all Councils have direct access to all title information and therefore no title information should be required. The provision of title information makes that information public and there is no public benefit or need for that. This would be consistent with the treatment of Part 5 Agreements, caveats and other title related information which are not required to be submitted (and disclosed) during the planning process.

The Exemptions, or at least the majority of exemptions, be:

- Contained in a self-executing section of the planning scheme
- Wherever possible, be aligned with Building Act 2016 exemptions.

Many could and should be entirely self-executing and express in the following form:

Rain water tanks	Exempt if, (a) ... (b) ...	Permitted if, (a) ... (b) ...	Otherwise discretionary and assessed having regard to: (a) ... (b) ...
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These reason for this is that some discrete activities in the exemptions can lack directly relevant use or development standards that can inform the exercise of discretion when the exemption does not apply. For instance, it is not clear how a

non-exempt heat pump or air conditioning unit would be assessed in a zone without any relevant standard.

The Road and Railway Assets Code be modified to:

- Reflect the exemption afforded at clause 4.2.5 which exempt use and development or vehicle crossings. 4.2.5 (b) also requires clarification as it reads “use of a vehicle crossing, junction or level crossing by a road or railway authority”. Naturally, owners of the land would also wish to use the vehicle crossing.

The Parking and Sustainable Transport Code be modified to:

- Clarify what is an applicable standard where there is an addition to an existing premise. As drafted, if additional car parking is required due to increase floor area then all standards apply. This requires a retrospective assessment of the existing car parking and can trigger a discretionary process if where the design of the additional car parking complies. For instance, if the existing car parking access does not meet the Australian Standard for gradient or aisle widths.
- Provide within the acceptable solution for car park construction (C2.6.1 A1) the ability to drain direct to a natural watercourse (outside urban boundaries and the ‘public stormwater system’) including coastal waters.
- Clarify the meaning of ‘occupancy’ at C2.5.4.

The Natural Assets Code be modified to:

- C7.2.1 (a) should read “modification to native vegetation or natural landform within a waterway and coastal protection area”.
- C7.2.1 (d) should read “clearance or disturbance to priority vegetation within a priority vegetation area ...” to account for inaccuracies in mapped overlay that indicates a likelihood for biodiversity values that may not be evident during ground-truthing.
- C7.4.1 (d) exemption should apply irrespective of other legislation. The Priority Vegetation Area is likely to identify communities or species protected by State or Federal legislation. As draft, a dual approval process will be required. The intent should be that in the circumstances listed only one approval process is required and that should be outside the LUPAA process.
- Exempt all existing jetties with respect to waterway provisions where extensions do not modify natural landform or remove native vegetation.

The definitions at Table 6.2 be modified to:

- Review the definitions of Resource Development and Resource Processing and:
  - Clarify examples, such as animal saleyard, which involves no processes but is an example of Resource Processing
  - Remove ‘crop production’ which is addressed by ‘agriculture use’
  - Draft Resource Development as ‘use of land for propagating, cultivating, harvesting, keeping or breeding plants and animals ...’ rather than separate treatment of plants and animals.

## 11.7 Attachment 6 – Analysis of Coastal Fronting Lots where 1994 Planning Scheme Restrictions Applied

For lots adjoining a foreshore, the 1994 Planning Scheme applied a 15m setback from the foreshore boundary and a 5m height standard to the entire lot. This applied to the Residential, Low Density Residential, Resort Residential and other zones.

When Planning Directive 4 was initially adopted – and which standardised the planning controls for dwellings in all serviced residential areas of Tasmania, this provision was lost. It continues to apply to the Low Density Residential Zone in Coles Bay, Swanwick and Spring Beach and to Rural Living Zone land via a code in the interim planning scheme.

This interim planning scheme code is not protected by any transitional provisions. Therefore, any such provision in the LPS must meet the section 32 (4) tests of LUPAA. 32 (4) provides a merit based test of what an LPS may include via a particular purpose zone, specific area plan or site specific qualifications. For an LPS to include these provisions, it must be shown that:

*(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*

*(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

An audit of all areas that were subject to the 1994 Planning Scheme provision for foreshore fronting lots has been undertaken and is summarised below. Note, the provision did not apply to lots access from an Esplanade.

It is evident from the following that there are few areas where the 15m setback resulted in a consistent pattern of development. The pattern of setback in each area varies in response to the lot size with larger lots generally having larger setbacks in the order of 10m.

It is also evident that the 5m height standard maintained an clear pattern of development.

Town	Area	Pattern of development generally complies with 15m setback	Pattern of development generally complies with 5m building height
Coles Bay	Florence Street	No	No, due to slope
Swanwick	All	No	Yes
Swansea	Bluff Circle and Holiday Park	Yes	Yes
Swansea	South	No	Yes
Orford	Barton Avenue	Yes	Yes
Orford	Riverside Drive	No	Yes
Orford	East of Radar Park	No	Yes
Orford	West of Radar Park	Yes	Yes
Orford	Rudd Av	No	Yes
Orford	West Shelly	No	Yes
Orford	East Shelly	No	Yes
Spring Beach		No	Yes

Section 32 (4) creates a test that any local planning provision that override the SPP must have an overriding public benefit or reflect unique qualities of the area, which in this case would be all lots adjoining the foreshore.

The provisions arguably provided a significant private benefit to owners of the second house back. There is insufficient data on housing characteristics (e.g., age, number of bedrooms, etc) on these houses in order to quantify that private benefit.

The provisions also provided a public benefit as both the lower height and greater setback helped maintain an 'openness' to a foreshore and assisted to minimise perceived overlooking of public land. Of these factors, the setback pattern rarely maintained a 15m setback from the foreshore although the provisions would have maintained a larger setback than if that had not applied as any variation would have been minimised through the design process.

To include foreshore setback or height provisions in the LPS it must be demonstrated that they would provide a significant social benefit. The test in relation to economic or environmental benefit is not considered to apply.

There are many ways in which the social benefit of a foreshore setback or height could be evaluated. In the simplest form, this could be via strong public support. More detailed methods would be via surveys of the community that seek to elicit a more objective understanding of the value and significance of this.

The loss of the foreshore provisions were raised in two representations on the current interim planning scheme and in a number of representations involving individual planning applications. Those representations noted that the foreshore provisions:

- The provision add to the community value of foreshore reserves, enhance the user experience of foreshore reserves and encourage greater use of the reserve of physical activity
- Protected the coastal environment of the region and the role of this is establishing a sense of place and providing a competitive advantage
- Protect establish development patterns, and
- Would be consistent with a number of urban design, amenity and liveability objectives in the interim scheme.

For individual planning applications the common concern raised is the potential loss of views of a building built forward of an adjoining dwelling and the perceived private cost of that loss of view. There are also issues that are more of principal where an adjoining landowner has build to, or at-least close to, the provisions with an expectation that others would do the same.

The draft LPS does not include any foreshore setback or height provisions. The reason for this is not that the existing provisions are without merit, but that it cannot at this stage be demonstrated that there is a 'significant' social benefit from their inclusion.

## **11.7 Attachment 7 – Possible Future Strategic Land Use Work**

The following provides a list of potential future strategic projects that have been identified through the process of preparing the LPS.

The extent of potential changes in the draft LPS is minimal given the nature of the ministerial guidelines and a need to follow due process to consider any strategic changes beyond those necessary to align with the ministerial guidelines. None are necessary for the current LPS development but represent opportunities to further development the LPS once it is implemented and once the Southern Tasmanian Regional Land Use Strategy has been reviewed in order to provide an up to date regional context.

- Update of Vision East
- Continual Review of Township Structure Plans
- Review of zoning in vicinity of Spring Bay Marina
- Review of zoning in southern part of Buckland
- Preparation of North Bicheno Development Plan
- Review of zones, services and access at and around Holkam Court, Orford
- Review industrial zones through Triabunna
- Progress development opportunities at Waterloo Point, Swansea
- Review local heritage listings in conjunction with Swansea museum
- Identify areas for scenic landscape protection

## 11.8 Attachment 8 - STRLUS Compliance Statement

Policy	Policy Statement	Compliance Statement
<b>Biodiversity &amp; Geodiversity</b>		
BNV 1.1	Zones that allow intensive development are not applied where native vegetation is to be protected	The LPS zones do not significantly increase in size and do not extent into areas of important vegetation.  There are existing areas of GRZ or LDRZ that have priority vegetation. In these zones the SPP is only applicable to subdivision.
BNV 1.2	Protect significant biodiversity values and adopt a 'avoid, minimise, mitigate' approach	The LPS provides a priority vegetation area.
BNV 1.3	Provide for biodiversity offsets	The SPP does not expressly provide for offsets. Council has no offset policy but offsets can nevertheless be considered on a case by case basis.
BNV 1.4	Allow for local variability in the management of biodiversity	The Regional Ecosystem Model used in the priority vegetation area allows for consideration of local and endemic biodiversity values.
BNV 1.5	Require construction environmental management plans	An issue for development control.
BNV 1.6	Provide for climate refugia	The LPS provides an overlay for refugia. The overlay is applied in a manner consistent with Ministerial Guideline No. 1.
BNV 2.1	Avoid or minimise the clearance of threatened native vegetation communities unless the harm is minimal or the benefits are significant	The priority vegetation area includes all areas of threatened native vegetation communities. The LPS is compliant with this policy to the fullest extent possible under the terms of the SPP.
BNV 2.2	Minimise clearing of important habitat	The Regional Ecosystem Model specifically incorporates habitat for threatened species.
	Advise developers of other relevant legislation	An issue for development control.
BNV 3.1	Include requirements to have buildings setback from reserve issues	An SPP issue.
BNV 4.1	Consult NRM based organisations	Has occurred and will continue to occur through the LPS approval process.
BNV 5.1	Provide for weed management	An issue for development control.
BNV 6.1	Improve knowledge of geodiversity values	Not a planning scheme issue.
BNV 6.2	Protect geodiversity values	All known geodiversity values (unique rock or formations) and contained within public land.
<b>Water Resources</b>		
WR 1.1	Adopt the State Policy on Water Quality Management	See section 2.4.3
WR 1.2	Apply water sensitive urban design principles	The SPP have little consideration of water sensitive urban design. The policy will be pursued outside the permit process and principally via Stormwater System

		Management Plans.
WR 1.3	Protect riparian areas	An issue for development control. The SPP provisions adopted the current interim planning scheme riparian buffers.
WR 1.4	Require construction environmental management plans in the riparian zone	An issue for development control.
WR 2.1	Hydro lakes	Not applicable
WR 2.2	Public access along waterways	Not a zoning issue.
WR 2.3	Minimise clearing of riparian vegetation	Riparian vegetation is a specific component of the Regional Ecosystem Model used for the priority vegetation area.
WR 2.4	Allow recreation and tourism development adjacent to waterways where impact is minimal	An issue for development control.
WR 3.1	Reduce barriers to rainwater tank use	A building control issue. It should be noted though that rainwater tanks used internally require pumps which can affect amenity through excessive noise.
<b>The Coast</b>		
C 1.1	Minimise clearance of coastal native vegetation	The LPS zones do not significantly increase the need to remove coastal native vegetation.
C 1.2	Maximise growth within existing settlement boundaries	The LPS zones provide for consolidation of existing settlements consistent with the structure plans.  The provision of the Village Zone at Swanwick and Coles Bay will re-introduce the ability to consider multiple dwellings to make more efficient use of limited land availability.
C 1.3	Avoid development of mobile landforms	An issue for development control.
C 1.4	Zone undeveloped land in the coastal area Environmental Management, Recreation or Open Space unless the land is required for rural resource or urban purposes.	Within the coastal area, the LPS proposes to apply every zone used. The zones used have regard to the current planning scheme, existing use and development and township structure plans. This policy is achieved in full through the zones proposed.
C 2.1	Address coastal hazards	This is achieved via the SPP and overlays in the LPS.
C 2.2	Avoid exacerbating current risk from coastal hazards	The LPS includes overlays on coastal hazards which manage development within existing settlements. The LPS avoids any new urban based zones in areas subject to coastal hazards.
C2.3	Identify areas for landward retreat of coastal hazards	A coastal refugia overlay is provided for. Significantly more work is required outside the planning system to further this policy.
<b>Managing Risks and Hazards</b>		
MRH 1.1	Mitigate bushfire risk in the earliest possible stage of development	The SPP includes a bushfire hazard prone areas code.
MRH	Design subdivision roads	The SPP includes a bushfire hazard prone areas

1.2	to provide safe exit in a bushfire	code.
MRH 1.3	Do not restrict clearing around existing dwellings	The SPP includes exemptions for such purpose.
MRH 1.4	Ensure planning schemes or building regulations provide bushfire mitigation measures	The SPP includes a bushfire hazard prone areas code.
MRH 1.5	New development in bushfire prone areas must have regard to native vegetation	The priority vegetation area will apply to some forms of buildings that are also subject to the SPP bushfire prone areas code.
MRH 1.6	Develop and fund a program for regular compliance checks	No a planning scheme consideration.
MRH 2.1	Mitigate flood risk in the earliest possible stage of development	<p>There is no available mapping flooding caused by rivers and accordingly there is no consideration of this issue in the LPS. For some locations, there is some overlap on this issue with coastal inundation which is provided for within the LPS</p> <p>Orford and Swansea do suffer flooding and a key part of future Stormwater System Management Plans will be to ensure the stormwater network can handle 1 in 100 year rain events of the future. This is the accepted engineering design level for overland flow.</p> <p>The 2016 flood event was cause by a particularly acute rain event that was significantly greater than a 1 in 100 year rain event.</p>
MRH 2.2	Provide development controls for flood prone areas	See above
MRH 3.1	Prevent further development in declared landslip areas.	There are no declared (i.e., via Building Act 2016) landslip areas in the municipal area.
MRH 3.2	Require development to be responsive to land instability.	The LPS adopts landslip hazard mapping.
MRH 3.3	Development in areas of land instability must not cause an undue risk to occupants or the public	This is a developThis is principally regulated via the building system.
MRH 4.1	Require consideration of contaminated sites	<p>The LPS does not include an overlay of contaminated sites. This is an optional component and is not essential for the relevant SPP provisions to apply to any use or development proposal.</p> <p>There are known contaminated sites which are under the remediation notices from the Environment Protection Authority.</p>
MRH 5.1	Manage risks of dispersive soils	There are no known areas of dispersive soils in the municipal area.
MRH	Manage risks of acid	Under the SPPs acid sulphate soils must be managed

5.2	sulphate soils	via construction environmental management plans.
Cultural Values		
CV 1.1	Support review of Aboriginal Relics Act 1975	Not a relevant planning scheme consideration.
CV 1.2	Improve knowledge of Aboriginal heritage places	Not a relevant planning scheme consideration.
CV 1.3	Avoid development in areas known to have Aboriginal cultural heritage values	Known areas of Aboriginal cultural heritage values are most typically within the Environmental Management Zone. On private property, these values must be managed under the relevant legislation. The LPS does not increase the risk of such values being harmed as there is limited change to zonings proposed from the zones of the interim planning scheme.
CV 1.4	Support the use of predictive modelling	Not a relevant planning scheme consideration.
CV 2.1	Support review of Historic Cultural Heritage Act 1995	Not a relevant planning scheme consideration.
CV 2.2	Promote nationally adopted tiered approach to management of heritage values	Not a relevant planning scheme consideration.
CV 2.3	Ensure local planning authorities regulate places of local values	The LPS proposes to continue to recognise and protect local heritage places
CV 2.4	Protect heritage precincts	There are no identified heritage precincts within the municipal area.  Any consideration of heritage precincts would require expert advice and consultation with residents.
CV 2.5	Apply the Burra Charter	This is relevant to the SPP which provides the criteria to evaluate works to heritage places.
CV 2.6	Standardise listing criteria	As a transitional arrangements, heritage places can be listed without the full descriptions that are expected under the SPP.
CV 2.7	Allow adaptive reuse of heritage places	This is provided for by the SPP.
CV 3.1	Ensure heritage studies are fully transparent	Not a relevant planning scheme consideration.
CV 4.1	Develop an agreed set of criteria for determining the relative significance of important landscapes and key landscape values	Not a relevant planning scheme consideration. This is important work that requires progress at a regional level.
CV 4.2	Protect regionally significant landscapes	The LPS includes scenic landscape area and corridors based on the 1994 planning scheme. Consideration of other areas is constrained by CV 4.1.
CV 4.3	Protect Greater Hobart skylines	N/A
CV 5.1	Protect places of archaeological potential	The LPS does not list any places of archaeological potential. Archaeological values do exist as evident by the ANU

		<p>digs at the Triabunna barracks. Archaeological potential generally corresponds to local or State listed properties.</p> <p>Any broader consideration of identifying places of archaeological potential would require expert advice and consultation with owners.</p>
CV 5.2	Manage soil disturbance in places of archaeological potential	N/A
<b>Recreation and Open Space</b>		
ROS 1.1	Adopt Tasmanian Open Space Policy and Planning Framework 2010 hierarchy of open space	This is not a relevant planning scheme consideration. It is relevant to the management of open space assets and development of open space strategies.
ROS 1.2	Adopt Tasmanian Open Space Policy and Planning Framework 2010 classification of open space	This is not a relevant planning scheme consideration. It is relevant to the management of open space assets and development of open space strategies.
ROS 1.3	Undertake a regional open space study	This is not a relevant planning scheme consideration. The study has not occurred.
ROS 1.4	Undertake local open space studies	<p>This is not a relevant planning scheme consideration. The study has not occurred. Council continues to develop open space connectivity for walking. An area of open space does need to be identified at south Swansea given the number of subdivisions occurring in the area.</p> <p>The SPP does not include any consideration of public open space design within subdivision. This is a significant omission that may constrain the ability to implement any local study.</p>
ROS 1.5	Ensure well connected provision of walking and cycling trails	This is not a relevant planning scheme consideration.
	Adopt the 'Healthy by Design' principles in subdivision design	This is implemented, to some extent, in the SPP.
ROS 2.1	Avoid unnecessary duplication of recreational facilities across the region	This is not a relevant planning scheme consideration.
<b>Social Infrastructure</b>		
SI 1.1	Protect the Royal Hobart Hospital	N/A.
SI 1.2	Ensure social infrastructure matches community needs	This is not a relevant planning scheme consideration.
SI 1.3	Provide well located and accessible social infrastructure	The LPS applies the Community Purpose Zone to major facilities. Social infrastructure can be provided within the Local Business Zone and Village Zone as well.
SI 1.4	Identify areas for social	Sufficient opportunities exists to provide social

	infrastructure in urban growth areas and activity centres	infrastructure in activity centres under the Local Business Zone.
SI 1.5	Provide multi-purpose, flexible and adaptable social infrastructure	This is not a relevant planning scheme consideration.
SI 1.6	Co-locate and integrate social infrastructure	This is not a relevant planning scheme consideration.
SI 1.7	Allow aged-care facilities to develop where necessary	Aged care facilities are a residential use and can be considered in most zones.
SI 1.8	Provide flexibility to allow the aged to continue living in communities	A diverse range of residential options can be considered in the General Residential Zone including ancillary dwellings.
SI 1.9	Adopt Crime Prevention through Environmental Design	The is a relevant consideration for the SPP.
SI 1.10	Recognise that building control provide for disability access	This is not a relevant planning scheme consideration.
SI 2.1	Ensure a diversity of housing choice	The is a relevant consideration for the SPP.
SI 2.2	Provide for social housing	The is a relevant consideration for the SPP.
<b>Physical Infrastructure</b>		
PI 1.1	Preference growth where infrastructure is under-utilised	<p>The application of the General Residential Zone and Low Density Residential Zone has occurred in consultation with TasWater to ensure that the zoned land can be developed.</p> <p>There are some areas of Low Density Residential Zone where sewer, water or stormwater services are inadequate and cannot be upgraded on a cost effective or efficient basis.</p>
PI 1.2	Allow small scale energy facilities	The is a relevant consideration for the SPP.
PI 2.1	Use infrastructure to delivery planned growth and encourage compact urban form	<p>The major infrastructure issues in the municipal area are:</p> <ul style="list-style-type: none"> <li>- Improvements to the Great Eastern Drive / Tasman Highway to provide a safer road network for residents and visitors</li> <li>- Planning for mitigation or relocation of major roads due to projected sea level rise, particularly at Orford</li> <li>- The provision of reticulated sewer to Coles Bay</li> <li>- The provision of boat trailer parking at boat ramps and marina's, particularly Coles Bay</li> <li>- The provision of car parking for visitors to Coles Bay</li> <li>- Stormwater capacity issues, particularly at Orford and Swansea</li> </ul> <p>It is considered that the LPS has proposed zones that will not place unreasonable pressure of these issues. Where necessary, subdivision potential has been</p>

		constrained pending resolution of stormwater issues.
PI 2.2	Coordinate, prioritise and sequence infrastructure provision	This is not a planning scheme consideration.
PI 2.3	Identify and protect future infrastructure corridors	Future infrastructure corridors are not identified within the LPS on the basis of an absence of identified need.
PI 2.4	Use demographic and dwelling forecast information in the regional strategy to inform infrastructure planning	The STRLUS is out of date and should not be used for such purposes.
PI 2.5	Develop a regionally consistent approach to developer charges	<p>Value capture includes developer charges (i.e., headworks charges) and other mechanisms. Infrastructure Australia has published guidance on value capture - <a href="http://infrastructureaustralia.gov.au/policy-publications/publications/files/Capturing_Value-Advice_on_making_value_capture_work_in_Australia-acc.pdf">http://infrastructureaustralia.gov.au/policy-publications/publications/files/Capturing_Value-Advice_on_making_value_capture_work_in_Australia-acc.pdf</a></p> <p>There is no regionally consistent approach to value capture.</p> <p>Council has required contributions to external works (road or stormwater) where required. Value capture may be an important component of future Stormwater System Management Plans.</p>
PI 2.6	Protect electricity generation and transmission infrastructure	The LPS includes an overlay to protect transmission infrastructure. There are no major electricity generation infrastructure in the municipal area. The Triabunna sub-station does have capacity to accommodate relatively large generation through a solar farm or other large scale infrastructure.
Land Use and Transport Integration		
LUTI 1.1	Preference urban expansion close to existing transport corridors	Not applicable outside of Greater Hobart.
LUTI 1.2	Allow higher densities near transport corridors	Not applicable outside of Greater Hobart.
LUTI 1.3	Encourage above ground level residential development in activity centres	The is a relevant consideration for the SPP.
LUTI 1.4	Consolidate residential development into key settlements	The LPS provides for compact settlement form.
LUTI 1.5	Locate major trip generation near public transport and higher order activity centres	Not applicable outside of Greater Hobart.
LUTI 1.6	Maximise road connections between existing and potential	This a relevant consideration for the SPP.

	road	
LUTI 1.7	Protect major regional transport corridors	The SPP includes a road and rail asset code which provides consideration of new or intensified access to major road. The LPS includes a Road Attenuation Area to major roads to address potential noise issues.
LUTI 1.8	Provide buffers to major roads	The LPS includes a Scenic Landscape Corridor and Road Attenuation Area to the Tasman Highway / Great Eastern Drive.
LUTI 1.9	Car parking requirements should encourage public transport	Not applicable outside of Greater Hobart.
LUTI 1.10	Facilitate ferry transport on the Derwent River	Not applicable outside of Greater Hobart.
LUTI 1.11	Encourage walking and cycling as alternative modes of transport	Not a relevant planning scheme consideration.
LUTI 1.12	Provide end of trip amenities to encourage cycling	This a relevant consideration for the SPP.
<b>Tourism</b>		
T 1.1	Protect authentic and distinctive local features and landscapes	<p>The LPS proposes to re-introduce scenic protection provisions from the 1994 planning scheme.</p> <p>As noted in the cultural values section, the STRLUS identifies the need for regional audit and approach to landscape management, including classification and evaluation of important landscapes. This work would facilitate further identification of landscapes for consideration in the LPS. A number of planners in the southern region support the regional audit as a priority issue.</p> <p>Many key features of the municipal area are found on public land in national parks and foreshore reserves. These areas are in the Environmental Management Zone or Open Space Zone.</p>
T 1.2	Identify and protect regional landscapes	See above.
T 1.3	Allow tourism in rural areas	This is a consideration for the SPP.
T 1.4	Allow holiday homes to be used for short-term accommodation	This is a consideration for the SPP.
T 1.5	Allow tourism related mixed use developments in business areas	This is a consideration for the SPP.
T 1.6	Recognise that not all tourism uses will be able to be provided for in the scheme due to their innovative nature	The meaning of this policy is unclear. Tourist Operation and Visitor Accommodation is permitted or discretion is all zones where those uses could exist (i.e., not industrial or utilities). More to the point, given the importance of tourism why should or would tourism be too hard to manage through the scheme. No other industry has that approach.
T 1.7	Allow tourism to be	This follows T 1.6. See above comment.

	considered through s43A process	
Strategic Economic Opportunities		
SEO 1.1	Hobart port facilities	N/A.
SEO 1.2	Sullivan's cove	N/A.
SEO 1.3	Southwood	N/A.
Productive Resources		
PR 1.1	Provide consistency in management of agricultural land	<p>The Agriculture Zone is applied consistent with the Ministerial Guidelines.</p> <p>There are some elements of the Agriculture Zone which may undermine a consistent approach. The SPP allow for subdivision to excise existing dwellings and visitor accommodation buildings in a manner resembling many older/previous planning schemes in Tasmania. The current planning scheme is too restrictive on subdivision for agricultural purposes, however the SPP is too enabling of subdivision that does not serve agricultural purposes.</p>
PR 1.2	Provide separation between sensitive use and agricultural land	This is an issue for the SPP.
PR 1.3	Allow ancillary activities to diversify income to farmers	This is an issue for the SPP.
PR 1.4	Limit subdivision to that necessary for agriculture	See PR 1.1.
PR 1.5	Minimise use of prime agricultural land for plantations	N/A.
PR 2.1	Tailor subdivision standards to suit sub-regions	This is an issue for the SPP.
PR 2.2	Minimum lot sizes to suit main agricultural output in sub-region	This is an issue for the SPP.
PR 2.3	Ensure conversion of agricultural land to residential is driven by settlement strategies rather than viability	The draft LPS does not propose any conversion of agricultural land.
PR 2.4	Facilitate down-stream processing	This is an issue for the SPP.
PR 2.5	Allow tourism and commercial use that protects long-term agricultural potential	This is an issue for the SPP.
PR 2.6	Ensure sensitive use does not fetter agriculture	This is an issue for the SPP.
PR 3.1	Apply a rural zone to extractive industry	The draft LPS applies the Rural Zone to existing significant extractive industries. Extractive industries

		are also discretionary in the Agriculture Zone which provides for new resources to be developed.
PR 4.1	Provide for shore facilities for aquaculture	Pending TPC determination of Spring Bay Seafoods rezoning.
	Identify key marine farming areas	This is not a relevant planning scheme consideration.
PR 5.1	Apply a rural zone to forestry	Existing land under private timber reserves or under ownership of Sustainable Timbers Tasmania is within the Rural Zone, unless surrounding by Agriculture Zone.
PR 5.2	Recognise the forest practices system	This is not a relevant planning scheme consideration. It should be noted through that the Regional Ecosystem Model has been used in the forest practices system and includes data and modelling prepared by the Forest Practices Authority. Biodiversity protection between the land use and forest practices system could and should be more closely aligned and the REM is a positive step.
PR 5.3	Provide for plantations	Land more suitable for forestry is included in the Rural Zone.
PR 5.4	Manage land use conflicts at plantations and native forests	This is an issue for the SPP.
<b>Industrial Activity</b>		
IA 1.1	Ensure industrial land has appropriate topography and infrastructure	The draft LPS brings forward all existing industrial areas with only a minor reduction in the size of the zone near the Bicheno waste transfer station.
IA 1.2	Criteria to establish new areas	N/A
IA 1.3	Provide a 30 year supply of industrial land and protect future expansion areas	<p>Based on update of industrial land and strategic analysis at the regional level, there is sufficient land for 30 year supply in the existing zoned areas.</p> <p>However, this does not consider any locational needs of future projects that may require industrial areas to be established.</p> <p>In this regard, it should be noted that existing Light Industrial Zone responds to specific sites and uses. Most of the Light Industrial Zone is effectively a spot zone and the municipal area lacks any form of industrial park. Many existing Light Industrial Zone sites are therefore more constrained by land use conflict (sometimes at all four boundaries of the site), size and cost-effective provision of infrastructure.</p> <p>It is also appropriate to note that most industrial type activities are associated with agricultural use that can be accommodated in the Rural Zone or Agriculture Zone.</p> <p>Any future review of structure plans or Vision East should consider industrial zoning on a whole of municipal area basis.</p>

IA 1.4	Provide a 15 year supply of industrial zoned land	See IA 1.3.
IA 1.5	Provide 5 year supply of subdivided industrial zoned land	See IA 1.3.
IA 1.6	Use best available information to assess supply	See IA 1.3.
IA 2.1	Identify significant, strategic industrial zones	The Freestone Point Road Light Industrial Zone is a strategic industrial zone through the colocation of aquaculture related uses.
IA 3.1	Take into account environmental values	See IA 1.3
<b>Activity Centres</b>		
AC 1.1	Implement activity centre network	All commercial areas are provided for within the Local Business Zone consistent with the Activity Centre Network of the regional strategy.
AC 1.2	Ensure zoning marches the role of the activity centre	See AC 1.1.
AC 1.3	Discourage out-of-centre development	N/A.
AC 1.4	Promote a greater emphasis on activity centres	This is not directly an issue for the planning scheme.
AC 1.5	Encourage high quality urban design and pedestrian amenity	This is an issue for the SPP through the development standards for the commercial based zones.
AC 1.6	Encourage a mix of uses in activity centres	The SPP Local Business Zone allows for a diverse range of land uses.  The Village Zone at Swanwick and Coles Bay is to encourage a more diverse range of land uses that can be accommodated within the two small Local Business Zone areas whilst not attempting to distort the primacy of the Local Business Zone in the area.
AC 1.7	Improve public transport	This matter is outside the jurisdiction of a planning scheme.
AC 1.8	Encourage new development to reinforce the strength and individual character of urban areas	The SPP provides an uniform approach to development standards. The structure plans do identify urban design elements to pursue.
AC 1.9	Active street frontages	This is an issue for the SPP through development standards for commercial based zones.
AC 1.10	Activity centres should encourage local employment	The uses possible in the Local Business Zone cater likely commercial activities in activity centres.
AC 1.11	Cambridge Park	N/A.
AC 1.12	Provide 10-15 years growth of activity centres	In terms of each Local Business Zone: - Orford has potential for growth along the Esplanade. In the future, the zone could be expanded into intervening and adjoining

		<p>residential properties.</p> <ul style="list-style-type: none"> <li>- Triabunna has potential for growth through existing vacant lots. As noted elsewhere, the zoning of the marina &amp; surrounds requires review to ensure that this part of the activity centre has appropriate opportunities for growth.</li> <li>- Swansea has limited potential for growth. The structure plan did recommended expansion of the Local Business Zone in a strip fashion along Franklin Street. That should be pursued as a specific rezoning proposal when appropriate.</li> <li>- Bicheno has potential for growth through existing vacant lots.</li> <li>- Coles Bay has limited potential for growth due to the small size of the zone. There is one vacant lot and one lot with potential to be developed in the future.</li> </ul>
AC 2.1	Primary Activity Centre (Hobart CBD)	N/A.
AC 2.2	Primary and Principal Activity Centre	N/A.
AC 2.3	Primary and Principal Activity Centre	N/A.
AC 2.4	Encourage structure and economic development planning for all activity centres	Township structure plans address these issues.
AC 3.1	Encourage walking, cycling and public transport	This is not directly an issue to the development of the LPS.
AC 3.2	Primary and Principal Activity Centre	N/A.
AC 3.3	Primary and Principal Activity Centre	N/A.
AC 3.4	Primary and Principal Activity Centre	N/A.
AC 3.5	Allow flexible approaches to car parking in activity centres	Council has a cash in lieu of car parking policy.
<b>Settlement and Residential Development</b>		
SRD 1.1	Implement growth management strategies for settlements	<p>The LPS has regard to the growth management strategies and does not exceed the growth targets for each settlement. The targets provide a percentage range of increase in dwellings from 2010 to 2035.</p> <p>The growth management targets were intended to guide expectations around likely growth needs for settlements. They are not based on detailed analysis. They have been interpreted as absolute limits on growth and restricted otherwise sound residential zonings.</p>

