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PART A

STATE POLICY CONSIDERATIONS

A.1 Implementation of State Coastal Policy

Where the planning authority determines that a proposed use or development would be inconsistent with the State Coastal Policy, that use or development is, unless prohibited by this scheme and notwithstanding any other provision of the scheme, a use or development which the planning authority has a discretion to refuse or permit.

Amendment SP-1 18/2/97

A.2 Implementation of State Policy on Water Quality Management

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

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

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

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

For the purpose of this clause,

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

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

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

Amendment s13/1/98 26/8/98

A3. Application of State Policy on the Protection of Agricultural Land 1998

A3.1 The provisions of this Part prevail over any provision of this planning scheme with which they are inconsistent to the extent of the inconsistency.

A3.2 Interpretation

In this part, unless the contrary intention appears:

“**agricultural land**” means all land which is being used for agricultural use or which has the potential to be used for an agricultural use.

“agricultural uses” means animal and crop production, including intensive tree farming and plantation forestry, but excludes intensive animal uses such as feedlots, piggeries and poultry farms and plant nurseries based on either hydroponics or imported growth media.

“non agricultural uses” has a corresponding meaning.

“land” includes:

- (a) buildings and structures permanently fixed to land; and
- (b) land covered with water; and
- (c) water covering land; and
- (d) any estate, interest, easement, servitude, privilege or right over land.

“Land Capability Classification System” means the land capability methodology described in Land Capability Survey of Tasmania, Land Capability Handbook, K.E. Noble, 1992, Department of Primary Industry, Tasmania.

“prime agricultural land” means agricultural land classified under the Land Capability Classification System as Class 1, 2 or 3 land.

“development” includes:

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

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

A3.3 Notwithstanding any provision in this scheme, any use or development of land classified as prime agricultural land under the Land Capability Classification System within the jurisdiction of this scheme is prohibited if that use or development would result in the conversion of prime agricultural land to non-agricultural uses unless:

- there is an overriding need for the use or development in terms of community benefit and no other suitable sites are available; or
- in accordance with clause 6.13 of the *State Policy on the Protection of Agricultural Land 1998*, it is determined that the land is not prime agricultural land.

Prime agricultural land may be identified as part of a complex with other land capability classes (e.g. Class 3+4 or 4+3).

A3.4 For the purpose of A3.3(a), an overriding need for a use or development in terms of community benefit only arises where the use or development:

- (a) relates to
 - (i) the provision of public utilities or other infrastructure;
 - (ii) heritage conservation;
 - (iii) a proposal which will provide significant economic benefit to the region; and

(b) has the prior approval of the Resource Planning and Development Commission.

A3.5 Where a use or development of prime agricultural land is not a conversion to a non agricultural use, the provisions of the Scheme apply to that use or development.

A3.6 Applications for permits involving prime agricultural land, including where it occurs as a complex with other land capability classes (e.g. Class 3+4 or 4+3), must include relevant land capability information at an appropriate scale for all land involved (clause 6.11 of the *State Policy on the Protection of Agricultural Land 1998*).

Amendment SP-2 27/07/99

PART B

B.1 TELECOMMUNICATIONS INFRASTRUCTURE SCHEDULE

Any use or development of telecommunications infrastructure must be in accordance with the Telecommunications Infrastructure Schedule.

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

PART 1
PRELIMINARY

1.1 TITLE

This Planning Scheme may be cited as the HUON PLANNING SCHEME 1979 and comprises the following Clauses, Tables and Schedules hereinafter referred to as this Scheme, and the plan or plans annexed hereto referred to as the Plan.

1.2 APPLICATION

The area to which this Scheme applies is that area wholly endorsed by a thick black line on the Plan, in accordance with Clause 6(b) of the Local Government Regulations SR 1978 No.203.

1.3 DIVISION INTO PARTS

This Scheme is divided into the following parts:-

PART 1	-	Preliminary	
PART 2	-	Reservation of Land	
PART 3	-	Use of Land in Zones	
PART 4	-	Existing Use and Non-Conforming Use	
PART 5	-	Permits	
PART 6	-	Implementation of this Scheme	
PART 7	-	General Provisions	
SCHEDULES	-	No.1 Tenor of Planning Scheme	
	-	No.2 Table of Use Classes	
	-	No.3 Table of Zones	
	-	No.4 Exemptions from Approval	
	-	No.5 Buildings of Historic or Architectural Interest or of Special Beauty	
APPENDIX 1	-	Places of Recreation and Amusement	
	2	-	Home Occupations and Professions
	3	-	Professional Offices and Surgeries
	4	-	Service Industry

1.4 INTERPRETATION

In this Scheme unless inconsistent with the context or subject matter -

Act

Means the Land Use Planning Approvals Act 1993.

Amendment BH-5 26/9/95 & Amendment BF-9 24/1/95

Advertising Sign

Means any notice, banner, pole, panel, hoarding, sign, portion of buildings, bunting, decorative flag, lights or other means used for advertising purposes.

Amendment AO-6 30/11/90

Agriculture

Includes horticulture and forestry, dairy farming and keeping and breeding of livestock, and use as arable land for the growing of fruit, vegetables, grain and other produce.

Agricultural Building

Shall include coolstore, warehouse, packing shed or building for the purpose of rural industry.

Apartment(s)

Means land used for one or more dwelling units not elsewhere defined in the ordinance.

Amendment BI-3 26/9/95

Apartment Building (deleted)

Amendment BF-1 24/1/95

Approved Date

Means the date upon which this Scheme takes effect.

Building

As defined in the Act.

Amendment CK 11/05/2006

Building Area

Means the area shown on a plan or plan of subdivision to indicate where all buildings will be located.

Amendment PSA-2/2013 28/11/13

Bushfire-Prone Area

Means the use of land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; and

Where there is no overlay on a planning scheme map; or where the land is outside the boundary of a bushfire prone area shown on an overlay on such a map, land that is within 100 metres of an area of bushfire prone vegetation equal to or greater than 1 hectare.

Amendment PSA-2/2013 28/11/13

Bushfire-Prone Vegetation

Means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.

Amendment PSA-2/2013 28/11/13

Caravan Park

Includes a camping ground in which facilities are provided for the accommodation of tents and caravans.

Car Park

Means land or building used primarily for the parking of motor vehicles as a public or private car-park but does not include part of any road or street used for parking and does not include a car sales yard or transport depot.

Car Sales Yard

Means land used as an open air market for the display or sale of vehicles, boats, caravans or machinery, whether new or second-hand, but does not include a workshop.

Church

Means a place of worship and includes buildings used primarily for the religious activities of a church or any group of persons but does not include an educational establishment.

Civic Building

Means a building designed, used or intended to be used by Government Departments, statutory bodies, or the Council as offices, assembly rooms, meeting halls or other like purposes and includes a general post office, telephone exchange, police station, fire station or ambulance depot.

Commissioner (deleted)

Amendment BF-8 24/1/95

Consulting Rooms

Means a building or part of a building (other than a hospital) used by a legally qualified medical practitioner, dentist or by a chiropodist, physiotherapist, masseur, chiropractor, dental mechanic or other person ordinarily associated with a medical practitioner or dentist.

Cottage Industry

Means a light industry in which arts or handicrafts, or products of a indigenous nature are made, and includes the sale from the site of such products produced at the site.

Amendment M-1 11/12/86

Council

Means the Huon Valley Council.

Amendment BH-6 26/9/95

Development

As defined in the Act.

Amendment CK 11/05/2006

Development Standard

Means any dimension, condition or other restriction that, unless relaxed or modified by the Corporation under the powers in this Scheme, is to apply to the use or development of any land.

Amendment BF-4 24/1/95

Amendment PSA-2/2013 28/11/13

Dwelling

Means any building or portion of a building which is used or is intended adapted or designed fro use as a self-contained unit for cooking, eating, sleeping and living purposes.

Educational Establishment

Means a primary school, high school, technical institute, academy, university or other educational centre, public library, lecture hall, art gallery or museum but does not include a institutional home.

Extractive Industry

Means -

- (a) The excavation from any land of sand, earth, soil, clay, turf, gravel, rock, stone, mineral or similar substance; or
- (b) the treatment or processing or manufacture of articles or products from any of the foregoing on the land from which the same was extracted or on adjacent land.

Fish Shop

Means a shop where fish is cooked on the premises for consumption off the premises but does not include part of a supermarket or department store.

Frontage

Means that boundary or those boundaries of any lot or block which abuts a road.

Amendment BI-5 26/9/95

Fuel Depot

Means a depot or place for storage or bulk sale of solid, liquid or gaseous fuel, but does not include a service station or wood yard.

Funeral Parlour

Means land and buildings occupied by an undertaker's establishment.

General Industry

Means any industry not a light, noxious, hazardous, extractive, rural or service industry or a home occupation.

General Offices

Means a building or part of a building used for the administration of a business, the carrying on of agencies (including Estate Agents), banks, typist/secretarial services, or businesses of a like nature, but does not include a home occupation, consulting rooms or professional offices.

Habitable Building

Means a building of Class 1-9 of the Building Code of Australia.

Amendment PSA-2/2013 28/11/13

Hazardous Industry

Means any industry the carrying on or presence of which does or might injure the person or mental or physical well-being or damage or endanger any property or the life of any person not engaged or employed in such industry due to any substance or thing kept for use there in or used or produced therein or any process or method of manufacture employed therein.

Hazardous Use

As defined in Schedule 11.

Amendment PSA-2/2013 28/11/13

Health Centre

Means a maternal and child welfare centre, a centre for the care of physically handicapped persons, an X-ray centre, a public medical clinic, a nursery or day care centre, creche or kindergarten but does not include consulting rooms.

Home Occupation

Means an occupation carried on within a dwelling or the curtilage of a dwelling as an ancillary use by a person therein in the conduct of which:-

- (a) No assistance is given by a person not a resident in such dwelling;
- (b) not more than 30 square metres of floor space measure internally is used for such occupation or any purpose of or incidental to such occupation;
- (c) no source of power is used except an electric motor of not more than .373 kilowatt and no commercial oven or boiler is used;
- (d) no enlargement or extension of any public utility connected to or serving such dwelling is required solely or partially by reason of the carrying on of such occupation;
- (e) not more than one advertisement is displayed and such advertisement is not more than 0.2 square metres in area nor any illuminated advertisement is displayed;
- (f) no goods whether for sale or not are visible to passers-by;
- (g) not more than one commercial motor vehicle is on the land on which such occupation is carried on at any one time and no facilities are provided nor provision made nor goods kept on such land for or in connection with the refuelling, servicing or repairing of any motor vehicle;
- (h) no interference with the amenity of the neighbourhood is caused by or contributed to including interference by reason of:-
 - i) The unsightly appearance of such dwelling or the land on which the same is erected or any other building on such land;
 - ii) any noise, vibration or electrical interference;
 - iii) any smell, fumes, smoke, vapour or steam;
 - iv) any soot, ash, dust or grit; or
 - v) any oil or water or substance containing oil or water or waste products;

on or emanating from such land or such dwelling or other building;
but does not include a general office.

Hospital

Means a building or part of a building for use as a hospital but does not include an institutional home or institutional building.

Hotel

Means premises in respect of which a hotel licence, public health licence or cider licence is issued and current pursuant to the Licensing Act 1932 or a provisional certificate for any such licence is issued and current or sought pursuant to the provisions of the Licensing Act 1932.

