

TASMANIAN PLANNING COMMISSION

DECISION

Local Provisions Schedule Glamorgan Spring Bay

Date of decision 9 April 2021

Under section 35K(1)(c) of *Land Use Planning and Approvals Act 1993* (the Act), the Commission rejects the Glamorgan Spring Bay draft LPS and directs the planning authority to substantially modify parts of the draft LPS in accordance with the notice at Attachment 2.



John Ramsay

Delegate (Chair)



Claire Hynes

Delegate

Disclosure statement

In accordance with Schedule 2, clause 7 of the *Tasmanian Planning Commission Act 1997*, John Ramsay, a Commission delegate considering the draft Glamorgan Spring Bay draft LPS, disclosed at a hearing held on 3 December 2020 the following interests and associations:

- he is the Chair of the Board of the Forest Practices Authority;
- he had previously been on the board of the Tasmanian Land Conservancy for a period of three years and resigned in 2011 because of potential conflict of interest with his then role as Chair of the Board of the Environment Protection Authority;
- he had previously had numerous professional associations with representor 52, Mr Tony Ibbott, over a period extending back approximately 20 years; and
- he has a close friendship with representor 38, Mr Charles Morgan, who lodged a representation on behalf of a number of residents of The Fisheries, Coles Bay.

There were no objections to Mr Ramsay determining the relevant matters.

REASONS FOR DECISION

Background

The Glamorgan Spring Bay Planning Authority (the planning authority) exhibited the Glamorgan Spring Bay draft Local Provisions Schedule (the draft LPS), under section 35D of *Land Use Planning and Approvals Act 1993* (the Act), from 13 December 2019 until 5 February 2020.

On 31 August 2020 the planning authority provided the Commission with a report under section 35F(1) into 58 representations received on the draft LPS. In addition, four representations, made after the end of the exhibition period, were included by the planning authority in the report under section 35F(2)(b) of the Act. Furthermore nine submissions were accepted by the Commission during the hearing process. A list of representations and submissions is at Attachment 1.

The Commission must hold a hearing in relation to representations to the draft LPS under section 35H of the Act.

Date and place of hearing

A directions hearing was held at the Commission's office on Level 3, 144 Macquarie Street, Hobart on 19 October 2020.

Hearings were held at the EastCoaster Tasmania, 1 Louisville Road, Orford on 3 and 4 December 2020 and the Commission's office on Level 3, 144 Macquarie Street, Hobart on 8 and 9 December 2020.

Consideration of the draft LPS

1. Under section 35J(1) of the Act the Commission must consider:
 - the planning authority section 35F(1) report and the draft LPS to which it relates;
 - the information obtained at the hearings;
 - whether it is satisfied that the draft LPS meets the LPS criteria under section 34; and
 - whether modifications ought to be made to the draft LPS.
2. Under section 35J(2) of the Act, the Commission may also consider whether there are any matters that relate to issues of a technical nature or may be relevant to the implementation of the LPS if the LPS were approved.
3. The LPS criteria to be met by the draft LPS are:
 - (a) contains all the provisions that the SPPs specify must be contained in an LPS;
 - (b) is in accordance with section 32 of the Act;
 - (c) furthers the objectives set out in Schedule 1 of the Act;
 - (d) is consistent with each State policy;
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;
 - (f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates;

- (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and
 - (h) has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.
4. The relevant regional land use strategy is the Southern Tasmanian Regional Land Use Strategy 2010-2030 (regional strategy).
 5. In addition to the LPS criteria, the Commission has considered Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application (Guideline No. 1) issued under section 8A of the Act.
 6. The requirements for making modifications to the draft LPS are set out under section 35K of the Act. The modifications can be broadly categorised as modifications [section 35K(1)(a) and (b)] or substantial modifications [section 35K(1)(c)(ii)].
 7. The Commission may also reject the draft LPS and request that the planning authority prepare a substitute [section 35K(c)(i)].
 8. When considering the requirements of section 35J and whether modifications ought to be made, the Commission must determine, firstly, whether the modification has merit, and secondly, if it is a substantial modification.
 9. Where the Commission has determined modifications ought be made, and these are substantial, these are set out in a notice under 35K(1)(c) of the Act (see Attachment 2).