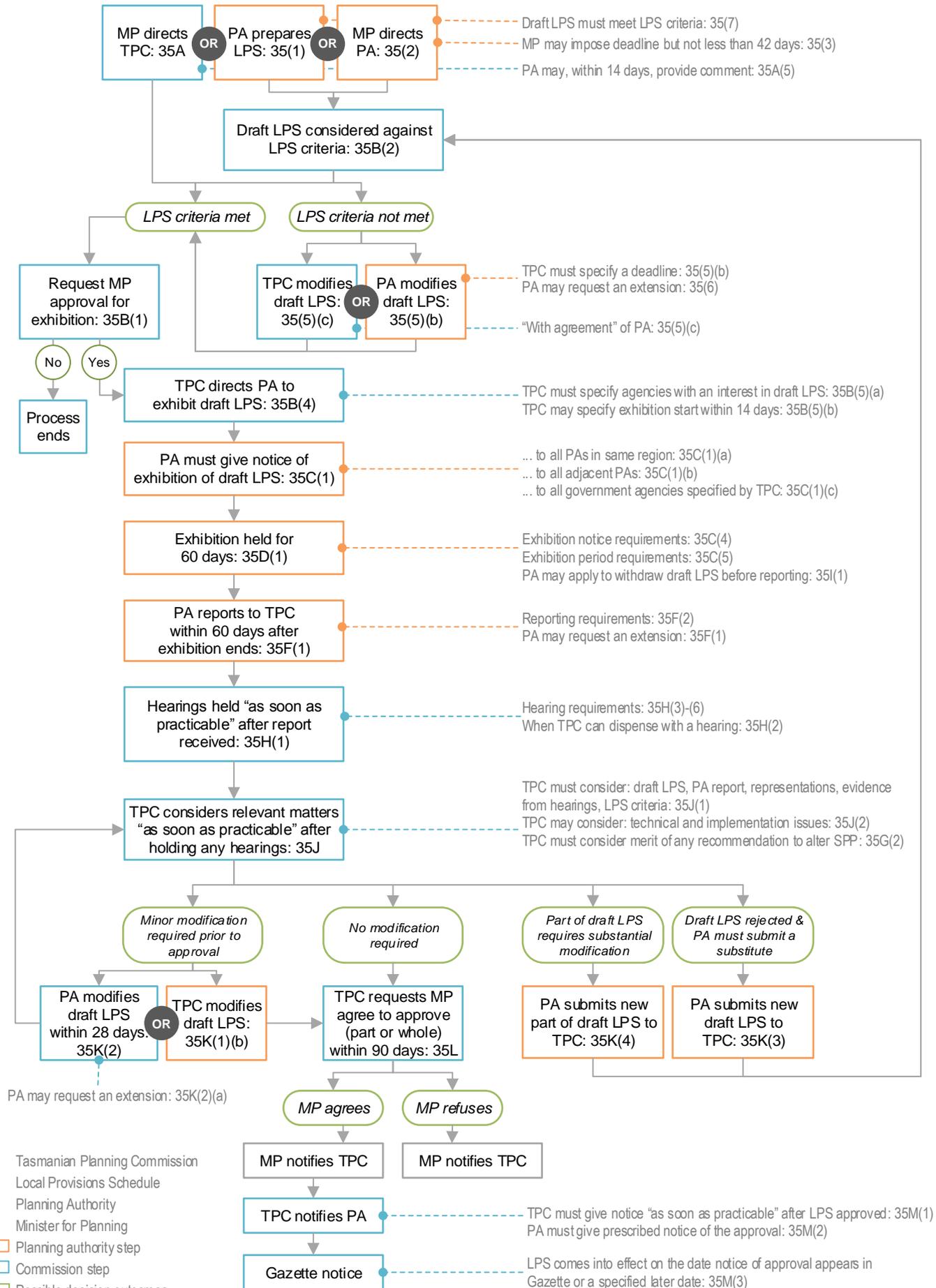
		<p>If interpreted as absolute limits the growth management strategies are flawed and problematic. As one example of flaws, the Orford growth management strategy ignores any consideration of the Solis development plan.</p> <p>A number of solutions have been identified and presented to the Planning Policy Unit.</p>
SRD 1.2	Manage growth through a hierarchy of strategy, structure plans, subdivision control and development control	Each settlement has a structure plan in place.
SRD 1.3	Restrict rural living zone to certain cases	The draft LPS does not significantly alter the Rural Living Zone.
SRD 1.4	Increase rural living densities to an average of 1ha	A 1ha minimum lot size is proposed for the Rural Living Zone. This is the smallest minimum lot size allowable under the SPP, and as such the 'average' will not be achieved.
SRD 1.5	Achieve 15 dwellings per hectare (net) in the General Residential Zone	This is an issue for the SPP through the setting of subdivision standards for the General Residential Zone.
SRD 1.6	Only use the Low Density Residential Zone where there are land constraints or existing character	The LDRZ is applied to unserviced and under-serviced areas at Spring Beach, Orford and Triabunna. Further detail is provided in section 6.
SRD 2.1	Greater Hobart Settlement Strategy	N/A.
SRD 2.2	Greater Hobart Settlement Strategy	N/A.
SRD 2.3	Greater Hobart Settlement Strategy	N/A.
SRD 2.4	Greater Hobart Settlement Strategy	N/A.
SRD 2.5	Greater Hobart Settlement Strategy	N/A.
SRD 2.6	Greater Hobart Settlement Strategy	N/A.
SRD 2.7	Greater Hobart Settlement Strategy	N/A.
SRD 2.8	Greater Hobart Settlement Strategy	N/A.
SRD 2.9	Greater Hobart Settlement Strategy	N/A.
SRD 2.10	Greater Hobart Settlement Strategy	N/A.
SRD 2.11	Greater Hobart Settlement Strategy	N/A.

## **11.9 Attachment 9 – Regional Ecosystem Model**

See separate PDF document

# Draft Local Provisions Schedule Approval Process

with references to the *Land Use Planning and Approvals Act 1993*



- TPC Tasmanian Planning Commission
- LPS Local Provisions Schedule
- PA Planning Authority
- MP Minister for Planning
- Planning authority step
- Commission step
- Possible decision outcomes

## Summary of the Regional Ecosystem Model of Tasmanian biodiversity

The Regional Ecosystem Model (REM) is a comprehensive spatial modelling system of Tasmanian biodiversity. It:

- Integrates spatial data on the distribution of the major components of biodiversity, and the factors affecting them;
- Models key biodiversity attributes that derive from multiple inputs;
- Analyses the relationships among the components of biodiversity and the environment; and
- Spatially identifies areas which have immediate or potential conservation concerns, and provides indicators of their relative importance, to inform approaches and priorities for management.

The REM was developed by Natural Resource Planning Pty Ltd using funds from the Australian Government's Caring for Our Country program. The following briefly summarises the REM, which is described in more detail in Knight and Cullen 2009<sup>1</sup>, 2010<sup>2</sup>.

The REM is based on a comprehensive 'Strategy Review' of both the strategic framework for biodiversity management in Tasmania and of the major themes in the relevant scientific literature. Issues identified from the Strategy Review are examined against a range of criteria to determine their suitability for incorporation into the REM, including:

- The ability of each Issue to be stored spatially and analysed in a GIS;
- Whether Issues are confounded, i.e. in combining multiple Issues into one and thus compromising objective assessment of more fundamental Issues; and
- Whether Issues are logically consistent and supported by scientific opinion.

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<sup>1</sup> Knight, R.I. & Cullen, P.J. (2009). A review of strategies for planning & management of the natural resources of biodiversity, freshwater, land & soils in the Tasmanian midlands. A report of the Caring for Our Country project 'Using landscape ecology to prioritise property management actions in Tasmania'. Natural Resource Planning, Hobart, Tasmania.

<sup>2</sup> Knight, R.I. & Cullen, P.J. (2010). Specifications for a Regional Ecosystem Model of natural resources in the Tasmanian Midlands. A report of the Caring for Our Country Project 'Using landscape ecology to prioritise property management actions in Tasmania'. Natural Resource Planning, Hobart, Tasmania.

The resulting list of biodiversity Issues are placed in a conceptual framework which separately considers the biological significance of the components of biodiversity and their landscape-scale ecological context. Figure 1 shows this conceptual structure.

Issues identified as appropriate for inclusion in the REM are assessed to identify:

- Indicators that represent important ways of viewing each Issue;
- Classes within each Issue that indicate relevant ranges of variation and suitable thresholds for categories; and
- A 'Level of Concern' to be assigned to each class to be used as a guide in determining management priorities.

'Level of Concern' is considered to vary according to the management context and is defined in two ways:

- Immediate – an estimate of the relative priority for immediate management action to address current risk to the natural resource; and
- Potential – an estimate of the relative priority to protect and manage the natural resource from risks which may arise in the future.

The two types of Level of Concern are designed to be consistent with the definitions of Conservation Management Priority in the Conservation of Freshwater Ecosystems Values project (DPIWE 2008<sup>3</sup>), which also uses the Immediate and Potential perspectives.

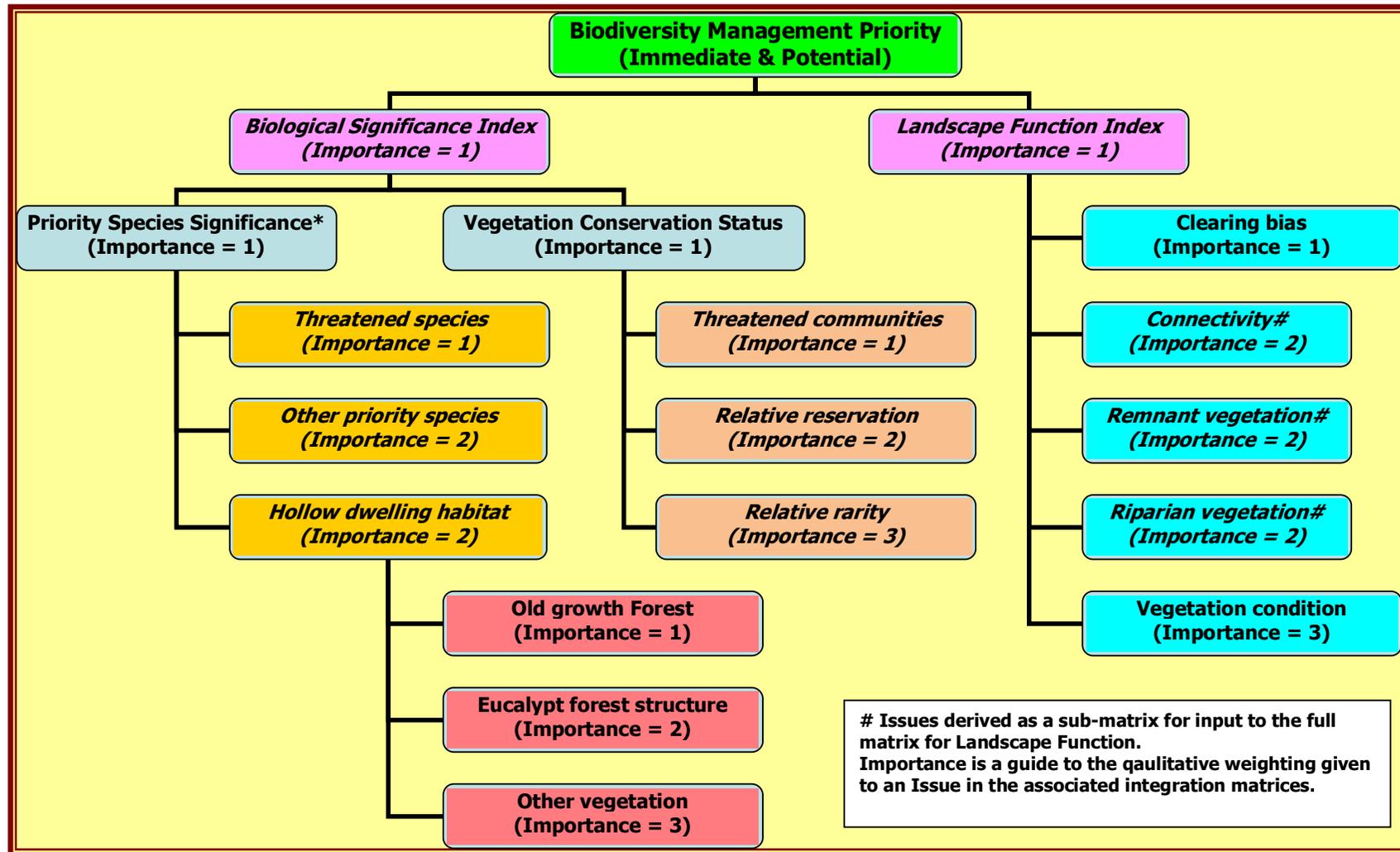
Use of Immediate Level of Concern is generally most appropriate where past management may have created a need to improve the condition of an Issue, or where there is continuing landuse which may place the resource at risk if not managed appropriately. For example, native vegetation whose condition has been degraded may need to be improved to help address biodiversity conservation needs.

Potential Level of Concern is generally appropriate in circumstances where a change in management could be detrimental. An example for native vegetation might be an area where its condition is considered important to maintain to address biodiversity needs, or whose loss would compromise those needs.

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<sup>3</sup> Department of Primary Industries & Water (2008). Conservation of Freshwater Ecosystems Values (CFEV) project technical report. CFEV program, Department of Primary Industries & Water, Hobart.

Figure 1. Assets and Issues in the Biodiversity Asset Class



Where possible, classes in each Issue were chosen to reflect thresholds which have been applied elsewhere or identified in the scientific literature. An example of classes within an Issue, and their associated Level of Concern, is shown below.

**Example classification: Remnant vegetation (patch size)**

<b>Native vegetation patch size (ha)</b>	<b>Concern – Immediate</b>	<b>Concern – Potential</b>
<2ha	M	L
2-20ha	VH	VH
20-200ha	H	VH
>200ha	L	M

The ranges of patch size classes within the indicator reflect first the range of 2-200ha for remnants nominated by Kirkpatrick *et al.* (2007), with patches >2ha generally retaining much higher conservation values than smaller patches. Remnant <2ha are considered to be of little importance to landscape function, while those >200ha are subject to the processes which affect remnants at a significantly diminished intensity and effect. The split in the middle size class in the indicator is based on the RFA assessment of remnant vegetation, which considered patches <20ha, though potentially locally important, as below the threshold for importance in maintaining existing processes or natural systems at the regional scale (Tasmanian Public Land Use Commission 1997).

Source: Knight and Cullen (2010), p14.

Not all Issues have Level of Concern which diverges according to whether they are Immediate or Potential. Threatened species, for example, have statutory recognition that they are likely to become extinct. Thus both Immediate and Potential Level of Concern are considered identical, as the species status applies to the entire taxon. However, for any given species the management response at a given site may be different to that elsewhere.

Each Issue in the REM has Level of Concern classes assigned in a classification matrix (see remnant vegetation example above). Each matrix is designed to transparently illustrate how the Issue is treated in the REM, to assist interpretation, and to provide a simple method by which the REM parameters can be altered if required (e.g. where new research indicates thresholds in a matrix may need alteration).

The REM separately assesses each Issue within the Biodiversity Asset Class, but also places them in a hierarchically structured matrix that integrates related issues. This provides an overall indicator of Biodiversity Management Priority, but also means that the important issues for managing biodiversity at any one location can be readily identified. Attachment 1 summaries the terms used in the REM. Attachment 2 provides a full illustration of the prioritisation process and relationships in the REM.

The highest level in the REM classification is Biodiversity Management Priority. It is derived through integrating the prioritisation matrices of two contributing themes in biodiversity conservation:

- Biological Significance - the relative importance of the elements of biodiversity and hence their priority to be protected through appropriate management regimes; and
- Landscape Ecological Function - an assessment at multiple scales of the characteristics of the landscape and its ability to maintain the elements of biodiversity it contains.

The matrix which integrates Biological Significance and Landscape Ecological Function is shown below. An important feature of the matrix structure is that it does not dilute a high level of concern for one if the other is low. This approach addresses a known limitation that arises when using additive or averaging indices for conservation purposes and has the further advantage of being simple, transparent and flexible for use in testing different approaches.

**Integration matrix for Biodiversity Management Priority**

<b>Biological Significance Index</b>	<b>Landscape Function Index</b>			
	<b>VH</b>	<b>H</b>	<b>M</b>	<b>L</b>
<b>VH</b>	VH	VH	VH	VH
<b>H</b>	VH	VH	H	H
<b>M</b>	VH	H	M	M
<b>L</b>	VH	H	M	L

Similar forms of integration matrices are used at each level of the REM, with some variation according to the issues being addressed and the relative importance of each Issue to the overall index being derived. The full set of REM matrices is shown in Attachment 2.

Within the Biological Significance component of the REM are two Assets (see Figure 1) towards which management goals are likely to be directed:

- Native vegetation - composed of vegetation communities with Level of Concern a function of each community’s conservation status, bioregional extent and percentage level of reservation; and
- Priority species - the subset of species and species groups identified as requiring consideration in management as a result of them being listed as threatened,

otherwise identified as priorities (e.g. Regional Forest Agreement priorities, poorly reserved flora species), or as the habitat for the group of 29 species identified in Tasmania as hollow dwelling (Koch et al. 2009<sup>4</sup>).

A unique feature of the REM is its system for generating spatial habitat modelling for all threatened and priority species. This is based on a two stage process that:

- Models habitat of all species from known locations, based on a simple model that considers factors such record accuracy and data, the distributional characteristics of each species (e.g. do they occur in highly restricted locations or more generally in an area), and the types of vegetation they occur in; and
- More detailed models of about 100 threatened fauna species, whose habitat is generated from within the REM data based on a model developed for the particular species (see Knight 2014<sup>5</sup> for details).

The Landscape Ecological Function component of the REM is designed to account for the factors that can affect biodiversity through the presence/absence of critical characteristics of the environment at multiple scales. The REM addresses Landscape Ecological Function by considering Issues at three scales:

- Broad scale habitat loss is a major threat to biodiversity and cause of biodiversity decline, which can continue after habitat loss has ceased due to ecological inertia associated with extinction debt. Habitat loss is characterised by patterns in the types of land from which habitat has been removed. The Issue of Clearing Bias measures these patterns at the landscape scale by assessing the percentage of each land component (land facet is also sometimes used) within Tasmania land systems that exist as native and cleared vegetation. More heavily cleared land components have higher Clearing Bias.
- Medium scale landscape patterns are addressed through the examination of the configuration of three landscape variables. Connectivity characteristics of the landscape are assessed by measuring the relative of isolation of remnants and the permeability of cleared land to species movements. The size of patches of native vegetation is assessed against thresholds for identifying Remnant Vegetation. The proportion of native Riparian Vegetation within each river section catchment provides an indicator of the health of the aquatic environment within each catchment, and its distal effects on biodiversity.

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<sup>4</sup> Koch, A.J., Munks, S.A. & Woehler, E.J. (2009). Hollow-using vertebrate fauna of Tasmania: distribution, hollow requirements & conservation status. *Australian Journal of Zoology*, 56(5):323-349.

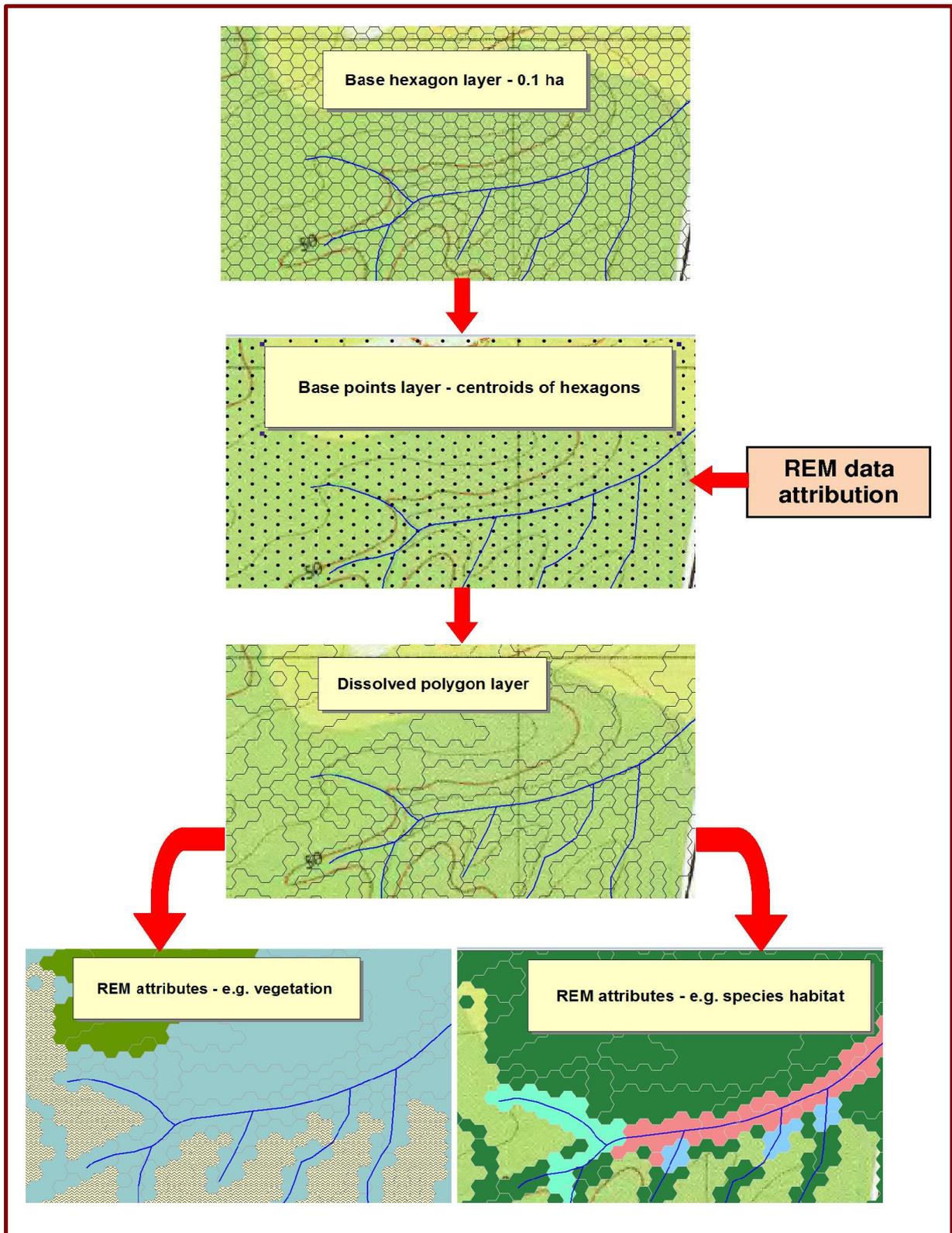
<sup>5</sup> Attachment 7 in Knight, R.I. (2014). Biodiversity data, models & indicators for Forestry Tasmania's Forest Management Unit. A report to Forestry Tasmania, March 2014. Natural Resource Planning, Hobart, Tasmania.

- Local scale landscape processes are assessed through assessing vegetation condition, which is expressed in the REM as Biophysical Naturalness. This assesses the characteristics of native vegetation for perturbation in structure and composition within each patch of native vegetation.

Each element of the REM is underpinned by Statewide spatial data layers. Each data layer has clear rule sets for its use in building the REM. The integrated REM spatial layers contain all the input data from the base layers, including multiple inputs for the same Issue where available (e.g. desktop and field vegetation mapping), and all the derived Level of Concern indicators.

The REM is built on a novel spatial architecture designed to store and process large amounts of spatial data efficiently and at fine scales. It is based on a non-overlapping layer of hexagonal polygons of 0.1 ha size, which approximates to a spacing of about 30 m. The centroids of the polygons are extracted and are used to process the REM and its data. The point format significantly reduces complexity of the spatial geometry and hence increases processing speed. The REM generated in the points layer is then re-attributed to the parent hexagons. A subset of the combination of primary inputs to the REM is then used to dissolve the hexagon layer to a more manageable number of polygons. Derived attributes are then re-attached to the data and the polygon layer used for multiple purposes. Figure 2 summarises the REM architecture.

Figure 2. Simplified REM spatial architecture and process



The core components of the REM described above are common to all applications. A spreadsheet version of the REM is also available<sup>6</sup> which can be used in the absence of spatial data to generate the full range of REM indicators. This can be used, for example, to determine REM indicators where the input data is wrong or to model the changes in indicators resulting from management actions. A standard output is also a summary REM profile, which displays all the indicators as a percentage of the area of interest, as shown in Figures 3 and 4. These tools can also serve as a useful tool for modelling change, whether planned or actual, arising from conservation investments and from development.

Attachment 3 provides a simple guide giving examples of how to interpret REM indicators for particular issues and circumstances.

The REM can be further customised for each project and users to deliver outputs and tools that assist meeting their specific needs. Customised add-ons that have been developed include tools to cross tabulate priority species with vegetation types, generate REM summary tables of the characteristics of multiple areas, and additional layers to assist in use of the REM. For example, an urban threat index spatial layer has been developed to assist in local government application, and for property planning the REM can be linked to data on issues such as salinity and erosion risk.

Use of the REM is licensed by NRP to clients for approved purposes, in accordance with the commercialisation provisions of the Australian Government's funding for its development. NRP wishes to establish ongoing partnerships with a wide range of potential users of the REM. Access to the REM is provided under a data license agreement and subject to a license fee negotiated on a case by case basis. License fees are designed to be cost effective – to encourage use – while also reflecting the reasonable costs to NRP of development, maintenance and support.

Clients who have used the REM or its components since completion of the original project include:

- Australian Government Biodiversity Fund;
- Clarence Council;
- Forestry Tasmania;
- Gunns Limited;
- Kingborough Council;
- NRM South;
- Norske-Skog;
- PF Olsen Pty Ltd;
- Southern Midlands Council and
- The Understorey Network.

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<sup>6</sup> <http://www.naturalresourceplanning.com.au/landscape-ecology-tools/>

Figure 3. Sample REM profile – Immediate Level of Concern

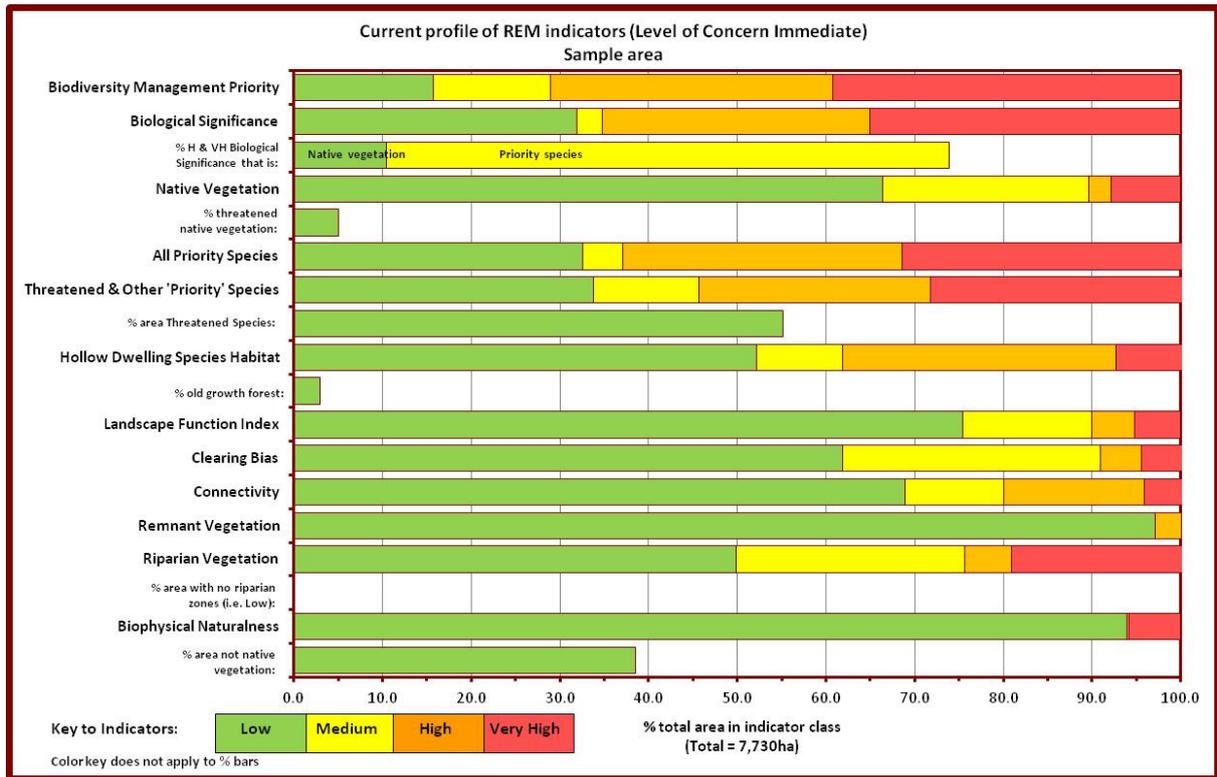
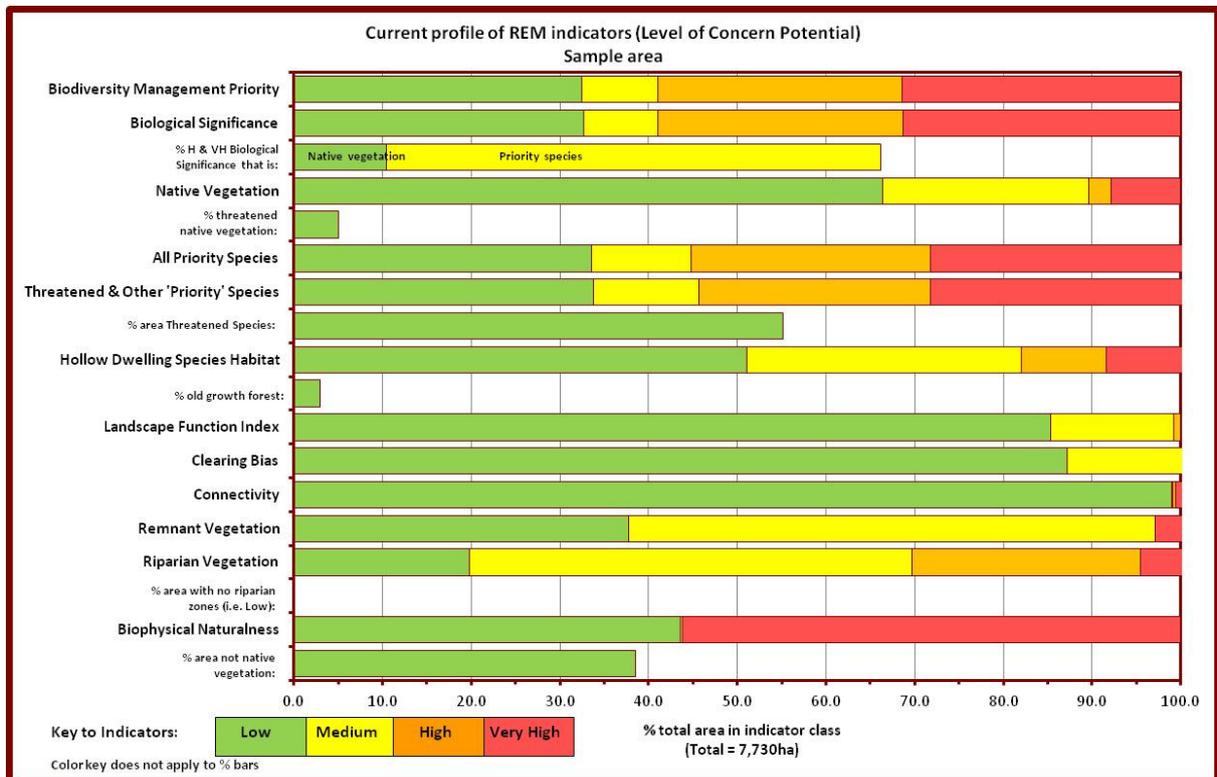


Figure 4. Sample REM profile – Potential Level of Concern



**Attachment 1. Summary of REM assets, indicators and Issues**

<b>Issue</b>	<b>Definition</b>	<b>Summary</b>	<b>Indicator</b>
Biological Significance	Biological significance measures the relative priority for management of the elements of biodiversity contained within a given area.	Biological significance is one of two arms of the REM and represents a structured classification of biodiversity. It is comprise of Native Vegetation and priority species (see below).	Classes ranked from Low-Very high derived from a matrix of Level of Concern classes for Native Vegetation and Priority Species.
Native Vegetation	Native vegetation communities based on the classification used in Tasveg.	Native vegetation comprises all areas mapped to the Tasveg classification, except for cleared land types ("F" codes), water, (OAQ"), sand and mud (OSM) and rock (ORO). An additional native vegetation mapping unit has been introduced to the REM for areas comprised of native vegetation plantings (DEP).	The REM contains a grouped classification for native vegetation which is used in various parts of its application.
Vegetation conservation status	Native vegetation communities with legislative recognition of being threatened.	na	Vegetation communities listed as threatened under the Tasmanian Nature Conservation Act 2002 or Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
Relative reservation	Reservation status is a measure of the degree to which vegetation communities are included in the Comprehensive, Adequate and Representative (CAR) reserve system	Higher levels of reservation give greater confidence that the species for which vegetation communities are surrogates are likely to be protected, subject to appropriate geographic and biophysical distribution in the landscape.	Percentage bands of reservation of the vegetation communities, utilising the lesser of the Statewide or relevant bioregional reservation level.
Relative rarity	The extent of a native vegetation community in the bioregion being assessed.	Relative rarity is scale to reflect increased importance for vegetation types which are more restricted, and less importance for those which are relatively extensive.	The REM stratifies the extent of each community in each bioregion into bands, which are then form part of the matrix for deriving Level of Concern for native vegetation.
Priority species	Priority species are those that are recognised as threatened and certain classes of other species that are identified as priorities for conservation.	Classification within the group is structured around species listed as threatened and other priority species.	Level of Concern for priority species is classified from Low-Very High through a matrix combining threatened species status, number of threatened species, other priority species and hollow dwelling species habitat.