Industry

Includes:-

(a) Each of the following operations:-

- i) The carrying out of any process of manufacture whether or not a finished article results therefrom;
- ii) the breaking up, dismantling and separating into parts of any article, machinery, goods or vehicles;
- iii) the treatment of waste materials of all descriptions;
- iv) the mining of sand, gravel, clay, turf, soil, stone, rock, minerals or similar substances;
- v) repairing, laundering and servicing of articles including vehicles, machinery and buildings but not including on-site work on buildings; and
- vi) any operation connected with the installation of equipment and services and the extermination of pests other than on-site work on buildings, works or land;

(b) when carried out on land upon which any of the above operations are carried on:-

- i) The storage of goods used in connection with or resulting from any of the above operations;
- ii) the provision of amenities for persons engaged in such operations;
- iii) the sale of goods resulting from such operations; and
- iv) any work of administration or accounting in connection with the undertaking; and

without limiting the generality of the foregoing includes any industry or class of industry particularly described or defined in this Planning Scheme, but does not include a Home Occupation.

Institutional Building

Means a building used or designed principally for the purpose of:-

- (a) Hospital or sanatorium for the treatment of infections or contagious disease or persons who are mentally handicapped;
- (b) an institution for care of State wards;
- (c) a penal or reformatory institution;
- (d) a hospital for treatment or care of the mentally sick.

- Kennels (deleted) **Amendment BK 26/12/95 & Amendment BI-2 26/9/95**
- Land
Includes the surface of the ground including any coverage of vegetation or water and includes any estate in the land, houses, buildings, works and structures, in or upon the land.
- Land Clearing
Means the felling, lopping, topping, ringbarking or otherwise destroying natural vegetation.
- Light Industry
Means any industry:-
(a) In which the buildings or works occupied, the processes carried on, the materials and machinery used or stored and the transportation of materials, goods and commodities to and from the premises will not cause injury to or prejudicially affect the amenity of the locality by reason of the appearance of such buildings, works or materials or by reason of the emission of noise, vibration, steam, soot, ash, dust, waste-paper, waste products, grit, oil, or the presence of vermin or by electrical interference or otherwise; and
(b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service.
- Motel
Means any premises that are primarily used or intended to be used for the temporary accommodation of the motoring public and provision for car-parking is made within the curtilage.
- Motor Repair Garage
Means land and buildings used for or in connection with mechanical repairs and overhauls of motor vehicles and includes tyre re-capping, retreading, panel beating, spray painting and chassis reshaping, but does not include a scrap yard.
- Non-Conforming Use
Means a use that is prohibited by this planning scheme but was lawfully established when this planning scheme, or the amendment that prohibited the use, came into operation.
Amendment CK 11/05/2006
- Noxious Industry
Means any business or industry which by reason of the processes involved or the method of manufacture or the nature of the materials or goods used, produced or stored is likely to cause or causes effluvia, smoke, fumes or vapours or gases or discharges of dust or foul liquid or blood or other impurities or matters liable to become foul so as to be injurious, revolting or disgusting to other persons.
- Owner
Includes every person who jointly or severally whether at law or in equity is entitled to receive or in receipt of, or, if the lands were let to a tenant, would be entitled to receive the rents and profits, thereof, whether as a beneficial owner, trustee, mortgagee in possession or otherwise.
- Permission
Means the planning approval of the Council as evidenced by a permit.
- Permit
Means consent in writing granted by the Council and "permitted" shall have a corresponding meaning.
- Permitted Use
Means the use of a building, work or land which is in conformity with the Scheme by being a principal use or a use which, in accordance with the Table of Zones in Schedule No.3 is prohibited unless Council permission is granted.

Place of Assembly

Means a building used or intended for use as a place of recreation, entertainment or amusement and includes use as a theatre, cinema, dance or concert hall, casino, meeting hall, non-residential club, bar and drinking booth, reception or for indoor sports and games but does not include recreational grounds or a church.

Planning Approval

Means any permit, approval, or consent required by the Planning Scheme to be issued or given by a corporation in respect of the development of any land subject to the Scheme.

The Plan

Means the geographical plan or plans annexed to this Scheme which shows by colours and markings the various uses to which the land in that area may be put.

Principal Use

Means any development which is permitted as of right as denoted by the letter "P" in the Table of Zones in Schedule No.3

Private Recreation

Means the use of land for parks, gardens, playgrounds, sports grounds or other grounds for recreation which are not normally open to the public without charge.

Professional Offices

Means any building or part of a building used for the purpose of his profession an accountant, architect, artist, author, barrister, consular official, draftsman, engineer, optician, landscape architect, quantity surveyor, solicitor, town planner or a person having an occupation of a similar nature.

Public Recreation

Means the use of land for a public park, public garden, foreshore reserve, playground, sports ground, or grounds for recreation which are normally open to the public without charge.

Recreational Grounds

Means the use of land for a sports ground with spectator provision and includes grounds for athletics, race courses, trotting tracks, stadia, showgrounds, drive-in theatres and amusement parks but does not include an educational establishment or a place of assembly.

Reservation

Means the reservation of any land under Part 2 of the Scheme for the purposes specified exclusive of all other purposes.

Residential Building

Means a building designed for use for human habitation and includes a hostel, guest house, boarding house and any other building designed primarily for residential purposes and a residential club but does not include a motel, single dwelling or apartment building.

Restaurant

Means any premises in which meals are served to the public for gain or reward and includes cafes and take-away food premises but does not include a hotel, fish shop or service premises.

Rural Industry

Means any industry handling, treating, processing or packing primary products grown reared or produced in the locality of that industry and a workshop servicing plant or equipment used for rural purposes in that locality.

Service Industry

Means a light industry in which goods intended for sale on the premises are manufactured or in which the processes are directed towards the servicing of goods or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.

Service Premises

Means a shop for the sale of food for human consumption, a beauty parlour, hairdressing salon, travel ticket or betting agency or premises, a studio, a self-service laundry but does not include premises used as a restaurant.

Service Shop

Means a shop forming part of a building and used or designed to be used principally to service the occupants of the building or the immediate locality.

Service Station

Means any land and buildings used for the purpose of fuelling motor vehicles, the sale of lubricants, accessories and parts and the carrying out of routine servicing such as oiling, greasing and cleaning and of running repairs but does not include any use not conforming to the requirements for Light Industry and does not include a motor repair garage, a fuel depot or a shop.

Shop

Means any premises whereon goods are kept, exposed or offered for sale by retail but does not include a fish shop, fuel depot, service station, service premises, car sales yard, wood yard, scrap yard, or showroom or any premises used for any purpose falling within the definition of industry.

Showrooms

Means any premises intended or used for display or sale of goods of a bulky nature and includes a building used for the display or sale of vehicles.

Single Dwelling

Means a building designed for use as a dwelling for a single family, together with such out-buildings as are ordinarily appurtenant thereto, but excludes a dwelling in a row of dwellings attached to one another, such as are commonly known as semi-detached, terrace, town or row houses.

Special Industry

Includes a noxious, hazardous or extractive industry.

Amendment AT-1 19/2/93

State Road

Means a road proclaimed as a State Highway or a subsidiary road which is classified as a Main Road, Secondary Road, Development Road or Tourist Road.

Store

Means any building or enclosed land used for the storage of goods within or upon which no trade (whether retail or wholesale) or industry is carried on.

Subdivide and Subdivision

Means subdivide and subdivision as defined in Section 80(1) of the Local Government (Building and Miscellaneous Provisions) Act 1993, as amended or replaced.

Amendment BH-5 26/9/95 & Amendment BF-9 24/1/95

Transport Depot

Means land or premises used for the garaging or parking of motor vehicles which are used or intended to be used for carrying persons or goods for hire or reward for any consideration, or land or premises used for the transfer of persons and goods from one such motor vehicle to another of such motor vehicles and includes maintenance and minor repair of such vehicles.

Timber Mill

Means land or premises where logs or timber are sawn or chipped or pulped but does not include a joinery works unless logs or large pieces of timber are sawn therein.

Tourist Operation

Means any premises used principally for tourist purposes, and includes (such developments as) wildlife parks, host farms, country clubs, indoor or outdoor historical or bush displays and the like, but excludes any other tourism facility defined elsewhere in this Scheme.

Amendment M-1 11/12/86

Use

As defined in the Act.

Amendment 4-2007 12/11/2007

Veterinary Establishment

Means land and buildings used by a veterinary surgeon or in connection with the treatment of sick animals and pets and includes the accommodation of sick animals and pets.

Vulnerable Use

As defined in Schedule 11.

Amendment PSA-2/2013 28/11/13

Warehouse

Means any building or enclosed land, or part of a building or enclosed land used for the storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale.

Wood Yard

Means land or premises on which wood is stored, sawn or cut for sale as domestic firewood but does not include the carrying on of any process not conforming to the requirements for Light Industry.

Works

As defined in the Act.

Amendment CK 11/05/2006

Zone

Means any area prescribed in the Plan in which land is to be used for specified purposes and the use of land for any other purpose is regulated.

PART 2
RESERVATION OF LAND

2.1 APPLICATION OF PART

This part shall apply to all land shown on the Plan to be a reservation and itemised under Column 1 of the Table in Clause 2.2.

2.2 CLASSIFICATION OF RESERVATIONS

The several pieces of land specified in Column 1 of the Table hereunder are reserved for the respective purposes set out opposite thereto in Column 2 of the Table.

Table of Reservations

Column 1	Column 2
Land Reserved and its indication on the Plan	Purposes for which land is reserved
PUBLIC PURPOSES	
Land shown yellow	Educational purposes, Civic and Cultural purposes, Municipal purposes, Government purposes
	Amendment BF-3 24/1/95
Land shown bordered by yellow line	Nature Reserve, State Reserve, Historic Site purposes
Land shown hatched by yellow line	Forest Reserve, State Forest, Timber Reserve purposes
PUBLIC OPEN SPACE	
Land shown green	Public Recreation, Recreational Grounds purposes (Amendment BZ 2/12/02)
EXISTING MAJOR HIGHWAY (Am BZ)	
Land shown orange	Highway and associated works
FUTURE MAJOR HIGHWAY (Am BZ)	
Land shown by black dashes	Highway and associated works

2.3 RESTRICTIONS ON RESERVATIONS

- 2.3.1 Subject to Clause 2.3.6, no person shall develop or use any land reserved by this Scheme other than for the purposes prescribed under Clause 2.2 for that land. **(Amendment BZ 2/12/02)**
- 2.3.2 No land reserved under this Scheme shall be spoiled or wasted so as to destroy or impair its use for the purposes for which it is reserved.
- 2.3.3 Nothing in this Clause shall be construed as prohibiting the reasonable fencing of land.
- 2.3.4 Until the land is acquired or obtained for the purposes prescribed under Clause 2.2 nothing in this Scheme shall prohibit the continuance of the use of any reserved land for any purpose for which it was lawfully used immediately before the approved date.

2.3.6 In determining any application for a permit in a reservation shown in Clause 2.2:

- (a) if the proposed use or development is for a purpose for which the land is reserved Council must grant a permit in accordance with s.58 of the Act;
- (b) if the proposed use or development is not for a purpose for which the land is reserved but is a use or development that is ancillary to that purpose, Council may at its discretion grant a permit in accordance with s.57 of the Act;
- (c) if the proposed use or development is for Public Utilities in any reservation, Council may at its discretion grant a permit in accordance with s.57 of the Act;
- (d) if paragraphs (a), (b) or (c) do not apply Council must refuse the application and serve notice of that decision on the applicant.
- (e) In exercising its discretion under paragraph (b) Council must be satisfied that the proposed use is compatible with the purpose for which the land is reserved.