Issues raised in the representations

Particular Purpose Zone - The Fisheries, Coles Bay

Representations: Charles Morgan on behalf of residents of The Fisheries (38), Freycinet Action Network (45)

10. The representors request the introduction of new provisions for land at The Fisheries, Coles Bay to reinstate the previous subdivision provisions of the *Glamorgan Spring Bay Planning Scheme 1994*. The reasons include:
 - the potential impact(s) of additional development to The Fisheries and adjacent land is not considered in the draft LPS;
 - additional subdivision within The Fisheries will impact on the environment, scenic values and local infrastructure.
11. In the section 35F report, the planning authority recommended that a Particular Purpose Zone (PPZ) for land at The Fisheries should be introduced.
12. Prior to the hearing, Charles Morgan (representor on behalf of residents of The Fisheries) submitted mapping and notations of The Fisheries area to support the representation.
13. Also prior to the hearing, Sophie Underwood on behalf of the Freycinet Action Network, submitted further documentation and analysis to support the representation.
14. At the hearing, Charles Morgan submitted that he and 39 other residents of The Fisheries support the recommendation of the planning authority to create a Particular Purpose Zone for The Fisheries. Charles Morgan addressed the importance of the visual landscape as well as the potential of subdivision and development at The Fisheries.
15. Sophie Underwood provided a further submission at the hearing that consisted of a PowerPoint presentation highlighting the importance of the visual landscape of The Fisheries.

16. Heidi Goess on behalf of the Freycinet Action Network, requested to discuss the contents of a proposed PPZ for The Fisheries. She expressed support for the PPZ although stated that some fine tuning is required to ensure better planning outcomes. She raised definition issues within the proposed PPZ and queried whether acceptable solutions are conservative enough to ensure better planning outcomes.
17. The planning authority confirmed support for the application of the PPZ and agreed to consider the revision of some provisions.
18. Following the hearing, the planning authority was requested to submit a revised version of the Particular Purpose Zone for The Fisheries in light of the issues raised in the hearings. The Particular Purpose Zone had to be accompanied by a document that provides reasons for the proposed changes, relevant background information, and any necessary revised section 32(4) argument to explain how the Particular Purpose Zone satisfies the requirements of the Act.
19. On 27 January 2021, the planning authority submitted a revised version of The Fisheries Particular Purpose Zone. The provisions include use standards for visitor accommodation and external lighting, and development standards for site coverage and development area, building height, siting and exterior finishes, access to a road, landscape protection, frontage fences and significantly subdivision which limits subdivision to providing for Utilities or for consolidation of existing lots. The PPZ includes a visual impact area diagram which is referred to in a number of standards performance criteria to minimise the visual impact of new development.

Commission consideration

20. The Commission accepts the representors evidence in relation to environmental and visual impacts and the request to prohibit further subdivision, which was prohibited in a previous planning scheme.
21. The Commission acknowledges the response of the planning authority to the initial representation and is satisfied that planning controls in a PPZ are appropriate, especially given the unique location of The Fisheries residential area in immediate proximity to the Freycinet National Park.
22. The Commission is satisfied that the section 32(4) arguments presented to support a PPZ for the land are valid and that the area is unique in its location.
23. The Commission was not persuaded that an extensive view shed, proposed as part of the PPZ, covering land and water beyond the national park, relevant to the development standards, was necessary. However, a reduced and more refined area for a viewshed from within the national park, is considered appropriate to achieving the intended planning outcome provided by the standards.

Commission decision

24. Modification:
 - revise the draft LPS to include the GSB-P6.0 Particular Purpose Zone – The Fisheries, as outlined in Attachment 2, Annexure A; and
 - revise the zone mapping in the draft LPS maps to apply the Particular Purpose Zone – the Fisheries to the land at The Fisheries, Coles Bay, with the annotation GSB-P6.0, as shown in Attachment 2, Annexure A.
25. Reason:
 - The proposed Particular Purpose Zone – The Fisheries provides planning controls to a unique area of land.