Issue	Definition	Summary	Indicator
Listed threatened species	Species listed as threatened under the Tasmanian Threatened Species Protection Act (1975) or Commonwealth Environment Protection and Biodiversity Conservation Act (1999)	na	Threat status and number of co-occurring threatened species in an area.
Other priority species	Non-threatened species identified as priorities for attention to conservation and management.	Other priority species comprises non-threatened species identified in the Regional Forest Agreement as Priority Species, including species groups such as hollow dwelling species, and flora species identified as inadequately reserved at the State or bioregional level.	The presence of other priority species (excluding hollow dwelling species habitat) is assigned a single ranking the REM (Medium), above that for no priority species and below that for threatened species.
Hollow dwelling species	Habitat for hollow dwelling species.	Hollow dwelling species comprise a group of 29 species listed in the Regional Forest Agreement as a priority species group.	Hollow dwelling species habitat is classed from Low-Very High depending on the type of vegetation present, eucalypt forest structure, predicted hollow abundance and presence/absence of old growth forest.
Old growth forest	Old growth forest is ecologically mature forest demonstrating the characteristics found in older and/or minimally disturbed forests	na	Old growth forest is classed as Very High Level of Concern (Potential) and as low Level of Concern (Immediate) in the Hollow Dwelling Species component of the REM.
Eucalypt forest structure	Forest structure classes derived from air-photo interpreted vegetation mapping.	Eucalypt forest structure is derived from the published RFA map depicting standard classes as Silviculturally Regeneration, Regrowth, Predominantly Regrowth/Some Mature, Predominantly Mature/Some Regrowth and Mature. This is supplemented with more up to date data where available.	Classes ranked from Low-Very High reflecting higher Immediate Level of Concern where structure is likely to contain fewer hollows and higher Potential Level of Concern where hollows are likely to be more abundant.
Non-eucalypt vegetation.	Vegetation communities in the Tasveg classification that are not recognised as eucalypt forest.	Eucalypt forest classes are identified in Tasveg by the prefixes "W" and "D".	Non-eucalypt vegetation is ranked Low in the schema for hollow dwelling species habitat due to the absence of eucalypts.

Issue	Definition	Summary	Indicator
Landscape Function	The ability of the landscape to sustain the elements of biodiversity it contains.	Landscape function integrates five indicators representing successively finer partitioning of the landscape.	Classes ranked from Low-Very High using a 3 way matrix combining the same classes of Clearing Bias, a submatrix combining Connectivity, Remnant Vegetation and Riparian Vegetation, and Biophysical Naturalness.
Clearing bias	Clearing bias is a measure of the patterns of habitat loss in a region.	There is potential for ecological collapse at a regional level where >70% of a region has been cleared, and potential localised collapse and stress within the region where lower levels of clearing have occurred due to preferential clearing of certain land types.	The percentage of each land component that has been cleared, stratified spatially into areas now cleared or with extant native vegetation.
Connectivity	Connectivity is the degree to which patches of native vegetation are inter-connected and the extent to which species can move between patches,	Remnant vegetation may suffer loss of species in some taxonomic groups, and loss of ecosystem function, if the distance between remnants and the impermeability of the interstice (e.g. through absence of paddock trees) exceeds that which each organism is capable of crossing.	For remnant vegetation patches, the distance to the nearest non-remnant patch. For cleared land, the distance to the nearest patch of native vegetation.
Remnant vegetation	Remnant vegetation is defined as islands of native vegetation, below a specified size, that are surrounded by cleared land.	In heavily cleared landscapes, patches of remnant vegetation can contribute significantly to the maintenance of ecosystem function, while their loss and decline is a major factor in ecosystem collapse. Their smaller size makes them vulnerable to ongoing degradation through various combinations of anthropogenic and natural ecological processes	The indicator for remnant vegetation is the contiguous extent of each patch of native vegetation communities, stratified into size classes.
Riparian vegetation	Riparian vegetation is the vegetation that adjoins freshwater features (e.g. rivers wetlands) and has ecological characteristics which are influenced by the freshwater environment.	Riparian vegetation has been found to have consistently high biodiversity values relative to its extent and therefore contribute disproportionately to landscape function. Its values are also multi-faceted, providing protection for terrestrial biodiversity, land and soils resources, and freshwater ecosystems, and multi-scale in extending beyond the immediate riparian zone.	The percentage of the local catchment of each of river section and wetland which is under native riparian vegetation, stratified into bands as described for the CFEV project. The indicator applies equally to both the cleared and native vegetation components of the catchment.

Issue	Definition	Summary	Indicator
Vegetation condition	Vegetation condition is the composition and structure of native vegetation relative to a reference framework for the particular type of vegetation.	Vegetation condition is an indicator of the ability of native vegetation at the local physical and near-temporal scale to maintain and sustain the elements of biodiversity it contains.	Modified biophysical naturalness classes derived from RFA mapping and application of logical consistency rules to Tasveg community attributions and limited condition descriptors.

Attachment 2. Tasmanian Regional Ecosystem Model - Indicators, Content & Prioritisation Matrices



Native Vegetation Index	Priority Species Index			
	VH	H	M	L
VH	VH	VH	VH	VH
H	VH	VH	H	H
M	VH	H	M	M
L	VH	H	M	L

Biological Significance Index	Landscape Function Index			
	VH	H	M	L
VH	VH	VH	VH	VH
H	VH	VH	H	H
M	VH	H	M	M
L	VH	H	M	L

Threatened & Other Priority Species	Hollow Dwelling Species Habitat				
	VH	H	M	L	
Two or more listed species	VH	VH	VH	VH	VH
Endangered, Critically Endangered	VH	VH	VH	VH	VH
Vulnerable, Rare	H	VH	H	H	H
Other Priority Species	M	H	H	M	M
None	L	H	M	L	L

Component Cleared (%)	Concern - Immediate	Concern - Potential
<i>Cleared</i>		
>90%	VH	L
70-90%	H	L
30-70%	M	L
<30%	L	L
<i>Native veg.</i>		
>90%	VH	VH
70-90%	H	H
30-70%	M	M
<30%	L	L

Species category/attribute	Concern - Immediate	Concern - Potential
Two or more listed species	VH	VH
Endangered, Critically Endangered	VH	VH
Vulnerable, Rare	H	H
Other priority species	M	M
None	L	L

Distance of:	Concern - Immediate	Concern - Potential
<i>Cleared land to native veg.</i>		
<50m	L	L
50-250m	M	L
250-1,000m	H	L
>1,000m	VH	L
<i>Native remnant to non-remnant</i>		
<50m	L	VH
50-250m	M	H
250-1,000m	H	M
>1,000m	VH	L
<i>Non-remnant Any</i>	L	L

Status and bioreg. extent	Concern - Immediate & Potential Reservation level (Min. % State/bioregion)			
	<10%	10-30%	30-60%	>60%
<i>Threatened</i>				
Any	VH	VH	H	H
<i>Not threatened</i>				
<i>Bioregional extent</i>				
<2,000ha	VH	VH	H	M
2,000-5,500ha	VH	VH	H	M
5,500-15,000ha	VH	H	M	L
15,000-55,000ha	H	M	M	L
>55,000ha	M	M	L	L

Biophysical naturalness category	Concern - Immediate	Concern - Potential
5 (highest)	L	VH
4	L	VH
3	M	H
2	H	M
1 (lowest)	VH	M
0 (non-native)	L	L
-1 (water, sand, mud)	na	na

Descriptor of hollow probability (eucalypt forest only)	Concern - Immediate	Concern - Potential
Old growth forest	L	VH
Mature; Predominantly Mature, Some Regrowth	M	H
Predominantly Regrowth, Some Mature	H	M
Regrowth, Silvicultural Regeneration	VH	L
All other vegetation	L	L

Forest Practices Authority - predicted hollow abundance	Concern - Immediate	Concern - Potential
High	L	VH
Medium	M	H
Low	H	M
Not rated	L	L

Native vegetation patch size (ha)	Concern - Immediate	Concern - Potential
<2ha	M	L
2-20ha	VH	VH
20-200ha	H	VH
>200ha	L	M

River section catchment or wetland riparian vegetation (%)	Concern - Immediate	Concern - Potential
<1	VH	L
1-20%	H	VH
20-80%	M	H
>80%	L	M

**Attachment 2 (cont). Derivation of Landscape Function Index**

**Sub-matrix of Connectivity, Remnant Vegetation & Riparian Vegetation (CRR)**

Connectivity	Remnant Vegetation	Riparian Vegetation	CRR Index	Rank (1 = highest)
VH	VH	VH	VH	1
H	VH	VH	VH	2
VH	VH	H	VH	3
VH	H	VH	VH	4
M	VH	VH	VH	5
H	VH	H	VH	6
VH	VH	M	VH	7
H	H	VH	VH	8
VH	H	H	VH	9
VH	M	VH	VH	10
L	VH	VH	H	11
M	VH	H	H	12
H	VH	M	H	13
VH	VH	L	H	14
M	H	VH	H	15
VH	H	M	H	16
H	M	VH	H	17
VH	M	H	H	18
VH	L	VH	H	19
L	VH	H	H	20
M	VH	M	H	21
H	VH	L	H	22
L	H	VH	H	23
VH	H	L	H	24
M	M	VH	H	25
VH	M	M	H	26
H	L	VH	H	27
VH	L	H	H	28
L	VH	M	H	29
M	VH	L	H	30
L	M	VH	H	31
VH	M	L	H	32
M	L	VH	H	33

Connectivity	Remnant Vegetation	Riparian Vegetation	CRR Index	Rank (1 = highest)
VH	L	M	H	34
H	H	H	H	35
M	H	H	M	36
H	H	M	M	37
H	M	H	M	38
L	VH	L	M	39
L	L	VH	M	40
VH	L	L	M	41
L	H	H	M	42
M	H	M	M	43
H	H	L	M	44
M	M	H	M	45
H	M	M	M	46
H	L	H	M	47
L	H	M	M	48
M	H	L	M	49
L	M	H	M	50
H	M	L	M	51
M	L	H	M	52
H	L	M	M	53
L	H	L	M	54
L	L	H	M	55
H	L	L	M	56
M	M	M	L	57
L	M	M	L	58
M	M	L	L	59
M	L	M	L	60
L	M	L	L	61
L	L	M	L	62
M	L	L	L	63
L	L	L	L	64

**Full Landscape Function Index matrix**

Clearing Bias	CRR sub-matrix	Condition	Landscape Function Index	Rank (1 = highest)
VH	VH	VH	VH	1
VH	VH	H	VH	2
VH	H	VH	VH	3
VH	VH	M	VH	4
VH	H	H	VH	5
VH	VH	L	VH	6
H	VH	VH	VH	7
VH	M	VH	VH	8
VH	H	M	VH	9
H	VH	H	VH	10
VH	M	H	VH	11
VH	H	L	VH	12
H	H	VH	VH	13
H	VH	M	VH	14
VH	L	VH	VH	15
VH	M	M	VH	16
H	H	H	H	17
H	VH	L	H	18
M	VH	VH	H	19
VH	L	H	H	20
VH	M	L	H	21
H	M	VH	H	22
H	H	M	H	23
M	VH	H	H	24
VH	L	M	H	25
H	M	H	H	26
H	H	L	H	27
M	H	VH	H	28
M	VH	M	H	29
VH	L	L	M	30
H	L	VH	H	31
H	M	M	H	32
M	H	H	M	33

Clearing Bias	CRR sub-matrix	Condition	Landscape Function Index	Rank (1 = highest)
L	VH	VH	M	34
M	VH	L	M	35
H	L	H	M	36
H	M	L	M	37
M	M	VH	M	38
M	H	M	M	39
L	VH	H	M	40
H	L	M	M	41
M	M	H	M	42
M	H	L	M	43
L	H	VH	M	44
L	VH	M	M	45
H	L	L	M	46
M	L	VH	M	47
M	M	M	M	48
L	H	H	L	49
L	VH	L	M	50
M	L	H	L	51
M	M	L	M	52
L	M	VH	L	53
L	H	M	L	54
M	L	M	L	55
L	M	H	L	56
L	H	L	L	57
M	L	L	L	58
L	L	VH	L	59
L	M	M	L	60
L	L	H	L	61
L	M	L	L	62
L	L	M	L	63
L	L	L	L	64

**Attachment 3:**  
**A simple guide to using the**  
**Regional Ecosystem Model for biodiversity planning**

The REM contains assessments of four attributes of biodiversity that may need to be considered for conservation:

- Native vegetation (Tasveg-based units assessed Statewide and bioregionally);
- Priority species (threatened and other important species);
- Hollow dwelling species habitat; and
- Landscape ecological function – the ability of the landscape to maintain the elements of biodiversity it contains.

Actions may range from retention in an existing state, rehabilitation to a better state or restoration of native vegetation. Actions can be guided by the REM classification of attributes from two prioritisation perspectives:

- Immediate – importance for intervention to restore or rehabilitate; and
- Potential – important to protect from further loss or degradation.

In the REM these are termed ‘Level of Concern’. All REM Level of Concern attributes are rated on a scale of Low, Medium, High or Very High. Immediate and Potential priorities are identical for native vegetation and priority species, but are different for hollow dwelling species habitat and landscape ecological function.

Priorities to be assigned to any of the REM attributes will be heavily influence by the purpose and objectives being considered and the adequacy of resources to effect desired outcomes. REM priorities can also be considered on an entirely objective basis, and used to judge whether objectives and resources are appropriately targeted, adequate to achieve outcomes. Monitoring over time can also be facilitated by the REM.

Prioritising areas or actions may require consideration of any of the four key attributes either singly or in combination. The potential range of combinations is large. However, for regions which are relatively intensively developed a fairly consistent set of combinations can be identified, particularly through focusing on priorities classified as either High or Very High. These are identified in the table that follows.

REM attribute (High or Very High)	Co-occurring attributes	Key considerations
Native vegetation	Priority species	Actions will depend on individual species' conservation needs.
	Landscape function – Potential	Landscape has some sensitivity to further loss or degradation. Action to protect the vegetation should be considered.
	Landscape function – Immediate	Landscape function is degraded. Consider whether actions to protect or enhance the native vegetation can make a difference.
	None	Consider if there are potential threats or other benefits that would arise from intervention. Also consider if there is a residual reservation target for the vegetation community and whether a good example of the community would be secured.
Priority species	None	Consider the conservation needs of each individual species individually.
	Landscape function – Potential	Landscape is sensitive to further loss or degradation. Consider whether this might have negative effects on each species.
	Landscape function – Immediate	Landscape function is degraded. Consider if landscape characteristics are contributing to the species status or likely persistence.
Hollow dwelling species habitat – Immediate	None	Vegetation is lacking in hollows. Look at the landscape context to determine if there is a likely benefit from taking actions which would improve long term prospects to have adequate mature eucalypt abundance, e.g. is the area a gap in distribution. The primary attribute field [Vstr_clasZ] should be used for this.
Hollow dwelling species habitat – Potential	None	Mature eucalypt abundance is likely to be relatively high. Act to protect and enhance, especially if either Immediate or Potential landscape ecological function classes are high.
Landscape function – Immediate	None	Landscape function is degraded. Consider what aspects of can be improved – condition, patch size, riparian vegetation or connectivity – within the available resources. The spreadsheet version of the REM can be used to explore scenarios.
Landscape function - Potential	None	Landscape function is sensitive to further loss or degradation. Consider what action can be take to secure landscape attributes.
Landscape function – Immediate	Landscape function - Potential	These are generally more important remnants. Consider whether resources are sufficient to both secure and improve landscape attributes.

**ATTACHMENT 2**

**DRAFT LOCAL  
PROVISIONS  
SCHEDULE V2**

## Glamorgan Spring Bay Local Provisions Schedule

### GSB -Local Provisions Schedule Title

GSB1.1 This Local Provisions Schedule is called the Glamorgan Spring Bay Local Provisions Schedule and comprises all the land within the municipal area.

### GSB Effective Date

GSB-1.2 The effective date for this Local Provisions Schedule is <insert date>.

### GSB-Local Area Objectives

GSB-12.0 Village Zone Local Area Objectives

Reference Number	Area Description	Local Area Objectives
GSB-12.1 (a)	Coles Bay & Swanwick Village Zone, shown on an overlay map as GSB-12.1	To provide for non-residential use associated with the visitor economy that does not compromise the nearby Local Business Zone.
GSB-12.1 (b)	Coles Bay & Swanwick Village Zone, shown on an overlay map as GSB-12.1	To provide for non-residential use that is of a scale and intensity that does not dominate residential amenity through siting away from the street, design and noise mitigation measures.
GSB-12.1 (c)	Coles Bay & Swanwick Village Zone, shown on an overlay map as GSB-12.1	To provide for non-residential use associated with the visitor economy through food vans or similar pop-up installations for short-term periods to meet increased demand during peak visitations.
GSB-12.1 (d)	Coles Bay & Swanwick Village Zone, shown on an overlay map as GSB-12.1	To encourage uses that generate high patronage or that require or allow customers to remain on site for more than a short period of time to accommodate car parking on site or locate within a convenience distance to existing or planning public or private car parking sites.

## GSB-14.0 Local Business Zone Local Area Objectives

Reference Number	Area Description	Local Area Objectives
GSB-14.1	Local Business Zone at Coles Bay & Swanwick, shown on an overlay map as GSB-14.1	To encourage food services, excluding drive-thru facilities, and retailing of groceries and speciality products for residents and visitors.

## GSB-P1.0 Particular Purpose Zone – Dolphin Sands

### GSB-P1.1 Zone Purpose

The purpose of the Particular Purpose Zone – Dolphin Sands is:

GSB-P1.1.1 To protect the environmentally fragile nature of the Dolphin Sands area particularly with respect to land stability, vegetation, wildlife and landscape amenity.

GSB-P1.1.2 To ensure that use or development has minimal disturbance to the natural environment and visual amenity of the area.

### GSB-P1.2 Local Area Objectives

This clause is not used in this particular purpose zone.

### GSB-P1.3 Definition of Terms

This clause is not used in this particular purpose zone.

### GSB-P1.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Utilities	If for minor utilities.
<b>Permitted</b>	
Passive Recreation	
Residential	If for a single dwelling or home-based business.
<b>Discretionary</b>	
Community Meeting and Entertainment	If for art and craft centre, neighbourhood centre <sup>1</sup> or public hall.
Emergency Services <sup>2</sup>	
General Retail and Hire	If for a local shop.
Utilities	If not listed as No Permit Required.
Visitor accommodation	

<sup>1</sup> Additional use

<sup>2</sup> Additional use

Prohibited	
All other uses	

### GSB-P1.5 Use Standards<sup>3</sup>

GSB-P1.5.1 Discretionary uses

Objective:	That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.	
Acceptable Solutions	Performance Criteria	
<p><b>A1</b></p> <p>Hours of operation for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 8.00am to 6.00pm Monday to Friday;</li> <li>(b) 9.00am to 12.00 noon Saturday; and</li> <li>(c) nil on Sunday and public holidays.</li> </ul>	<p><b>P1</b></p> <p>Hours of operation for a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>	
<p><b>A2</b></p> <p>External lighting for a use listed as Discretionary must:</p> <ul style="list-style-type: none"> <li>(a) not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled so that direct light does not extend into the adjoining property.</li> </ul>	<p><b>P2</b></p> <p>External lighting for a use listed as Discretionary, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of proposed light sources and their intensity;</li> <li>(b) the location of the proposed light sources;</li> <li>(c) the topography of the site; and</li> <li>(d) any existing light sources.</li> </ul>	
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 5.00pm Monday to Friday;</li> <li>(b) 9.00am to 12 noon Saturday; and</li> </ul>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the extent and timing of traffic generation;</li> </ul>	

<sup>3</sup> Derived from SPP Rural Living Zone

(c) nil on Sunday and public holidays.	(b) the dispatch of goods and materials; and (c) the existing levels of amenity.
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## GSB-P1.5.2 Visitor Accommodation

Objective:	That Visitor Accommodation: (a) is of a scale that is compatible with the character and use of the area; (b) does not cause an unreasonable loss of privacy; and (c) does not impact the safety and efficiency of local roads or rights of way.
Acceptable Solutions	Performance Criteria
<b>A1</b> Visitor Accommodation must: (a) be accommodated in existing buildings.	<b>P1</b> Visitor Accommodation must: (a) not cause an unreasonable loss of amenity and privacy to adjoining properties; (b) be of a scale that respects the character and use of the area; (c) not adversely impact the safety and efficiency of the local road network; (d) not unreasonably disadvantage owners and users of rights of carriageway; and (e) have a gross floor area of not more than 300m <sup>2</sup> .

**GSB-P1.6 Development Standards for Buildings and Works**

## GSB-P1.6.1 Building height, setback and siting

Objective:	That height, setback and siting of buildings: (a) is compatible with the coastal bushland character of Dolphin Sands; (b) is unobtrusive within the surrounding landscape <sup>4</sup> ; (c) does not cause an unreasonable loss of amenity, privacy and seclusion; (d) minimises the impact to the landscape and natural values of the coastal bushland landscape; (e) minimises the impact on adjacent uses.
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must be no more than 5m.	<b>P1</b> Building height must be compatible with the

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<sup>4</sup> PC from IPS.

	<p>coastal bushland character of the area and not cause an unreasonable loss of amenity to adjoining properties having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</li> <li>(c) The degree to which existing buildings on the site and adjoining properties are visible within the coastal bushland landscape;</li> <li>(d) the bulk and form of proposed buildings;</li> <li>(e) sunlight to habitable rooms and private open space in adjoining properties; and</li> <li>(f) any overshadowing of adjoining properties or public spaces.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from a frontage of not less than 30m.</p>	<p><b>P2</b></p> <p>Buildings must be sited to be compatible with the character of the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of adjacent buildings;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public places; and</li> <li>(e) the retention of vegetation.</li> </ul>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries of not less than 10m.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height, bulk and form of existing and proposed buildings;</li> <li>(e) the character of the development existing on established properties in the area;</li> <li>(f) any overshadowing of adjoining properties</li> </ul>

	<p>or public places;</p> <p>(g) the efficient use of the site and location of native vegetation; and</p> <p>(h) the visual impact of buildings when viewed in the landscape and from the foreshore.</p>
<p><b>A4</b></p> <p>Buildings must have a setback from Nine Mile Beach Crown Reservation of not less than 20m.</p>	<p><b>P4</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to the Nine Mile Beach Crown Reservation, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the efficient use of the site and location of native vegetation;</p> <p>(c) the amenity of adjoining lots;</p> <p>(d) the setbacks of adjoining buildings;</p> <p>(e) the height bulk and form of existing and proposed buildings; and</p> <p>(f) the visual impact of buildings when viewed in the landscape and from the foreshore.</p>
<p><b>A5</b></p> <p>Buildings must be sited in existing areas clear of native vegetation or within a building envelope shown on the title.</p>	<p><b>P5</b></p> <p>Buildings must be sited to minimise loss of native vegetation, having regard to:</p> <p>(a) the topography and size of any existing areas clear of native vegetation on the site;</p> <p>(b) the efficient use of the site and location of native vegetation;</p> <p>(c) the amenity of adjoining lots;</p> <p>(d) the setbacks of adjoining buildings;</p> <p>(e) the height bulk and form of existing and proposed buildings; and</p> <p>(f) the visual impact of buildings when viewed in the landscape and from the foreshore.</p>

GSB-P1.6.2 Building design

Objective:	That building design includes materials and colours that are unobtrusive in the
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	landscape
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.	<b>P1</b> No Performance Criteria.
<b>A2</b> Exterior building surfaces must be natural colours such as black, grey, brown and green.	<b>P2</b> No Performance Criteria.

GSB-P1.6.3 Frontage fences

Objective:	That frontage fences do not detract from the appearance of the site or the locality.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Frontage fences must: <ul style="list-style-type: none"> <li>(a) be of post and wire construction; and</li> <li>(b) be no more than 1.2m high.</li> </ul>	<b>P1</b> No Performance Criteria.

## GSB-P1.7 Development Standards for Subdivision

GSB-P1.7.1 Subdivision

Objective:	To prohibit the creation of new lots.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> The subdivision does not create additional lots unless for the purpose of providing lots for public open space, a riparian or littoral reserves or utilities.	<b>P1</b> No Performance Criteria.

## GSB-P1.8 Tables

This clause is not used in this particular purpose zone.

## GSB-P2.0 Particular Purpose Zone – The Gulch

### GSB-P2.1 Zone Purpose

The purpose of the Particular Purpose Zone – The Gulch is:

- GSB-P2.1.1 To provide for aquaculture, tourism, food services and related activities.
- GSB-P2.1.2 To provide for compatible use that complement or enhance existing use in the zone.
- GSB-P2.1.3 To provide for the protection and management of landscape values of the zone.

### GSB-P2.2 Local Area Objectives

This clause is not used in this particular purpose zone.

### GSB-P2.3 Definition of Terms

This clause is not used in this particular purpose zone.

### GSB-P2.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Utilities	If for minor utilities.
<b>Permitted</b>	
Manufacturing and Processing	If associated with aquaculture, marine farming shore facility, seafood processing or a maritime purpose.
Passive Recreation	
Resource Development	If for aquaculture or marine farming shore facility.
Resource Processing	If for seafood processing.
<b>Discretionary</b>	
Community Meeting and Entertainment	If for arts and craft centre, function centre <sup>5</sup> , museum, or public art gallery.
Emergency Services <sup>6</sup>	
Food Services	

<sup>5</sup> New use

<sup>6</sup> New use – not envisaged or likely – for consistency with SPP policy

General Retail and Hire	If associated with aquaculture, passive recreation <sup>7</sup> or a maritime purpose.
Pleasure Boat Facility	
Service Industry	If associated with aquaculture or a maritime purpose.
Research and Development	
Tourist Operation	
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## GSB –P2.5 Use Standards

GSB-P2.5.1 All uses

Objective:	That uses do not cause an unreasonable loss of amenity to a sensitive use.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, must be within the hours of:</p> <p>(a) 7.00am to 7.00pm Monday to Saturday; and</p> <p>(b) nil Sunday and public holidays.</p>	<p><b>P1</b></p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, must not cause an unreasonable loss of amenity to a sensitive use, having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and</p> <p>(b) noise, lighting or other emissions.</p>	
<p><b>A2</b></p> <p>External lighting must:</p> <p>(a) not operate within the hours of 10.00pm to 7.00am, excluding any security lighting; and</p> <p>(b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property.</p>	<p><b>P2</b></p> <p>External lighting for a use listed as Discretionary, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the number of proposed light sources and their intensity;</p> <p>(b) the location of the proposed light sources;</p> <p>(c) the topography of the site; and</p> <p>(d) any existing light sources.</p>	

<sup>7</sup> New use – kayaks etc

<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7.00am to 7.00pm Monday to Saturday; and</p> <p>(b) <sup>8</sup>nil on Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the extent and timing of traffic generation;</p> <p>(b) the dispatch of goods and materials; and</p> <p>(c) the existing levels of amenity.</p>
<p><b>A4</b></p> <p>Outdoor work areas, excluding areas associated with the unloading and loading of commercial vehicles, must be separated a distance of not less than 50m from a sensitive use<sup>9</sup>.</p>	<p><b>P5</b></p> <p>Outdoor work areas, excluding areas associated with the unloading and loading of commercial vehicles, must not cause an unreasonable loss of amenity to a sensitive use, having regard to:</p> <p>(a) the characteristics and frequency of emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any proposed mitigation measures.</p>
<p><b>A5</b></p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a residential zone.</p>	<p><b>P5</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a residential zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</p> <p>(a) the characteristics and frequency of emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any proposed mitigation measures.</p>
<p><b>A6</b></p> <p>Outdoor storage areas must:</p>	<p><b>P6</b></p> <p>Outdoor storage areas must be located or</p>

<sup>8</sup> Minor modification to align with hours of operation

<sup>9</sup> Split 35.5.5 into two components – align with SPP air con use clause and more practical 10m setback

<p>(a) not encroach upon areas set aside for car parking, access or retention of native vegetation; and</p> <p>(b) not be visible from a public road.</p>	<p>screened to minimise loss of visual amenity, having regard to:</p> <p>(a) the visibility from a public road;</p> <p>(b) the extent and nature of goods or equipment stored externally; and</p> <p>(c) any existing or proposed alternative purpose for that part of the site.</p>
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## GSB-P2.6 Development Standards for Buildings and Works

GSB-P2.6.1 Building height, setback and siting

Objective:	<p>That height, setback and siting of buildings:</p> <p>(a) is compatible with the coastal character of the area</p> <p>(b) is compatible with vistas over unique geological landmarks;</p> <p>(c) minimises impact on adjacent uses.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be no more than 10m.</p>	<p><b>P1</b></p> <p>Building height must be compatible with the coastal character of the area and not cause an unreasonable loss of views or amenity, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</p> <p>(c) the bulk and form of proposed buildings;</p> <p>(d) the siting of proposed buildings in relation to significant views from public land or buildings within the zone; and</p> <p>(e) any overshadowing of adjoining properties or public spaces.</p>
<p><b>A2</b></p> <p>Buildings must have a setback from the centreline of Waubs Esplanade of not less than 12m.</p>	<p><b>P2</b></p> <p>Buildings must be sited to be compatible with the character of the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setbacks of adjacent buildings;</p>

	<ul style="list-style-type: none"> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public places;</li> <li>(e) the existing informal streetscape of access to buildings from side roads where practicable; and</li> <li>(f) the retention of vegetation along Waubs Esplanade.</li> </ul>
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## GSB-P2.6.2 Building design

Objective:	That the building design: <ul style="list-style-type: none"> <li>(a) is compatible with the character of the zone;</li> <li>(b) is compatible with the coastal location of the site and existing vistas within and through the zone; and</li> <li>(c) minimises loss of native vegetation</li> </ul>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Building design is for additions or alterations.	<b>P1</b> Buildings design must be compatible with the character of the area, having regard to: <ul style="list-style-type: none"> <li>(a) the height, bulk and form of existing and proposed buildings;</li> <li>(b) the exterior materials and colours of existing and proposed buildings;</li> <li>(c) the extent of cut and fill;</li> <li>(d) the extent of native vegetation retained or replaced;</li> <li>(e) the location or screening of mechanical plant and equipment; and</li> <li>(f) the extent and quality of any view through the site.</li> </ul>

**GSB-P2.7 Development Standards for Subdivision**

## GSB-P2.7.1 Subdivision

Objective:	To prohibit the creation of new lots.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

<p>The subdivision does not create additional lots unless for the purpose of providing lots for public open space, a riparian or littoral reserves or utilities.</p>	<p>No Performance Criteria.</p>
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**GSB-P2.8 Tables**

This clause is not used in this particular purpose zone.

## GSB-P3.0 Particular Purpose Zone – Spring Bay Mill

### GSB-P3.1 Zone Purpose

The purpose of the Particular Purpose Zone – Spring Bay Mill is:

- GSB-P3.1.1 To provide for visitor accommodation, community, marine and horticultural research, gardens, commercial, cultural and educational uses that do not compete with Triabunna in meeting daily needs of residents.
- GSB-P3.1.2 To allow environmental and visual values of the site to be respected and enhanced.
- GSB-P3.1.3 To provide for the adaptive re-use of existing infrastructure and buildings.

### GSB-P3.2 Local Area Objectives

This clause is not used in this particular purpose zone.

### GSB-P3.3 Definition of Terms

This clause is not used in this particular purpose zone.