Amendment BZ 2/12/02
Amendment BH-2 26/9/95, Amendment BF-3 24/1/95
& Amendment AP-2 15/11/91

2.4 Rural and agricultural retail supply services - involving the retail sale of products related to rural and agricultural activities.

Amendment BU - 7/5/99

PART 3 USE OF LAND IN ZONES

3.1 RESTRICTIONS ON USE OF LAND

Subject to the provisions of Parts 2, 4, 5 and 7 of this Scheme, no person shall develop any land other than in accordance with the provisions of this Part.

3.2 CLASSIFICATION OF LAND USE

For the purposes of applying land and building use control in accordance with the Table of Zones in Schedule No.3, all uses are to be classified in accordance with the Schedule No.2 entitled "Table of Use Classes".

3.3 TABLE OF ZONES

The purposes for which lands and buildings may be used are shown in the Schedule No.3 entitled "Table of Zones". In that Schedule:-

- 3.3.1 The letter 'P' means that the Council will grant a permit for the use of land conditionally or otherwise provided it complies with all relevant development standards of this Scheme.
Amendment BF-4 24/1/95
- 3.3.2 The letter 'A' means that the Council has the discretion to grant a permit or refuse to grant a permit for the use of land.
Amendment BF-4 24/1/95
- 3.3.3 The letter 'X' means that the use is prohibited.
- 3.3.4 The letter 'P1' means that the use or development of land may take place without obtaining a permit, provided the use or development complies with all relevant development standards of this Scheme, and a permit is not required by Schedule 11 of this Scheme.
Amendment bf-4 24/1/95
Amendment PSA-2/2013 28/11/13

3.4 INCIDENTAL USES

Nothing in this Scheme shall prevent the establishment of any use reasonably incidental to a use permitted under the Scheme or by the Council pursuant to the provisions of the Scheme.

3.5 SIZE AND COVERAGE OF LOTS

- 3.5.1 Subdivision in the Closed Residential Zone **Amendment BF-6 24/1/95**
- 1) Where reticulated water and sewerage services are provide, subdivision is to be in accordance with the following:
- | | |
|-------------------------------|-------------------|
| (a) Minimum lot size: | 500m ² |
| (b) Minimum Frontage: | 6m |
| (c) Minimum Inscribed Circle: | 18m diameter |

Notwithstanding the minimum frontage provisions, Council may approve:

- (a) a frontage of not less than 3.6 metres except where this would give rise to an excessive length of access drive or where an extension of a public road or a lesser number of lots would better serve the convenience and amenity of the area,
or

(b) a lot which has access to a road by a right-of-way of not less than 3.6 metres in width over land not required as the sole or principle means of access to any land, in circumstances where a road frontage cannot reasonably be achieved.

2) Where reticulated water and/or sewerage services are not provided, subdivision is prohibited unless it can be demonstrated that an approval would not restrict the further use or development of land in the locality.

3.5.2 Reserved Residential

Within the Reserved Residential Zone no subdivision of land less than 20ha shall be permitted until evidence is provided to the satisfaction of the Council that the area can be serviced with a reticulated water supply, and other services as and where necessary.

Where reticulated water and sewerage services are provided, subdivision shall be in accordance with Clause 3.5.1 **Amendment BF-6 24/1/95**

3.5.3 Low Density Residential

Infill development in and around the perimeter of existing urban development. Minimum lot size 2,000m² subject to the acceptable disposal of effluent.

Minimum depth to frontage ratio of 2:1.

3.5.4 Subdivision in the Village Zone

Amendment BF-6 24/1/95

Subdivision is to be in accordance with the following:

- (a) Minimum lot size: 550m²
- (b) Minimum Frontage: 6m
- (c) Minimum Inscribed Circle: 1 8 metre diameter
- (d) Satisfactory disposal of household sewage and sullage.

Notwithstanding the minimum frontage provisions, Council may approve:

- (a) a frontage of not less than 3.6 metres except where this would give rise to an excessive length of access drive or where an extension of a public road or a lesser number of lots would better serve the convenience and amenity of the area, or
- (b) a lot which has access to a road by a right-of-way of not less than 6 metres in width over land not required as the sole or principle means of access to any other land, in circumstances where a road frontage cannot reasonably be achieved.

3.5.5 Rural Residential

Low density development located in areas which are unsuitable for farming purposes.

Minimum lot size 1ha subject to the acceptable disposal of effluent.

Maximum depth to frontage ratio of 2:1.

Note: In the Lanes Road area all subdivisions will be subject to the recommendation of the Department of Mines.

3.5.6 Semi Rural Residential

Low density development in marginal agricultural areas, located in selected localities on the perimeter of the valley floors of the Huon and Mountain Rivers.

The purpose of this zone is to make available lots which are suitable for intense agricultural use (market gardening, etc).

Minimum lot size between 4 - 8ha with an average of 6ha.

Maximum depth to frontage ratio of 2:1.

Note: In the Bakers Creek and Crabtree Road areas which have slopes greater than 10° all subdivisions will be subject to the recommendation of the Department of Mines.

3.5.7 Business Commercial

Each allotment comprising a subdivision intended to be used for the purposes permitted under this Scheme in this zone shall have a minimum area of 270 square metres with a minimum frontage of 9 metres.

Maximum depth to frontage ratio of 3:1.

Notwithstanding the above provisions Council may approve a lot of lesser frontage provided that it has a frontage to a road, right of way or private road, not less than 3.6m wide which is not required as the sole or principal means of access to any other land and where it appears to the Council to be reasonable in the particular circumstances of the case. **Amendment AI 21/2/89 & Amendment BF-8 24/1/95**

3.5.8 Subdivision in Light Industrial Zone

Amendment BF-6 24/1/95

Subdivision is to be in accordance with the following:

- (a) Minimum Lot Size: 550m²
- (b) Minimum Frontage: 6m
- (c) Minimum Inscribed Circle: 18m diameter
- (d) Satisfactory disposal of sewerage and sullage

3.5.9 Intensive Rural

Retention of land for agricultural production.

Minimum lot size 20ha

Maximum depth to frontage ratio of 3:1.

3.5.10 Conservation Zone

Protection of selected areas existing environmental qualities:-

- There shall be no further subdivision of land within the Conservation Zone.
- No buildings or works shall be carried out or constructed in the Conservation Zone without the planning approval of the Council.

3.5.11 Hill Top Preservation

Retention of skyline reserve around Huonville and Ranelagh

- (i) Minimum lot size 20ha
- (ii) The Council upon an application for planning approval for a permitted use, shall have regard to:-
 - Degree of slope of land;
 - whether any part of the land is liable to flood;
 - the prevention of erosion;
 - the protection from bush fires;
 - The protection of the natural environment and the character and the need for the proposed development to harmonise with the surrounding environment.

3.5.12 Rural
Minimum lot size 20ha.

Amendment PSA 8-2007

3.5.13 Subminimum Lots
In the Intensive Rural, Rural and Hill Top Preservation Zones, the Council may consent to the excision of an allotment no greater than 2ha in the Hill Top Preservation zone and no greater than 1ha in the Intensive Rural and Rural zones unless otherwise required by the Director of Public Health for the purpose of providing a Public Utility

Amendment PSA 8-2007

3.5.14 Further subdivision may be permitted in the Hill Top Preservation, Intensive Rural and Rural zones for the purpose of addition to an existing allotment provided no additional lots are created and the balance area is not subminimum.

Amendment PSA 8-2007

3.5.15 Adjustment of a boundary
An application for a boundary adjustment is permitted and a permit must be granted if

- a) no additional lots are created;
- b) there is only minor change to the relative size, shape and orientation of the existing lots;
- c) no setback from an existing building will be reduced below the applicable minimum setback requirement;
- d) no frontage is reduced below the applicable minimum frontage requirement; and
- e) no lot boundary that aligns with a zone boundary will be changed.

Amendment PSA 4-2011 29 September 2011

3.6 RELAXATION OF DEPTH TO FRONTAGE RATIO REQUIREMENTS

Notwithstanding the requirement for maximum depth to frontage ratios, in the Reserved Residential, Low Density Residential, Rural Residential, Semi Rural Residential, Business Commercial and Intensive Rural zones, Council may approve allotments with a greater depth to frontage ratio than that specified, in circumstances where natural features or the irregular shape of the parent allotment warrant a relaxation of these requirements.

Amendment I-2 26/6/85

3.7 DEVELOPMENT PROVISIONS - 16 SHIELD STREET, HUONVILLE

The purpose of this clause is to recognise the existing industrial building at 16 Shield Street, Huonville, Certificate of Title Reference Vol. 4015 Fol. 67 and to provide for the site to be used for purposes of an industrial or commercial nature provided there is no impact on residential amenity by virtue of noise, air or other pollution, or of unsightliness or volumes of traffic generated.

If the site is subject to contamination which would have an adverse effect on a proposed use or development allowed under the provisions of this clause, it shall be remediated before that use or development proceeds.

Notwithstanding the provisions of Schedule No.3 the following use status shall apply to the Use Classes in respect of this site.

1.1	Dwelling House	P
1.2	Other Residential Buildings	A
1.4	Health Centre, etc	A
2.1	Retail Shops & Businesses	A
3.1	Professional	P
3.1.1	Consulting Rooms or Surgeries	A
3.2	General Offices	A
3.3	Warehouses and Agencies	A
3.4	Car Saleyard	A
3.5	Storage and Depot	A
4.2	Light Industry	A
4.6	Cottage Industry	P

5.7	Tourist Operation	A
6.1	Administration	A
6.4	Cultural Buildings	A
7.1	Car Parks and Lock Up Garages	P
7.4	Miscellaneous	A
	All other use classes prohibited 'X'	

In addition to any other requirements imposed by Council as part of a planning permit for a commercial or industrial use the following provisions shall apply on the site.

- Hours of operation are to be restricted to 8.00am to 6.00pm weekdays and 8.00am to 1.00pm Saturdays.
- Maximum noise levels at the boundary of the property to be 45d.B.A.
- There are to be no projecting or illuminated signs on site.
- The building and site are to be adequately maintained and kept in a clean and tidy state.
- On street parking associated with the use is not to cause any traffic or street parking problems, and kept at a level normally associated with a residential use.
- All loading and unloading of vehicles is to be carried out on site.
- All work operations and storage of materials are to be within the building.
- Any trade waste bins are to be adequately maintained and serviced and are to be located within or at the rear of the building.
- No storage of hazardous materials. **Amendment BB-1 14/6/94**

3.8 COMMUNITY AND PROFESSIONAL DEVELOPMENTS IN RESIDENTIAL AREAS

The following provisions apply for development and/or use for Use Class 3.1 Professional and 3.1.1 Consulting Rooms and Surgeries within the Closed Residential Zone:

- the site has a road frontage
- there would be no detrimental effect on the amenity of neighbouring or nearby residential properties due to any increase in activity on site or movement to and from the site
- non- residential buildings are to be similar in size, height, street setbacks and bulk of any residential buildings in the vicinity of the development site
- new buildings intended for public use are to provide access for people with disabilities
- developments are to provide sufficient on-site manoeuvring and parking space for employee, visitor and service vehicles
- any activity associated with a non-residential use is not to cause disturbance to property occupiers in the vicinity through:
 - noise emissions; or
 - smoke or dust emissions; or
 - the carrying out of any activity between 7pm and 7am; or
 - the operation of any lighting or display system; or
 - the operation or erection of any signage greater than 0.2 square metres in area

Amendment BS 27/2/98

3.9 The following provisions apply for development and/or use for the Use Class 2.4 within the Light Industrial Zone:

- the proposed development is not to be incompatible with the existing development on the subject land or adjoining properties.
- There is to be no detrimental effect on the amenity of neighbouring or nearby properties due to the activity on site or movement to and from the site.