- To meet the LPS requirements of the SPPs and the technical requirements of Practice Note 7 – Draft LPS mapping: technical advice.
- The Commission considers that the modifications are a substantial modification as there may be a public interest in the modifications.

Coles Bay and Swanwick Specific Area Plan

26. **Representations:** Catherine Strudwick (5), Freycinet Action Network (45), Ted and Jayne Pretty (57)
27. Representors 5 and 45 requested the removal of the Coles Bay and Swanwick Specific Area Plan (SAP). The reasons include:
 - the SAP will undermine the established character and diminish the residential amenity of the area;
 - the Supporting Report does not provide any evidence for the particular economic, environmental or social reasons for requiring the substitution of the provisions of the 10.0 Low Density Residential Zone;
 - the SAP introduces local provisions contrary to the strategic intent for Swanwick and Coles Bay as articulated in the Coles Bay Township Structure Plan, the Community Strategic Plan, and the Southern Tasmania Regional Land Use Strategy;
 - the SAP provides for use and development that is contrary to the fundamental purpose of the underlying 10.0 Low Density Residential Zone which is to protect residential amenity from unreasonable impacts in an area where there is no mixed use pattern;
 - the SAP undermines the provisions of the spatial application of the 14.0 Local Business Zone of Coles Bay and Swanwick, especially the recent approved amendment AM2018-05 (19 March 2019) to the Glamorgan Spring Bay Interim Planning Scheme 2015 by the Tasmanian Planning Commission;
 - the SAP will encourage developments that will lead to massive increase in tourist numbers without a compensating increase in sewage provisions, which will degrade the character of Coles Bay and Swanwick and reduce the amenity;
 - the SAP ignores the State Planning Provisions requirement that unless the area has sewage, water and stormwater services the area must be zoned Low Density Residential;
 - the local population will suffer the resultant pollution and overcrowding of facilities.
28. Representor 57 supported the introduction of the SAP but provided no reason for so doing.
29. In the section 35F report, the planning authority recommended that Coles Bay and Swanwick Specific Area Plan be withdrawn as requested in the representation. The reasons include:
 - the subject SAP introduces seven additional discretionary uses, removed use qualifications for three uses and provides additional use standards to those that apply under the Low Density Zone. The remainder of the standards for the Low Density Residential Zone apply;
 - measures proposed under the draft SAP provide for an expanded range of uses to accommodate the needs of the area as a result of high visitation rates; and
 - the preference is to review the intended outcomes in a separate planning scheme amendment on the approval of the LPS.
30. At the hearing, Heidi Goss on behalf of the Freycinet Action Network addressed the issue of the use table in the SAP and raised concern that the introduction of the SAP was not strongly

justified to meet the criteria under section 32(4). She further argued that the purpose of the SAP was unclear and therefore supported its removal.

31. The planning authority reiterated their recommendation in the section 35F report that the SAP should be removed.

Commission consideration

32. The Commission notes the evidence of the representors and the advice and recommendations of the planning authority.
33. The Commission notes that both Coles Bay and Swanwick are popular coastal settlements in the municipal area and there is significant interest in ensuring appropriate management of any future use and development in the area. It understands the recommendation of the planning authority to further consider the strategic planning merit of whether any specific planning controls are required for those settlements.

Commission decision

34. Modification:
 - modify the draft LPS to delete GSB-S4.0 Coles Bay and Swanwick Specific Area Plan;
 - modify the draft LPS to renumber GSB-S5.0 Spring Bay Industrial Specific Area Plan to GSB-S4.0 and make all necessary consequential revisions; and
 - revise the LPS maps to delete GSB-S4.0 Coles Bay and Swanwick Specific Area Plan and all associated annotations.
35. Reason:
 - To ensure consideration of appropriate planning controls to provide controls for use and development in small townships.
 - To meet the LPS requirements of the SPPs.
 - The Commission considers that the modifications are a substantial modification as there may be a public interest in the modification to remove the SAP from the draft LPS.