### GSB-P3.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Community Meeting and Entertainment	
Educational and Occasional Care	
Food Services	
Hotel Industry	
Tourist Operation	
Visitor Accommodation	
<b>Discretionary</b>	
General Retail and Hire	

Manufacturing and Processing	
Pleasure Boat Facility	
Port and Shipping	
Research and Development	
Residential	If for boarding house, communal residence (residential college <sup>10</sup> only) or hostel.
Resource Processing	If associated with aquaculture, horticulture, viticulture or equivalent agricultural uses.
Sports and Recreation	
Tourist Operation	
Transport Depot and Distribution	
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

<sup>10</sup> RC used in IPS – in SPP defined as a subset of communal residence.

## GSB-P3.5 Use Standards

This clause is not used in this particular purpose zone.

## GSB-P3.6 Development Standards for Buildings and Works

GSB-P3.6.1 Building height, setback and siting

Objective:	That height, setback and siting of buildings must: (a) not cause an unreasonable impact on the visual character of the site and the landscape values of the surrounding area; and <sup>11</sup> (b) minimises the impact on adjacent uses.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be no more than 10m.</p>	<p><b>P1</b></p> <p>Building height must be compatible with the visual character of the site and the landscape values of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</li> <li>(c) the bulk and form of proposed buildings; and</li> <li>(d) native vegetation to be retained, replaced or planted.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from frontage, side and rear boundaries of not less than 10m.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable impact to visual character of the site or the amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height bulk and form of existing and proposed buildings;</li> <li>(e) the character of the development existing on established properties in the area; and</li> <li>(f) the location of native vegetation.</li> </ul>

<sup>11</sup> Removed reference to streetscape – considered irrelevant.

<p><b>A3</b></p> <p>Buildings must have a setback from the adjoining Light Industrial Zone of not less than 30m.</p>	<p><b>P3</b></p> <p>Buildings must be sited to mitigate potential land use conflict with the adjoining zone.</p>
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## GSB-P3.6.2 Building Design

Objective:	That building design includes materials and colours that are unobtrusive in the landscape	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Exterior building surfaces must:</p> <p>(a) be coloured using colours with a light reflectance value not greater than 40 percent; and</p> <p>(b) be coloured using dark or muted toned colours specified in AS2700: 2011 Colour Standards for General Purposes.</p>	<p><b>P1</b></p> <p>Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.</p>	
<p><b>A2</b></p> <p>Site coverage must be no more than 5%.</p>	<p><b>P2</b></p> <p>Site coverage must prevent unreasonable adverse impacts on visual amenity of the site when viewed from surrounding locations and be sufficient to accommodate development that is consistent with the Zone Purpose Statements.</p>	

## GSB-P3.6.3 Landscaping

Objective:	That native vegetation is retained or provided to enhance the environmental integrity of the land and provide a further buffer of native vegetation is maintained to the adjoining industrial area.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Native vegetation is retained.</p>	<p><b>P1</b></p> <p>Native vegetation must be retained or provided, having regard to:</p> <p>the extent, condition and visibility of native vegetation in the vicinity; and</p> <p>the extent of change to the integrity of the buffer of native vegetation to the adjoining industrial area.</p>	

## GSB-P3.7 Development Standards for Subdivision

GSB-P3.7.1 Subdivision

Objective:	To prohibit the creation of new lots.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> The subdivision does not create additional lots unless for the purpose of providing lots for public open space, a riparian or littoral reserves or utilities.	<b>P1</b>	No Performance Criteria.

## GSB-P3.8 Tables

This clause is not used in this particular purpose zone.

## GSB-P4.0 Particular Purpose Zone – Saffire Freycinet

### GSB-P4.1 Zone Purpose

The purpose of the Particular Purpose Zone – Saffire Freycinet is:

- GSB-P4.1.1 To provide for the continued use and development of Saffire Freycinet resort.
- GSB-P4.1.2 To provide for compatible use and development that complements or enhances the Saffire Freycinet resort and do not compromise or distort the role of existing activity centres.

### GSB-P4.2 Local Area Objectives

This clause is not used in this particular purpose zone.

### GSB-P4.3 Definition of Terms

This clause is not used in this particular purpose zone.

### GSB-P4.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
<b>Permitted</b>	
Community Meeting and Entertainment	
Food Services <sup>12</sup>	
Tourist Operation	
Visitor Accommodation	
<b>Discretionary</b>	
Educational and Occasional Care	
Emergency Services	
General Retail and Hire	

<sup>12</sup> See use standard

Hotel Industry	
Pleasure Boat Facility	
Research and Development	
Residential	
Sports and Recreation	
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## GSB-P4.5 Use Standards

### GSB-P4.5.1 Food Services

Objective:	That Food Services complements the Saffire Freycinet resort and does not affect the Coles Bay activity centre and the objectives for the Local Business Zone at Coles Bay.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Food service must: <ul style="list-style-type: none"> <li>(a) replace an existing use; or</li> <li>(b) have a gross floor area of no more than 200m<sup>2</sup>.</li> </ul>	<b>P1</b> Food service must be of a scale that complements and enhances the Saffire Freycinet resort and the Coles Bay activity centre, having regard to: <ul style="list-style-type: none"> <li>(a) the size and scale of the proposed use;</li> <li>(b) the function of the Coles Bay activity centre;</li> <li>(c) the extent that the proposed use impacts on the Coles Bay activity centre;</li> <li>(d) the extent that the use caters for demand from visitors; and</li> <li>(e) the uniqueness of the use from other offerings in other activity centre.</li> </ul>	

### GSB-P4.5.2 Discretionary Uses

Objective:	That discretionary uses complement the Saffire Freycinet resort.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> No Acceptable Solution.	<b>P1</b> Discretionary use must complement or support the Freycinet Saffire Resort, having regard to: <ul style="list-style-type: none"> <li>(a) the operational efficiency of any Permitted use operating in the zone;</li> <li>(b) the scale of the use relative to any Permitted use operating in the zone;</li> <li>(c) excluding for Emergency Services, the extent that the use caters for demand from visitors outside Coles Bay;</li> <li>(d) the function of the Coles Bay activity centre; and</li> <li>(e) the degree to which the use duplicates</li> </ul>	

	commercial or retail choice in Coles Bay.
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## GSB-P4.6 Development Standards for Buildings and Works

### GSB-P4.6.1 Building height, setback and siting

Objective:	That height, setback and siting of buildings must: (a) not cause an unreasonable impact on the visual character of the site and the landscape values of the surrounding area; and <sup>13</sup> (b) minimises the impact on the adjoining Conservation Area.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be no more than 8m.</p>	<p><b>P1</b></p> <p>Building height must be compatible with the visual character of the site and the environmental values of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site;</li> <li>(c) the bulk and form of proposed buildings; and</li> <li>(d) native vegetation to be retained, replaced or planted.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from frontage of not less than 10m.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable impact to visual character of the site or the amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height bulk and form of existing and proposed buildings;</li> <li>(e) the character of the development existing on established properties in the area; and</li> <li>(f) the location of native vegetation.</li> </ul>

<sup>13</sup> Removed reference to streetscape – considered irrelevant.

<p><b>A3</b></p> <p>Buildings must have a setback from a side or rear boundary of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5m; or</li> <li>(b) half the height of the wall</li> </ul> <p>whichever is the greater.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable impact to the adjoining Conservation Area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site</li> <li>(b) the height bulk and form of existing and proposed buildings;</li> <li>(c) the bulk and form of proposed buildings; and</li> <li>(d) native vegetation to be retained, replaced or planted.</li> </ul>
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## GSB-P4.6.2 Building Design

Objective:	That building design includes materials and colours that are unobtrusive in the landscape	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Exterior building surfaces must:</p> <ul style="list-style-type: none"> <li>(a) be coloured using colours with a light reflectance value not greater than 40 percent; and</li> <li>(b) be coloured using dark or muted toned colours specified in AS2700: 2011 Colour Standards for General Purposes.</li> </ul>	<p><b>P1</b></p> <p>Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.</p>	

## GSB-P4.6.3 Cut and fill

Objective:	That cut and fill has minimal impact to the landscape and to natural values.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Fill and excavation must:</p> <ul style="list-style-type: none"> <li>(a) be no more than 1m from natural ground level, excluding any building foundation;</li> <li>(b) be required for the construction of buildings or access.</li> </ul>	<p><b>P1</b></p> <p>Fill and excavation must minimise impact to natural values and to the landscape qualities of the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the extent and depth proposed;</li> <li>(c) the proximity to adjoining land; and</li> <li>(d) the location of native vegetation.</li> </ul>	

## GSB-P4.7 Development Standards for Subdivision

GSB-P4.7.1 Subdivision

Objective:	To prohibit the creation of new lots.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> The subdivision does not create additional lots unless for the purpose of providing lots for public open space, a riparian or littoral reserves or utilities.	<b>P1</b>	No Performance Criteria.

## GSB-P4.8 Tables

This clause is not used in this particular purpose zone.

## GSB-P5.0 Particular Purpose Zone – North Bicheno Future Urban

### GSB-P5.1 Zone Purpose

The purpose of the Particular Purpose Zone – North Bicheno Future Urban is:

- GSB-P5.1.1 To provide for the future development of visitor accommodation and residential uses in a manner sympathetic to the coastal location, including large-scale integrated complexes comprised of multiple uses.
- GSB-P5.1.2 To reinforce the activity centre at Bicheno.
- GSB-P5.1.3 To protect environmental values and avoid unreasonable loss of views of, and through, the area.
- GSB-P5.1.4 To provide for the efficient servicing of future development of the area.

### GSB-P5.2 Local Area Objectives

This clause is not used in this particular purpose zone.

### GSB-P5.3 Definition of Terms

This clause is not used in this particular purpose zone.

### GSB-P5.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Utilities	If for minor utilities.
<b>Permitted</b>	
Passive Recreation	
Residential	If for single dwelling or home-based business.
Visitor Accommodation	
<b>Discretionary</b>	
Community Meeting and Entertainment	
Educational and Occasional Care	

Food Services	
Hotel Industry	
Residential	If not listed as Permitted.
Tourist Operation	
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## GSB-P5.5 Use Standards

### GSB-P5.5.1 Use

Objective:	That uses do not cause an unreasonable loss of amenity to a sensitive use.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must be within the hours of:</p> <p>(a) 7.00am to 8.00pm Monday to Friday;</p> <p>(b) 8.00am to 6.00pm Saturday; and</p> <p>(c) 9.00am to 5.00pm Sunday and public holidays.</p>	<p><b>P1</b></p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must not cause an unreasonable loss of amenity to a sensitive use, having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and</p> <p>(b) noise, lighting or other emissions.</p>	
<p><b>A2</b></p> <p>External lighting must:</p> <p>(a) not operate within the hours of 9.00pm to 6.00am, excluding any security lighting; and</p> <p>(b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property.</p>	<p><b>P2</b></p> <p>External lighting must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the number of proposed light sources and their intensity;</p> <p>(b) the location of the proposed light sources;</p> <p>(c) the topography of the site; and</p> <p>(d) any existing light sources.</p>	

## GSB-P5.6 Development Standards for Buildings and Works

### GSB-P5.6.1 Building height

Objective:	That building height: (a) is compatible with the landscape; and (b) does not cause an unreasonable loss of amenity or views through the zone.
Acceptable Solutions	Performance Criteria
<b>A1</b> Building height must be no more than 5m.	<b>P1</b> Building height must not adversely impact upon visual amenity of the site when viewed from surrounding locations and vegetation should be used to soften visual impacts.

### GSB-P5.6.2 Development plan

Objective:	That development occurs in accordance with an approved development plan for the zone.
Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings and works are for an addition or alteration.	<b>P1</b> Buildings and works must be in accordance with a development plan approved by Council for the zone that specifies: <ul style="list-style-type: none"> <li>(a) the provision of services;</li> <li>(b) the design of roads;</li> <li>(c) the subdivision of land, including lot size and frontage for all or part of the site;</li> <li>(d) the use of land;</li> <li>(e) the density of development;</li> <li>(f) use and development standards not otherwise specified in this zone including setback, design, landscaping, outbuildings, fencing, outdoor storage areas, landscaping, signage and standards for particular uses</li> </ul>

## GSB-P5.7 Development Standards for Subdivision

GSB-P5.7.1 Subdivision

Objective:	That subdivision is consistent with an overall development plan for the zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> No Acceptable Solution.	<b>P1</b> Subdivision must be in accordance with a development plan for the zone.	

## GSB-P5.8 Tables

This clause is not used in this particular purpose zone.

## GSB-S1.0 Spring Bay Marina Specific Area Plan

### GSB-S1.1 Plan Purpose

The purpose of the Spring Bay Marina Specific Area Plan is:

- GSB-S1.1.1 To provide for a sustainable, high quality precinct comprised of marina, residential, visitor accommodation and tourism use within identified precincts across the site and other complementary uses.
- GSB-S1.1.2 To allow for a major visitor attraction that will contribute to the local economy and encourage visitors to stay longer in the municipal area.
- GSB-S1.1.3 To minimise impact to visual, environmental or cultural values.
- GSB-S1.1.4 To protect the role of the Triabunna activity centre provide for the protection of topographic features that provide visual amenity.
- GSB-S1.1.5 To enhance connections between the town centre and the marina.
- GSB-S1.1.6 To encourage energy and resource saving measures to be adopted in the design and construction of works and buildings.

### GSB-S1.2 Application of this Plan

- GSB-S1.2.1 The specific area plan applies to the area of land designated as Spring Bay Marina Specific Area Plan on the overlay maps and in Figure S1.10.1.
- GSB-S1.2.2 In the area of land this plan applies to, the provisions of the specific area plan modify, are in substitution for, and are in addition to the provisions of the Open Space Zone as specified in the relevant provision.
- GSB-S1.2.3 Signage within the specific area plan is considered under C1.0 Signs Code as if the land within the specific area plan was within the Village Zone.

### GSB-S1.3 Local Area Objectives

#### GSB-S1.3.1 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives
S1.3.1.1	Marina Residential Precinct, as shown in Figure S1.10.1	<p>The Marina Residential Precinct will:</p> <ul style="list-style-type: none"> <li>(a) provide residential and visitor accommodation linked to marina berth facilities;</li> <li>(b) comprise separate titles only under the Strata Titles Act 1998;</li> <li>(c) provide marine infrastructure and improved navigational waters for a range</li> </ul>

		<p>of vessels;</p> <p>(d) enhance public amenity and pedestrian access and include a boardwalk around the foreshore and paths linking to surrounding areas</p>
S1.3.1.2	Marine Service Industry Precinct, as shown in Figure S1.10.1	<p>The Marine Service Industry Precinct will:</p> <p>(a) comprise industrial uses associated with marine activities including facilities for the storage, servicing and repair of boats or marine equipment, and ship chandlers;</p> <p>(b) provide opportunities for enhanced community and recreational activities such as those that compliment activities of the Spring Bay Boat Club.</p>
S4.3.1.3	Future Development Precinct, as shown in Figure S1.10.1	<p>The Future Development Precinct will:</p> <p>(a) comprise separate titles only under the Strata Titles Act 1998;</p> <p>(b) provide for public access, open space and recreation across a minimum 10% of the precinct.</p>

## GSB-S1.4 Definition of Terms

GSB-S1.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
Marina Residential Precinct	Means the area identified in Figure S1.10.1.
Marine Industry Service Precinct	Means the area identified in Figure S1.10.1.
Future Development Precinct	Means the area identified in Figure S1.10.1.

## GSB-S1.5 Use Table

This clause is a substitution for Open Space Zone – clause 29.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Educational and Occasional Care	If for home-based child care up to 8 children.
Utilities	If for minor utilities.
<b>Permitted</b>	
Food Services	If café or restaurant located in Marina Residential Precinct.
Natural and Cultural Values Management	
Port and Shipping	If located in Marine Service Industry Precinct.
Passive Recreation	
Pleasure Boat Facility	If for marina.
Residential	If for multiple dwellings or home-based business in the Marina Residential Precinct or Future Development Precinct.
Visitor accommodation	If located in the Marina Residential Precinct.
<b>Discretionary</b>	
Community Meeting and Entertainment	
Educational and Occasional Care	If childcare centre located in Future Development Precinct. If not listed as No Permit Required.
Emergency Services <sup>14</sup>	
Food Services	If take away food premises. If not listed as Permitted.
General Retail and Hire	If associated with marine activities and located in Marine Industry Services Precinct.
Hotel Industry	If not displacing a residential use.
Tourist Operation	If associated with marina berths or marine activities.
Utilities	If not listed as No Permit Required.

<sup>14</sup> New use

Vehicle Parking	
Vehicle Fuel Sales and Service	If located in Marine Industry Services Precinct and for marine vessels.
Visitor Accommodation	If not listed as Permitted.
<b>Prohibited</b>	
All other uses	

## GSB-S1.6 Use Standards

This clause is a substitution for Open Space Zone – clause 29.3 Use standards.

### GSB-S1.6.1 Residential and Visitor Accommodation uses

Objective:	That residential or visitor accommodation use in the Marina Residential Precinct is associated with marina berths.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Marina berths must be provided at a rate of no less than 1.1 for:  (a) each dwelling in a multiple dwelling development; and  (b) each self-contained visitor accommodation unit;	<b>P1</b> No Performance Criteria.	

## GSB-S1.7 Development Standards for Buildings and Works

### GSB-S1.7.1 Building height, setback and siting

This clause is a substitution for Open Space Zone – clause 29.4.1 Building height, setback and siting

Objective:	That building bulk, height, form and siting: (a) is compatible with the streetscape; and (b) does not cause unreasonable loss of amenity to adjoining properties.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Building height must be no more than 8.5m.	<b>P1</b> No Performance Criteria.	
<b>A2</b> Buildings must have a setback from a frontage	<b>P2</b> Buildings must have a setback from a frontage	

<p>of no less than:</p> <p>(a) 12m, if fronting the Esplanade as measured from the road centreline;</p> <p>(b) 4m, if fronting any other road.</p>	<p>that is compatible with streetscape and character of development existing in the area, having regard to:</p> <p>(a) the topography of the site and the design response to topography;</p> <p>(b) the setback of buildings on adjoining properties;</p> <p>(c) the height, bulk and form of existing and proposed buildings;</p> <p>(d) any Local Area Objective.</p>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries of no less than 4m.</p>	<p><b>P3</b></p> <p>Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the height, bulk and form of existing and proposed buildings;</p> <p>(b) sunlight to private open space and windows of habitable rooms on adjacent properties;</p> <p>(c) overlooking and reduction of privacy of adjoining properties;</p> <p>(d) the nature and extent of use of adjoining public land and public benefits of maintaining separation from passive recreation infrastructure; and</p> <p>(e) any Local Area Objective.</p>

GSB-S1.7.2 Building Design

This clause is an addition to Open Space Zone – Clause 29.4 Development Standards for Buildings and Works

<p>Objective:</p>	<p>That building design:</p> <p>(a) includes materials and colours that are compatible with the character of the area; and</p> <p>(b) contributes to the streetscape;</p>
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p><b>P1</b></p> <p>Exterior building surfaces must be compatible with the landscape and adjoining buildings in the streetscape and avoid highly reflective external finishes, having regard to:</p>

	<ul style="list-style-type: none"> <li>(a) the colours and reflectivity of existing and proposed buildings;</li> <li>(b) the siting of the building in the landscape and the extent that the proposed building is visible from a public space; and</li> <li>(c) any Local Area Objective.</li> </ul>
<p><b>A2</b></p> <p>Site coverage must be no more than:</p> <ul style="list-style-type: none"> <li>(a) that shown in Figure S1.10.1, if within the Marina Residential Precinct; and</li> <li>(b) 50%, if within the Future Development Precinct.</li> </ul>	<p><b>P2</b></p> <p>No Performance Criteria.</p>

GSB-S1.7.3 Private open space for multiple dwelling use

This clause is an addition to Open Space Zone – Clause 29.4 Development Standards for Buildings and Works

Objective:	That multiple dwelling use is provided with private open space that is conveniently located, meets reasonable needs of occupants and has access to sunlight.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Multiple dwellings must have private open space that:</p> <ul style="list-style-type: none"> <li>(a) is in one location and is not less than: <ul style="list-style-type: none"> <li>i. 25m<sup>2</sup>; or</li> <li>ii. 10m<sup>2</sup> if the dwelling has a finished floor level of more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(b) has a horizontal dimension of not less than: <ul style="list-style-type: none"> <li>i. 3m; or</li> <li>ii. 2m if the dwelling has a finished floor level of more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>No Performance Criteria.</p>	

## GSB-S1.8 Development Standards for Subdivision

### GSB-S1.8.1 Subdivision

The clause is a substitution for Open Space Zone – Clause 29.5 Development Standards for Subdivision.

Objective:	To prohibit the creation of new lots.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> The subdivision does not create additional lots unless for the purpose of providing lots for public open space, a riparian or littoral reserves or utilities.	<b>P1</b> No Performance Criteria.	

## GSB-S1.9 Tables

This clause is not used in this particular purpose zone.

## GSB-S1.10 Figures

GSB-S1.10.1

Figure 1. Spring Bay Marina Precinct Plan



## **GSB-2.0 Bicheno Golf Club Specific Area Plan**

### **GSB-S2.1 Plan Purpose**

The purpose of the Bicheno Golf Club Specific Area Plan is:

- GSB-S2.1.1 To provide for a sustainable, high quality 18 hole golf course and integrated residential estate.
- GSB-S2.1.2 To provide for the management of environment values in a sensitive coastal location and in particular the Denison Beach shore bird nesting areas.
- GSB-S2.1.3 To provide for the protection of dune morphology and ecology and surrounding wetland systems.
- GSB-S2.1.4 To provide for development that has a positive relationship to the golf course and the environment through appropriate siting and architectural design that includes materials, surfaces and colourings that blend with the surrounding environment.
- GSB-S2.1.5 To provide for non-residential use that is of a scale compatible with the residential estate.
- GSB-S2.1.6 To provide for the management of visual values of the site and mitigation of visual impact on surrounding locations at the Tasman Highway corridor.

### **GSB-S2.2 Application of this Plan**

- GSB-S2.2.1 The specific area plan applies to the area of land designated as Bicheno Golf Club Specific Area Plan on the overlay maps.
- GSB-S2.2.2 In the area of land this plan applies to, the provisions of the specific area plan modify, are in substitution for, and are in addition to the provisions of the Open Space Zone as specified in the relevant provision.

### **GSB-S4.3 Local Area Objectives**

This clause is not used in this specific area plan.

### **GSB-S1.4 Definition of Terms**

This clause is not used in this specific area plan.

## GSB-S2.5 Use Table

This clause is a substitution for Open Space Zone – clause 29.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Utilities	If for minor utilities.
<b>Permitted</b>	
Passive Recreation	
Residential	If for home-based business or single dwelling.
Sport and Recreation	If for golf course.
<b>Discretionary</b>	
Sport and Recreation	If not listed as Permitted.
Utilities	If not listed as No Permit Required.
Vehicle Parking	
Visitor Accommodation	
<b>Prohibited</b>	
All other uses	

## GSB-S2.6 Use Standards

This clause is a substitution for Open Space Zone – clause 29.3 Use standards.

GSB-S2.6.1 Residential and Visitor Accommodation uses

Objective:	That residential and visitor accommodation use is in accordance with the development plan.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Residential use must be for a single dwelling.		<b>P1</b> Residential use must be for a communal residence that: <ul style="list-style-type: none"> <li>(a) is not located on lots 44, 61 or balance;</li> <li>(b) does not displace a single dwelling or visitor accommodation use,</li> </ul>

	if there are no more than 10 in the specific area plan.
<b>A2</b> No Acceptable Solution.	<b>P2</b> Visitor accommodation must:  (a) be contained in no more than one building per lot;  (b) not displace a single dwelling use,  if there are no more than 20 in the specific area plan.

## GSB-S2.7 Development Standards for Buildings and Works

### GSB-S2.7.1 Building height, setback and siting

This clause is a substitution for Open Space Zone – clause 29.4.1 Building height, setback and siting

Objective:	That building bulk, height, form and siting: (c) is compatible with the streetscape; (d) does not cause unreasonable impact to visual amenity of the site or surrounding coastal landscape; and (e) does not cause unreasonable loss of amenity to adjoining properties.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Building height must be no more than 8m.	<b>P1</b> No Performance Criteria.
<b>A2</b> Buildings must have a setback from a frontage of no less than 5m.	<b>P2</b> No Performance Criteria.
<b>A3</b> Buildings must have a setback from side and rear boundaries of no less than 5m.	<b>P3</b> No Performance Criteria

### GSB-S2.7.2 Fencing

This clause is an addition to Open Space Zone – clause 29.4 Development Standards for Buildings and Works.

Objective:	That fencing maintains an open, natural landscape character through the specific area plan.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> No fences on street or golf course boundaries.	<b>P1</b> No Performance Criteria.	
<b>A2</b> Side or rear boundary fences must: (a) have a height of no more than 2m; and (b) have a height of no more than 1m along or within 5m of a frontage or rear boundary.	<b>P2</b> No Performance Criteria.	

## GSB-S2.7.3 Building Design

This clause is an addition to Open Space Zone – Clause 29.4 Development Standards for Buildings and Works

Objective:	That building design: (a) includes materials and colours that are compatible with the coastal landscape character of the area; and (b) contributes to the streetscape;	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.	<b>P1</b> Exterior building surfaces must be compatible with the landscape and adjoining buildings in the streetscape and avoid highly reflective external finishes, having regard to: (d) the colours and reflectivity of existing and proposed buildings; (e) the siting of the building in the landscape and the extent that the proposed building is visible from a public space; and (f) any Local Area Objective.	
<b>A2</b> Site coverage must be no more than: (c) 50%, if the lot is less than 800m <sup>2</sup> ; and (d) 400m <sup>2</sup> , if the lot is more than 800m <sup>2</sup> .	<b>P2</b> No Performance Criteria.	

## GSB –S2.8 Development Standards for Subdivision

GSB-S2.8.1 Subdivision

This clause is a substitution for Open Space Zone – clause 29.5 Development Standards for Subdivision.

Objective:	That subdivision occurs in accordance with the development plan for the site.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Subdivision is in accordance with the approved subdivision plan.	<b>P1</b> The number of lots must not exceed 61 and each lot must be compatible with the golf course, ecological and morphological values and residential development, and having regard to:  (a) easements to which the site is subject; and  (b) the suitability of the land, including topography	

## GSB-S2.9 Tables

This clause is not used in this specific area plan.

## GSB-S3.0 Louisville Road Specific Area Plan<sup>15</sup>

### GSB-S3.1 Plan Purpose

The purpose of the Louisville Road Specific Area Plan is:

- GSB-S3.1.1 To provide for a sustainable, high quality tourism, recreational and residential estate.
- GSB-S3.1.2 To allow for a major visitor attraction that will encourage visitors to stay longer in the municipal area.
- GSB-S3.1.3 To provide for public access and passive recreational use including connectivity between Triabunna & Orford.
- GSB-S3.1.4 To provide for the protection of topographic features that provide visual amenity.
- GSB-S3.1.5 To provide for the restoration of native vegetation for screening and habitat.
- GSB-S1.1.6 To encourage energy and resource saving measures to be adopted in the design and construction of works and buildings.

### GSB-S3.2 Application of this Plan

- GSB-S3.2.1 The specific area plan applies to the area of land designated as Louisville Road Specific Area Plan on the overlay maps and in Figure S3.10.1.
- GSB-S3.2.2 In the area of land this plan applies to, the provisions of the specific area plan modify, are in substitution for, and are in addition to the provisions of the Rural Zone as specified in the relevant provision.
- GSB-S1.2.3 Signage within the specific area plan is considered under C1.0 Signs Code as if the land within the specific area plan was within the Village Zone.

### GSB-S3.3 Local Area Objectives

#### GSB-S3.3.1 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives
S3.3.1.1	Golf Precinct, as shown in Figure S3.10.1.	<p>The Golf Precinct will:</p> <ul style="list-style-type: none"> <li>(a) consist of an international standard woodland golf course to service the visitor as well as the local community; and</li> <li>(b) achieve the highest standard in environmental design and management in terms of water usage and treatment, tree preservation, management of native flora and fauna and enhancement of existing</li> </ul>

<sup>15</sup> Specific Area Plan is within the Rural Zone.

		landscape.
S3.3.1.2	Open Space and Reserves Precinct, as shown in Figure S3.10.1.	<p>The Open Space and Reserves Precinct will:</p> <ul style="list-style-type: none"> <li>(a) provide for unimpeded public access through the site; and</li> <li>(b) use local provenance species in landscaping;</li> </ul>
S3.3.1.3	Residential Precinct, as shown in Figure S3.10.1.	<p>The Residential Precinct will:</p> <ul style="list-style-type: none"> <li>(c) provide a residential coastal community comprised of a variety of dwelling types and sizes designed to respond to the needs and lifestyle of visitors and residents;</li> <li>(d) develop dwellings, roads and infrastructure within a vegetated setting, with retention of bushland and vegetation;</li> <li>(e) include substantial areas of vegetation planting of local provenance with a mixture of permaculture/edible landscape elements;</li> <li>(f) provide pedestrian links to encourage walking and assist with the building of a neighbourhood community;</li> <li>(g) maximise energy efficiency in the design and construction of buildings;</li> <li>(h) provide for a retirement village;</li> <li>(i) minimise visual impact upon surrounding locations particularly in terms of impacts upon the skyline or tree canopy when viewed from surrounding land; and</li> <li>(j) provide buildings that compliment the surrounding natural environment.</li> </ul>
S3.3.1.4	Hub Precinct, as shown in Figure S3.10.1 and further described by Figure GSB-S3.10.1	<p>The Hub Precinct will:</p> <ul style="list-style-type: none"> <li>(a) create a central place of activity made up of varying density uses clustered around a wood / heathland open space;</li> <li>(b) encourage the development of administration, restaurants, shops, golf club house, tourist retail and community</li> </ul>

		<p>entertainment facilities;</p> <p>(c) provide attractions and amenities such as a health spa, maritime museum, art gallery and other cultural activities with a range of accommodation types including golf edge duplex, single dwellings, grouped courtyard accommodation and park front dwellings above ground level tourist and retail uses;</p> <p>(d) promote pedestrian activity through creating dynamic and accessible people oriented mix-use spaces with awnings, verandas, colonnades, shaded walks and wide landscaped footpaths;</p> <p>(e) include parking areas that are provided mid-block and carefully arranged to maintain a courtyard feel to the surrounding accommodation; and</p> <p>(f) Distinguish differing components within the Hub as shown on The Hub Component Layout and including:</p> <ol style="list-style-type: none"> <li>i. The Entry Way; dwelling; visitor accommodation and retail;</li> <li>ii. Golf Accommodation; dwelling and visitor accommodation;</li> <li>iii. The Arts Space; dwelling, retail and workshop</li> <li>iv. The Golf Club House;</li> <li>v. Accommodation on Common; dwelling and visitor accommodation;</li> <li>vi. The Jetty;</li> <li>vii. The Aquatic Club; and</li> <li>viii. The Maritime Museum.</li> </ol>
S3.3.1.5	Eco Cabin Precinct, as shown in Figure S3.10.1.	<p>The Eco Cabin Precinct will:</p> <p>(a) not be further subdivided;</p> <p>(b) provide for single and double dwelling retreat style accommodation integrated into the natural environment with minimal visual impact on the surrounding area;</p> <p>(c) ensure buildings are designed in</p>

		<p>accordance with the Australian Council of Building Design Professionals LTD (BPD) Environment Design Guide 2022 (or as amended from time to time);</p> <p>(d) require car parking within communal landscaped car courts to minimise vegetation disturbance; and</p> <p>(e) ensure all servicing of the eco cabins is via a minimum width pedestrian track linking the dwellings to a minimum width road network.</p>
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### GSB-S3.4 Definition of Terms

GSB-S3.4.1 In this Specific Area Plan, unless the contrary intention appears:

<b>Terms</b>	<b>Definition</b>
Golf Precinct	Means the area identified in Figure GSB-S3.10.1
Open Space and Reserves Precinct	Means the area identified in Figure GSB-S3.10.1
Residential Precinct	Means the area identified in Figure GSB-S3.10.1
Hub Precinct	Means the area identified in Figure GSB-S3.10.1 and further described by Figure GSB-S3.10.1
Eco Cabin Precinct	Means the area identified in Figure GSB-S3.10.1

## GSB-S3.5 Use Table

This clause is a substitution for Rural Zone – clause 20.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management <sup>16</sup>	
Utilities	If for minor utilities.
<b>Permitted</b>	
Business and Professional Services	If for consulting room.
Community Meeting and Entertainment	If located in Hub Precinct. <sup>17</sup>
Educational and Occasional Care	If for child care located in Hub Precinct.
Food Services	If located in the Entry Way or Arts Spaces areas in the Hub Precinct.
General Retail and Hire	If for local shop within the Hub Precinct.
Hotel Industry	If located within the Hub Precinct.
Passive Recreation	
Residential	If for single dwelling located in the Residential Precinct or in the Entry Way or Golf Accommodation areas in the Hub Precinct.
Sport and Recreation	If for golf course located in Golf Precinct.
Vehicle Parking	If located in Golf Precinct.
Visitor Accommodation	If located in Residential Precinct, Hub Precinct or Eco Cabin Precinct.
<b>Discretionary</b>	
Business and Professional Services	If located in Hub Precinct. <sup>18</sup>
Emergency Services <sup>19</sup>	

<sup>16</sup> Additional use

<sup>17</sup> Translation of existing 'civic building' qualification

<sup>18</sup> Addition

<sup>19</sup> Additional use

Sports and Recreation	If not listed as Permitted.
Residential	If located in Residential Precinct or Hub Precinct and if not listed as Permitted.
Tourist Operation	If located in Hub Precinct.
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## GSB-S3.6 Use Standards

### GSB-S3.6.1 Precinct Boundaries<sup>20</sup>

This clause in an addition to Rural Zone – Clause 20.3 Use Standards

Objective:	That use is compatible with identified precinct boundaries.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Use is no permit required or permitted in the precinct described in Figure GSB-S4.10.1 and further described by Figure GSB-S4.10.1.	<b>P1</b> Use must be compatible with the purpose and local area objectives of this specific area plan.	