- (c) The site is to have a road frontage and suitable access arrangements, including adequate sight distance, for vehicles entering and exiting the properties.
- (d) Developments are to provide sufficient manoeuvring and space for service vehicles and on-site parking for employees' and visitors' vehicles.
- (e) Suitable landscaping and screening is to be provided to screen and soften the development from the street and adjoining properties.
- (f) Premises intended for public use are to provide access for people with disabilities.

Amendment BU - 7/5/99

3.10 All use or development within the Integrated Timber Processing Site Special Area is to be in accordance with Schedule 10. **Amendment BY - 9/7/02**

3.11 Grouped House and Apartment(s) Use or Development in the Business Commercial zone

3.11.1 The following provisions apply for use and/or development for Use Class 1.6 Grouped House and Apartment(s) within the Business Commercial Zone

3.11.1.1 Grouped House and Apartment(s) use or development must not adversely impact on the operation of surrounding non-residential uses and development in the Business Commercial zone.

3.11.1.2 Where it is proposed to use or develop land for Grouped House and Apartment(s) purposes, it must be demonstrated that existing non-residential use or development on surrounding sites will not adversely impact on residential amenity by way of:

- i. illumination (eg. light spill by virtue of lighting systems, signage or vehicle headlights);
- ii. noise (with particular emphasis between the hours of 10pm and 7am);
- iii. dust, smoke, fumes (eg. due to proximity to outside storage areas, vehicle loading/unloading and refuse storage/collection facilities);
- iv. other emissions likely to cause environmental nuisance.

3.11.1.3 Grouped House and Apartment(s) use or development must be provided with a satisfactory level of amenity and maintain streetscape in accordance with the following standards:

- i. Front fences and walls must be of a height and design that takes into account the streetscape, surveillance and safety and the use of that area between the building and road.
- ii. A Grouped House and Apartment(s) must be sited and designed to maximise solar access to living areas having regard to adjoining development.

Amendment CB 7/5/03

3.12 Notwithstanding the provisions of Part 2 of the Scheme, the following use status shall apply to the Use Classes in respect of this title, CT 129893/1.

1.4	Health Centre, etc	A
2.1	Retail Shops & Businesses	P
3.1	Professional	P
3.1.1	Consulting Rooms or Surgeries	P
3.2	General Offices	P
3.5	Storage and Depot	A
4.6	Cottage Industry	A
6.4	Cultural Buildings	A
6.6	Recreational Buildings	A
7.1	Car Parks and Lock Up Garages	A
	All other use classes prohibited 'X'	

3.12.1 The following provisions apply for use and/or development for non-residential use or development on the site.

1. Hours of operation are to be restricted to 8.00am to 6.00pm weekdays and 8.00am to 1.00pm Saturdays
2. Maximum noise levels at the boundary of the property to be 45d.B.A
3. There are to be no projecting or illuminated sign on site.
4. All loading and unloading of vehicles is to be carried out on site.
5. All work operations and storage of materials are to be within the building
6. Any trade waste bins are to be adequately maintained and serviced and are to be located within or at the rear of the building,
7. No storage of hazardous materials.

3.12.2 Development of the site is to comply with the following setbacks:-

- i. Front 5m
- ii. Side and Rear 2m.

Amendment PSA 2/2008 28/07/08

3.13 Notwithstanding any other provisions in this planning scheme, lots to excise each of the 3 heritage buildings (the church, presbytery and old convent) on land outlined in black, shown as Low Density Residential and referenced by this clause may each have an area of less than 2000m².

Amendment PSA-3/2009 26 November 2010

PART 4
EXISTING USE AND NON-CONFORMING USE

4.1 DAMAGED OR DESTROYED BUILDINGS OR WORKS

4.1.1 Notwithstanding any other provisions of this Scheme, Council may, at its discretion, approve with or without conditions, or refuse:

4.1.1.1 reconstruction of existing buildings or works that have been damaged or destroyed upon which an existing non-conforming use depends; or

4.1.1.2 reconstruction of existing non-conforming buildings or works that have been damaged or destroyed upon which an existing conforming use depends;

provided Council is satisfied that:

4.1.1.3 such damage or destruction was caused by fire, flood, other natural disasters or a human-induced accident; and

4.1.1.4 such damage or destruction was not the result of the wilful act of the owner; and

4.1.1.5 the buildings or works being rebuilt are of the same external dimensions, occupy the same footprint and are of similar materials; and

4.1.1.6 the risks posed by fire, flood including coastal inundation, erosion, landslip or other hazards, are acceptable.

4.2 EXTENSION OR TRANSFER OF BUILDINGS OR WORKS UPON WHICH A NON-CONFORMING USE DEPENDS

4.2.1 Notwithstanding any other provision of this Scheme, Council may, at its discretion, approve, with or without conditions, or refuse, the extension or transfer of an existing non-conforming use from part of a site to another, and any development necessary for that, if the extension or transfer and that development:

4.2.1.1 is necessary to the continued operation of the existing non-conforming use; and

4.2.1.2 will bring the use or development into greater conformity with this planning scheme, the objectives of the Act and any State Policy when taken together as a whole; and

4.2.1.3 will have a less detrimental impact on adjacent uses and the amenity of the locality; and

4.2.1.4 will not substantially intensify the existing non-conforming use.

Amendment CK 11/05/2006

PART 5 PERMITS

5.1 DEVELOPMENT APPLICATION

- 5.1.1 Any person proposing to carry out development of land or use any land or building for any purpose shall lodge with the Council an application in writing for planning approval for such development or use.
- 5.1.2 Such application shall contain a description of the proposed development or use and such further particulars as Council deems necessary to enable the Council to determine the application.
- 5.1.3 If the application is made by a person other than the owner, the consent in writing of the owner or his legally qualified representative will be required.

5.2 DETERMINATION OF APPLICATION FOR USE OR DEVELOPMENT OF LAND IN ZONES

In determining any such application for planning approval for use development of land in any zone:-

- 5.2.1 Use or development of land in a zone which is depicted in the Schedule 3 (Table of Zones) by the figure 'P' shall not be undertaken without the application for and issue of a planning approval and Council shall grant with or without conditions a planning approval thereto, provided that the use or development complies with all relevant 'development standards' without involving the provisions of Clause 5.5.2 of this Scheme.

Amendment BF-4 24/1/95
Amendment PSA-2/2013 28/11/13

- 5.2.2 Use or development of land:

- (a) in a zone which is depicted in Schedule 3 (Table of Zones) by the figure 'A'; or
- (b) any aspect of which:
- (i) makes use of power conferred on Council to relax or modify any provision of the Scheme; or
- (ii) under the Scheme Council has the discretion to refuse or approve.

shall not be undertaken without the application for and issue of a planning approval, which Council shall grant with or without conditions or refuse, subject to the notification, determination and appeal provisions of the Act.

Amendment BF-4 24/1/95
Amendment PSA-2/2013 28/11/13

- 5.2.3 If the proposed use or development is prohibited as shown by the letter "X" in the Table of Use Zones in Schedule 3, the Council shall not grant a permit for that use or development.

Amendment PSA-2/2013 28/11/13

- 5.2.3(A) If in the Intensive Rural and Rural Zones the proposed use or development otherwise prohibited in accordance with Clause 5.2.3 is to be carried out in an agricultural building which existed at the approved date, but Council is nevertheless satisfied that the proposed development:-

- (i) will not affect the amenity of the neighbourhood; and
- (ii) does not conflict with the tenor of the Scheme; and

- (iii) has adequate access provisions to a State Road and removes any detrimental effect thereto.

The Council may use its discretion to approve or refuse the development.

Amendment E-2 27/6/85
Amendment PSA-2/2013 28/11/13

- 5.2.4 Whether the proposed use is a principal use or otherwise a permitted use the Council may impose such conditions as it deems necessary in relation to the matters required to be taken into consideration under Section 6.2 of this Scheme.

5.2.4(A) Implementation of Planning Directive – Standards for Single Dwellings in Current Planning Schemes

If a development to which Planning Directive – Standards for Single Dwellings in Current Planning Schemes applies does not meet, in relation to a matter that could affect, or be affected by, the development, an Acceptable Solution specified in relation to that matter in the planning directive, the Council, acting as a planning authority, has the discretion to refuse the development if it is satisfied that the Performance Criteria specified in the planning directive in relation to the matter are not satisfied by the development.

Amended 29 August 2011

5.2.5 Temporary Planning Approval

- (i) For a use or development prohibited under Clause 5.2.3 Council may, at its discretion, grant conditionally or otherwise a Temporary Planning Approval to enable that use or development to be established and undertaken for a limited period, provided that:-
 - (1) Council has not resolved to amend the Scheme in respect of the subject land;
 - (2) the period of issue of the permit is not in excess of three years;
 - (3) the proposed building(s), works and activities are of a temporary nature only, and
 - (4) the proposed use or development will not have or result in undue detrimental effect on the amenity of the neighbourhood or environs through the creation of visual intrusion, noise, offensive smell, dust or other pollution, excessive traffic, loss of convenience or hazard of any kind.
- (ii) The issue of a planning approval pursuant to Clause 5.2.5(i) shall be subject to the condition that no later than 6 months after the date of expiry of that approval (such other period at day as is specified by Council therein), the restoration of the site subject to the approval by or on behalf of the person(s) issued that approval shall have been completed to the satisfaction of Council, without claim against Council, for compensation, and such restoration shall include the removal from the site of all trace of any works, buildings, materials, plant or other equipment introduced and used for the purposes for which the approval was granted.

Amendment A0-2 3/6/91
Amendment PSA-2/2013 28/11/13

- 5.2.6 Use or development of land in a zone which is depicted in the Schedule 3 (Table of Zones) by the figure 'P1' may be undertaken without the application for and issue of a planning approval, provided that use or development complies with all relevant 'development standards' without invoking the provisions of Clause 5.2.2 of this Scheme and a permit is not required by Schedule 11 of this Scheme.

Amendment BF-4 24/1/95 & Amendment AP-2 15/11/91
Amendment PSA-2/2013 28/11/13

5.3	(deleted)	Amendment BF-3 24/1/95
	5.3.1 (deleted)	Amendment BF-3 24/1/95
	5.3.2 (deleted)	Amendment BF-3 24/1/95

5.4 SPECIAL PROVISIONS

5.4.1 In any case where any development of land permitted or approved by the Council since 7 April 1961, and before the approved date, under the provisions of any Act, Order, Regulation, By-Law, or other power exercised by the Council has not been substantially proceeded with within a period of one year from the approved date, such permit or approval shall be void.

5.4.2 A permit granted under this Scheme shall not absolve any person from the need to obtain any licence, permit or approval or other sanction under any applicable legislation.

5.4.3 Notwithstanding the provisions of Clause 5.2.3 and Schedule No.3 Use Class 6.4 Cultural Buildings are a principal use on land at the corner of Huon Highway and Voss Road, Huonville, Certificate of Title 4150/58

For the development of Cultural Buildings on this title there shall be no vehicular access from or egress onto the Huon Highway except via Voss Road.