Attachment 1

List of Representations

| No | Name |
|-----------|---|
| 1. | Robert and Lisa Brodribb |
| 2. | Conservation Landholders Tasmania |
| 3. | Department of Police, Fire and Emergency Management - State Emergency Service |
| 4. | TasWater |
| 5. | Catherine Strudwick |
| 6. | Neil and Elizabeth Roberts |
| 7. | Marcia Harvey-Bird and Chris Bird |
| 8. | Nigel and Barbara Bentley |
| 9. | FJA obo Alpine Tas |
| 10. | Chris and Lucy Landon-Lane |
| 11. | Susan Fahey and Lisel Allen |
| 12. | Chris and Lucy Landon-Lane |
| 13. | Jason Whitehead |
| 14. | Graham Walkem |
| 15. | Adam Greenhill |
| 16. | Lucy Landon-Lane |
| 17. | Jonathon and Laura Fitzgerald |
| 18. | Rolf Lindholm and Janice May |
| 19. | State Emergency Service |
| 20. | Mark Pearce |
| 21. | Ross Irving |
| 22. | Andrew Wyminga |
| 23. | Wallaroo Contracting and JMG |
| 24. | TasNetworks |
| 25. | Page Seager obo Federal East Coast Holdings Pty Ltd |
| 26. | Jack Cotton |
| 27. | Department State Growth |
| 28. | Hayden Dyke |
| 29. | Kym and John Archilles |

30. Kym and John Archilles
31. Alison Westwood
32. Landon Bannister (Dark Sky Tasmania)
33. JMG obo Spring Bay Tasmania Pty Ltd
34. Page Seagar obo Saltwater Lagoon Pty Ltd
35. Helen Preston
36. John Heck
37. Mark Peacock and Helen Hortle
38. Charles Morgan
39. Phil and Elizabeth Cooper
40. Lynette Taylor
41. Bayport obo Spring Bay Tasmania Pty Ltd
42. Donnalee Young and Peter Lingard
43. Peter Wall
44. Jennifer Crawford
45. Freycinet Action Network
46. John and Elizabeth Whinnen
47. Orford Golf Club
48. Tasmanian Land Conservancy
49. Nigel and Barbara Bentley
50. Robert and Annie Browning
51. Tasmanian Fire Service
52. R.A. and M.F. Ibbott
53. Johannes and Sarah Ambrose
54. Rodger and Karen Bartlett
55. Esther Catchpoole
56. Peter Timms and Robert Dessaix
57. Ted and Jane Pretty
58. Leanne Woods

Submissions accepted by the Commission

1. Alistair Hobday and Janet Mcdonald
2. Bart Jenniches and Kelly Blackford
3. Heather Jones
4. Chris and Lucy Landon-Lane
5. Kip and Diana Nunn
6. Juile Ostberg
7. Michael and Christine Stevens
8. Anne Marmion and Russell Gray
9. Pawel Achtel

Attachment 2

Land Use Planning and Approvals Act 1993

Notice to substantially modify under section 35K(1)(C)

Glamorgan Spring Bay Draft LPS

9 April 2021

The Tasmanian Planning Commission (the Commission) directs that the Glamorgan Spring Bay planning authority substantially modifies the Glamorgan Spring Bay draft Local Provisions Schedule (draft LPS) as follows:

1.0 Particular Purpose Zone

1.1 GSB-P6.0 Particular Purpose Zone – The Fisheries

Insert GSB-P6.0 Particular Purpose Zone – The Fisheries into the draft LPS, as set out in Annexure A.

Reason:

The proposed Particular Purpose Zone – The Fisheries provides planning controls to a unique area of land.

To meet the LPS requirements of the SPPs and the technical requirements of Practice Note 7 – Draft LPS mapping: technical advice.