### GSB-S3.6.2 All uses<sup>21</sup>

This clause is a substitution to Rural Zone – Clause 20.3.1 Discretionary use

Objective:	That uses do not cause an unreasonable loss of amenity to a sensitive use.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must be within the hours of: (d) 7.00am to 8.00pm Monday to Friday; (e) 8.00am to 6.00pm Saturday; and (f) 9.00am to 5.00pm Sunday and public	<b>P1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Utilities or Visitor Accommodation, must not cause an unreasonable loss of amenity to a sensitive use, having regard to: (c) the timing, duration or extent of vehicle movements; and	

<sup>20</sup> Implements F3.2.3 of the IPS. Compatible preferred to consistent.

<sup>21</sup> Implements F3.5 – omits noise standard as per SPP structure.

holidays.	(d) noise, lighting or other emissions.
<p><b>A2</b></p> <p>External lighting must:</p> <p>(c) not operate within the hours of 9.00pm to 6.00am, excluding any security lighting; and</p> <p>(d) if for security lighting, must be baffled so that direct light does not extend into the adjoining property.</p>	<p><b>P2</b></p> <p>External lighting must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(e) the number of proposed light sources and their intensity;</p> <p>(f) the location of the proposed light sources;</p> <p>(g) the topography of the site; and</p> <p>(h) any existing light sources.</p>
<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7.00am to 8.00pm Monday to Friday;</p> <p>(b) 8.00am to 6.00pm Saturday; and</p> <p>(c) 9.00am to 5.00pm on Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:</p> <p>(a) the extent and timing of traffic generation;</p> <p>(b) the dispatch of goods and materials; and</p> <p>(c) the existing levels of amenity.</p>

## GSB-S3.7 Development Standards for Buildings and Works<sup>22</sup>

### GSB-S3.7.1 Building Height

This clause is a substitution to Rural Zone – Clause 20.4.1 Building Height

Objective:	That building height: (a) is compatible with the landscape; (b) does not cause an unreasonable loss of amenity; (c) minimises the impact on adjacent uses.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Building height must be no more than 8m above existing ground level.</p>	<p><b>P1</b></p> <p>Building height must be compatible with surrounding landscape and not cause an unreasonable loss of amenity to adjoining</p>

<sup>22</sup> Omits landscaping and energy & water efficiency standards

	<p>properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site and the design response to topography;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</li> <li>(c) The degree to which existing buildings on the site and adjoining properties are visible within the landscape;</li> <li>(d) the bulk and form of proposed buildings;</li> <li>(e) sunlight to habitable rooms and private open space in adjoining properties;</li> <li>(f) any overshadowing of adjoining properties or public spaces;</li> <li>(g) the requirements of the use; and</li> <li>(h) any Local Area Objective.</li> </ul>
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## GSB-S3.7.2 Building Setback

This clause is a substitution for Rural Zone – Clause 20.4.2 Setbacks

Objective:	That setback of buildings: <ul style="list-style-type: none"> <li>(a) contributes positively to the streetscape</li> <li>(b) does not cause an unreasonable loss of amenity;</li> <li>(c) minimises the impact on adjacent uses.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Buildings must have a setback from frontage of:</p> <ul style="list-style-type: none"> <li>(a) no less than 9m to Louisville Road;</li> <li>(b) no less than 5m to any other road.</li> </ul>	<p><b>P1</b></p> <p>Building must have a setback from frontage that is compatible with streetscape and character of development existing in the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site and the design response to topography;</li> <li>(b) the setback of buildings on adjoining properties;</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance of proposed buildings when viewed from roads and public places;</li> <li>(e) the safety of road users; and</li> </ul>	

	(f) any Local Area Objective.
<p><b>A2</b></p> <p>Buildings must have a setback from side and rear boundaries of not less than:</p> <p>(a) 1.5m to a side boundary;</p> <p>(b) 3.0m to a rear boundary;</p> <p>(c) 6.0m to a side or rear boundary abutting the Golf Course Precinct;</p> <p>(d) 15m to a side or rear boundary abutting a coastal reserve or formed by High Water Mark.</p>	<p><b>P2</b></p> <p>Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site and the design response to topography;</p> <p>(b) the size, shape and orientation of the lot;</p> <p>(c) the setback of buildings on adjoining properties;</p> <p>(d) the height, bulk and form of existing and proposed buildings;</p> <p>(e) sunlight to private open space and windows of habitable rooms on adjacent properties;</p> <p>(f) the nature and extent of use of adjoining public land and public benefits of maintaining separation from passive recreation infrastructure; and</p> <p>(g) any Local Area Objective.</p>

## GSB-S3.7.3 Building Design

This clause is an addition to Rural Zone – Clause 20.4 Development Standards for Buildings and Works

Objective:	That building design: <ul style="list-style-type: none"> <li>(a) includes materials and colours that are compatible with the landscape; and</li> <li>(b) contributes to the streetscape;</li> <li>(c) minimises impact to the landscape;</li> </ul>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p><b>P1</b></p> <p>Exterior building surfaces must be compatible with the landscape and adjoining buildings in the streetscape and avoid highly reflective external finishes, having regard to:</p> <p>(a) the colours and reflectivity of existing and proposed buildings;</p> <p>(b) the siting of the building in the landscape</p>

	<p>and the extent that the proposed building is visible from a public space; and</p> <p>(c) any Local Area Objective.</p>
<p><b>A2</b></p> <p>Building walls parallel to frontage must contain two or more windows and balconies, decks or wall offsets.</p>	<p><b>P2</b></p> <p>Building walls parallel to frontage must be designed to address the street and avoid large expanses of blank wall, having regard to:</p> <p>(a) the topography of the site and the design response to topography;</p> <p>(b) the size, shape and orientation of the lot;</p> <p>(c) the use of colours, materials, fenestration, articulation or other design responses;</p> <p>(d) the requirements of the use; and</p> <p>(e) any Local Area Objective.</p>
<p><b>A3</b></p> <p>Fill and excavation must:</p> <p>(a) be no more than 1m from natural ground level, excluding any building foundation;</p> <p>(b) be required for the construction of buildings or access.</p>	<p><b>P3</b></p> <p><sup>23</sup>Fill and excavation must minimise impact to natural values and to the landscape qualities of the site, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the extent and depth proposed;</p> <p>(c) the proximity to adjoining land;</p> <p>(d) the privacy of adjoining land;</p> <p>(e) the location of native vegetation;</p> <p>(f) the requirements of the use; and</p> <p>(g) any Local Area Objective</p>

GSB-S3.7.4 Site coverage

This clause is an addition to Rural Zone – Clause 20.4 Development Standards for Buildings and Works

Objective:	That site coverage: <ul style="list-style-type: none"> <li>(a) is compatible with the character of adjoining development;</li> <li>(b) provides sufficient area for private open space and landscaping.</li> </ul>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> The combined gross floor area of buildings	<b>P1</b> <sup>24</sup> The combined gross floor area of buildings

<sup>23</sup> F3.6.3 A3 / P3 excluding land instability – building matter

<p>must be no more than:</p> <p>(a) 350m<sup>2</sup>, if on a lot less than 800m<sup>2</sup>;</p> <p>(b) 400m<sup>2</sup>, if on a lot greater than 800m<sup>2</sup>;</p> <p>(c) 150m<sup>2</sup>, if on a lot within the Eco Cabin Precinct.</p>	<p>must be consistent with that of adjoining development, having regard to:</p> <p>(a) the gross floor area of buildings on adjoining sites in the streetscape;</p> <p>(b) the size, shape and orientation of the lot;</p> <p>(c) the requirements of the use; and</p> <p>(d) any Local Area Objective.</p>
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GSB-S3.7.5 Private open space for residential use

This clause is an addition to Rural Zone – Clause 20.4 Development Standards for Buildings and Works

Objective:	That residential use is provided with private open space that is conveniently located, meets reasonable needs of occupants and has access to sunlight.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Residential buildings must have private open space that:</p> <p>(c) is in one location and is not less than:</p> <p>iii. 50m<sup>2</sup>; or</p> <p>iv. 10m<sup>2</sup> if the dwelling has a finished floor level of more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(d) has a horizontal dimension of not less than:</p> <p>iii. 5m; or</p> <p>iv. 2m if the dwelling has a finished floor level of more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(e) is located between the dwelling and the frontage only if the frontage is oriented between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(f) is directly accessible from an adjacent habitable room (other than a bedroom) unless the dwelling has a finished floor level of more than 1.8m above the</p>	<p><b>P1</b></p> <p>Residential buildings must have private open space that is of sufficient size and dimensions to meet the needs of occupants for outdoor relaxation, dining, entertainment and children's play, having regard to :</p> <p>(a) the positioning of private open space in relation to living areas;</p> <p>(b) access to direct sunlight to the private open space and living areas; and</p> <p>(c) proximity to communal private open space or public open space.</p>

<sup>24</sup> F3.6.3 P4 excluding absolute maximum criteria.

finished ground level (excluding a garage, carport or entry foyer).	
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## GSB-S3.7.6 Outbuildings

This clause is an addition to Rural Zone – Clause 20.4 Development Standards for Buildings and Works

Objective:	That outbuildings are of a scale and are sited to not dominate the streetscape.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Outbuildings, that are freestanding, must: (a) have a combined gross floor area no more than 100 m <sup>2</sup> ; (b) have a wall height no more than 3.5m and a building height not more than 4.5m; (c) have setback from frontage no less than 1m more than that of the dominant wall of existing or proposed dwelling on the site; (d) be developed in conjunction with a existing or proposed dwelling.	<b>P1</b> Outbuildings, that are freestanding, must be designed and located to not dominant the streetscape, having regard to: (a) the siting of any existing or future dwelling; (b) the height, bulk and form of existing and proposed buildings; (c) the gross floor area of outbuildings on adjoining sites in the streetscape; (d) the size, shape and orientation of the lot; (e) the requirements of the use; and (f) any Local Area Objective.	

## GSB-S3.7.6 Access for new dwellings

This clause is a substitution for Rural Zone – Clause 20.4.3 Access for new dwellings

Objective:	That new dwellings have appropriate vehicular access to a road maintained by a road authority.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.	<b>P1</b> New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to: (a) the number of users of the access; (b) the length of the access; (c) the suitability of the access for use by the	

	<ul style="list-style-type: none"> <li>(d) occupants of the dwelling;</li> <li>(e) the suitability of the access for emergency services vehicles;</li> <li>(f) the topography of the site;</li> <li>(g) the construction and maintenance of the access; the construction, maintenance and usage of the road; and</li> <li>(h) any advice from a road authority.</li> </ul>
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### GSB-S3.8 Development Standards for Subdivision

#### GSB-S3.8.1 Lot design

This clause is a substitution for Rural Zone – Clause 20.5.1 Lot design

Objective:	That each lot: <ul style="list-style-type: none"> <li>(a) has an area and dimension appropriate for use and development in the specific area plan;</li> <li>(b) is provided with appropriate access to a road.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed<sup>25</sup> in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) 450m<sup>2</sup>, if in the Residential Precinct;</li> <li>(b) 250m<sup>2</sup>, if in the Hub Precinct;</li> <li>(c) 100ha, if in the Golf Precinct or Eco Cabin Precinct or Open Space and Reserves Precinct;</li> </ul> <p>except for a lot:</p> <ul style="list-style-type: none"> <li>(d) for the purposes of creating precinct boundaries;</li> <li>(e) required for public use by the Crown, a council or a State authority;</li> <li>(f) required for the provision of Utilities; or</li> <li>(g) consolidated with another lot provided each lot is within the same zone.</li> </ul>	<p><b>P1</b></p> <p>No Performance Criteria.</p>
<b>A2</b>	<b>P2</b>

<sup>25</sup> Clarify SPP village zone drafting – necessity of additional word?

<p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than:</p> <p>(a) 12m, if located in the Residential Precinct;</p> <p>(b) 3.6m, if located in any precinct other than the Residential Precinct.</p>	<p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage that is sufficient for the intended use, having regard to:</p> <p>(a) minimising the number of internal lots;</p> <p>(b) the topography of the site;</p> <p>(c) the anticipated nature of vehicles likely to access the site;</p> <p>(d) the ability to manoeuvre vehicles on the site;</p> <p>(e) the ability for emergency services to access the site; and</p> <p>(a) the pattern of development existing on established properties in the area; and</p> <p>(f) any Local Area Objective,</p> <p>and is not less than 6m wide if in the Residential Precinct of 3.6m wide in any other precinct.</p>
<p><b>A3</b></p> <p>Each lot must have a long axis that is within the range of 30 degrees west of north to 30 degrees east of north.</p>	<p><b>P3</b></p> <p>Each lot has a long axis oriented to maximise solar access for future development, having regard to:</p> <p>(a) the proportion of lots within the Precinct that have a long axis oriented between 30 degrees west of north and 30 degrees east of north and the extent to which this is maximised; and</p> <p>(b) the characteristics of the site including slope, vegetation and views; and</p> <p>(c) any Local Area Objective.</p>

GSB-S3.8.2 Ways and Open Space

This clause is an addition to Rural Zone – Clause 20.5 Development Standards for Subdivision

Objective:	That ways and open space are provided to create safe, convenient and efficient connections for accessibility, mobility and recreational opportunities.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1<sup>26</sup></b>

<sup>26</sup> New performance criteria proposed. F3.7.2 A2 deleted as unnecessary. F3.7.2 A3 moved to road.

Public shared trails through and between precincts must be provided consistent with the access routes shown on the precinct plan.	Public shared trails through and between precincts must be provided, having regard to: (a) the convenience and safety of users; and (b) landscape and environmental values of the site.
<b>A2</b>  Public shared trails must connect Raspins Beach with Meredith Point and the Eastcoaster Resort.	<b>P2</b>  No Performance Criteria.
<b>A3</b>  <sup>27</sup> Public open space must be provided in accordance with the precinct plan.	<b>P3</b>  Public open space must be provided at an equivalent size and location, and with characteristics that will facilitate an equivalent public use, to that shown on precinct plan.

## GSB-S3.8.3 Roads

This clause is a substitution for Rural Zone – Clause 20.5 Development Standards for Subdivision

Objective:	That ways and open space are provided to create safe, convenient and efficient connections for accessibility, mobility and recreational opportunities.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>  Roads are provided in accordance with the access routes shown on the precinct plan.	<b>P1<sup>28</sup></b>  The arrangement and construction of roads must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:  (a) the Local Area Objectives; (b) the existing and proposed road hierarchy shown on the precinct plan; (c) the need for connecting roads and pedestrian paths to common boundaries with adjoining land to facilitate future subdivision potential; (d) emergency vehicle access between Barton Avenue and the Residential Precinct; (e) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (f) the topography of the site; and

<sup>27</sup> To confirm the precinct plan arrangements.

<sup>28</sup> New PC – expands on F3.2.3

	(g) the future subdivision potential of any balance lots on adjoining or adjacent land.
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## GSB-S3.8.4 Services

This clause is an addition to Rural Zone – Clause 20.5 Development Standards for Subdivision

Objective:	That subdivision of land provides services for the future use and development of the specific area plan.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Each lot must be connected to a reticulated potable water supply.	<b>P1</b> No Performance Criteria.	
<b>A2</b> Each lot must be connected to a reticulated sewerage system where available.	<b>P2</b> Where a reticulated sewerage system is not available, each lot must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.	
<b>A3</b> Each lot must be connected to a stormwater system able to service the building area by gravity.	<b>P3</b> Each lot must be capable of accommodating an on-site stormwater management system adequate for the likely future use and development of the land.	
<b>A4</b> Stormwater drainage must: (a) be reused on the golf course and returned to natural watercourses entering the Prosser River or Spring Bay; (b) exit the Specific Area Plan at a equivalent concentration, condition, volume and velocity as would have occurred in the absence of any development assuming a continuous cover of natural vegetation as would have occurred prior to the clearing of land for agricultural use.	<b>P4</b> <sup>29</sup> Stormwater drainage must maximise opportunities for wastewater reuse and must comply with the State Stormwater Strategy, having regard to: (a) the cost efficiency of water reuse; (b) any Local Area Objective.	
<b>A5</b>	<b>P5</b>	

<sup>29</sup> New PC – expands on F3.2.3

Subdivision must facilitate access to renewable energy for all future buildings so that no less than 15% of projected energy requirements are renewable and obtained from private or shared infrastructure located within the Specific Area Plan.	No Performance Criteria.
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GSB-S3.8.5 Subdivision landscaping & lighting

This clause is an addition to Rural Zone – Clause 20.5 Development Standards Subdivision

Objective:	That subdivision of land is landscaped and external lighting is provided.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Roads, ways and public open space must be landscaped in accordance with the Local Area Objectives</p>	<p><b>P1</b></p> <p>No Performance Criteria.</p>
<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>Roads, ways and public open space must be illuminated to minimise light spill and provide for public safety, having regard to:</p> <ul style="list-style-type: none"> <li>(a) use of baffles to prevent upward projection or light spillage;</li> <li>(b) minimising reflections from paved surfaces;</li> <li>(c) in-ground installation where possible;</li> <li>(d) the extent and nature of public use;</li> <li>(e) relevant Australian Standards; and</li> <li>(f) any Local Area Objective</li> </ul>

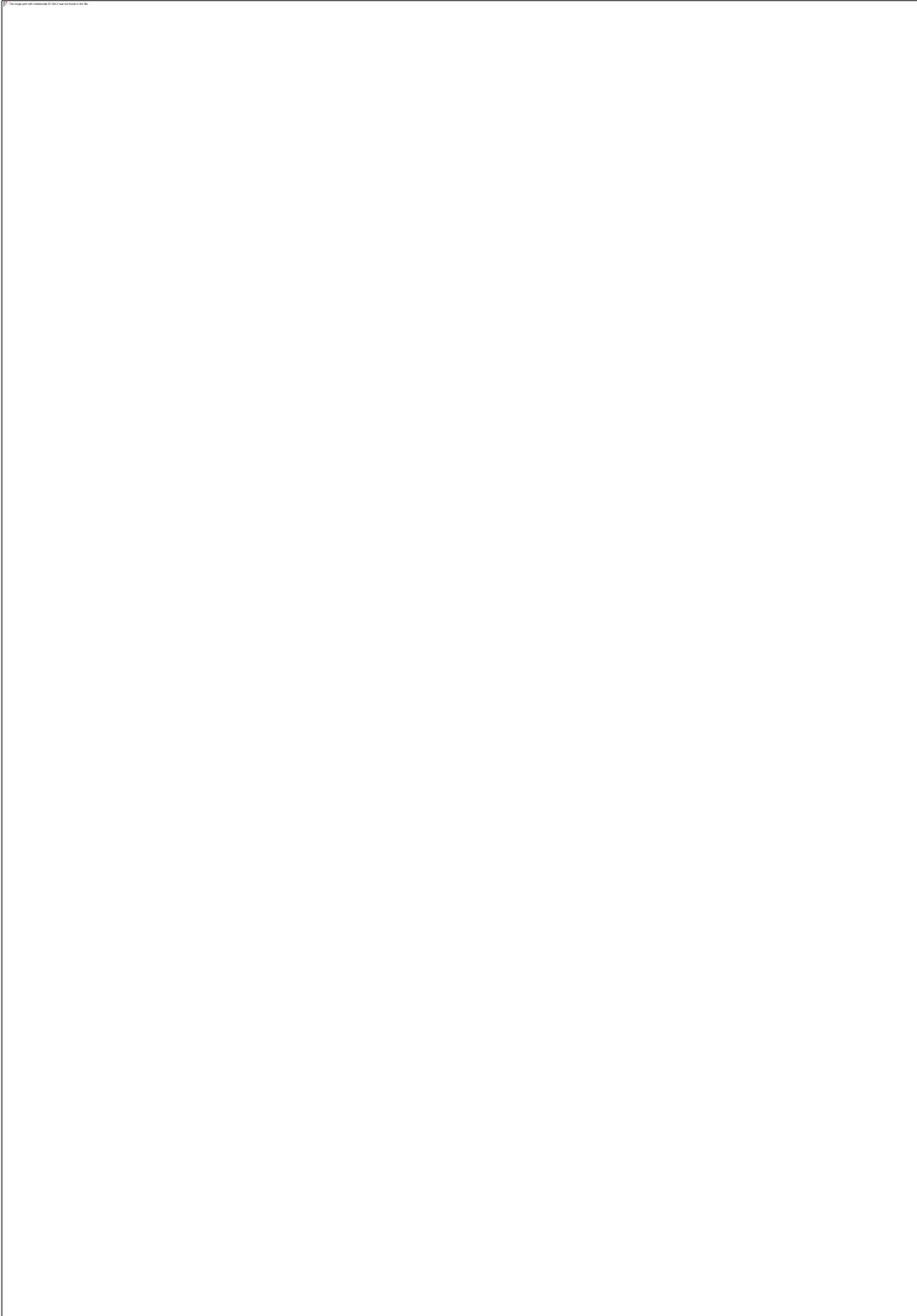
### GSB –S3.9 Tables

This clause is not used in this specific area plan.

## GSB –S3.10 Figure

GSB-S3.10.1

Figure 1. Louisville Road Precinct Plan



GSB-S3.10.2

Figure 2. Louisville Road Hub Precinct Component Plan



## GSB-S4.0 Resort Residential Specific Area Plan

### GSB-S4.1 Plan Purpose

The purpose of the Resort Residential Specific Area Plan is:

- GSB-S4.1.1 To provide for the continued use and re-development of visitor accommodation at existing sites areas close to visitor attractions.
- GSB-S4.1.2 To protect the character and amenity of adjacent areas.
- GSB-S4.1.3 To provide for the protection of adjoining residential amenity.

### GSB-S4.2 Application of this Plan

- GSB-S3.2.1 The specific area plan applies to the area of land designated as Resort Residential Specific Area Plan on the overlay maps.
- GSB-S3.2.2 In the area of land this plan applies to, the provisions of the specific area plan modify, are in substitution for, and are in addition to the provisions of the General Residential Zone, Low Density Residential Zone and Local Business Zone as specified in the relevant provision.
- GSB-S1.2.3 Signage within the specific area plan is considered under C1.0 Signs Code as if the land within the specific area plan was within the Village Zone.

### Signs to be provided as per Local Business Zone

### GSB-S4.3 Local Area Objectives

The clause is not used in this specific area plan.

### GSB-S4.4 Definition of Terms

The clause is not used in this specific area plan.

### GSB-S4.5 Use Table

<sup>30</sup>This clause is a substitution for:

- (a) General Residential Zone – clause 8.2 Use Table;

<sup>30</sup> The use table does not significantly alter the use table for the underlying zone other than by providing:

- Visitor Accommodation as an unqualified permitted use in all areas subject to this SAP;
- Hotel Industry, Pleasure Boat Facility & Tourist Operation as a discretionary use in all areas subject to this SAP;
- Food Services (exclude drive through) as a permitted use in all areas subject to this SAP;
- Adopting the Local Business Zone Residential Qualification in all areas subject to this SAP;
- Prohibit Transport Depot and Distribution & Vehicle Fuel Sales and Service in the Local Business Zone.

(b) Low Density Residential Zone – clause 10.2 Use Table;

(c) Local Business Zone – clause 14.2 Use Table.

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Residential	If: (a) Located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) Not listed as No Permit Required.
Food Services	If not for a take away food premises with a drive through facility.
Visitor Accommodation	
<b>Discretionary</b>	
Bulky Good Sales	If located in the Local Business Zone.
Business and Professional Services	If for a consulting room, medical centre, veterinary centre, child health centre, or for the provision of residential support services.
Community Meeting and Entertainment	
Educational and Occasional Care	
Emergency Services	
Equipment and Machinery Sales and Hire	If located in the Local Business Zone.
General Retail and Hire	If for a local shop in the General Residential Zone or Low Density Residential Zone or any use in the Local Business Zone.
Hotel Industry	
Manufacturing and	If located in the Local Business Zone.

Processing	
Pleasure Boat Facility	
Research and Development	
Resource Processing	If for food or beverage production.
Residential	If not listed as No Permit Required or Permitted.
Service Industry	If located in Local Business Zone.
Sports and Recreation	
Storage	If located in Local Business Zone.
Tourist Operation	
Vehicle Parking	
Utilities	If not listed as No Permit Required.
<b>Prohibited</b>	
All other uses	

## GSB-S4.6 Use Standards

### GSB-S4.6.1 Visitor Accommodation

This Clause is a substitution for:

- (a) General Residential Zone – clause 8.3.2 Visitor Accommodation;
- (b) Low Density Residential Zone – clause 10.3.2 Visitor Accommodation,

and is an addition to Local Business Zone – clause 14.3 Use Standards<sup>31</sup>.

Objective:	That Visitor Accommodation: <ul style="list-style-type: none"> <li>(a) is of a scale that is compatible with any nearby residential character;</li> <li>(b) is of a scale that is compatible with any adjoining foreshore land or land in the reserve estate; and</li> <li>(c) does not cause an unreasonable loss of privacy or amenity to adjoining residential use.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Visitor Accommodation must: <ul style="list-style-type: none"> <li>(a) have a gross floor area of no more than</li> </ul>	<b>P1</b> Visitor Accommodation must: <ul style="list-style-type: none"> <li>(a) must not cause an unreasonable loss of</li> </ul>	

<sup>31</sup> It is intended that all other use standards in the zones will apply to discretionary uses as determined by the use table in this SAP.

500m <sup>2</sup> in any one building.	<p>privacy or amenity to an adjoining residential use;</p> <p>(b) be of a scale that is compatible with the relevant values of any adjoining reserved land;</p> <p>(c) be of a scale that is compatible with public use of the foreshore; and</p> <p>(d) be of a scale that respects the residential character adjoining or 50m of the use.</p>
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## GSB-S4.7 Development Standards for Buildings and Works<sup>32</sup>

GSB-S4.7.1 Building height for food services, hotel industry, tourist operation and visitor accommodation use

This Clause is a substitution for:

- (a) General Residential Zone – clause 8.5 Development Standards for Non-dwellings;
- (b) Low Density Residential Zone – clause 10.5 Development Standards for Non-dwellings; and
- (c) Local Business Zone – clause 14.4.1 Building height,

with respect to Food Services, Hotel Industry, Tourist Operation and Visitor Accommodation use.

Objective:	That building height is compatible with the streetscape and does not cause unreasonable overshadowing of any adjoining residential use.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a building height of not more than 8m.</p>	<p><b>P1</b></p> <p>Building height must be compatible with the streetscape and not cause unreasonable overshadowing to any adjoining residential use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of buildings on the site and adjacent properties;</li> <li>(c) sunlight to habitable rooms and private open space of dwellings; and</li> <li>(d) any overshadowing of adjoining properties.</li> </ul>

<sup>32</sup> In the Local Business Zone 14.4.3, 14.4.4, 14.4.5 and 14.4.6 continue to apply. In the General Residential Zone, Clause 8.5 is replaced in full. In the Low Density Residential Zone, Clause 10.5 is replaced in full.

GSB-S4.7.2 Building setback for food services, hotel industry, tourist operation and visitor accommodation use

This Clause is a substitution for:

- (d) General Residential Zone – clause 8.5 Development Standards for Non-dwellings;
- (e) Low Density Residential Zone – clause 10.5 Development Standards for Non-dwellings; and
- (f) Local Business Zone – clause 14.4.2 Setbacks,

with respect to Food Services, Hotel Industry, Tourist Operation and Visitor Accommodation use.

Objective:	That the siting of buildings is compatible with the streetscape and does not cause unreasonable loss of residential amenity.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must have a setback from frontage of not less than 4.5m.</p>	<p><b>P1</b></p> <p>Buildings must have a setback from frontage that is compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(e) the topography of the site;</li> <li>(f) the setback of adjacent buildings;</li> <li>(g) the height, bulk and form of adjacent buildings;</li> <li>(h) the appearance when viewed from roads and public land adjacent to the site; and</li> <li>(i) the safety of road users.</li> </ul>
<p><b>A2</b></p> <p>Buildings must have a setback from side and rear boundaries of not less than 5m.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of residential amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(j) the topography of the site;</li> <li>(k) the size, shape and orientation of the site;</li> <li>(l) the setback of adjacent buildings;</li> <li>(m) the height, bulk and form of adjacent buildings; and</li> <li>(n) sunlight to habitable rooms and private open space of dwellings.</li> </ul>
<p><b>A3</b></p> <p>Buildings must have a setback from a foreshore reserve or land within the Reserve Estate of not less than 15m.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity for public use of foreshore areas or land within the Reserve</p>

	<p>Estate, having regard to:</p> <ul style="list-style-type: none"> <li>(o) proximity to areas of public use on the foreshore &amp; typical form of public use;</li> <li>(p) degree of intrusion into coastal landforms; and</li> <li>(q) visibility from land within the Reserve Estate.</li> </ul>
<p><b>A4</b></p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from an adjoining property.</p>	<p><b>P4</b></p> <p>Air extraction, pumping, refrigeration systems or compressors within 10m of an adjoining property must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining property, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of an adjoining sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>

GSB-S4.7.3 Privacy for food services, hotel industry, tourist operation and visitor accommodation use

This Clause is an addition to:

- (g) General Residential Zone – clause 8.5 Development Standards for Non-dwellings;
- (h) Low Density Residential Zone – clause 10.5 Development Standards for Non-dwellings; and
- (i) Local Business Zone – clause 14.4 Development Standards for Buildings and Works,

with respect to Food Services, Hotel Industry, Tourist Operation and Visitor Accommodation use.

Objective:	That the siting and scale of windows and decks does not cause unreasonable loss of residential amenity by overshadowing or noise.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b>	<b>P1</b>	
A balcony, deck or roof terrace must have a setback no less than 5m from a side or rear boundary of not less than 4.5m.	A balcony, deck or roof terrace must be screened, or otherwise designed, to minimise overlooking of habitable room windows or private open space of an adjoining dwelling and	

	<p>minimise potential noise intrusion to an adjoining dwelling, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site and location of an adjoining sensitive use;</li> <li>(b) the characteristics and frequency of noise emissions generated and any proposed mitigation measures; and</li> <li>(c) the nature and extent of use of the adjoining room or outdoor area.</li> </ul>
<p><b>A2</b></p> <p>A window or glazed door if a room that has a floor level more than 1m above natural ground level must have a setback from a side or rear boundary of not less than 5m unless it has a sill height of not less than 1.7m.</p>	<p><b>P2</b></p> <p>A window or glazed door if a room that has a floor level more than 1m above natural ground level must be screened, or otherwise located or designed, to minimise direct views to a window or glazed door in a habitable room of an adjoining dwelling; or the private open space of an adjoining dwelling, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site and location of an adjoining sensitive use; and</li> <li>(b) the nature and extent of use of the proposed and adjoining habitable rooms or outdoor area.</li> </ul>
<p><b>A3</b></p> <p>A freestanding car parking space and areas set aside for vehicle manoeuvring and circulation must be setback no less than 5m from a side or rear boundary adjoining a lot within the General Residential Zone or Low Density Residential Zone.</p>	<p><b>P3</b></p> <p>A freestanding car parking space and areas set aside for vehicle manoeuvring and circulation must be screened, or otherwise designed, to minimise noise and head light glare or intrusion into habitable rooms or private open space of any adjoining dwelling, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site and location of an adjoining sensitive use; and</li> <li>(b) the nature and extent of use of the proposed and adjoining habitable rooms or outdoor area.</li> </ul>

GSB-S4.7.4      Amenity for food services, hotel industry, tourist operation and visitor accommodation use

This Clause is an addition to:

- (j) General Residential Zone – clause 8.5 Development Standards for Non-dwellings; and

(k) Low Density Residential Zone – clause 10.5 Development Standards for Non-dwellings; and with respect to Food Services, Hotel Industry, Tourist Operation and Visitor Accommodation use.