Amendment K-1 9/5/86

5.4.4 Notwithstanding the provisions of Clause 5.2.3 and Schedule No.2, a Motor Repair Garage and Upholstery Business is a principal use on land at the corner of Glen Huon Road and Golf Course Road, being land in lot 1 on Certificate of Title Vol. 3743 Fol.40, subject to the following conditions.

Amendment AR-3 15/11/91

1. Notwithstanding the provisions of Clause 7.4.1 of the Planning Scheme Ordinance, the minimum set-back from Glen Huon Road for all buildings on this land shall be 40m.
2. Access to this land shall be solely derived from Golf Course Road and shall be located not less than 30m from the junction of Golf Course Road with Glen Huon Road.
3. All buildings on this land shall be of masonry construction.
4. The maximum height of any buildings on this land shall be 3m above the general ground level of that higher part of the land lying next to Glen Huon Road.
5. The existing trees around the perimeter of the site shall be retained and new trees shall be planted to screen the use from public view and from neighbouring dwellings to the satisfaction of the Council.
6. A maximum four persons shall be employed on this land at any one time.
7. No more than five cars for repair shall be kept on this land at any one time and shall be kept within the building at all times except when ready for collection.
8. The panel beating shop shall be located at the northern end of the proposed building and all doors shall be kept closed during paint spraying and panel beating operations.
9. Any parking areas shall be suitably surfaced and landscaped to the satisfaction of the Council.
10. The business should operate only between the hours of 8.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm on Saturday.

Amendment Q-1 20/11/87

- 5.4.5 Notwithstanding the provisions of Clause 5.2.3 and Schedule No.3, Use Class 3.1.1 Consulting Rooms and Surgeries is a principal use on land at 133 Main Street, Huonville and described as being lot 1 on Subdivision Plan No. 29/80 registered in the Office of Deeds at Hobart.

Amendment AN-2 3/11/89 & Amendment AT-5 9/10/92

- 5.4.6 Notwithstanding the provision of Clause 5.2.3 and Schedule No.3, Use Class 4.2, a Bodywork Repair Business is a principal use on land at North Glen Road, Huonville, Certificate of Title 0425, Fol. 27 subject to the following conditions:-

1. The existing trees around the perimeter of the site shall be retained and new trees shall be planted to screen the use from neighbouring properties.
2. No advertising sign shall be erected without the further approval of Council.
3. A maximum two (2) persons shall be employed on this land at any one time.
4. No more than four (4) cars for repair shall be on this land at any one time and shall be kept within the building.
5. The hours of operation to be 8.00am to 5.00pm Monday to Friday.

Amendment AO-4 7/6/91

- 5.4.7 Notwithstanding the provision of Clause 5.2.3 and Schedule No.3, Use Class 4.2, a Mechanical Repair Business is a principal use on land at Knights Road, Huonville, CT 2455/79, subject to the following conditions:-

1. The existing trees around the perimeter of the property shall be retained and landscaping carried out to further screen the use from neighbouring properties.
2. A maximum of one (1) person to be employed on the land at any one time.
3. The site shall not be used for the repair of commercial vehicles, trucks or tractors.
4. No more than five (5) cars for repair shall be on this land at any one time. Any vehicles to be kept on the property overnight are to be stored in the shed.
5. The hours of operation to be 8.00am to 5.00pm Monday to Friday.
6. No panel beating and blasting or spray painting of vehicles.
7. Grease traps shall be incorporated where indicated to and approved by Council's Environmental Health Officer.
8. All equipment shall operate in accordance with the Environment Protection Act, 1973 and particularly with the requirements of the Environment Protection (Noise) Regulations 1977.
9. Any oils, lubricants or liquid wastes shall be stored in a manner complying with the requirements of the Dangerous Goods Inspectorate.

Amendment AO-8 19/4/91

- 5.4.8 Notwithstanding the provision of Clause 5.2.3 and Schedule No. 3, Use Class 4.1 'Service Industry' (Veterinary Clinic) is permitted development/use on land at 84 Main, Huonville, CT 20778/1 and 86 Main Road, Huonville, CT 12199/1.

Amendment PSA-3/2012
Approved 30 August 2012

5.4.9 Notwithstanding the provisions of Clause 5.2.3 and Schedule No. 3, Use Class 4.6, Cottage Industry is a principal use on land owned by the Diocese of Tasmania situate at Church Street, Franklin, Property Identification No. 7671990, subject to the following conditions:-

1. Off street parking for six (6) vehicles to be provided on a metalled and drained surface to the satisfaction of the Municipal Works Manager.
2. The use is only to operate between the hours of 8.00am and 8.00pm.
3. External renovations to the property to be of materials sympathetic to the existing structure.
4. No advertising signs to be erected without the further approval of Council.

Amendment AQ-2 7/10/91

- 5.4.10 Notwithstanding the provision of Clause 5.2.3 and Schedule No. 3, a Dental Surgery, is a principal use of land at 25 Sale Street, Huonville, subject to the following conditions:-
1. Provision is to be made for 3 car parking spaces per consulting room, at the rear of the title. Details of pavement construction, surface sealing and drainage are to be provided on drawings and constructed to the satisfaction of the Municipal Engineer.
 2. Sight distances on the corner of Sale Street and CT 4366/64 is to be improved to the satisfaction of the Municipal Engineer.
 3. The open longitudinal drain along the western boundary of CT 4207/3 should be piped and covered to the satisfaction of the Municipal Engineer with appropriate sized pipes and drainage pits.
 4. Stormwater drainage to be discharged into the drain along the western boundary.
 5. Access to the proposed car-park is to be from the public road to the west of the titles.
Amendment AS-3 28/2/92
- 5.4.11 For the purposes of an application for a Live Seafood Pack house on land on UPI parcel number 0730, Huon Highway Longley, the provision of Schedule No 3 only to the extent of the footnote.
- “+ Denotes the use is prohibited where the land has direct access to the Huon Highway between Huonville and the Municipal boundary at Vincés Saddle.”
Shall not apply, provided that access to the development is subject to the requirements of the Department of Transport and Works.
Amendment AX-1 19/11/93
- 5.4.12 Notwithstanding the provision of Clause 5.2.3 of Schedule Number 3, an Outdoor Advertising Station is a principal use of land on UPI Ref. 1290, CT 3928/73, Huon Highway, Huonville subject to the following conditions:
- (i) The information display shall be placed in such a manner whereby motorists must enter the car park to read the tourist information (ie. sign should not face the roadway).
 - (ii) An advance directions sign indicating the presence of the information bay will be provided by the Department of Transport and Works on the Hobart approach only.
Amendment BA-4 10/3/94
- 5.4.13 Notwithstanding Clause 3.5.12 of this Scheme the subdivision of land at Watson's Road, Glen Huon, Certificate of Title 2785/88 and shown on the plan with reference to this Clause may be subdivided into two lots of 2.8 hectares and a balance of 4.2 hectares as shown on the proposal plan submitted to Council land dated 13 July 1993.
Amendment BB-3 14/3/94
- 5.4.14 Notwithstanding Clause 3.5.12 of this Scheme the subdivision of land at Mountain River Road and Gums Road, Mountain River comprised in Certificate of Title 4736 Folio 78 and shown on the plan with reference to this Clause may be subdivided into three lots as shown on the proposal plan submitted to Council and dated 17 March 1995.
- The subdivision of lots 1 and 2 is subject to the prior or concurrent grant of a permit for a rural industry or intensive agricultural use for either lot; and
- The approval of the development of a dwelling on either lot being contingent upon the prior approval by the Council of a plan for the sustainable cultivation and management of the property.
Amendment BC 21/8/95

- 5.4.15 Notwithstanding the provisions of Clause 5.2.3 and Schedule 3, a retail plant nursery is a principal use of land on UPI Ref 200090, CT 4853/9, Bakers Creek Road, Lucaston.

Amendment BJ-1 22/11/95, Amendment BH-1 26/9/95 & Amendment BE 28/10/94

- 5.4.16 Notwithstanding the provisions of Clause 5.2.3 and Schedule 3, Use Class 1.3, Motels is a use or development for which Council has the discretion to grant a permit with or without conditions, or to refuse to grant a permit on lot1 SP39178 at the corner of Orchard Street and Huon Highway, Huonville subject to the following conditions;

- (i) the design of the development; including the location, scale, height and construction materials of buildings and the provision of screening vegetation and general landscaping; must take into account the visually sensitive nature of the location;
- (ii) the potential impacts of the traffic generated by the proposed development must be considered with respect to other users of the road infrastructure and the adequacy of the existing road infrastructure to service the development;
- (iii) the design of the development; including appearance, location and site layout, must demonstrate that it does not detract from the residential amenity of the area and that it is visually compatible with surrounding development;
- (iv) the proposed use must not detrimentally impact on the residential amenity of the adjoining residential development through noise, light or other emissions; and
- (v) all access for the proposed development must be via Orchard Street. No direct access to the Huon Highway is allowed.

Amendment CE 19/8/04

- 5.4.17 Notwithstanding the provisions of Clause 5.2.3 and Schedule 3, a guesthouse (“Other Residential Buildings”) is to be dealt with in accordance with Clause 5.2.2 on land known as 105 Voss Road, Huonville and contained within Certificate of Title Volume 57377 Folio 3.

Amendment CG 18/03/05

Amendment CJ 15/07/05

- 5.4.18 Notwithstanding the provisions of Schedule 3 (Table of Uses), the development of a maximum five (5) cabins for guest accommodation at 231 Lollara Road, Ranelagh, in accordance with the permit granted for DA-193/2004 shall be a permitted use.

Amendment CH 18/03/05

Amendment CJ 15/07/05

- 5.4.19 Notwithstanding clause 3.5.12 of this Scheme, the subdivision of land at Judds Creek Road, Judbury comprised of Title 33142 Folio 1 and shown on the plan with reference to this Clause may be subdivided into three lots of 3.5ha, 4.75ha as shown on the proposal plan submitted to Council and dated 9 July 2005.

Amendment CN 24/03/2006

- 5.4.20 Notwithstanding the provisions of Clause 3.3.1, Clause 5.2.1 and Schedule 3, any application for a planning permit for 13 Sale Street, Huonville, Certificate of Title 30053/1, for a use class in the “Business Commercial” zone depicted in Schedule 3 by the letter “P”, shall be determined by Council as if that use class was depicted by the letter “A”.

Amendment CO 27/06/06

- 5.4.21 Notwithstanding the provisions of Clause 3.3, Clause 3.5.9 and Schedules 3, land known as Huon Lawn cemetery, Glen Huon Road and contained within certificate of Title 113052 Folio 1 in the area adjacent to Glen Huon Road and on the eastern side of Cemetery Road, may be subdivide for a lot of not greater than 1.00 hectare only when it is subjected to the prior or concurrent grant of a permit for use and development of a Funeral Parlour.

An application for a planning permit for a Funeral parlour on the resultant lot must be determined by Council as if that use class was depicted by the letter 'P' in Schedule 3 of this planning scheme and shall be subjected to the following conditions:

1. the minimum setback from Glen Huon Road shall be 20.00 metres; and
2. the minimum setback from Cemetery Road shall be 6.00 metres

Amendment PSA 4-2008

Approved 1st September 2008

- 5.4.22 Notwithstanding the provisions of clause 3.5.8, Schedule 3 and Schedule 7 land at 119 Glen Road, Huonville and contained within certificate of title 104694/1, subdivision, use and development shall be in accordance with clauses 5.4.22.1 to 5.4.22.13.