2.0 Specific Area Plans

2.1 GSB-S4.0 Coles Bay and Swanwick Specific Area Plan

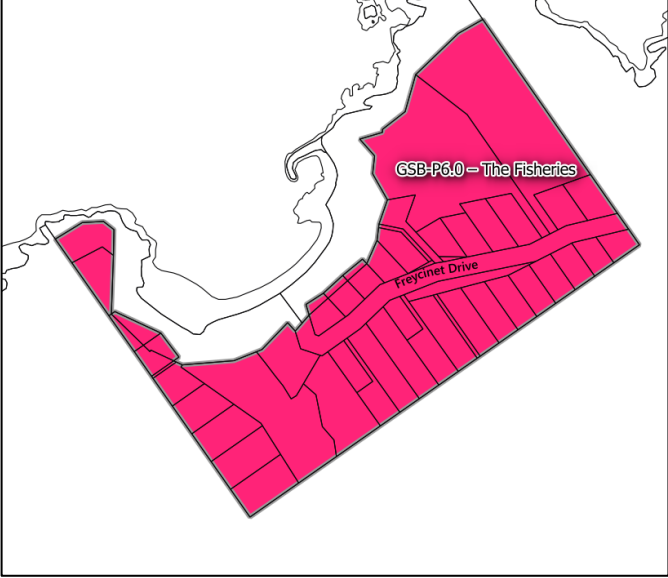

Delete GSB-S4.0 Coles Bay and Swanwick Specific Area Plan from the draft LPS.

Reason:

To ensure consideration of appropriate planning controls to provide controls for use and development in small townships.

To meet the LPS requirements of the SPPs.

3.0 Zone maps and overlays

| No. | Description | Direction and Reason |
|-----|--|---|
| 1.1 | Revise the zoning of The Fisheries, Coles Bay | <p>Revise the zoning of the land at The Fisheries, Coles Bay to apply the Particular Purpose Zone – The Fisheries, as shown in Figure 1 below:</p>  <p>The map shows a coastal area with a pink-shaded region labeled 'GSB-P6.0 – The Fisheries'. A road labeled 'Freycinet Drive' is visible within the shaded area. The map is bounded by a black line representing the zone boundary.</p> <p><i>Figure 1 - GSB-P6.0 Particular Purpose Zone – The Fisheries</i></p> |
| 1.2 | Revise the overlay maps to delete GSB-S4.0 Coles Bay and Swanwick Specific Area Plan | <p>Revise the overlay maps to delete GSB-S4.0 Coles Bay and Swanwick Specific Area Plan overlay and all associated annotations, from the draft LPS, as shown in Figure 2 below:</p>  <p>The map shows a coastal area with a dashed-line boundary around a residential area labeled 'GSB-S4.0'. The area to the right is labeled 'Coles Bay'. A legend in the bottom left shows a dashed box labeled 'Deleted Specific Area Plan'.</p> <p><i>Figure 2 - GSB-S4.0 Coles Bay and Swanwick Specific Area Plan overlay</i></p> |

Annexure A

Substantial modifications to Glamorgan Spring Bay draft LPS written document

GSB-P6.0 Particular Purpose Zone – The Fisheries

GSB-P6.1 Zone Purpose

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

- GSB-P6.1.1 To provide for residential use within the Fisheries that minimises impact on the scenic, environmental and landscape values.
- GSB-P6.1.2 To provide for compatible use and development that is of a scale and intensity that minimises impact on the scenic, environmental and landscape values of the Fisheries and the Freycinet National Park.