Objective:	That the siting and scale of windows and decks does not cause unreasonable loss of residential amenity by overshadowing or noise.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Outdoor and waste storage areas must not: (a) be visible from any road, public open space or dwelling adjoining the site; or (b) encroach upon parking areas, driveways or landscaped areas.	<b>P1</b> Outdoor and waste storage areas must be located or screened to minimise their impact on views into the site from any roads, public open space or dwelling adjoining the site, having regard to: (c) the nature of the use; (d) the type of goods, materials or waste to be stored; (e) the topography of the site; and (f) any screening proposed.	

#### **GSB-S4.8 Development Standards for Subdivision**

This clause is not used in this Specific Area Plan.

#### **GSB-S4.9 Tables**

This clause is not used in this Specific Area Plan.

## GSB-Site-specific Qualifications

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
GSB-30.1	SSQ-GSB-30.1	169429/502 161815/1 14748/3 149641/1 149641/2 117058/150 50621/1	Visitor accommodation is a discretionary use in addition to the State Planning Provisions and is qualified to "if for camping and caravan park, overnight camping area or holiday cabin"	30.2

## **GSB-Code Lists**

### **GSB-Table C3.1 Other Major Roads**

There are no Other Major Roads specified in this Local Provisions Schedule.

**GSB-Table C6.1 Local Heritage Places**

Reference Number	Town/Locality	Street Number	Street / Location	Property Name	Folio of the Register	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
1	Buckland	160	Brockley Road	Brockley	103330/4	Specific extent is within 100m of house
2	Buckland	196	Court Farm Road	Court Farm	233658/1	Specific extent is within 100m of house
3	Buckland	170	Woodsden Road	Woodsden	129530/3	Specific extent is within 100m of house
4	Little Swanport	11610	Tasman Highway	Buxton Cottage	143068/1	Former workers cottage for Mayfield. Stone. Overlooking Buxton River. Specific extent is within 100m of house
5	Little Swanport	N/A	N/A	Ram Island	140376/1	Also known as Pike Island after previous inhabitants. Contains a cemetery and ruins
6	Little Swanport			Bottoms Beach Site - 4.5ha - SSE of Little Swanport <sup>33</sup>		
7	Orford			Old <sup>34</sup> Convict Road	143002/1 34549/1 197557/1 and adjoining Crown road reservation	Specific extent is 10m either side of centre of the formation.  The convict road provides access to the Paradise Probation Station and much of the road is supported by 1-3m high dolerite stone walls on the southern (river) side. The site has been considerably disturbed by the laying of a water pipeline associated with a dam upstream. The pipe has been laid along the top side of the convict built road from Orford and passes through the southern limit of the main site area accompanied by a modern access road which diverges and cuts through the site.

<sup>33</sup> Clarify value and location – bottom's beach is not a known location. 1994 scheme describes this listing as part of the Register of National Estate however no such listing exists.

<sup>34</sup> Full extent to be mapped

						The road continues through to Brockley with the original alignment evident in some sections only.
8	Orford			Paradise Probation Station	34549/1 197557/1	Specific extent is limited to within 250m of Prosser River. The site is characterised by numerous dolerite structures located on a relatively level area between one and 20m above the Prosser River. The rubble structures include stone platforms, brick scatters and associated stone mounds identified as remnant chimney butts and fireplaces. Several pathways diverge from the main area and lead to a structure tentatively identified as a privy and to a jetty, now a remnant stone structure protruding into the Prosser River. The remains of 12 cells are identifiable, surviving to a height of 1.5m in some places. The convict built road provides access to the station from Orford and continues past the station towards Buckland.
9	Orford	85-87	East Shelly Road and adjoining foreshore reserve to the west and east.	Quarry tramway cutting	203179/1 and adjoining foreshore reserve to the west and east.	The tramway ran from Luther Point to Quarry Point. Aside from remains and bulk excavations near Luther Point the alignment of the tramway is not evident on ground and is not otherwise documented. The alignment likely involved foreshore and private land and there is clear evidence that bulk excavations have been filled in on private land
10	Orford		Manning Drive	Quarry	25641/7 and adjoining foreshore	Quarry used to supply sandstone to Melbourne GPO and other landmark buildings.
11	Rheban	1019	Rheban Road	Rheban Stables	118189/2	Specific extent is within 5m of the external walls of the stable. Stone wall stable.
12	Rheban	1019	Rheban Road	Rheban Grave Vault	128860/1	Specific extent is within 50m of the eastern most

						part of Graveyard Point on the southern side of Emerald Bay.
13	Rheban	400	Earlham Road	Earlham	165524/1	Specific extent is within 200m of Earlham house.
14	Swansea	16017	Tasman Highway	Coombend	166770/1	Specific extent is within 50m of Coombend house.
15	Swansea	14635	Tasman Highway	Milton	120734/1	Specific extent is within 50m of Milton house.
16	Swansea	96	Tasman Highway	Bark Mill	153614/1	Remains of historic bark mill operation.
17	Swansea	25	Franklin Street	Cottage	50809/1	Weatherboard and steep roof.
18	Swansea	48	Franklin Street	Cottage	154950/1	
19	Swansea	610	Grange Road	The Bend	22702/4	Specific extent is within 100m of the Bend house.
20	Apslawn	Nil	Sherbourne Road	Watson Family Cemetery off Sherbourne Road, approximately 2.8km from Tasman Highway	Title within 164751/1 and part of 164751/1	Specific extent is within 20m of cemetery. Undescribed title may contain the full extent of the cemetery but verification required.
21	Triabunna	324	Hermitage Road	Hermitage	238590/1	Specific extent is within 100m Hermitage house.
22	Triabunna	8371	Tasman Highway	Vicary family burial ground at Rostrevor	138856/1	Specific extent is within 20m of cemetery. Approximately 500m east of Tasman Highway & Freestone Point intersection

### **GSB-Table C6.2 Local Heritage Precincts**

There are no Local Heritage Precincts in this Local Provisions Schedule.

### **GSB -Table C6.3 Local Historic Landscape Precincts**

There are no Local Historic Landscape Precincts in this Local Provisions Schedule.

### **GSB-Table C6.4 Places or Precincts of Archaeological Potential**

There are no Places or Precincts of Archaeological Potential in this Local Provisions Schedule.

### **SB-Table C6.5 Significant Trees**

There are no Significant Trees in this Local Provisions Schedule.

**GSB-Table C8.1 Scenic Protection Areas**

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
GSB-C8.1.1	Orford (Paradise Gorge)	The prominent topography and native vegetation of Paradise Gorge extending into the Orford township	<p>The prominent, vegetated hills both sides of the Prosser River and that extend to border the urban edge of Orford that:</p> <ul style="list-style-type: none"> <li>(a) provide a natural outlook feature to Orford;</li> <li>(b) provide a strong physical and visual boundary to Orford;</li> <li>(c) are prominent when viewed from the Tasman Highway on all approaches to Orford;</li> <li>(d) together with the Prosser River, the winding nature of the Tasman Highway and the highways rock wall edges and rock excavation, form a distinctive and valuable landscape.</li> </ul>	<ul style="list-style-type: none"> <li>(a) To avoid significant landscape change on hill faces &amp; skylines.</li> <li>(b) To locate and design development to blend with the landscape, maintain native vegetation and not be obtrusive.</li> </ul>
GSB-C8.1.2	Denison Beach, Bicheno	A mixture of prominent pasture, bushland and dunes within a relatively narrow strip of land between the Tasman Highway and the coast.	<p>In the southern section, the open, rural grazing landscape with gentle undulations in topography act to frame &amp; enhance views to the adjoining water and beaches.</p> <p>In the northern section, the native vegetation protecting the wetlands or dunes provides transitioning and diversity in views to the traveller and are important for the relative scarcity of this landscape form north of Bicheno.</p>	<ul style="list-style-type: none"> <li>(a) To avoid significant landscape change when viewed from Tasman Highway across open pasture.</li> <li>(b) To maintain a visual distinction between urban and non-urban areas.</li> <li>(c) To avoid significant landscape change when viewed from the Tasman Highway through the location or scale of vegetation removal.</li> </ul>

GSB-C8.1.3	Saltwater Creek, Coles Bay	A generally low lying area of coastal scrub and dunes with the occasional shack.	The area is a prominent natural feature when viewed from Coles Bay, Coles Bay Road and State waters.	<p>(a) To avoid significant landscape change when viewed from Coles Bay, Coles Bay Road and State waters.</p> <p>(b) To recognise unavoidable change may arise under sea level rise.</p>
GSB-C8.1.4	Hepburn Point, Coles Bay	A headland, south of Swanwick.	The area is a prominent natural feature when viewed from Swanwick, Coles Bay, Coles Bay Road and State waters.	<p>(a) To avoid significant landscape change when viewed from Coles, Bay, Swanwick, Coles Bay Road or State Waters, other than that planned and managed through any future urban land release.</p> <p>(b) To ensure any future urban land release responds to key landscape values such as foreshore vegetation, topography that increases in elevation from west to east and the headland.</p>
GSB-C8.1.4	Great Oyster Bay / Kelvedon Beach	An open landscape of pasture, dunes and beach with minimal native trees, through which extensive views of Great Oyster Bay & the Freycinet Peninsula are available from the Tasman Highway.	<p>(a) The open, rural grazing landscape with gentle undulations in topography that act to frame &amp; enhance views to the adjoining water and beaches.</p> <p>(b) The largely uninterrupted views from the Tasman Highway to Great Oyster Bay and beyond.</p> <p>(c) The minor undulations in topography and road alignment that add visual interest.</p> <p>(d) A sense of isolation &amp; space notwithstanding proximity to Swansea and the volume of passing traffic.</p>	<p>(a) To avoid significant landscape change when viewed from the Tasman Highway and maintain existing vistas from or through the area.</p> <p>(b) To locate and design development to blend with the landscape and not be obtrusive, through minimal height, footprint, colour and positioning with respect to more significant view lines and existing topography which may limit views of the building.</p> <p>(c) To maintain a sense of isolation for beach goers.</p>

**GSB-Table C8.2 Scenic Road Corridors**

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
GSB-C8.2.1	Tasman Highway	<p>A diverse, ever-changing mix of landscapes either side of the Great Eastern Drive.</p> <p>Captured views to:</p> <ul style="list-style-type: none"> <li>(a) coastline and major landmarks of the Hazards, and Maria Island,</li> <li>(b) agricultural landscapes of grazing or vineyards,</li> <li>(c) bushland, rocky hills,</li> <li>(d) National Parks and other reserves,</li> <li>(e) Historic or early period dwellings and agricultural buildings, and</li> <li>(f) town gateways,</li> </ul> <p>are some of the important element within the corridor that provide visual amenity to the traveller experience and establish a sense of place for residents.</p>	<ul style="list-style-type: none"> <li>(a) To minimise native vegetation clearance adjacent to the road by setting development back from the road.</li> <li>(b) To provide for, and be sensitive to, views that enhance the traveller experience by setting development back from the road and minimising building bulk within proximity to the road.</li> <li>(c) To avoid signage that is unnecessary, excessive in size or otherwise unreasonably interferes with the landscape character in which they are located.</li> <li>(d) To preference tourism visitor information system (TVIS) signage or other coordinated and branded commercial signage.</li> </ul>

**GSB-Table C11.1 Coastal Inundation Hazard Bands AHD Levels**

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
Bicheno	0.9	1.8	2.2	2.5
Coles Bay	0.9	1.8	2.2	2.5
Dolphin Sands	0.9	1.8	2.2	2.5
Douglas River	0.9	1.8	2.2	2.5
Freycinet	0.9	1.8	2.2	2.5
Friendly Beaches	0.9	1.8	2.2	2.5
Little Swanport	0.9	1.7	2.1	2.4
Orford	0.9	1.7	2.1	2.4
Pontypool	0.9	1.7	2.1	2.4
Rheban	0.9	1.7	2.1	2.4
Spring Beach	0.9	1.7	2.1	2.4
Swansea	0.9	1.8	2.1	2.4
Triabunna	0.9	1.8	2.1	2.4

## GSB-Applied, Adopted or Incorporated Documents

<b>Document Title</b>	<b>Publication Details</b>	<b>Relevant Clause in the LPS</b>
Priority Vegetation Habitat Management Prescriptions		
Heritage Value Descriptions		

# ATTACHMENT 3

## POST INFORMAL CONSULTATION RECOMENDED MODIFICATIONS

Modifications to Draft LPS post informal consultation during December 2017 to March 2018

Up to 11 March 2018

Change	Description	CT	Source	Rationale
Zones				
1	Change McNeills Road property to Rural Zone rather than Environmental Management Zone	214131/1	Community input	Site contains bluestone resource and managed as rural property
2	Square up Light Industrial Zone at Bicheno Waste Transfer Station	244861/1	Community input	More uniform layout
3	Change zone at Bresnehan's Road from split zone (Ag / Rural) to 100% Rural	172777/1	Community Input	Split zone not justifiable
4	Remove Future Urban Zone at North Bicheno and replace with particular purpose zone	170106/1, 100235/2, 143985	Community Input	Intent is to retain existing particular purpose zone. Future urban is an conceivable alternative but is not supported
5	Apply the Local Business Zone to all land now used by the Bicheno Council depot	PID 5285092, 5285084 and road reserve	Community input	The Depot occupies crown land and road reserve. The Depot is currently split zone along the road centreline due to convention, rather than practicalities.
6	Zone Picnic Island Rural	127120/1	Community input	Rural is consistent with other private islands in South-East Tasmania Priority vegetation area applies (habitat)
7	Zone number of TLC covenanted land as Rural along Crossins Road rather than Agriculture	170050/1 170049/7 170049/6 170049/5 170049/4 170051/8 170049/9 113932/8*	Advice of AK consultants & community input	AK consultants have provided advice to Southern Region Planning Authorities on application of the Agriculture Zone – large band of covenanted land
8	Zone two lots near Dry Creek East Nature Reserve as Rural rather than Agriculture	229188/1 62262/1	Advice of AK consultants	See above – marginal land, other lots in same ownership are Rural

9	Zone one parcel near Rocky Hills as Agriculture rather than Rural	125239/1	Advice of AK consultants	See above – large lot that is part of commercial enterprise – limited biodiversity values
10	Zone three Mayfield parcels Agriculture rather than Rural	139900/3 139900/4 251152/3	Advice of AK consultants	See above – to maintain consistent zone approach
11	Zone one parcel of Lisdillon Agriculture rather than Rural	33610/3	Advice of AK consultants	See above – to maintain consistent zone approach
12	Zone two parcels along Seaford Road Rural rather than Agriculture	122504/1 122504/2	Advice of AK consultants	See above – owned by Oyster company
13	Zone larger properties near Boltons Beach as Agriculture rather than Rural	7969/1 7969/2 7969/3 251825/1	Advice of AK consultants	See above – viable agricultural lots exist here
14	Zone land on Sally Peak Road Rural rather than Agriculture	100065/1 12961/1 119116/1 (split from southern corner of 12961/1 southwards following mining lease boundary)	Advice of AK consultants	See above – Rural zone better for mining lease and PTR
16	Zone part of Three Thumbs reserve Environmental Management	123972/2 and lot to north	Advice of AK consultants	See above – State reserves
17	Zone land near Cockle Bay Lagoon Rural	156870/1 156871/1	Advice of AK consultants	See above – part conservation covenants, spot zoning
18	Delete 25554/2			Part of Sorell – GIS data issue
19	Zone 42561/1 Low Density Residential rather than Future Urban	42561/1	Written submission	See separate document
20	Include foreshore between Spring Bay Mill and wharf in PPZ and all foreshore on western side of SBM.		Officer review	Drafting error
21	Consider Rural Zone to Future		Advice of AK	Future Potential Production Forest along Weilengta Road is

	Potential Production Forest		consultants	included in the Environmental Management Zone. Seek advice of Sustainable Timbers Tasmania and consider Rural Zone.
22	Zone Solis Rural		Officer review	Was included in a particular purpose zone. Rural preferred. Specific Area Plan applies regardless of zone.
23	Zone Triabunna Port waters Open Space		Officer review	Development controlled by Specific Area Plan. Zoning waters Open Space ensures only one zone underpins the Specific Area Plan.
24	Zone corner of Rheban and Weilandga Rd Low Density Residential rather than Future Zone	50621/1	Officer review	Future Urban zone was proposed on the basis of the Triabunna Structure Plan recommendations. Serviced residential development is not possible as much of the land cannot gravity connect to sewer (TasWater advice) and development is limited by flooding, the location of Orford Rivulet and native vegetation along the Rivulet. The zone would allow some lots to be created with onsite wastewater with a subdivision that would likely take some public open space along the Orford rivulet.
Codes				
Priority Vegetation Area				
25	Remove small patches of Priority Vegetation Area from developed lots in settlements land in the GRZ, LDRZ and LBZ (file: PriorityVeg_Deletes)	Numerous	Officer Review	The data used to develop the priority vegetation area is not 100% accurate or current. Accordingly, it may extend into lots where no vegetation exists due to errors in data (TasVeg), past removal or imprecise vegetation mapping. The Priority Vegetation Area applies to subdivision only where the GRZ or LDRZ apply. Larger, infill lots with known biodiversity values will be retain a Priority Vegetation Area so the issue can be assessed at the subdivision stage.
26	Incorporate modifications made to the Regional Ecosystem Model (files:REM1801_Opt1_gsb_olaydiss)	Numerous	Natural Resource Planning Pty Ltd	Modifications have been made and some coding issues corrected in the dataset. The modifications do enlarge the overall extent of the Priority Vegetation Area placed on public exhibition.
Waterway and Coastal Protection Area				
27	Delete from the Gulch PPZ. Largely	Numerous	Officer review	The default position is that a 40m wide coastal protection

	<p>all developed. Crown land. Delete from Silver Sands, Bicheno Delete from all public jetties, Spring Bay Mill Wharf (limited to footprint of existing jetty and hardstand) Delete from exiting industrial and commercial properties with development in place Correct overlay at Swanwick</p>			<p>area applies to all land from the high water mark. This is also the position of the current interim scheme.</p> <p>If the default distances are used the coastal protection areas will apply to existing buildings, hardstand, car parks and jetties and other modified coastal areas. Under the drafting of the associated code any building additions in these circumstances will be discretionary as there is no consideration in any standard to the extent of existing development. In other words the standard assumes a natural environment and it is therefore necessary to modify the map accordingly.</p>
LPS				
28	Modify Future Urban Zone to allow caravan park and visitor accommodation in relocatable structures	All	Community input	Multiple owners in this zone desire such activity. Limited investment required and unlikely to prejudice the zone purposes
29	Apply 'Specific Extent' to relevant listings.		Officer review	Limits the heritage listing to the area or curtilage around the heritage building, as opposed to an entire lot. Relevant for farming properties. Default is 100m from external walls of the heritage value.
30	Hepburn Point, Swanwick landscape management objectives	6472/1	Community input	Outlined in representations
31	Correct all typo's		Officer review	

**ATTACHMENT 4**

**TRANSITIONAL  
PROVISIONS  
ADVICE**

# Glamorgan Spring Bay Interim Planning Scheme 2015

## Audit of Particular Purpose Zones, Specific Area Plans, Site-specific Qualifications and Code-applying Provisions

### 1. PPZs, SAPs and SSQs existing immediately before 17 December 2015

Particular Purpose Zone	Draft Recommendation
34.0 Particular Purpose Zone – Dolphin Sands	Subject to the transitional provisions under Schedule 6, Clause 8(1) of the Act.
35.0 Particular Purpose Zone – The Gulch	Subject to the transitional provisions under Schedule 6, Clause 8(1) of the Act.
36.0 Particular Purpose Zone – Spring Bay	Subject to the transitional provisions under Schedule 6, Clause 8(1) of the Act.
37.0 Particular Purpose Zone – North Bicheno	Subject to the transitional provisions under Schedule 6, Clause 8(1) of the Act.

Specific Area Plan	Draft Recommendation
F1.0 Spring Bay Marina Specific Area Plan	Subject to the transitional provisions under Schedule 6, Clause 8(1) of the Act.
F2.0 Bicheno Golf Club Specific Area Plan	Subject to the transitional provisions under Schedule 6, Clause 8(1) of the Act.
F3.0 Louisville Road Specific Area Plan	Subject to the transitional provisions under Schedule 6, Clause 8(1) of the Act.

Site-specific Qualification	Draft Recommendation
<p>Rural Resource Zone – 26.2 Use Table</p> <p>Storage discretionary ‘Only if a contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot or woodyard, or within a building existing at the effective date at 6092 High Street, Buckland (folio of the Register volume 102967 folio 1)’.</p>	<p>For discussion with council.</p> <p>Further review will be required dependant on the SPP zone chosen for the site.</p> <p><i>Note: SSQ may be unnecessary as both the SPP Rural Zone and SPP Agriculture Zone use tables provide for these types of storage uses.</i></p>

### 2. PPZs, SAPs and SSQs inserted or amended after 17 December 2015

Particular Purpose Zone	Draft Recommendation
Nil	

Specific Area Plan	Draft Recommendation
Nil	

Site-specific Qualification	Draft Recommendation
Nil	

### 3. Code-applying provisions existing immediately before 17 December 2015

Code	Draft Recommendation
E1.0 Bushfire-Prone Areas Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code contains no relevant code-applying provisions.</i></p>
E2.0 Potentially Contaminated Land Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code contains no relevant code-applying provisions.</i></p>
E3.0 Landslip Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The LPS requirements at clause LP1.7.12 of the SPPs specify the mapping to be used to create the Landslip Hazard Area overlay for the SPP Landslip Hazard Code.</i></p>
E5.0 Road and Railway Assets Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code contains no relevant code-applying provisions.</i></p>
E6.0 Parking and Access Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code contains no relevant code-applying provisions.</i></p>
E7.0 Stormwater Management Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code does not relate to an equivalent SPP Code.</i></p>

Code	Draft Recommendation
E8.0 Electricity Transmission Infrastructure Protection Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The LPS requirements at clause LP1.7.3 of the SPPs specify the mapping to be used to create the various overlays for the SPP Electricity Transmission Infrastructure Protection Code.</i></p>
E9.0 Attenuation Code	<p>The Attenuation Areas overlay is subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act for application through the LPS as the Attenuation Area overlay for the SPP Attenuation Code.</p> <p><i>Reason: The Attenuation Areas overlay is substantially similar to the Attenuation Area overlay in the SPP Attenuation Code.</i></p>
E10.0 Biodiversity Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The LPS requirements at clause LP1.7.5 of the SPPs and guidelines NAC 7 to NAC 12 of Guideline No. 1 specify how the Priority Vegetation Area overlay is to be generated for the SPP Natural Assets Code.</i></p>
E11.0 Waterway and Coastal Protection Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: Guidelines NAC 1 to NAC 3 of Guideline No. 1 specify how the Waterway and Coastal Protection Area is to be created for the SPP Natural Assets Code.</i></p>
E13.0 Historic Heritage Code	<p>The Heritage Places overlay and Table E13.1 are subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act for application through the LPS as the Local Heritage Places overlay and Local Heritage Places list for the SPP Local Historic Heritage Code, excluding any places inserted or removed by amendment after the commencement day.</p> <p><i>Reason: The Heritage Places overlay and Table E13.1 is substantially similar to the Local Heritage Places overlay and Local Heritage Places list for the SPP Local Historic Heritage Code.</i></p> <p><i>Note: The Minister may also declare that council is not required to prepare a statement of local historic heritage significance if such a statement is not currently available for the listed places.</i></p>
E14.0 Scenic Landscapes Code	<p>The Scenic Landscapes Area overlay is subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act for application through the LPS as the Scenic Protection Area overlay for the SPP Scenic Protection Code, excluding any land that is not in a zone listed in clause C8.2.1 of the SPPs.</p> <p><i>Reason: The Scenic Landscapes Area overlay is substantially similar to the Scenic Protection Area overlay in the SPP Scenic Protection Code.</i></p>

Code	Draft Recommendation
E15.0 Inundation Prone Areas Code	<p>Declare that only the Riverine Inundation Hazard Area overlay is subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act for application through the LPS as the Flood-Prone Hazard Area overlay for the SPP Flood-Prone Areas Hazard Code.</p> <p><i>Reason: The Riverine Inundation Hazard Area overlay is substantially similar to the Flood-Prone Hazard Area overlay for the SPP Flood-Prone Areas Hazard Code. The LPS requirements at clause LP1.7.9 of the SPPs specify the mapping to be used to create the Coastal Inundation Hazard Area overlay for the SPP Coastal Inundation Hazard Code. Guideline CIHC 2 of Guideline No. 1 specifies how the Coastal Inundation Hazard Bands AHD Level table is to be populated.</i></p>
E16.0 Coastal Erosion Hazard Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The LPS requirements at clause LP1.7.8 of the SPPs specify the mapping to be used to create the Coastal Erosion Hazard Area overlay for the SPP Coastal Erosion Hazard Code.</i></p>
E17.0 Signs Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code contains no relevant code-applying provisions.</i></p>
E18.0 Wind and Solar Energy Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code does not relate to an equivalent SPP code.</i></p> <p><i>Note: Table E18.1 Distance from a Sensitive Use is covered by Table C9.1 in the SPP Attenuation Code. Controls on the height of wind turbines are managed through the SPP zone provisions.</i></p>
E19.0 Telecommunications Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code contains no relevant code-applying provisions.</i></p>
E24.0 Coastal Development Code	<p>Declare that the provisions of the code are not subject to the transitional provisions under Schedule 6, Clause 8D(2) of the Act.</p> <p><i>Reason: The code does not relate to an equivalent SPP Code.</i></p>
<p><i>Note: Codes that are spatially applied by reference to an overlay may also meet the definition of a SAP under the transitional provisions at Schedule 6, Clause 1 of the Act. It is recommended that codes that are substantially similar to a SPP code not be subject to the transitional provisions that relate to a SAP.</i></p>	

**4. Advice on provisions that are not subject to the transitional provisions of the Act (do not meet the definition of a SAP or SSQ)**

Provision	Advice
Environmental Management Zone – 29.2 Use Table Residential discretionary – ‘Only if for a single dwelling on land fronting River and Rocks Road, Coles Bay, as described by Folios of the Register Volume 105248 Folios 1 to 9 inclusive and Volume 115540 Folios 1 to 4 inclusive’.	Does not meet the definition of a SSQ under Schedule 6, Clause 1 of the Act as the provision applies to multiple areas.  Does not meet the definition of a SAP under Schedule 6, Clause 1 of the Act as the provision does not specifically map the area to which it applies.

DRAFT

## CONSULTATION ON PROVISIONS IN EXISTING PLANNING SCHEMES (LUPAA TRANSITIONAL PROVISIONS)

### Purpose

This advice is issued by the Planning Policy Unit (PPU), Department of Justice to provide information to local government on the consultation process for considering provisions in existing planning schemes that are subject to the transitional provisions under Schedule 6, Clause 8 of the *Land Use Planning and Approvals Act 1993* (the Act) and the additional transitional provisions under the *Land Use Planning and Approvals Amendment (Transitional Provisions) Bill 2017* (the Amendment Bill).

### Background

The transitional provisions under Schedule 6, Clause 8 of the Act, and the additional transitional provisions under the Amendment Bill, provide for a range of provisions in existing planning schemes to be automatically transferred to draft Local Provisions Schedules (LPSs) and approved LPSs.

The transitional provisions in the Act and the Amendment Bill:

- require a draft LPS, and an approved LPS, to contain any particular purpose zones (PPZs), specific area plans (SAPs) and site-specific qualifications (SSQs) that existed immediately before the commencement day (including any urgent amendments made after the commencement day), unless otherwise declared by the Minister;
- provide the Minister with the ability to declare that a draft LPS, and an approved LPS, must contain a PPZ, SAP or SSQ that was inserted after the commencement day;
- provide the Minister with the ability to declare that a draft LPS, and an approved LPS, must contain any non-urgent amendments that were made after the commencement day to a PPZ, SAP or SSQ that existed immediately before the commencement day; and
- require a draft LPS, and an approved LPS, to contain any code-applying provisions that existed immediately before the commencement day, unless otherwise declared by the Minister.

Further information on the transitional arrangements for existing provisions can be found in the *Minister's Advisory Statement – Transitional Arrangements for Existing Provisions* on the Department of Justice's Tasmanian planning reform website:

[http://www.planningreform.tas.gov.au/updates/ministers\\_advisory\\_statements](http://www.planningreform.tas.gov.au/updates/ministers_advisory_statements)

## Draft audit and recommendations

The PPU has undertaken an audit of all existing planning schemes to identify existing PPZs, SAPs, SSQs and code-applying provisions covered by the transitional provisions.

The audit identifies the relevant provisions consistent with the transitional provisions under Schedule 6 of the Act, and the Amendment Bill, along with draft recommendations for the purposes of consultation with councils.

The audit specifically identifies:

- PPZs, SAPs and SSQs that existed immediately before the commencement day;
- PPZs, SAPs and SSQs that were inserted or amended after the commencement day;
- code-applying provisions that existed immediately before the commencement day;
- provisions that do not meet the definition of a SAP or SSQ under Schedule 6, Clause 1 of the Act, based on legal advice.

The audit includes draft recommendations on which provisions are considered suitable for 'automatic transfer' to the relevant draft LPS and the approved LPS. Recommendations are also made on existing codes that are suitable for transfer to the LPS as a SAP.

Some draft recommendations may identify the need for further review or discussion with councils. This may include seeking advice on:

- provisions relating to zones that are not included in the SPPs, such as the Environmental Living Zone, Rural Resource Zone or Significant Agriculture Zone; and
- provisions that meet the definition of both a SAP and SSQ.

Further advice will be required from councils prior to finalising these recommendations.

## Which provisions have been recommended as unsuitable for 'automatic transfer' to the LPS?

The draft recommendations align with the general guidance provided in the Minister's Advisory Statement on which provisions are considered unsuitable for 'automatic transfer' to a draft LPS and approved LPS.

The PPU has sought legal advice on the transitional provisions under the Act, particularly interpretation of the definitions of a SAP and SSQ under Schedule 6, Clause 1 of the Act.

## What is a SAP?

Provisions referred to as a SAP in existing planning schemes meet the definition under Schedule 6, Clause I of the Act. Provisions not referred to as SAP also meet the definition if they consist of:

- a map or overlay that specifically delineates the particular area to which the provisions apply; and
- provisions that apply to the specified area of land in addition to, in modification of, or in substitution for, a provision, or provisions, in the planning scheme.

Provisions that are only identified by reference to a town, suburb or locality within a particular zone do not meet the definition of a SAP. It must include a map or overlay specifically for the purposes of delineating the application of that provision. The provisions must also be an alteration to, or departure from the provisions that would normally apply under the planning scheme and not just establish specific requirements, such as minimum lot sizes, for different areas.

Some codes or schedules in existing planning schemes may meet the definition of a SAP for the purposes of the transitional provisions if spatially defined by an overlay. Any codes and schedules that are substantially similar to a SPP code should be managed through the applicable SPP code. Some code provisions, such as code overlays and code lists, may also be subject to transitional provisions under future Schedule 6, Clause 8D of the Act.

## What is a SSQ?

For an existing provision to be considered as a SSQ for the purposes of the transitional provisions under the Act, it must be a provision, or provisions, that:

- modifies, is in substitution for, or adds to, a requirement in the existing planning scheme for a particular area of land;
- only applies to that particular area of land; and
- clearly specifies the particular area of land to which it applies.

As for SAPs, a SSQ must be an alteration to, or departure from the provisions that would normally apply under the planning scheme and not just establish specific requirements, such as minimum lot sizes, for different areas. The following provisions also cannot be considered as a SSQ for the purposes of the transitional provisions:

- provisions that apply to multiple areas of land, such as a use table qualification or minimum lot size that applies to multiple, non-contiguous areas of land;
- provisions that do not clearly specify a particular area of land, such as:

- a setback or use table qualification for a general class of land that abuts a particular road; or
- a general reference to a locality within a particular zone; and
- a use table qualification that applies by excluding a particular area of land from the qualification;

## Consultation

Before finalising the draft recommendations, the PPU is seeking comment from councils on the draft audit and recommendations, particularly:

- any errors or omissions;
- feedback on the draft recommendations;
- advice on any provisions that are no longer required, such as provisions that:
  - have become redundant as a consequence of the use or development being complete, been acted upon, or otherwise no longer applicable; or
  - are superseded due to broader changes in regional or local land use planning policy; and
- advice on any draft recommendations that identify the need for further review or discussion.