5.4.22.1 Subdivision is to be in accordance with the following:

- (a) minimum lot size: 1000m²; and
- (b) minimum frontage: 25m; and
- (c) minimum inscribed circle: 25m.

5.4.22.2 Subdivision is to provide:

- (a) Stormwater disposal for each lot; and
- (b) Lot accesses with sight distance in accordance with AUSTRROADS; and
- (c) Underground power supply and appropriate street lighting; and
- (d) Road pavements with a minimum necessary width to enable a semi-articulated vehicle to safely manoeuvre through the site; and
- (e) Road design that does not include cul-de-sac(s); and
- (f) Kerb and gutter with footpath on one side; and
- (g) A vehicle washdown facility accessible to all lots to be constructed at stage 1 of a staged development plan.
- (h) Public open space or an extension of the riparian Crown reserve adjacent to Mountain River suitable for the construction of a public walkway to the satisfaction of Council's General Manager; and
- (i) A building exclusion zone within 30m of CT 103081/2 (179 Main Street, Huonville); 104694/2 (177 Main Street, Huonville); and the western boundary of 143805/3 (Orchard Avenue, Huonville); and
- (j) The protection of the E. ovata forest and woodland community; and
- (k) Protection of riparian vegetation via a 40m buffer to Mountain River.

5.4.22.3 Subdivision is to retain the dam in the north-west part of CT 104694/1 as a stormwater retention basin for each lot that is:

- (a) designed to retain flows for a 1 in 10 year ARI rain event based on the maximum development potential of the site; and
- (b) remediated to ensure bank stability and public safety to the satisfaction of Council's Manager Infrastructure Services.

5.4.22.4 No use or development shall be approved until a Traffic Impact Assessment (TIA) is prepared according to the TIA guidelines provided by the Department of

Infrastructure, Energy and Resources (DIER) and to the satisfaction of Council’s General Manager and including consideration of

- (a) expected traffic movements from the maximum development of the site;
- (b) suitability of the junction of Glen Road and the Huon Highway to accommodate expected traffic;
- (c) suitability of Glen Road and Mountain River Bridge to accommodate expected traffic
- (d) impact to the safety and efficiency of the road network;
- (e) need for and timing of any improvement.

5.4.22.5 Subdivision shall be in accordance with a Mineral Resources Tasmania approved Site Rehabilitation Strategy that provides for the filling of ponds, mapped fill sites, stabilisation of embankments to be retained, management of dispersive soil hazard and the formation of an appropriate topography for subdivision and future development.

5.4.22.6 Subdivision and development shall be in accordance with a Weed Management Strategy and Hygiene Plan prepared by a suitably qualified person that provides for the eradication and monitoring of priority 1 to 4 weeds listed in the Huon Valley Weed Management Strategy 2007 – 2012.

5.4.22.7 The following use status shall apply to the Use Classes defined in Schedule 2

2.1	Retail Shops and Businesses	A
2.2	Filling Stations and Other Retail Services	P
2.3	Outdoor Advertisement Station	P
2.4	Rural and Agricultural Retail Supply Services	P
3.2	General Offices	A
3.3	Warehouses and Agencies	P
3.4	Car Saleyard	A
3.5	Storage and Depots	P
3.6	Funeral Parlour	A
4.1	Service Industry	P
4.2	Light Industry	P
4.3	General Industry	A
4.4	Special Industry	A
4.5	Mining Operations	P
4.6	Cottage Industry	A
4.7	Rural Industry	P
4.9	Fuel Depot	A
4.10	Motor Repair Garage	P
5.2	Market Gardening	A
5.5	Land Clearing	A
6.1	Administration	A
6.9	Playgrounds	A
7.1	Car parks and Lock-up Garages	A
7.2	Goods Transit and Utilities	P
7.3	Public Utilities	P
7.4	Miscellaneous	A

All other Use Classes are prohibited.

5.4.22.8 Retail Shops and Business must not exceed a floor area of 100m² per lot.

5.4.22.9 No more than one Outdoor Advertisement Station can be constructed on the land contained within certificate of title 104694/1.

5.4.22.10 Vegetation within 15m of the parent lot’s boundary must be retained or if removed replaced with vegetation with a minimum expected height of 5m.

5.4.22.11 A building must not exceed a height of 10m.

5.4.22.12 A Building must be setback:

- (a) 10m from the front boundary; and
- (b) 2m from a side or rear boundary or within a building envelope shown on a plan of subdivision that provides a 0m setback to a side or rear boundary shared by two lots.

5.4.22.13 Titles created from subdivision of land that has had fill deposited on it (as part of the land rehabilitation process) are to contain covenants stating that the lot contains fill.

5.4.22.14 No development shall be approved in an area designated as flood prone until a report has been prepared by a qualified engineer stating that the development will to be subject to movement or instability, nor impact significantly on expected downstream flows as a result of a 1 in 100 year ARI flooding event.

Amendment PSA-1/2011 5 October 2011

5.4.23 Notwithstanding the provisions of clause 3.5.1 and Schedule 3 of this planning scheme, the development of land shown on the map by reference to this clause by subdivision of more than one a lot, or for Use Class 1.2 Other Residential Buildings, Use Class 1.4 Health Centre, Use Class 1.6 Grouped House and Use Class 1.7 Dwelling & Ancillary Apartment shall be Prohibited.

Amendment PSA-6/2011 6 December 2011

5.5 NOTIFICATION OF APPLICATIONS AND DETERMINATIONS

The provisions of the Act requiring notice of applications and determinations apply to this Scheme.

5.6 APPEALS

The appeal provisions of the Act apply to this Scheme.

5.7 COMMENCEMENT OF PERMIT

A permit issued granting approval for a use which is prohibited unless the Council grants permission for that use as shown by the letter "A" in the Table of Zones in Schedule No.3, shall not be effective or operated upon until the expiration of the period for appeal under Clause 5.6 thereof, or, if an appeal has been lodged, pursuant to that Clause, until after the determination of the appeal.

PART 6

IMPLEMENTATION OF THIS SCHEME

6.1 GENERAL DUTY OF COUNCIL

- 6.1.1 It shall be the duty of the Council within the ambit of its powers to give effect to, and to observe and to enforce the observance of, the requirements of this Scheme in respect of all developments or the use of land of any description or kind whatsoever undertaken within the area affected by this Scheme whether by the Council or by any other person, public or private.

6.2 APPLICATION OF THIS SCHEME

In the implementation of the provisions of this Scheme and in respect of any application for planning approval to develop any land, the Council shall take into consideration:-

- 6.2.1 The provisions of the Scheme.
- 6.2.2 Any detailed plan, designed code or standard adopted by resolution of Council for the development of land in any locality, zone, or class of use or uses covered by the provisions of this Planning Scheme.
- 6.2.3 The character of the locality, the existing and future amenity of the neighbourhood and the values of the properties in the surrounding locality.
- 6.2.4 The availability of existing public utility services and roads.
- 6.2.5 The size and shape of the parcel of land.
- 6.2.6 The provision of access, loading, parking and manoeuvring of vehicles.
- 6.2.7 The provision of adequate landscaping and associated furniture, amenity facilities, illumination and treatment of the site generally.
- 6.2.8 The circumstances of the case and the public interest.
- 6.2.9 The position of buildings on allotments in relation to boundaries or to other buildings, their density, character, height and harmony in design of facades.
- 6.2.10 The need to impose limits as to length of establishment of operation and the periods within which activities may only be carried out.
- 6.2.11 Any other provision under the Act.

6.3 FURTHERANCE OF SCHEME

(deleted)

Amendment BF-9 24/1/95 & Amendment BH-6 26/9/95

6.4 BETTERMENT

(deleted)

Amendment BF-9 24/1/95 & Amendment BH-6 26/9/95

6.5 STAGES OF DEVELOPMENT

The Council may at any time after the approved date by way of elaboration of this Scheme adopt a program which shall provide for the stages during which the development of specified areas shall be carried out.

Amendment BF-9 24/1/95 & Amendment BH-6 26/9/95

6.6 DEVELOPMENT NOTICES

(deleted)

Amendment BF-9 24/1/95 & Amendment BH-6 26/9/95

PART 7 GENERAL PROVISIONS

7.1 OPEN SPACE IN SUBDIVISION

Nothing in this Scheme shall require or be construed to require the Council to pay compensation for land reserved for open space where such land may be required to be dedicated.

Amendment BF-9 24/1/95

7.2 EXEMPTIONS FROM APPROVAL

Unless otherwise stated, nothing in this Scheme shall require application for approval for the development of land or buildings for that class or classes of use or to the carrying out of works specified in Schedule No.4 to this Scheme.

7.3 PENALTY

(deleted)

Amendment BF-9 24/1/95 & Amendment BH-6 26/9/95

7.4 GENERALLY

7.4.1 Any building on land having frontage to the Huon Highway, Channel Highway and Glen Huon Road and being in the rural and intensive agricultural zones, shall have a building line, a minimum distance of 100 metres from the road.

Notwithstanding the requirements of the above the Council may permit a setback of less than 100 metres for the following reasons:-

1. If the land is excessively steep that it makes it impractical to building beyond 100 metres.
2. If an existing subdivision exists within the 100 metre setback.
3. In special circumstances considered warranted by Council a reduction may be made to a minimum 25 metres.

Amendment C 22/11/83

7.4.2 Subject to Clause 7.4.1 & 7.4.3, the siting of buildings on allotments shall be in accordance with Schedule 7.

Amendment BF-2 24/1/95

7.4.3 Buildings for agricultural purposes on land having frontage to the Huon Highway, Channel Highway and Glen Huon Road shall not be erected without the planning approval of the Council. In respect of any application the Council shall take into consideration:-

- (a) The provision of an adequate building line of at least 25 metres.
- (b) The position of buildings on allotments in relation to other buildings, their density, character, materials, height and harmony in design of facades.
- (c) The protection of views from the highway, including existing treed environs.
- (d) The provision of access, loading, parking and manoeuvring of vehicles.
- (e) The provision of adequate landscaping and screening where necessary.

7.4.4 (deleted)

Amendment BF-9 24/1/95 & Amendment BF-2 24/1/95

7.4.5 No lot created in the Village Zone at Grove shall have access onto the Huon Highway.

The requirement for frontage to a road under 472(1)(f) is to be via Mountain River Road.

Amendment D-4 27/8/94

7.5 TREE PRESERVATION

- 7.5.1 Where it appears to the Council to be necessary, it may issue an order known as a “Tree Preservation Order”.
- 7.5.2 Such order may prohibit the ringbarking, cutting down, topping, lopping, removing, injury or wilful destruction of any tree or trees specified in the order except with the planning approval of the Council given with or without such conditions as the Council deems necessary.
- 7.5.3 Any such order may apply without limitation to any location, area, class type or description of trees generally or particularly.

7.6 HISTORIC BUILDINGS

The buildings and places listed in Schedule No.5 hereto are buildings of historical or architectural interest or of special beauty and shall not be demolished or altered or extended without the planning approval of the Council.

- (i) In considering any application in respect of any of the places listed in Schedule No.5 the Council may confer with the National Trust of Australia (Tasmanian Branch) or any other relevant person or body prior to determining such application.
- (ii) Generally, development involving any building listed shall conform to and be in character with the existing architectural design, and the external walls and roof therefore where not required to be preserved shall be constructed of materials which match the existing building.
- 7.6.1 The provision of Clause 7.2 and Schedule to that Clause under this Scheme shall not apply to any such buildings.