GSB-P6.2 Local Area Objectives

GSB-P6.3.1 In this particular purpose zone, unless the contrary intention appears:

| Term | Definition |
|-------------------------|---|
| Freycinet National Park | means the dedicated formal reserve managed under the <i>National Parks and Reserves Management Act 2002</i> . |
| Impact Assessment Area | means the area identified in Figure GSB-P6.3.1. |

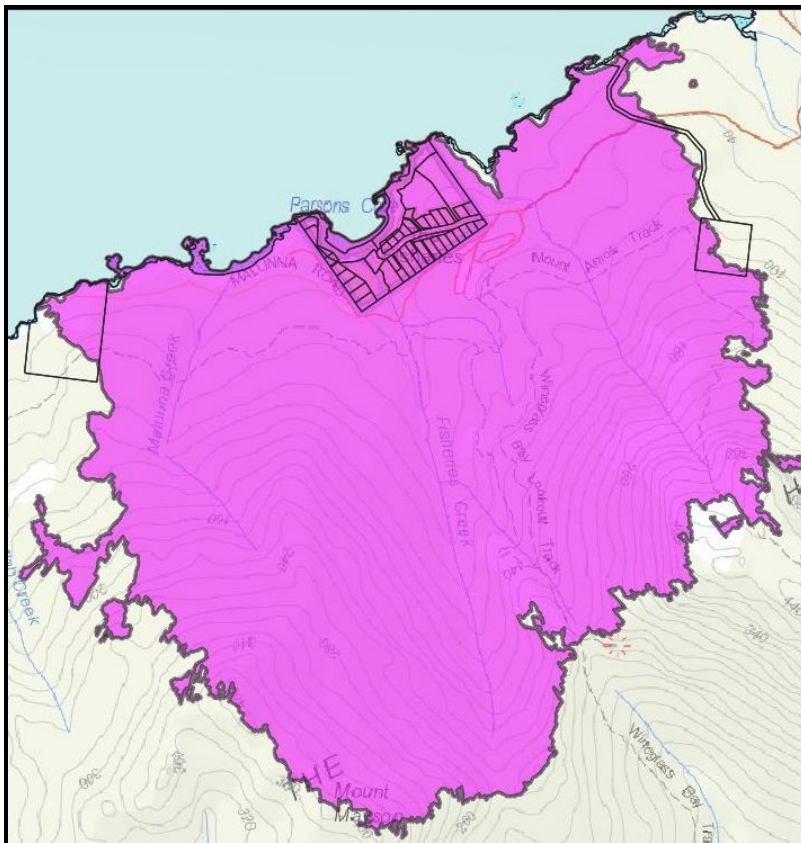


Figure GSB-P6.3.1: Impact Assessment Area

GSB-P6.3 Definition of Terms

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

GSB-P6.4 Use Table

| Use Class | Qualification |
|--|--------------------------------------|
| No Permit Required | |
| Natural and Cultural Values Management | |
| Passive Recreation | |
| Residential | If for single dwelling. |
| Utilities | If for minor utilities. |
| Permitted | |
| Residential | If for home-based business. |
| Utilities | If not listed as No Permit Required. |
| Visitor Accommodation | |
| Discretionary | |
| No uses | |
| Prohibited | |
| All other uses | |

GSB-P6.5 Use Standards

GSB-P6.5.1 Visitor Accommodation

| | | |
|-----------------------------|--|---|
| Objective: | That Visitor Accommodation is of a scale that: <ul style="list-style-type: none"> (a) is compatible with the scenic, environmental and landscape values of the site; (b) does not cause an unreasonable loss of residential amenity; and (c) does not impact the safety and efficiency of local roads or private rights of way. | |
| Acceptable Solutions | | Performance Criteria |
| A1 | Visitor Accommodation guests are accommodated in existing buildings. | P1 Visitor Accommodation must minimise impacts on the scenic, environmental and landscape values of the zone and not cause an unreasonable loss of residential amenity in the zone, having regard to: |

| | |
|---|--|
| | <ul style="list-style-type: none"> (a) the nature, scale and extent of accommodation uses; (b) the impact of the use on the scenic, environmental and landscape values of the site; (c) any adverse impacts on the safety and efficiency of the local road network or owners and users of rights of carriageway; and (d) measures to minimise or mitigate impacts. |
| <p>A2</p> <p>Visitor Accommodation must be accommodated in one building and there are no other existing habitable buildings on the site.</p> | <p>P2</p> <p>No Performance Criterion.</p> |