Councils should also indicate if they intend to request the Minister to make a declaration, under the future Schedule 6, Clause 8D(5) of the Act (when the Amendment Bill has been proclaimed), which allows existing heritage places to be transferred to the LPS without the need to prepare a statement of local heritage significance, if a satisfactory statement does not already exist.

The PPU is currently preparing draft amendments to the SPPs Local Historic Heritage Code to align with the Amendment Bill. Further guidance material will also be produced to reflect the new transitional provisions, including revisions to Guideline No. 1.

Comments should be provided in writing to the PPU at [planning.unit@justice.tas.gov.au](mailto:planning.unit@justice.tas.gov.au) by close of business on **Monday, 11 September 2017**.

If you require further time to provide comment, or would like to discuss any of these issues further, please contact the PPU at the above email address or the phone number listed below. The PPU will work with each council in finalising the draft recommendations.

## What is the process following consultation?

Following consultation, the PPU will finalise the draft recommendations for consideration by the Minister for Planning and Local Government. The Minister is required to consult with the Tasmanian Planning Commission (the Commission) before making any declarations under the transitional provisions. Declarations will only be made after the Amendment Bill has received royal assent.

Consideration of relevant provisions inserted or amended after the commencement day will be ongoing until each draft LPS is approved. The PPU will carefully manage the process of auditing, consulting and declarations for any relevant provisions inserted or amended after the commencement day to avoid multiple declarations and to provide clarity and certainty to councils and the Commission in the preparation and approval of draft LPSs.

## What is the process for including existing provisions in a draft LPS?

Alterations will most likely be required to provisions in existing planning schemes that are automatically transferred to a draft LPS, and an approved LPS, to:

- conform to the structure required by the State Planning Provisions (SPPs), including the application of appropriate numbering;
- conform with the terminology used in the SPPs;
- make correct references to relevant provisions in the LPS; and
- provide for the effective operation of the provision.

The additional transitional provisions included in the Amendment Bill provide for these alterations. It is strongly recommended that councils undertake these alterations before submitting their draft LPS to the Commission under section 35 of the Act. The Commission also has a responsibility for ensuring these alterations are made prior to the approval of the LPS.

## What options are available if the Minister declares that an existing provision is not subject to the transitional provisions?

A PPZ, SAP or SSQ declared not suitable by the Minister for 'automatic transfer' to a LPS through transitional provisions may still be considered by the Commission in its assessment of the draft LPS, provided it can meet the requirements for the contents of LPSs in Part 3A, Division 2 of the Act.

Code-applying provisions declared not suitable by the Minister for 'automatic transfer' to a LPS may also be considered by the Commission in its assessment of the draft LPS, provided they can meet the LPS requirements in the SPPs, the requirements for the contents of LPSs in Part 3A, Division 2 of the Act, and Guideline No.1.

## Where can I get more information?

General information about the Tasmanian Planning Scheme and the preparation of draft LPSs can be found on the Department of Justice's [Tasmanian planning reform website](#).

General enquiries about the transitional provisions under the Act should be directed to:

Planning Policy Unit, Department of Justice

GPO Box 825 HOBART TAS 7001

Ph (03) 6166 1429

email [planning.unit@justice.tas.gov.au](mailto:planning.unit@justice.tas.gov.au)

Enquiries on the assessment process for draft Local Provisions Schedules should be directed to:

The Tasmanian Planning Commission

GPO Box 1691 HOBART TAS 7001

Ph (03) 6165 6828

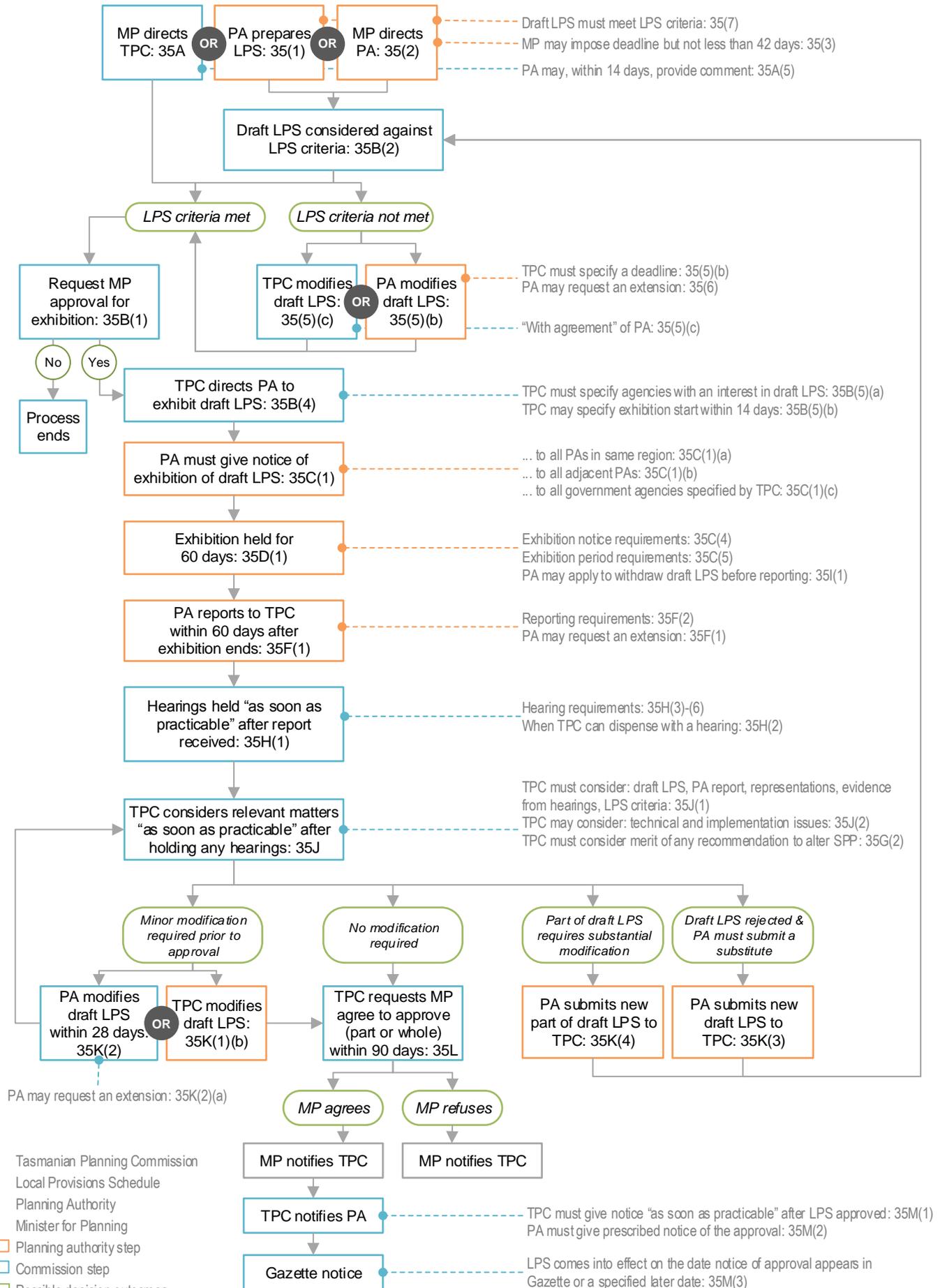
email [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

7 August 2017

# Attachment 5 Flow Chart

# Draft Local Provisions Schedule Approval Process

with references to the *Land Use Planning and Approvals Act 1993*



- TPC Tasmanian Planning Commission
- LPS Local Provisions Schedule
- PA Planning Authority
- MP Minister for Planning
- Planning authority step
- Commission step
- Possible decision outcomes

**ATTACHMENT 6  
WRITTEN  
SUBMISSIONS**

1

## Shane Wells

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**From:** GSBC planning  
**Sent:** Tuesday, 6 March 2018 2:00 PM  
**To:** Shane Wells  
**Subject:** FW: New planning scheme consultation

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**From:** coswellbeach [<mailto:coswellbeach@bigpond.com>]  
**Sent:** Thursday, 1 March 2018 1:49 PM  
**To:** GSBC planning <[planning@freycinet.tas.gov.au](mailto:planning@freycinet.tas.gov.au)>  
**Subject:** New planning scheme consultation

**Attention Shane Wells re 69 Old Spring Bay Road zoning change from Rural Resource to Rural Living.**

We have no problems with this zoning change as it better reflects the current land use and provides for some lower density development in the south of Swansea.

This is also a recommendation of the townscape plan in order to protect environmental and aesthetic values of this coastal area which is a coastal reserve with significant penguin and shorebird habitat.

Yours Sincerely

Donnalee Young and Pete Lingard

Sent from my Samsung Galaxy smartphone.

**Shane Wells**

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**From:** derek@dbms-global.com  
**Sent:** Monday, 15 January 2018 6:26 AM  
**To:** Shane Wells  
**Subject:** RE: zoning

Hi Shane,

Thank you for your email and for initially making contact by post on 12 December 2017 to inform me and others of the proposed changes to the local planning framework.

As indicated in our telephone conversation on 9 January 2018, I have some concerns about the proposed zoning of my land, which you have identified below with double parallel lines, as 'agricultural' and 'rural'. These categories, as you have pointed out, detail key differences between them and the current zoning scheme, plus key differences between each of the three categories that the GSB Council proposes to use in its LPS, which is underpinned by the recently accepted SPP.

Specifically, I have two concerns:

Firstly, I am confused as to why neither were considered as best fitting into the 'landscape conservation' zoning, which would have better reflected the current nature of the land. However, I understand that having viewed the land from the road might have developed a false impression, as you would have seen less than 10% of the land. Both titles are rocky, hilly and covered in a considerable percentage of bushland. Google mapping is likely to be out of date and will not reveal the considerable recent spread of wattle and eucalypt trees into the margins of what was open pasture. Additionally, much of the former pasture area now has a good cover native grasses and sedges. None of these attributes lend themselves to viable cropping or grazing activities. Therefore, cropping is literally impossible, while a sheep stocking rate would be 0.5DSE at best and across 20% of it at most.

Secondly, I am perplexed by a change that would result in the land being even more specifically classified as land fit for agricultural activities, when (i) land of this size and nature is now less attractive than it has ever been for such purposes and (ii) perhaps most importantly, a large proportion of the land is overlaid by Conservation Covenant that was applied to both titles back in 2012. The Covenant is a legally binding instrument that prohibits many of the activities that are necessary in a functional agricultural context. The prohibited activities are clearly detailed in the underpinning Conservation Plan that accompanies the covenant. While I appreciate that there are areas on the land that fall outside the Covenanted areas, it would be folly for anyone to consider unhindered traditional agricultural activities could carry on in them in an economically viable manner. I spoke with Helen Crawford today, who is the manager of the Conservation Covenants Section of DPIPW and she was surprised to hear that such a significant change was taking place without her knowledge, given the implications it has for Covenanted land. Please expect a call from here about this sometime soon. I guess that while I acknowledge that the Covenants would most certainly remain in place and not be affected by any changes to zoning, it seems contrary to the spirit of the covenants, which after all have been accepted in law, to overlap with another contradictory instrument.

Given the above details, I encourage you to accompany me across the land, so you can appreciate for yourself how it would be better categorised as 'landscape conservation'. I also encourage you to look more closely at the legislation underpinning the conservation covenanting process, so that a contrary zoning decision is not made that will confuse the enactment of future decisions and activities on the land.

I look forward to your considered response on this matter.

All the best, Derek

**From:** Shane Wells [<mailto:shane.wells@freycinet.tas.gov.au>]  
**Sent:** Tuesday, 9 January 2018 11:42 AM  
**To:** [derek@dbms-global.com](mailto:derek@dbms-global.com)  
**Subject:** zoning

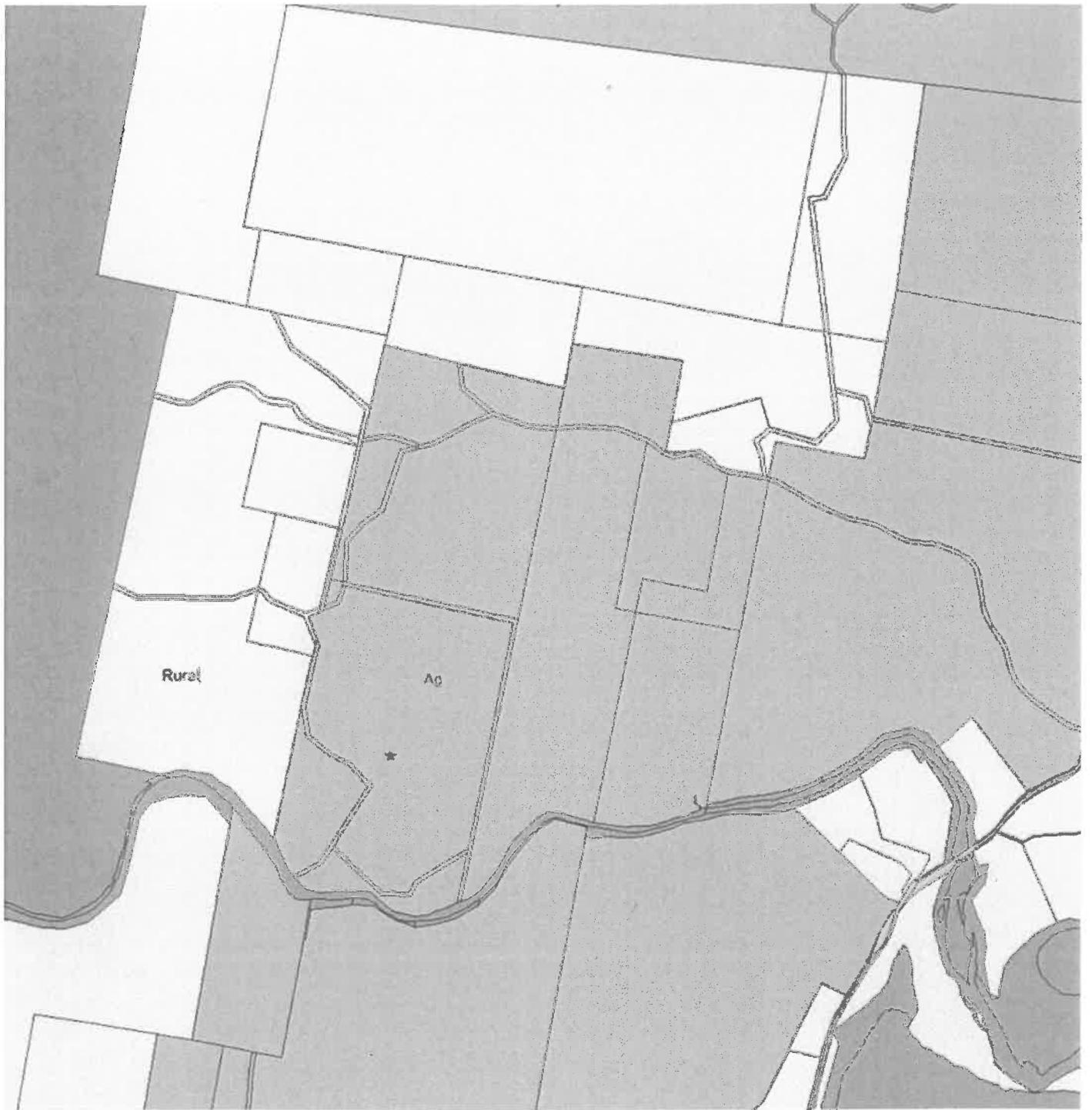
Hi Derek

As discussed

Potential Ag mapping



Initial zone



3

## Shane Wells

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**From:** GSBC planning  
**Sent:** Thursday, 8 March 2018 10:06 AM  
**To:** Shane Wells  
**Subject:** FW: Comments on GSB Local Provisions Schedule, Tasmanian Planning Scheme

**From:** Lynette Taylor [mailto:lynnettaylor226@gmail.com]  
**Sent:** Wednesday, 7 March 2018 4:25 PM  
**To:** GSBC planning <planning@freycinet.tas.gov.au>  
**Subject:** Comments on GSB Local Provisions Schedule, Tasmanian Planning Scheme

Within the documentation - Page 35 of 126 Bicheno population is 647, I think that this is from the 2006 census, the March edition of Bicheno Forward stated population now 853.

The particular purpose zone (The Gulch) is shown on map 2 of 22 Bicheno as dark red (23/11/2017 Paper copy at P.O)) and continues toward Waub's Bay in red rather than reverting to dark green (open space). The online map 3 of 24 for the Gulch shows many colours, blue for business, red for residential, light green for recreational, dark green for open space; on page 62 of 126 it states "is a more tourist oriented area". The light industrial purple colour does not appear. Will this preclude the operation of the commercial fishery operations from the wharf, the use of the slipway, the oyster hatchery, glass bottom boat etc. The online map is not entirely clear or easy to interpret.

On the online map an area from Redbill to Diamond Island is shown in orange (future urban). Is this to be low density residential, rural living or general residential?

The paper map 2 of 22 (as above) does not show detail of any areas to the North of the school, hall & library (cream - community purpose). Is the council yard in Old Tram Rd. zoned utilities or residential, if the council yard is moved to light industrial (purple) would it be then near the waste management centre. Would the current yard revert to community open space or residential if such a move eventuated.

Is the Community Health & Resource centre in Foster St. zoned community purpose?

The rural living zone to the North of Bicheno (online map) 1 of 24, 3 of 24. Is this area consisting of titles already in existence or will there be further subdivision allowed. Further subdivision from North of Diamond Island to the Denison River would result in coastal strip development of the worst kind.

On the online map 5 of 24 the area around Cherry Tree Hill is zoned as Landscape Conservation and Environmental Management rather than rural, is this arising from the National Estate listing and does this alter the previous rural residential or agricultural zoning.

Thank you for the opportunity to make comment, Lyn.

**Shane Wells**

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**From:** GSBC planning  
**Sent:** Tuesday, 6 March 2018 2:00 PM  
**To:** Shane Wells  
**Subject:** FW: New Tasmanian Planning Scheme Comment

**From:** Mark & Jen [mailto:markjen.kelly@gmail.com]  
**Sent:** Tuesday, 6 March 2018 10:43 AM  
**To:** GSBC planning <planning@freycinet.tas.gov.au>  
**Subject:** New Tasmanian Planning Scheme Comment

Hi

A concern I have is that the recreation ground in Swanwick is classified as village, and not recreation ground. Personally I think that this should be designated recreation ground, to protect it in the future. It is the only public open space in Swanwick and should be protected by classification. (the golf club is open space, but a club and not public)

Thanks  
Jen Hackett  
6 Sophie Court Coles Bay  
0403 227 046

5

**Shane Wells**

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**From:** Adrian Sullivan <gogreenapple@gmail.com>  
**Sent:** Thursday, 8 March 2018 8:24 PM  
**To:** GSBC planning  
**Subject:** Local planning provisions

I have had a brief look through the published Local Planning Provisions schedule and have a few questions and comments, particularly related to Coles Bay and Swanwick.

1. On Map 12 there does not appear to have a blue colour indicating a local business zone for the Iluka supermarket, take away, bakery, petrol station, pub and backpackers accommodation etc as does the few shops in Garnet Avenue.
2. The GSB Local Area Objectives GSB-12.1(d) is very complex language and I am not sure what it means like “convenience” distance and “planning public”.
3. Should GSB-P1.5.2 (e) should read 300m<sup>2</sup>, not 300<sup>4</sup>m<sup>2</sup>.

I hope this all helps It has taken me a while to go through all the detail of the schedule. It is comprehensive and thought out.

Adrian Sullivan  
4 Cosgrove St  
Coles Bay

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## Shane Wells

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**From:** GSBC planning <planning@freycinet.tas.gov.au>  
**Sent:** Monday, 26 February 2018 4:58 AM  
**To:** Shane Wells  
**Subject:** FW: Zone change

-----Original Message-----

**From:** Martin Dumaresq [<mailto:mountirehstate@netspace.net.au>]  
**Sent:** Monday, 26 February 2018 9:46 AM  
**To:** GSBC planning <planning@freycinet.tas.gov.au>  
**Cc:** GSBC planning <planning@freycinet.tas.gov.au>  
**Subject:** Zone change

Sent from my iPad. Dear sir,

Thank you for your letter of February 7th outlining the potential for further subdivision of each lot in Kennedia place Swansea, in a revised future planning scheme.

We , strongly object to any further subdivision of lots in Kennedia place,we purchased our property free from close subdivision in a peaceful and pleasant neighbourhood,,and without regard to further subdivision potential.

The changes that have already taken place to the native flora, and more particularly the penguin colony with the closer sub division of aqua sands is significant. Despite signage that was put in place last year,cats and dogs continue to run freely through the colony and are a significant predator on the young.with numbers ever increasing as each new dwelling is built..

The aqua sands development,has created very close urban infill more suited to inner city urban dwelling rather than a relaxed beachside holiday or retirement lifestyle.

We feel most strongly that any such closer proposition should not proceed.

Yours Sincerely,  
Martin and Susan Dumaresq



## Shane Wells

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**From:** Catherine Wolfhagen <pwolfhagen@bigpond.com>  
**Sent:** Friday, 9 March 2018 9:48 AM  
**To:** Shane Wells  
**Subject:** "Black Point", 2228 coles bay road

Dear Shane,

Just following up on our telephone conversation last Tuesday February 27, regarding the Scenic Protection Code affecting our property under the proposed new planning scheme.

The Scenic Protection Area 'overlay' applied to "Black Point" is not at odds with our values, but I think it is important to point out that the vegetation on our property is regrowth since our purchase of the property in 1973, when it was almost entirely cleared and used for sheep grazing. We have purposefully planted native trees and encouraged regeneration. It is therefore incorrect to assume that the scenic value of our property is separate from our tenure.

In the past we have selectively harvested mature casuarinas for the milling of veneers for furniture production. We often make clearings for fire management and marsupial grazing and would not wish to have any constraints imposed on our usage of the property as a result of the imposition of the 'Scenic Protection Area' designation.

It is also worth noting that there is a small olive grove adjacent to the house, and it is possible we may want to expand the scale of this planting in the future.

I was very interested, and a little alarmed, to learn from you about the 'township structure plan', and the inclusion of our property in the 'future urban growth zone'. I would be very grateful if you could forward me more information about this, so that I can be better informed.

As we discussed, I look forward to meeting you at 'Black Point' at some future date, so that we can go forward with mutual understanding.

Yours sincerely

Philip Wolfhagen  
0417 398 142

8

**Shane Wells**

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**From:** GSBC planning  
**Sent:** Friday, 9 March 2018 2:22 PM  
**To:** Shane Wells  
**Subject:** FW: Submission for Draft Planning Scheme

-----Original Message-----

From: Diane [<mailto:diane.artist@bigpond.com>]  
Sent: Friday, 9 March 2018 12:12 PM  
To: GSBC planning  
Cc: Kelcoyne-Lawrence Stephen; Mitchell Brian  
Subject: Submission for Draft Planning Scheme

Diane Bricknell  
364 Dolphin Sands Road  
Swansea TAS 7190

9 March 2018

Formal Submission with attention to the Dolphin Sands section of the GSBC Draft Planning Scheme.

GSB-P1.5.2 Visitor Accommodation

I disagree with A1 where it states that Visitor Accommodation must be accommodated in 'existing buildings'.

Does this mean that any 'new' buildings cannot be used for visitor accommodation?

I have owned/lived along Dolphin Sands Road for 15 years and we have 1 x residence as per the previous planning rules for Dolphin Sands.

We are planning to have some rentable accommodation for visitors to the area to bring in extra income for our family and to provide more accommodation in the area.

Does the item mentioned above mean that if we add a new building at some point in the future, that we will be excluded from using the new building as visitor accommodation?

Can you please clarify this item as it seems to be exclusive in it's wording.

All front/beach facing blocks along Dolphin Sands are 5 acres, and at the present time many have more than one dwelling, it would be unfair to exclude any other landowner the same privilege. Especially since there is enough room to have extra dwellings/visitor accommodation on a 5 acre block.

Sincerely,

Diane Bricknell  
0487 419 654

(cc. Brian Mitchell, Stephen Kelcoyne-Lawrence)



9

**NEIL SHEPHARD  
& ASSOCIATES**

*Planning and Development Consultants*

Mr Shane Wells  
Manager Planning and Special Projects  
Glamorgan/Spring Bay Council  
PO Box 6  
TRIABUNNA TAS 7190

28 February 2018

Dear Sir,

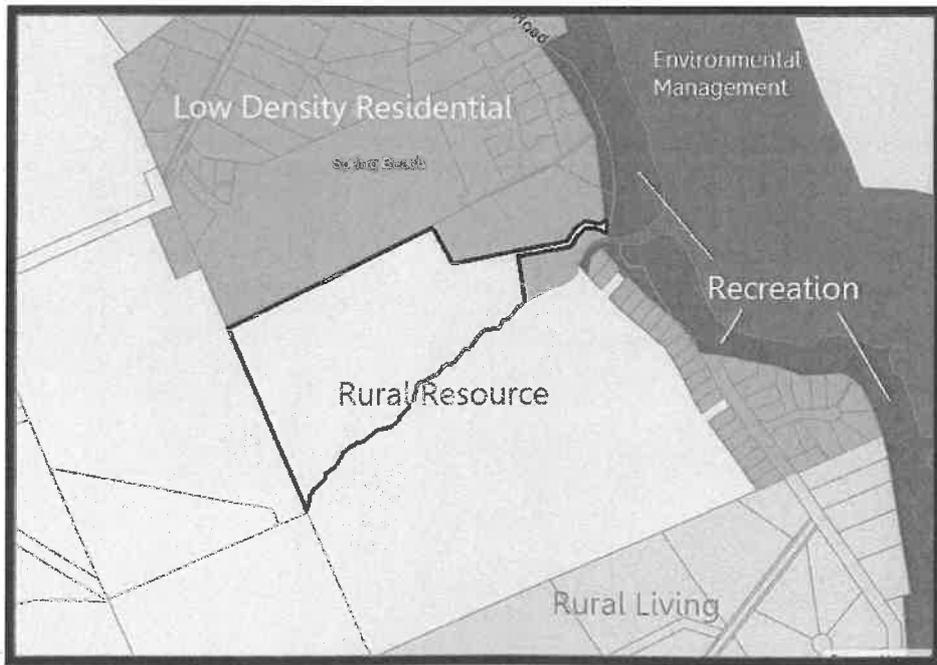
**RE: CONSULTATION ON NEW PLANNING SCHEME – CT 42561/1 RHEBAN ROAD, SPRING BEACH –CURRENT AND FUTURE ZONING**

I write on behalf of Highclere Holdings Pty Ltd who is the owner of the following land at Spring Beach:

<b>Property Address</b>	RHEBAN RD SPRING BEACH TAS 7190
<b>Property ID</b>	7637629
<b>Title Reference</b>	42561/1

We refer to your letter of 6 February 2018 inviting comment on a proposed zone change for the above property, from Rural Resource to Future Urban.

The subject property is outlined below in black, with the zonings of the surrounding land proposed under the *Draft Interim Planning Scheme* indicated. The current zonings under the GSBIPS 2015 reflect those below, except for the renaming of the Recreation Zone to 'Open Space'. Land immediately adjoining to the north, at 41 Happy Valley Road (CT 134047/25) with frontage to Happy Valley Road, is zoned Low Density Residential.



**Figure 1:** zonings under the GSBIPS 2015.

**Previous submissions**

You may recall that we made submissions in respect of the Draft Interim Planning Scheme requesting the subject land to be zoned Low Density Residential, or in the alternative, 'Particular Purpose1 – Urban Growth Zone'. A copy of that submission is attached, and upon review the submissions remain relevant to the current day, other than in respect of your suggestion for a 'Future Urban' zoning (see below).

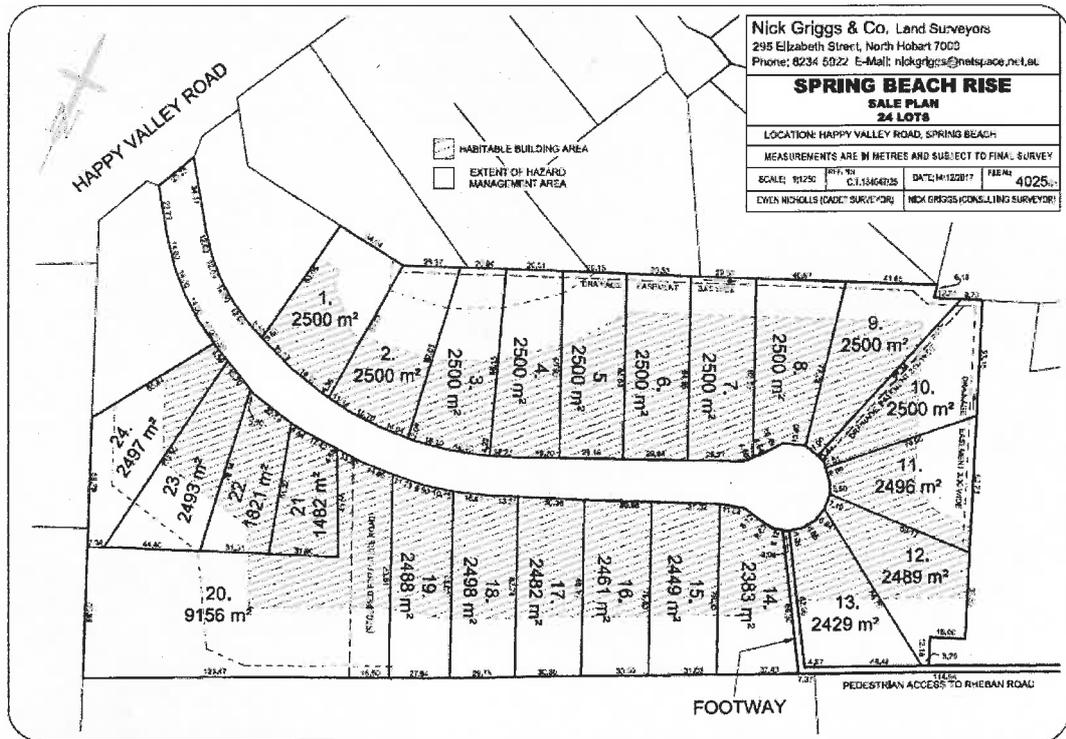


**Figure 2:** Proposed zonings under the SPP (LPS)

**Changed circumstances**

You will recall that at the time of the preparation of the Draft Interim Planning Scheme, the subject land remained isolated with limited frontage to Rheban Road over steeply sloping land. Access was via a right of way over the adjoining property at 334 Rheban Road.

Since that time the owners of 41 Happy Valley Road have gained approval for a 24 lot subdivision to be developed in 2 stages. The subdivision includes provision for a future access road to the Highclere land (see below).

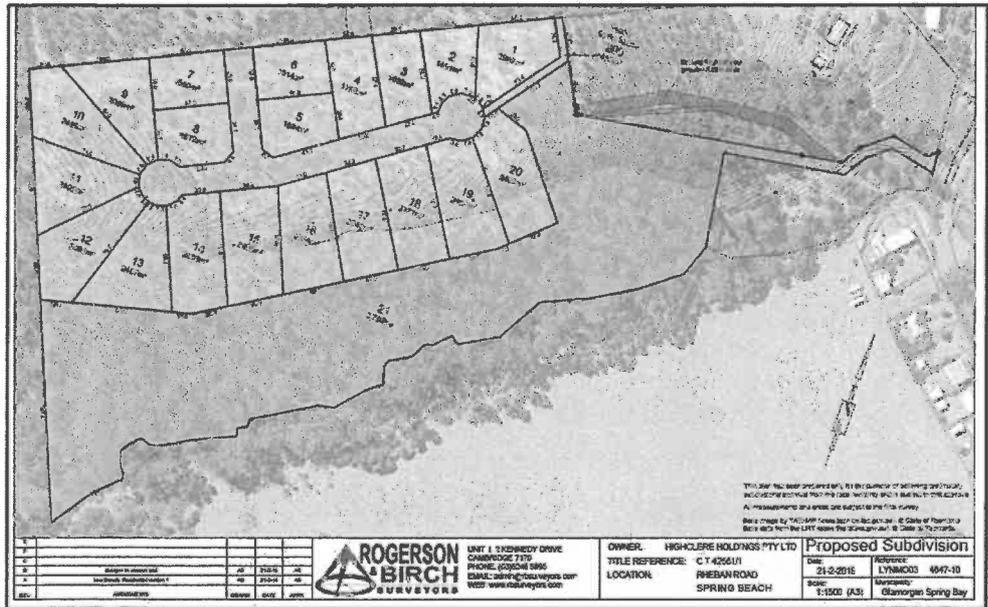


**Figure 3:** Spring Beach Rise subdivision at 41 Happy Valley Rd. Access to the Highclere land is provided via Lot 20. (a full size copy is attached)

The approved lots have sold so quickly that both stages of subdivision are being undertaken together. The access to the Highclere land will be provided within the coming weeks (it is subject to an agreement under Part 5 of the *Land Use Planning and Approvals Act 1993*).