7.7 CLEARING OF NATURAL VEGETATION

- 7.7.1 No natural vegetation shall be felled, lopped, topped, ringbarked or otherwise destroyed in the Closed Residential, Village, Rural Residential, Semi-Rural, Hill Top Preservation and Conservation Zones without the planning approval of the Council.
- 7.7.2 Notwithstanding the above Sub-Clause, nothing in this section shall prevent the lopping, topping, ringbarking, destruction or removal of natural vegetation for:-
- (i) Fire fighting purposes and the purpose of forming a fire break.
- (ii) Removal purposes of any dead timber or branches which has occurred through natural circumstances, fire and the spread of various weeds.
- (iii) Removal purposes of any tree which impairs the access of vehicles along any existing or approved access track.
- (iv) Safety purposes
- 7.7.3 (deleted) **Amendment D-3 18/12/84**

7.8 DEVELOPMENT ADJOINING PUBLIC LAND OR PUBLIC ROADS

- 7.8.1 No building shall be erected, or land developed or subdivided if such action results in the intensifying of the use of adjoining public land or public roads by development or subdivision unless provision is made to accommodate such additional persons and vehicles as stipulated below. The requirement relates to the construction of roads including service roads, deceleration, acceleration and storage traffic lanes on main highways and to the provision of adequate parking and standing areas.

7.8.2 All applications involving development of land which has direct access to a State Road, or to a Council Road within 50m of a State Road, shall be referred to the Department of Main Roads within 7 days of receipt by Council, and any comments and/or recommendations received within 28 days of such referral shall be taken into consideration by Council by determining the application and the provision to be made for traffic. The Council shall determine what provision, if any, is required with respect to Council roads. **Amendment M-5 11/12/86**

7.8.3 The opening of an unmade road or road reservation which forms a junction with a State Road shall require the approval of the Department of Main Roads.

7.8.4 All vehicular access to land zoned Low Density Residential or Rural Residential and adjoining Flood Road shall be via an internal road.
Amendment S-3 & S-4 28/9/87

7.9 Grouped Houses and Apartments shall comply with the requirements of Schedule 9.
Amendment BF-1 24/1/95

7.10 PARKING REQUIREMENTS

Car Parking shall be provided in accordance with Schedule 8. Existing and proposed car parking spaces and the access thereto shall be clearly marked on a plan accompanying the development application.
Amendment BF-5 24/1/95

7.11 MINIMUM SIZE OF DWELLINGS

Unless otherwise reduced by Council at its discretion the minimum floor area of dwelling unit other than an ancillary apartment shall be 60 square metres.
Amendment BF-10 24/1/95

Please note that under Planning Directive No. 4 the minimum floor size does not apply to a single dwelling in the Closed Residential zone
Please see www.planning.tas.gov.au for more information on Planning Directive No. 4

7.12 USE OR DEVELOPMENT IN BUSHFIRE-PRONE AREAS

7.12.1 Use or development that is for the subdivision of land, the construction of habitable buildings, or is a vulnerable or hazardous use on land that is located within a bushfire prone area must be in accordance with the provisions of Schedule 11.

7.12.2 Where a use or development complies with a development standard without reliance on a Performance Criteria within Schedule 11, the Planning Authority shall grant with or without conditions a planning approval thereto, provided that the proposal complies with all relevant use or development standards contained elsewhere within the Planning Scheme and is depicted within Schedule 3 (Table of Use Zones) by the figure 'P1' or 'P'.

7.12.3 Where a use or development relies on a Performance Criteria within Schedule 11 to comply with a development standard, the Planning Authority shall consider the proposed use or development in accordance with Clause 5.2.2 of the Scheme.

7.12.4 Where a use or development does not comply with a development standard by not complying with an Acceptable Solution or Performance Criteria for that standard, or is otherwise depicted in Schedule 3 (Table of Use Zones) by the figure 'X', the Planning Authority shall not grant a permit for the use or development.

Amendment PSA-2/2013 28/11/13

PART 8
ADVERTISING SIGNS

Amendment AO-6 30/11/90

- 8.1 Any advertising sign greater than 0.2 square metres in area shall require the issue of a planning permit, and an application for such sign shall show:
- (i) Location of the sign
 - (ii) Method of construction
 - (iii) Dimensions
 - (iv) Design, including colours to be used
 - (v) Method of lighting (if applicable).
- 8.3 Council shall not approve any sign that:-
- (i) Creates a traffic hazard
 - (ii) Is not of a high standard of design or construction
 - (iii) Creates a loss of sunlight or daylight to residential properties
 - (iv) Interferes with the public amenity.
 - (v) Significantly interferes with the visibility of other signs in the locality.
 - (vi) Intrudes in terms of size, location, colour, shape or design into the appearance of any area so as to reduce the visual amenity in that area.
- 8.4 Notwithstanding the provisions of Clause 8.1 the following sign types are exempt from planning approval provided the total area does not exceed 2 square metres:-
- (i) Any non-illuminated sign(s) painted or attached to a premises and indicating the name of the business/trade/profession undertaken on site.
 - (ii) Any temporary notice or display in position for one (1) month or less indicating a sale, a concert or show, auction or similar activity.
 - (iii) A notice erected on a construction site provided such notice indicates matters relating to the operation.
 - (iv) Any non-illuminated sign associated with public works or undertakings of a public authority or Council with respect to water, sewerage, electricity, gas, drainage, communications, street signs or other similar services.

SCHEDULE 1

TENOR OF PLANNING SCHEME

1. GENERAL

The Huon Municipality lies to the south of both the New Norfolk and Glenorchy Municipalities and is approximately 20km from Hobart. It has a population of 4,870 (1978 census) and an area of approximately 770 sq. kms.

Since the mid 1800's the Huon region has been renowned for its apple production, so much so that Tasmania became known internationally as the Apple Isle. During the "Apple Boom" the Huon was one of the wealthiest areas in the State. Unfortunately the fruit industry has since declined.

The developed area of the Municipality is mainly within the confines of the Huon and Mountain River Valley, with the mountains to the north and either side of the valley floor providing a dominant backdrop. Outside these confines the land is rugged and virtually uninhabited. There are three main population centres within the Municipality, they are Huonville, Franklin and Ranelagh.

2. BACKGROUND

The Huon Valley has been a predominantly rural area with the first main industry being timber. As the land was cleared apple and pear growing took place and the product was immediately exported to England. In recent years economic problems related to the importance of overseas markets and shipping costs have prompted the introduction of assistance to apple growers, this resulted in the industry being heavily subsidised. Although the rural industry still plays a significant part in the Community's well-being, it no longer holds the prominence it once did. In the 10 years from 1961 to 1971 the population reduced by over 700. This decline occurred mainly in the outlying rural areas.

3. CHARACTERISTICS

The population within Huonville and the other main residential centres has virtually been dormant for the past decade, however, with the construction of the Southern Outlet (partially completed) and the Municipality's close proximity to the populated areas of Hobart and Kingborough, the area is becoming increasingly important as a low density residential area and tourist centre. The Huon Valley contains some of the most scenic agricultural land in Southern Tasmania and presents an attractive environment both to the tourist and commuter.

Future residential growth in the main centre is somewhat restricted because of Huonville's low lying nature and presence of flood plains. However, the amount of serviced land available for residential expansion is capable of supporting a population of approximately 2,150, which on present growth rates is sufficient to last for quite some time.

In the long term Ranelagh, located close by, offers the most potential for residential expansion.

4. BROAD AIMS

The general decline in the rural industry has meant that the Huon Municipality has had to look at alternative means of ensuring its economic stability. Tourism is now a major industry in Tasmania and it is quite evident that it is becoming increasingly important in the Huon Valley.

The demand for low density subdivision (including hobby farms) in the Municipality has been high, but with the present oil crisis and economic recession there are signs that this demand is subsiding. It is important that the Planning Scheme keep up with the subdivision demands, but at the same time ensuring that the quality of the landscape plus the good agricultural land is protected.

The main aim of the Planning Scheme is to establish policies for the guidance and control of development within the Municipality as well as preserving the economic viability and rural character of the Municipality.

- Provision has been made for controlled low density residential development of varying lot sizes in selected areas in the Municipality.

The aims of the subdivision policy are:-

- To preserve the economic viability and rural character of the Municipality.
 - To accommodate development demands within the Municipality, based on sound planning principles.
 - To restrict ribbon and scattered development by consolidating future development within the existing built up urban areas and villages.
 - Protection of prime agricultural land.
- The Planning Scheme aims at protecting the existing environmental quality of the Municipality by:-
 - Preserving the areas of natural scenic beauty and rural character.
 - Preserving all historic buildings and places
 - Discouraging the clearing of land in environmentally important areas.
 - Discouraging the inappropriate development in environmentally sensitive and historic areas
 - Controlling the location of rural buildings.
 - The first real impetus the Huon got as a prospective settlement was through the interest taken in the district by Sir John and Lady Franklin, especially the latter who purchased from John Price, Commandant at Port Arthur, an area of about 640 acres on the banks of the Huon, Lady Franklin divided the land into blocks and then let them out to tenants at a low rental.
 - The Planning Scheme aims at containing normal residential development within the existing built up settlements (infill development) and selected areas rather than allowing it to spread in a haphazard manner throughout the Municipality.
 - The Planning Scheme aims at containing a great proportion of the new residential development within the existing sewerage system of Huonville, with the restriction of ribbon development along the highway. Outside the sewerage area suitable residential areas exist at both Ranelagh and Southbridge.
 - The population potential of the Scheme for Huonville and Ranelagh is approximately 3,000 which is roughly double the present population.
 - Because of the presence of flood plains around Huonville, the land suitable for development is limited. In the long term Ranelagh offers the most potential as a growth centre and the sewerage of Ranelagh should be seriously considered.
 - Future development in Franklin should be consolidated within the town proper, that is to the western side of the main street and not along the Huon Highway. Further linear development at either end of Franklin should not be permitted.
 - Franklin is one of the oldest towns in the Municipality and has a number of buildings of historic interest, these buildings plus the character of the town should be protected.

- Franklin obtains much of its character through its narrow Main Street and adjacent side roads, with the old weatherboard houses built right onto the road frontage. As much as practicable this character should be maintained. Because a number of houses are in poor condition, encouragement should be given to their rehabilitation rather than to their demolition. New development should be sympathetic to the existing built environment, with setbacks, scale and building materials in conformity with the existing building fabric.
- The Planning Scheme aims at restricting development either side of the Huon Highway by creating a 100m corridor and preventing ribbon development from occurring along all the major roads in the Municipality.
- Provision should be made for the needs of tourists, such as eating places, cottage industries and recreation activities. The Council in conjunction with various community groups should instigate promotional activities. This may involve community proposals and improvement schemes which could be implemented when finance becomes available. Some promotional activities which would be applicable to the Huon Municipality include:-
 - Development of sporting events as major features, a sporting event similar to that of the Ross Rodeo and the Cygnet Tennis Tournament, this could be instigated by the Huon Council as a promotional activity which would create community interest and attract outside visitors to into the Municipality.
 - Efforts could be made by Council to investigate and promote various crafts and local industries principally of an indigenous nature.
 - Improvements to the townscape quality in the built up centres particularly Huonville and Franklin could be encouraged, such improvements include:-
 - Landscaping as a form of visual screening for factory sites and open spaces
 - Upgrading of foreshore reserves particularly at Franklin.
 - Controls on advertising signs.
 - Provision for off-street parking.
 - Tourist sign posts
 - Strategically located tourist rest stops.
- The Planning Scheme aims at preserving the Municipality's landscape and scenic character with particular emphasis on the skyline reserves in and around the built up areas and the river and stream embankments.
- The islands adjacent to Franklin (Egg. Is) are landmarks in the district and are important breeding grounds for birds. Because of their environmental significance, development and tree clearing should be severely restricted.