GSB-P6.5.2 External lighting

| | | |
|---|--|-----------------------------|
| Objective: | That external lighting does not have an unreasonable impact on the landscape and scenic values of the site and the surrounding area. | |
| Acceptable Solutions | | Performance Criteria |
| <p>A1</p> <p>External lighting must comply with all of the following:</p> <ul style="list-style-type: none"> (a) be turned off between 10:00pm and 6:00am, except for security lighting; and (b) security lighting must be baffled to ensure that direct light does not extend beyond the property boundary. | <p>P1</p> <p>External lighting must not be obtrusive on the scenic, environmental and landscape values of the site and surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the number of proposed light sources and their intensity; (b) the location of the proposed light sources; (c) the topography of the site; and (d) any existing light sources. | |

GSB-P6.6 Development Standards for Buildings and Works

GSB-P6.6.1 Site coverage and development area

| | | |
|---|--|-----------------------------|
| Objective: | That the site coverage and development area is compatible with the protection, conservation and management of the scenic, environmental and landscape values of the site, the surrounding area and the Impact Assessment Area. | |
| Acceptable Solutions | | Performance Criteria |
| <p>A1</p> <p>Site coverage must not be more than 250m².</p> | <p>P1</p> <p>Site coverage must not obtrude on the scenic, environmental and landscape values of the site, the</p> | |

| | |
|--|---|
| | <p>surrounding area and the Impact Assessment Area, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the area of the site required to absorb run-off and wastewater; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the need to remove vegetation; (f) the location of development in relation to cleared areas; (g) the location of development in relation to natural hazards; (h) the appearance of buildings when viewed from walking trails, public roads and other public places in the Impact Assessment Area. |
| <p>A2</p> <p>Development area must be not more than 400m².</p> | <p>P2</p> <p>The development area must not cause an unreasonable impact on the scenic, environmental and landscape values of the site, the surrounding area and the Impact Assessment Area, having regard to:</p> <ul style="list-style-type: none"> (a) the design, siting, scale and type of development; (b) the operation of the use; (c) the need for the development to be located on the site; (d) how any significant values on the site are managed; (e) any protection, conservation, remediation or mitigation works; and (f) the impact of the development area on the scenic and landscape values of the area when viewed from walking trails, public roads and places in the Impact Assessment Area. |

GSB-P6.6.2 Building height, siting and exterior finishes

| Objective: | <p>That building height, siting and exterior finishes:</p> <ul style="list-style-type: none"> (a) protects the amenity of adjoining properties; and (b) minimises the impact on the scenic, environmental and landscape values of the site, the surrounding area, the Impact Assessment Area, and the Freycinet National Park. |
|---|---|
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Building height must be not more than 5m.</p> | <p>P1</p> <p>Building height must be compatible with the scenic, environmental and landscape values of the site, the surrounding area and the Impact Assessment Area, having regard to:</p> <ul style="list-style-type: none"> (a) the height, bulk and form of existing and proposed buildings; (b) the topography of the site; (c) minimising cut and fill; (d) the appearance when viewed from roads and public places in the zone; (e) the visual impact of buildings on the scenic and landscape values of the area when viewed from walking trails, public roads and places in the Impact Assessment Area; and (f) the landscape values of the surrounding area. |
| <p>A2</p> <p>Buildings must have a setback from a frontage not less than 8m.</p> | <p>P2</p> <p>Building setback from a frontage must be compatible with the scenic, environmental and landscape values of the site, the surrounding area, the Impact Assessment Area, and the Freycinet National Park, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the frontage setbacks of adjacent buildings; (c) the height, bulk and form of existing and proposed buildings; (d) the appearance of buildings when viewed from walking trails, public roads and places in the Impact Assessment Area; (e) the safety of road users; and (f) the retention of vegetation. |