Advice from Knight Frank (J Playsted) is that residential land in Spring Beach is in short supply.

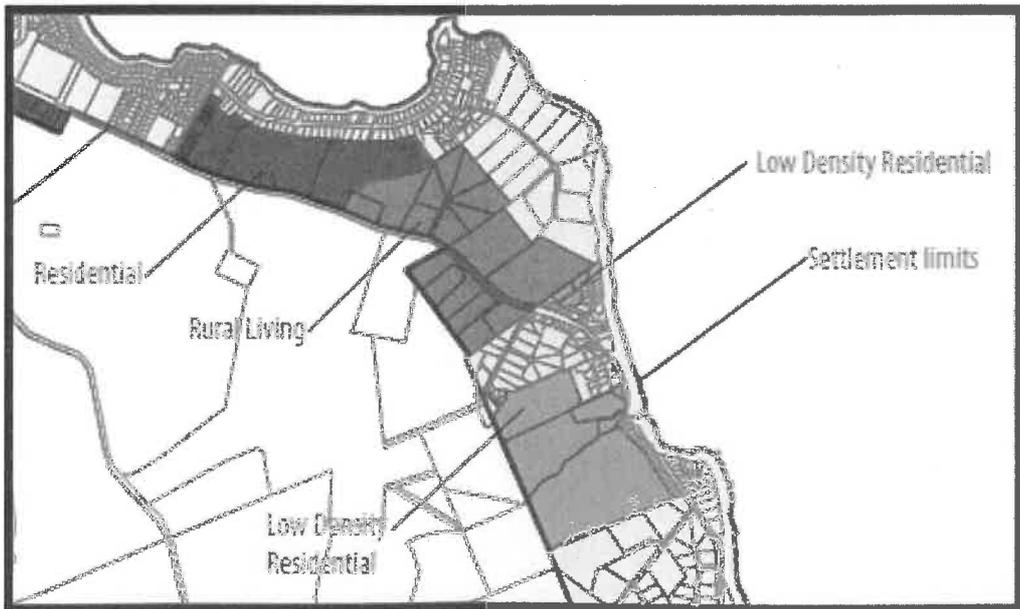
With this in mind Highclere has prepared a preliminary subdivision proposal plan for the subject land (see below). It provides for lots of a similar size and proportions as the adjoining Spring Beach Rise subdivision, whilst allowing for changes in slope. The steeper land adjacent to Two Mile Creek, has been retained in 1 large lot, with sufficient area to allow for the slope, limited access, protection of the riparian reserve, and addressing potential for landslide risk.



**Figure 4:** preliminary subdivision design for the subject land (a full sized copy is attached)

### Strategic planning

Under the 2011 Structure Plan for Triabunna and Orford it is recommended that the subject and adjoining lands to the north and south be zoned Low Density Residential (see below coloured pink).



**Figure 2:** Excerpt of the Triabunna/Orford Structure Plan 2011 – proposed settlement limits and zonal recommendations

It is noted that the Structure Plan recommendations for rezoning in the Spring Beach area are for the long term.

It is also noted that from a practical viewpoint the subject land is to a certain extent dependent upon development to the north preceding it. Notwithstanding this both the land to the north and east was recommended in the Structure Plan for rezoning in the short term.

Clearly that land has not only now been zoned Low Density Residential for several years, but the larger parcel at 41 Happy Valley Road (Spring Beach Rise) has now been approved and is under development.

The primary 2 criteria preceding rezoning of the subject land to Low Density Residential, have now been fulfilled, ie:

- Sequential development from the north has proceeded; and (as a consequence)
- Alternative access from Happy Valley Road is now available.

Two Mile Creek forms a natural barrier to development and a logical boundary to the Low Density Residential Zone for the time being.

The additional yield from the subject land, prima facie 20 lots, is not a substantial number that would signify an oversupply. Indeed, the advice from Knight Frank is that there is already sufficient demand for these lots.

**Concluding submission**

In conclusion therefore we submit that the preconditions for including the subject land in the Low Density Residential Zone now exist, and that a Future Urban zoning is unnecessary and inappropriate.

We therefore request that you consider zoning the subject land Low density Residential rather than Future Urban.

Yours faithfully,



NEIL SHEPHARD BA, MTCP(Syd), FPIA, CPP  
*Obo Highclere Holdings Pty Ltd*

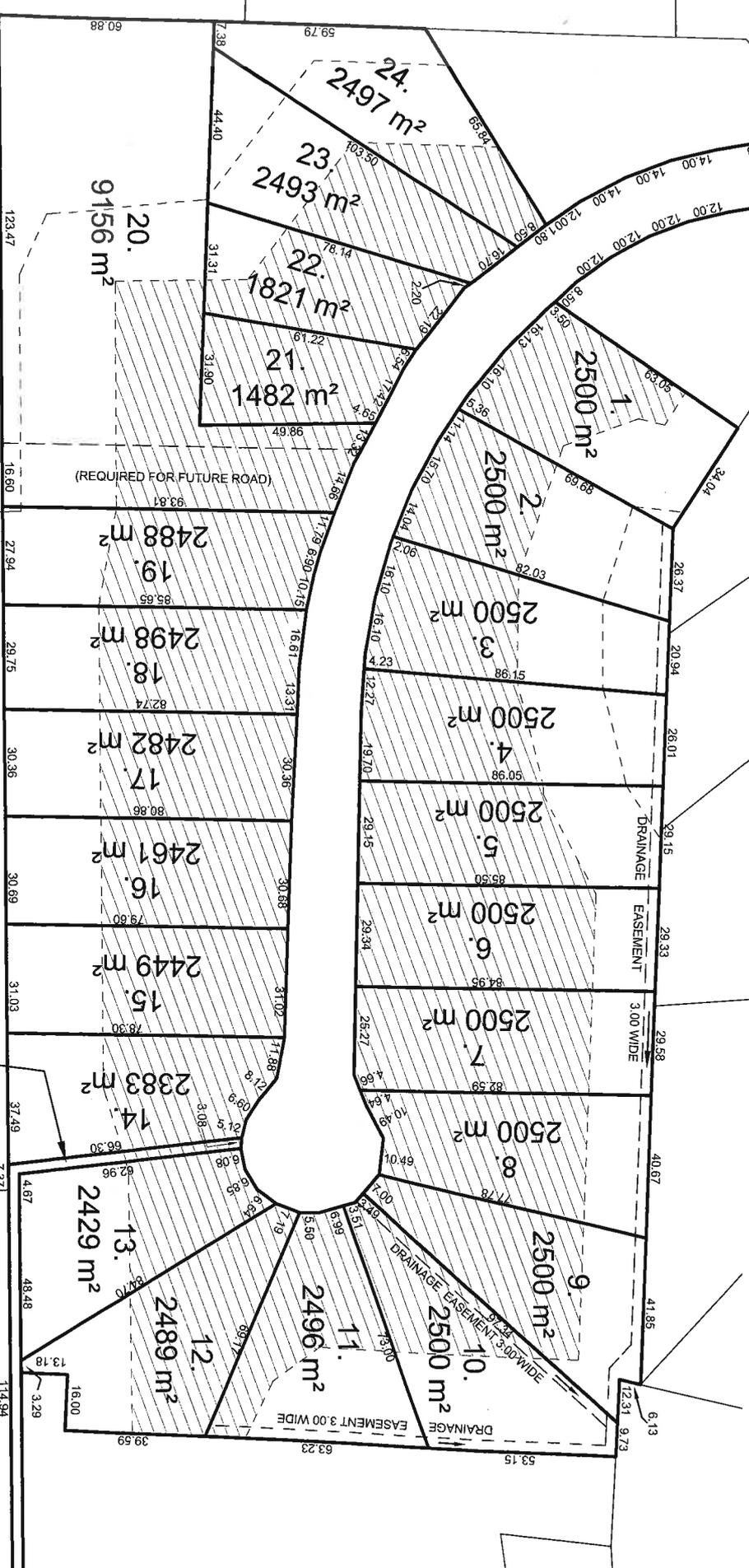
**ATTACHMENT 1: SPRING BEACH RISE SUBDIVISION,  
41 Happy Valley Road**



HAPPY VALLEY ROAD

 HABITABLE BUILDING AREA  
 EXTENT OF HAZARD MANAGEMENT AREA

<b>Nick Griggs &amp; Co. Land Surveyors</b> 295 Elizabeth Street, North Hobart 7000 Phone: 6234 5022 E-Mail: nickgriggs@netspace.net.au			
<b>SPRING BEACH RISE</b> <b>SALE PLAN</b> <b>24 LOTS</b>			
LOCATION: HAPPY VALLEY ROAD, SPRING BEACH			
MEASUREMENTS ARE IN METRES AND SUBJECT TO FINAL SURVEY			
SCALE: 1:1250	REF. No: C.T.134047/25	DATE: 14/12/2017	FILE No: 4025/21
EWEN NICHOLLS (CADET SURVEYOR)		NICK GRIGGS (CONSULTING SURVEYOR)	



(REQUIRED FOR FUTURE ROAD)

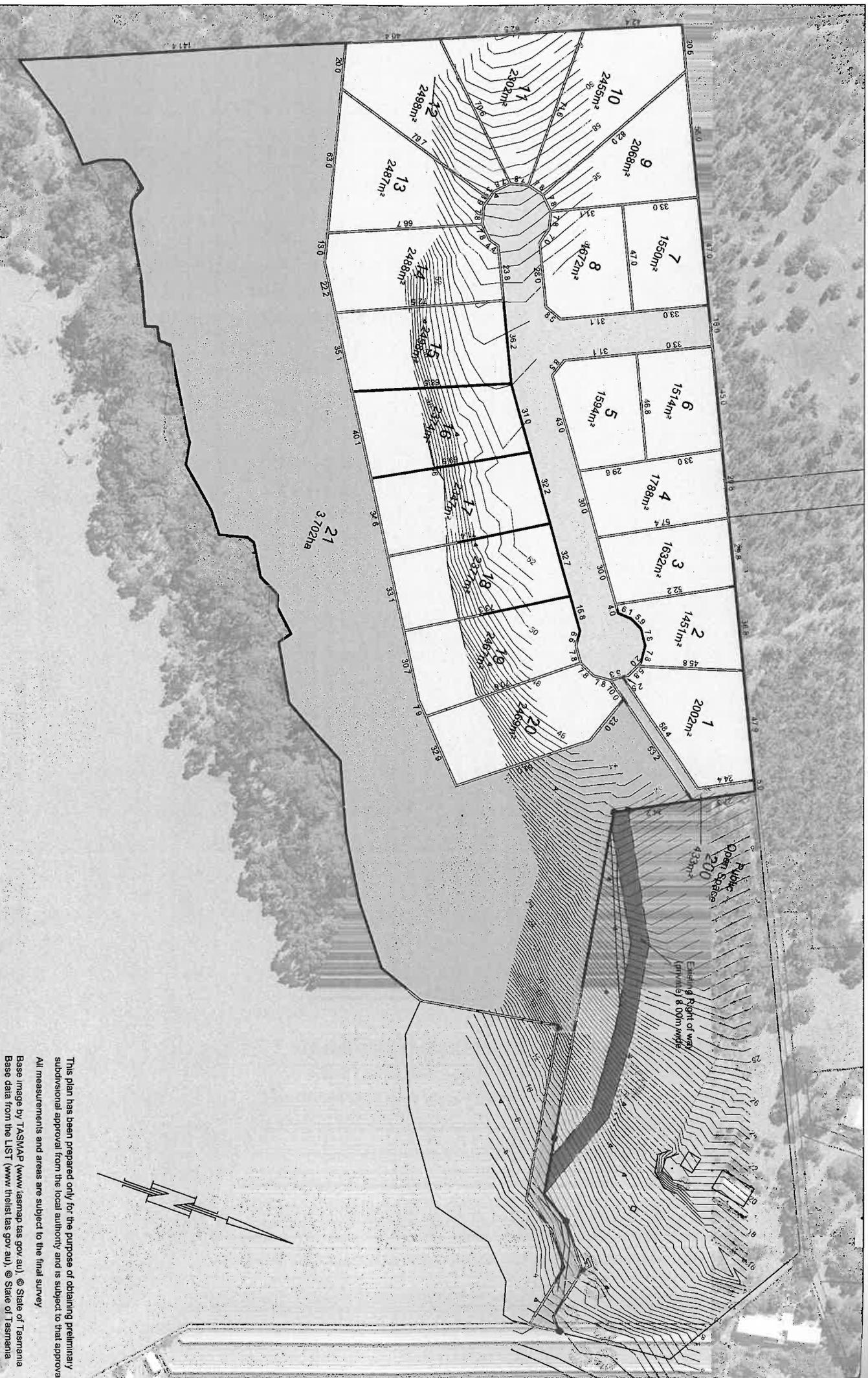
DRAINAGE  
 EASEMENT  
 3.00 WIDE

DRAINAGE EASEMENT 3.00 WIDE  
 EASEMENT 3.00 WIDE

FOOTWAY

PEDESTRIAN ACCESS TO RHEBAN ROAD

**ATTACHMENT 2: PRELIMINARY SUBDIVISION DESIGN,  
CT 42561/1**



E					
D					
C					
B	changes to eastern and	AB	21-2-18	AB	
A	Low Density Residential version 1	AB	21-2-18	AB	
REV					

**ROGERSON & BIRCH SURVEYORS**

UNIT 1, 2 KENNEDY DRIVE  
CAMBRIDGE 7170  
PHONE: (03)6246 5898  
EMAIL: admin@rsurveyors.com  
WEB: www.rsurveyors.com

OWNER: HIGHCLERE HOLDINGS PTY LTD  
TITLE REFERENCE: C.T.42561/1  
LOCATION: RHEBAN ROAD  
SPRING BEACH

**Proposed Subdivision**

Date: 21-2-2018  
Reference: LYNNM003 4647-10  
Scale: 1:1500 (A3)  
Municipality: Glamorgan Spring Bay

This plan has been prepared only for the purpose of obtaining preliminary subdivisional approval from the local authority and is subject to that approval. All measurements and areas are subject to the final survey.

Base image by TASMAR (www.tasmmap.tas.gov.au), © State of Tasmania  
Base data from the LIST (www.theist.tas.gov.au), © State of Tasmania

**ATTACHMENT 3: SUBMISSION TO THE DRAFT INTERIM  
PLANNING SCHEME 2013**



**NEIL SHEPHARD  
& ASSOCIATES**

*Planning and Development Consultants*

The General Manager  
Glamorgan/Spring Bay Council  
PO Box 6  
TRIABUNNA TAS 7190

9 July 2013

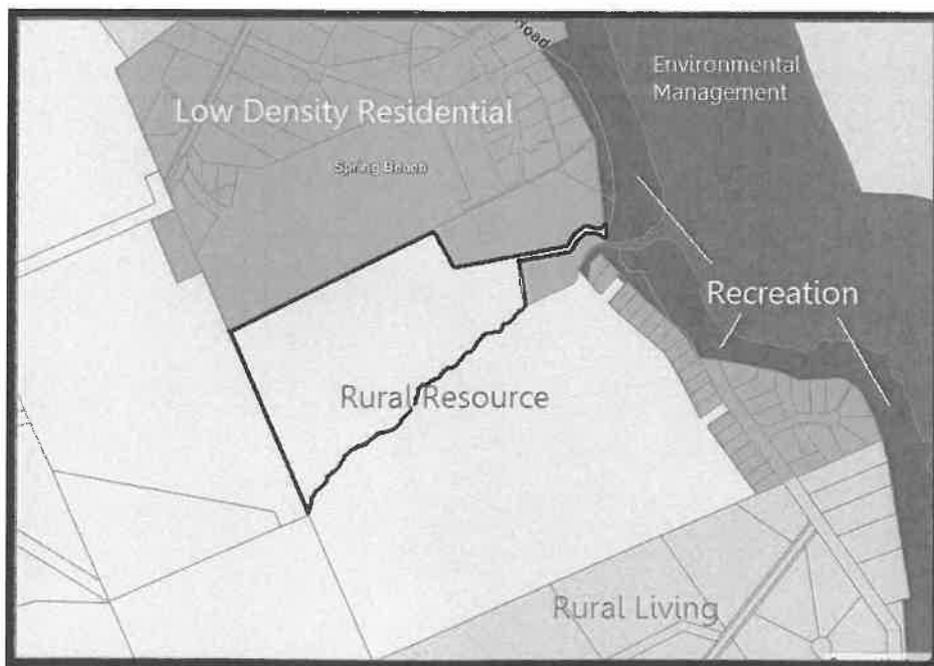
Dear Sir,

**RE: GLAMORGAN SPRING BAY DRAFT INTERIM PLANNING PLANNING SCHEME 2013 – PUBLIC SUBMISSIONS – CT 42561/1 RHEBAN ROAD, SPRING BEACH –CURRENT AND FUTURE ZONING – LOT SIZES – CONNECTIVITY – UNNECESSARY RESTRICTIONS**

I write on behalf of Bob Lynch Insurance Agencies Pty Ltd who is the owner of the following land at Spring Beach:

<b>Property Address</b>	RHEBAN RD SPRING BEACH TAS 7190
<b>Property ID</b>	7637629
<b>Title Reference</b>	42561/1

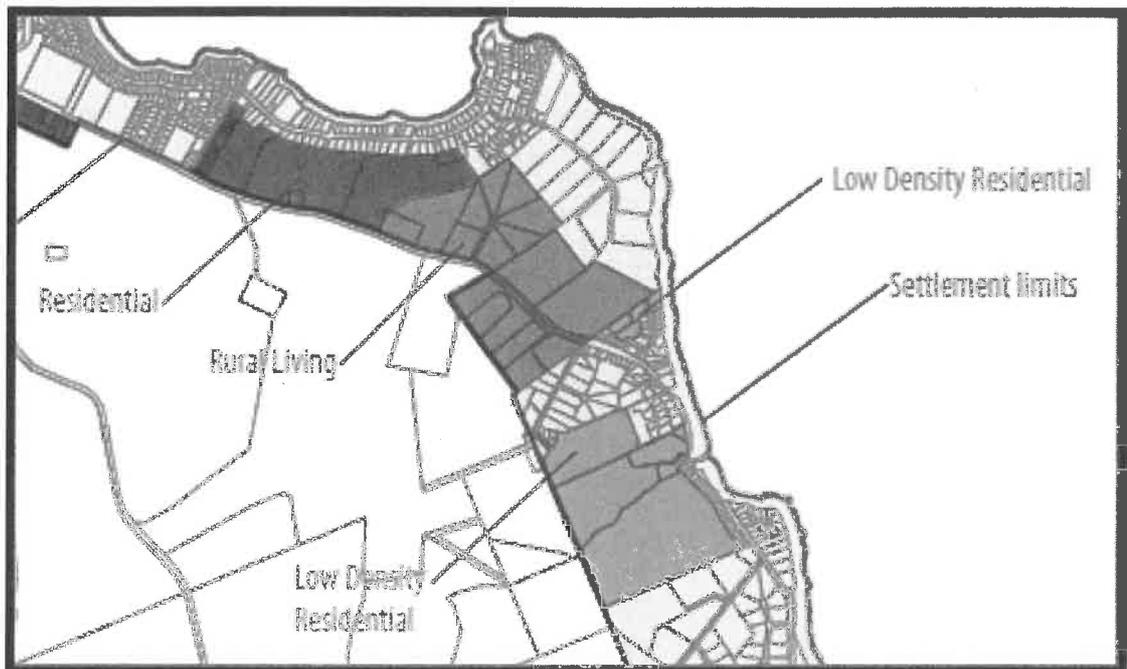
We refer to the proposed zoning of the subject and adjoining properties on the Planning Scheme Maps associated with the Glamorgan Spring Bay Draft Interim Planning Scheme on public exhibition up to 12 July 2013. An excerpt from the map with the zonings labeled (by me) is provided below. The subject property is outlined in black.



**Figure 1: Proposed zonings under the Draft Scheme.**

## Triabunna/Orford Structure Plan

Under the 2011 Structure Plan for Triabunna and Orford it is recommended that the subject and adjoining lands to the north and south be zoned Low Density Residential (see below coloured pink).



*Figure 2: Excerpt of the Triabunna/Orford Structure Plan 2011 – proposed settlement limits and zonal recommendations*

It is noted that the Structure Plan recommendations for rezoning in the Spring Beach area are for the long term.

It is also noted that from a practical viewpoint the subject land is to a certain extent dependent upon development to the north preceding it. Notwithstanding this both the land to the north and east is recommended for rezoning in the short term. Several issues arise from this:

- The subject land and those to the east and south are zoned Future Residential under the current 1994 planning scheme and those owners have an expectation (and have made investments on the basis) that the land will eventually become Residential;
- The Structure Plan provides a finer grain of expectation that these properties will all eventually become Low Density Residential;
- Because of the nature of the local topography and the configuration of the existing titles access and connectivity need to be considered before any single property ought to be developed;
- The immediate rezoning of the northern and eastern properties foreshadowed by the Draft Scheme provides the potential for them to be developed in isolation without any regard to the future of the subject land in particular. There is nothing in the current provisions for the LDR zone that require connectivity to adjoining land in a different zoning.

### **Allowance for site conditions**

It is possible that the maximum 2500m<sup>2</sup> may be too small to allow for the prescribed setbacks from waterways and avoidance or management of landslip areas indicated in the respective overlays in the Draft Scheme. Some flexibility should be allowed through the introduction of appropriate performance criteria.

Battleaxe blocks may be required (as a last resort) to deal with the topography and configuration of existing titles. It is noted that this is provided for in the LDR zone, and should remain so.

The zoning of the subject land as Rural Resource creates a further constraint on the development potential of adjoining land zoned LDR through the imposition of a 40m setback of residential building envelopes from the zone boundary. This will influence the design and area of the lots in the LDR land unnecessarily given that the long term future of the adjacent Rural Resource land is also LDR. There is potential therefore for significant inefficiencies to result, for no practical gain. Either the Rural Resource zoning of the subject land should change or the 40m separation should become more flexible.

#### **Land use and development conflict arising from Rural Resource zoning**

One of the Purposes of the LDR zone is to avoid land use conflict with adjacent Rural Resource or Significant Agricultural zoned land by providing for adequate buffer areas. The proposed Rural Resource zoning of the subject land will allow a range of 'Permitted' and 'No Permit Required' Uses within a relatively small area adjacent to and partially enclosed by existing residential and potential LDR development with consequent potential for land use conflict. This is contrary to the purpose of the LDR zone.

Further to this, as already discussed above there is a requirement for a separation distance of 40m from the Rural Resource zone boundary. This will unreasonably affect the design of subdivision within the adjacent LDR zone, possibly reducing overall yield and amenity.

Finally, there is no requirement for connectivity of land in the LDR zone to adjoining land in the Rural Resource zone. The subject land will not have subdivision potential under the Rural Resource zoning, so it will not trigger considerations of connectivity such as those provided for in clauses 12.5.2 (Roads) and 12.5.3 (Ways and POS). Even if subdivision were possible on the subject land it would be inappropriate to do so in accordance with the standards for the Rural Resource zone given that the land's ultimate future is LDR.

#### **Solutions**

It must be concluded that it is not appropriate to use the Rural Resource zone as a 'holding zone' in respect of the subject land and the adjoining land to the south.

One solution is to use another zone – but which one? If Council are not prepared to use the LDR zone then the logical alternative given the clear strategic direction of the Structure Plan is to zone both the subject land and that immediately to the south 'Particular Purpose 1 – Urban Growth Zone'. This zone specifically provides for the protection of land identified for future urban use and development, and does not burden adjoining land with temporary restrictions that might prejudice the potential of that land.

Council also has the ability to introduce Local Area Objectives or a Desired Future Character Statement that could guide the development of land in the Spring Beach area to ensure consistency with the Structure Plan and well planned design with connectivity of roads, infrastructure and open space.

It is submitted that simply zoning land Rural Resource is a weak and technically inappropriate option, particularly when the land is subject to a Structure Plan, and more appropriate strategic based zones are readily available from the model provisions.

I ask that you consider addressing these matters in the revision of the Draft Scheme and that Council undertake to continue to support these changes in all subsequent reports and at subsequent hearings.

We look forward to further opportunities to assist Council in refining the Draft Scheme.

Yours faithfully,



NEIL SHEPHARD BA, MTCP(Syd), MPIA, CPP  
*Obo Bob Lynch Insurance Agencies Pty Ltd*

10

**Shane Wells**

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**From:** Robert Rands <rands@bigpond.net.au>  
**Sent:** Monday, 12 March 2018 5:09 PM  
**To:** GSBC planning  
**Subject:** Representation in relation to Glamorgan Spring Bay Council draft of Local Provisions Schedule (LPS)

Dear sir or madam,

Thank you for the opportunity to comment on this schedule.

My comments concern access to sunlight. I am putting them in the context of these two maps of specific area plans for resort residential property in Bicheno and Swansea.

Glamorgan Spring Bay Local Provisions Schedule - Codes: Specific Area Plan - Resort Residential



**Legend**

**Specific Area Plan**

- Resort Residential

**Other**

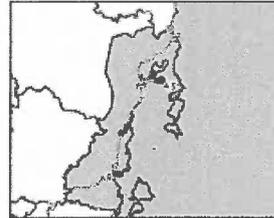
- State Highway
- LGA boundary
- parish

**Bicheno**

0 100 200 300 400 500 metres

Coordinate System: GDA 2014 MGA Zone 55  
 Base data from MUDLIS - State of Tasmania  
 Land Use data current as of 20/09/2015

Disclaimer: Before taking any action, bear in mind that this data is not a guarantee of accuracy and should be verified with the relevant authority.  
 Date: 24/01/2016



Glamorgan Spring Bay Local Provisions Schedule - Codes: Specific Area Plan - Resort Residential

592000.000



**Legend**

**Specific Area Plan**

- Resort Residential

**Other**

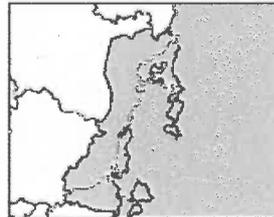
- State Highway
- LGA boundary
- parish

**Swansea**

0 100 200 300 400 500 metres

Coordinate System: GDA 2014 MGA Zone 55  
 Base data from MUDLIS - State of Tasmania  
 Land Use data current as of 20/09/2015

Disclaimer: Before taking any action, bear in mind that this data is not a guarantee of accuracy and should be verified with the relevant authority.  
 Date: 24/01/2016



My concern is that if heights, bulk and setbacks of resort residential developments are not strictly controlled, sunshine could be notably limited for housing and yards of adjacent properties to the west, south and east, during the course of the day. Likewise, there would be strong effects over the year, and particularly in the winter, greatly

limiting direct solar heat and rooftop access to solar photovoltaic electricity conversion (with a potential for battery storage or return of electricity to the grid).

The state of Victoria's review system has already flagged solar access as an important issue, stating that it is not adequately dealt with in the current state planning scheme.

[http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2012/1909.html?stem=0&synonyms=0&query=title\(Chen%20and%20Melbourne%20](http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2012/1909.html?stem=0&synonyms=0&query=title(Chen%20and%20Melbourne%20)

See especially comments 36 through 43 of the reasons given for the decision. While this is a Victorian decision, in Tasmania, our LUPAA provisions offer similar protections to developers wishing to recognise the currency and need for sustainable design and consideration of others access to direct sunlight.

There is an opportunity here to ease the process of transition toward local electricity generation which will augment the current state network of wind solar and other generation means by producing electricity which is comparatively low-loss due to its significant proportion of use on site.

My correspondence with the Tasmanian Environmental Defender's Office resulted in this suggested Performance Criterion, regarding the siting of residential dwellings, though it could easily be modified to assure residential dwellings are not overshadowed by resort residential developments. The suggestion was made by the EDO Litigation Lawyer, Claire Bookless.

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One suggestion that would specifically require the planning authority to consider impacts on solar panels would be to insert a requirement in the applicable performance criteria that the building not cause unreasonable loss of amenity by overshadowing solar panels of a dwelling on an adjoining lot where a development fails to comply with the applicable building height limits, setbacks, and/or building envelopes. For example, in the General Residential Zone, Performance Criteria P3 of cl.10.4.2 could be amended as follows:

*The siting and scale of a dwelling must:*

- (a) not cause unreasonable loss of amenity by:*
  - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
  - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or*
  - (iii) overshadowing of an adjoining vacant lot; or*
  - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot;*
- or*
- (v) overshadowing solar panels of a dwelling on an adjoining lot; and*
- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

-----

So that equivalent measure should apply throughout work and residential zones, where rooftop PV panels might be affected, as well as direct sunshine into yards, for gardening, and against walls, for passive solar heating.

Thank you for your consideration.

Robert Rands  
60 Waterworks Road  
Dynnyrne, Tasmania 7005  
[rrands@bigpond.net.au](mailto:rrands@bigpond.net.au)

(11)

**From:** Jenny Andrews [<mailto:sandseekers@gmail.com>]

**Sent:** Sunday, 11 March 2018 2:26 PM

**To:** GSBC Admin <[admin@freycinet.tas.gov.au](mailto:admin@freycinet.tas.gov.au)>

**Subject:** GSBC State Planning Scheme - ref Dolphin Sands

To whom it may concern

I am writing with regard to the planning scheme with particular reference to the section about Dolphin Sands.

1) I consider the sections re visitor accommodation being in an existing building are too restrictive:

a) Some blocks are as yet undeveloped and so any development on those blocks it would seem cannot be used for visitor accommodation

b) small separate buildings for this purpose as long as they cannot be classed as a separate residence, eg have no kitchen, should be allowed.

2) I consider that the colour being prescribed for buildings in the area is ridiculously restrictive and melancholy! Black-brown-grey?! There are many buildings already built and occupied for several years that are not within this gloomy colour scheme and have been accepted over time by the community. Ours is off white - the colour of clouds and bleached sand; one is pale blue the colour of our sunny skies; others have blue roofs and even sand coloured walls, BUT the ones that stand out are the black and dark green. so many blocks have been built on now that to introduce this sort of restriction is, in my opinion, absurd.

3) Siting the building with reference to native vegetation - what is native vegetation? My understanding is that the coastal wattle was seeded and is an introduction from Victoria. It is also an horrendous fire hazard. In the past recommendation was to clear 30m around the house. Is this wattle considered native? Some say that marram grass is not native! Wouldn't it be better to make recommendation that those plants enabling a stability of the dunes are left and the dangerous ones cleared as much as possible or some such?

Sincerely

Jennifer J Andrews

910 Dolphin Sands Road

**Shane Wells**

---

**From:** Cassie Melrose <melrosecassie@gmail.com>  
**Sent:** Saturday, 10 March 2018 11:44 AM  
**To:** GSBC planning  
**Subject:** Submission on Planning Scheme

Good Morning

The draft planning scheme for Dolphin Sands proposes that visitor accommodation be restricted to within existing buildings only. Reference:

A1 (a) within GSB-P1.5.2 Visitor Accommodation;

Objective: That Visitor Accommodation: (a) is of a scale that is compatible with the character and use of the area; (b) does not cause an unreasonable loss of privacy; and (c) does not impact the safety and efficiency of local roads or rights of way.

A1

Visitor Accommodation must:

(a) be accommodated in existing buildings.

Our business Melshell Sea Farms is struggling to find employees accommodation in the area during summer, this planning scheme will not assist this east coast predicament that many businesses have been facing over the past 2 years. We also envisage that our community residents could benefit with added income by offering visitor accommodation. The dolphin sands blocks are large and seperate dwellings are acheivable without visual pollution and environmental impacts.

We also do not support the schemes proposed no subdivision reference: GSB-P1.7

Kind Regards  
Cassie and Ian Melrose  
Melshell Sea Farm  
Yellow Sandbanks Road  
DOLPHIN SANDS 7190  
0362570269  
[admin@melshelloysters.com.au](mailto:admin@melshelloysters.com.au)