| | |
|---|---|
| <p>A3</p> <p>Buildings must have a setback from side boundaries not less than 5m.</p> | <p>P3</p> <p>Buildings must be sited to not cause an unreasonable loss of amenity, or obtrude on the scenic, environmental and landscape values of the site, the surrounding area, the Impact Assessment Area, and the Freycinet National Park, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the side and rear setbacks of adjacent buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the need to remove vegetation as part of the development; and (f) the appearance of buildings when viewed from walking trails, public roads and places in the Impact Assessment Area. |
| <p>A4</p> <p>Buildings must have a setback from rear boundaries not less than 10m.</p> | <p>P4</p> <p>Buildings must be sited to not cause an unreasonable loss of amenity, or obtrude on the scenic, environmental and landscape values of the site, the surrounding area, the Impact Assessment Area, and the Freycinet National Park, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the side and rear setbacks of adjacent buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the need to remove vegetation as part of the development; (f) and (g) the appearance of buildings when viewed from walking trails, public roads and places in the Impact Assessment Area. |
| <p>A5</p> <p>Exterior building finishes must have a light reflectance value not more than 20%, in dark natural tones of black, blue, grey, green or brown.</p> | <p>P5</p> <p>No Performance Criterion.</p> |

GSB-P6.6.3 Access to a road

| | | |
|---|---|--|
| Objective: | That new dwellings are provided with appropriate vehicular access to a road maintained by a road authority. | |
| Acceptable Solutions | Performance Criteria | |
| A1 New dwellings must be located on lots that have frontage with access to a road maintained by a road authority. | P1 New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is sufficient for the intended use, 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 occupants of the dwelling; (d) the suitability of the access for emergency services vehicles; (e) the topography of the site; (f) the construction and maintenance of the access; and (g) the construction, maintenance and usage of the road. | |

GSB-P6.6.4 Landscape protection

| | | |
|--|---|--|
| Objective: | That the landscape values of the site, the surrounding area and the Impact Assessment Area are protected or managed to minimise adverse impacts. | |
| Acceptable Solutions | Performance Criteria | |
| A1 Buildings and works must: (a) be an alteration or extension to an existing building providing it is not more than the existing building height; and (b) not include cut and fill greater than 1m. | P1 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) the visual impact when viewed from walking trails, public roads and other public places in the Impact Assessment Area; | |

| | |
|--|--|
| | <p>(f) any vegetation removal required for the construction of the proposal or as a result of a Bushfire Hazard Management Plan; and</p> <p>(g) any existing or proposed screening vegetation.</p> |
|--|--|

GSB-P6.6.5 Frontage fences

| | | |
|-----------------------------|--|--|
| Objective: | That fencing does not detract from the appearance of the site or the surrounding area and provides for passive surveillance. | |
| Acceptable Solutions | | Performance Criteria |
| A1 | No Acceptable Solution. ¹ | <p>P1</p> <p>Fencing (including a free-standing wall) within 4.5m of a frontage must not have an obtrusive impact on the scenic, environmental and landscape values of the site, the surrounding area and the streetscape, having regard to:</p> <p>(a) the location and extent of the fence;</p> <p>(b) the height of the fence;</p> <p>(c) the degree of transparency of the fence;</p> <p>(d) the design, material, and colour of the fence and its method of construction; and</p> <p>(e) the requirements of the use,</p> <p>and is not less than 80% transparent.</p> |

GSB-P6.7 Development Standards for Subdivision

GSB-P6.7.1 Subdivision

| | | |
|-----------------------------|--|---|
| Objective: | That subdivision is for the creation of lots for public purposes. | |
| Acceptable Solutions | | Performance Criteria |
| A1 | <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) be required for public use by the Crown, a council or a State authority;</p> <p>(b) be required for the provision of Utilities; or</p> | <p>P1</p> <p>No Performance Criterion.</p> |

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

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| <p>(c) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p> | |
| <p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.</p> | <p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable frontage, sufficient to accommodate the intended use and associated development consistent with the Zone Purpose and the requirements of the road authority.</p> |
| <p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p> | <p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot, or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the anticipated nature of vehicles likely to access the site; and (e) the ability for emergency services to access the site. |

GSB-P6.8 Tables

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