SCHEDULE 2

TABLE OF USE CLASSES

Reference No	Description
Residential Group	
1.1	Dwelling-house - use as a dwelling-house and for any purpose incidental to the enjoyment of a dwelling-house as such, including the use of part of the dwelling-house or its curtilage for any occupation listed in Appendix 2.
1.2	Other residential buildings – use as a boarding house, guest house or lodging house having four or more bedrooms; use as a private hotel or residential club (other than a club or hotel licensed for the sale of intoxicating liquor); use of land for residential aged care, retirement village. Amendment BF-1 24/1/95 Amendment PSA-2/2013 28/11/13
1.3	Motels - use as a motel or as overnight accommodation in the form of chalets or cabins, other than use including use as a hotel licensed for the sale of intoxicating liquor.
1.4	Use as health centre, school treatment centre, clinic, crèche, day nursery or child minding centre, dispensary, rest room or hospital. Amendment D-2 31/8/84 Amendment PSA-2/2013 28/11/13
1.5	Caravan parks - use as a site for residential or holiday caravans or mobile homes, other than for storage purposes only; use as a camping site, a shack, or a hunting, fishing or shooting lodge.
1.6	Grouped House - use for the purpose of constructing one of two or more dwellings on the same lot, where each dwelling has its own defined site, has individual access to ground level and has appurtenant private open space. Amendment BF-1 24/1/95
1.7	Dwelling and Ancillary Apartment - means any land used for a Dwelling, as defined in Part 1.4 (Interpretation) of this Scheme, and an additional dwelling unit that is appurtenant to that Dwelling, provided that the floor area of the additional dwelling unit is not greater than 80m ² , or 50% of the floor area of the Dwelling. Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95
Business Group A	
2.1	Retail shops and businesses - use as a shop, restaurant, cafe, snack bar, tea room, studio, beauty parlour, hairdressing salon, post office, bank, travel agency, ticket agency or betting agency; use as a self-service laundrette or for the reception of goods to be washed, cleaned or repaired, but excluding use for any of the purposes specified in Class 2.2.
2.2	Filling stations and other retail services - use as a petrol filling or service station, car washing booth, a drive-in shop or showroom for the display, hire, lease and sale of motor vehicles, caravans, boats, heavy machinery or the like; use in connection with the retail warehousing of goods or equipment; use as a pet shop or a fish and chip shop.
2.3	Outdoor advertising stations - use as a site for the display of advertisements for business purposes, other than as part of premises used for other purposes within Business Group A or B.
2.4	Rural and agricultural retail supply services - involving the retail sale of products related to rural and agricultural activities. Amendment BU 7/5/99
Business Group B	
3.1	Professional - use for any of the purposes listed in Appendix 3.

3.1.1 Consulting Rooms or Surgeries - use as consulting rooms or surgeries of Chiropodists, Dentists, Masseurs, Medical Practitioners, Optometrists, Opticians, Psychiatrists and Physiotherapists, and like occupations.

Amendment AT-3 29/7/92

Amendment AT-5 9/10/92

3.2 General Offices - use for general office purposes not listed elsewhere in these Tables or Schedules.

3.3 Warehouses and agencies - use as a wholesale warehouse, an auction room or saleroom (other than for livestock), a stock and station agency, a showroom in connection with the retail warehousing of office or business supplies, or use as a manufacturer's agent's office and sample depot.

3.4 Car saleyards - use for any car saleyards purpose (see definition Section 1.4 page 2).

3.5 Storage and depots - use as a storage warehouse, furniture repository, builders' or contractors' yard, transport or carrier's depot (except so far as included in Appendix 4); use as a government, local government or public authority depot or store; or use as a grain silo, use as a plant hire depot and wood yard.

Amendment BF-7 24/1/95 & Amendment AT-1 19/2/93

3.6 Funeral Parlour - means land and buildings occupied by an undertaker's establishment.

Amendment BF-7 24/1/95

Manufacturing and Industry Group

4.1 Service Industry - use for any of the purposes included in Appendix 4.

4.1 Light Industry - use for any light industrial purpose (see definition Section 1.4 page).

4.3 General Industry - use for any industrial purposes not listed elsewhere in these Tables or Schedules.

4.4 Special Industry - use for any special industry purpose (see definition Section 1.4 page 14).

4.5 Mining operations - use for the mining, winning or working of minerals or road stone or the removal of topsoil, or use as a site for the deposit of rubble, stone, topsoil or other inoffensive material.

The term also includes the treatment or processing or manufacture of articles or products from any of the foregoing on the land from which the same was extracted or on adjacent land.

Amendment BF-7 24/1/95

4.6 Cottage industry - use for a purpose which conforms with the definition of Cottage Industry in Section 1.4 page 1.

Amendment M-2 11/12/86

4.7 Rural Industry - use for any Rural Industry purpose (see definition Section 1.4).

Amendment AT-1 19/2/93

4.8 Timber Mill - means land or premises where logs or timber are sawn or chipped or pulped but does not include a joinery works unless logs or large pieces of timber are sawn therein.

Amendment BF-7 24/1/95

4.9 Fuel Depot - means the use of land for a depot or place for storage or bulk sale of solid, liquid or gaseous fuel, but does not include a service station or wood yard.

Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95

4.10 Motor Repair Garage - means land and buildings used for or in connection with mechanical repairs and overhauls of motor vehicles and includes tyre re-capping, retreading, panel beating, spray painting and chassis reshaping, but does not include a scrap yard.

Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95

Rural Use Group

- 5.1 Agriculture and Agricultural Building - means any land used for farming operations including the construction of buildings normally associated with that use, but does not include the processing of the produce of such operations other than the handling or packing of such. **Amendment BF-7 24/1/95**
- 5.2 Market gardening - use as a market garden or nursery garden not exceeding 1.5ha in extent.
- 5.3 Woodland - use as woodland, but excluding use for tree felling or timber extraction (other than by the collection of forest, waste or firewood from dead or felled trees) where such operations are carried on primarily for purposes within Class 5.5.
- 5.4 Intensive Agriculture - means any land used for the farming of animals when feeding is undertaken primarily by hand and/or machinery based practices and includes agricultural practices which involve spraying or a substantial capital investment. **Amendment BF-7 24/1/95**
- 5.5 Land clearing - use for the purpose of clearing or preparing land for the other purposes or for the exploitation of natural resources other than minerals, including the felling of indigenous trees or shelter belt plantations, the burning of scrub (otherwise than in accordance with recognised fire prevention practices) and the cutting of live timber for firewood or other purposes where not carried on as part of a regular program of forest management.
- 5.6 Racing stables - use as racing stables, private trotting tracks, pony clubs or riding schools; or use as an animal hospital or private menagerie. **Amendment BI-2 26/9/95**
- 5.7 Tourist operation - use for a purpose which conforms with the definition of Tourist Operation in Section 1.4 page 11. **Amendment M-2 11/12/86**
- 5.8 Kennels - means any land used for the boarding or keeping of dogs and/or cats on a commercial basis, but does not include the keeping of working farm dogs. **Amendment BI-2 26/9/95**

Civic and Cultural Use Group

- 6.1 Administration - use as offices, meeting halls, conference halls, assembly rooms, committee rooms or showrooms by a Government Department or other statutory authority; use as courts of law, a telephone exchange, postal sorting office, police station, fire station, or ambulance depot.
- 6.2 Colleges, etc - use as a high school, college, university or other educational institution not included in Clause 6.3, or use as an army or service barracks.
- 6.3 Primary schools - use as a primary school, nursery school or kindergarten except where forming part of a school included in Class 6.2.
- 6.4 Cultural buildings - use as a church, library, reading room, art gallery, museum or other cultural or public building or place of assembly not included in any other Class.
- 6.5 Clubs and hotels - use as a social club or a licensed club or for the social activities of any institution, or use as a hotel, inn or public house licensed for the sale of intoxicating liquor.
- 6.6 Recreational buildings - use for any of the purposes included in Appendix 1.
- 6.7 Sports grounds and burial grounds - use as an athletic or sports ground with spectator provision, a drive-in theatre, an amusement park, fairground, race-course, trotting tracks, stadium or showground, or use as a burial ground or cemetery.
- 6.8 Parks and playing fields - use for outdoor recreation so far as not included in Class 6.7, including use as a public open space, park, garden, waterside park, playing field, golf course, zoological garden, picnic site, outdoor swimming pool, nature areas, arboretum, or bird or wildlife sanctuary.

- 6.9 Playgrounds, etc - use as a children's playground, a tennis court or a bowling green, or as amenity open space not exceeding 0.4 hectares.

Transport and Utilities Group

- 7.1 Car-parks and lock-up garages - use as a car-park, a taxi rank, a bus loading bay, a lock-up garage or a car shelter unattached to a building of any other use.
- 7.2 Goods transit and utilities - use as transit sheds, good terminals or sidings; use for the purposes of a hydro-electric or water supply undertaking so far as not included in Class 7.3.
- 7.3 Public Utilities –means any use or development as may be required to provide water, sewerage, electricity, gas, oil, drainage, transport, communications or similar services.
Amendment BF-7 24/1/95
Amendment BZ 2/12/02
- 7.4 Miscellaneous - use for any purpose not specified clearly and included in any other Class in this Table, including unused land, provided that for the purposes of Parts 3 and 7 of this Scheme any use falling within this Class shall be deemed to constitute a separate Use Class of itself.

SCHEDULE 3
TABLE OF USE ZONES

	USE CLASS	CLOSED RESIDENTIAL	RESERVED RESIDENTIAL	LOW DENSITY RESIDENTIAL	VILLAGE	RURAL RESIDENTIAL	SEMI RURAL RESIDENTIAL	BUSINESS COMMERCIAL	LIGHT INDUSTRIAL	INTENSIVE RURAL	HILL TOP PRESERVATION	CONSERVATION	RURAL
1.1	Single Dwelling Amendment BF-1 24/1/95	P1* (3)	P1* (3)	P1 (3)	P1 (3)	P1 (3)	P1 (3)	A	X	P	A	X	P
1.2	Other Residential Buildings	A	A	X (2)	A	A	A	A	X	X	X	X	A+
1.3	Motels	X	X	X	A	X	X	A	A	X	X	X	A+
1.4	Health Centre Amendment D2-2 31/8/84	A	A	A	A	A	X	P	A	A	X	X	A+
1.5	Caravan Parks	X	X	X	A	X	X	A	A	X	X	X	A+
1.6	Grouped House and Apartment(s) Amendment CB 7/5/03 Amendment BI-3 26/9/95 & Amendment BF-1 24/1/95	A	A	X	A	X	X	A***	X	X	X	X	X
1.7	Dwelling & Ancillary Apartment Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95	P	P	P	P	P	P	X	X	P	P	X	P
2.1	Retail Shops and Businesses	X	X	X	A	X	X	P	X	X	X	X	X
2.2	Filling Stations and Other Retail Services	X	X	X	A	X	X	A (1)	A	X	X	X	X
2.3	Outdoor Advertising Stations	X	X	X	X	X	X	A	A	X	X	X	X
2.4	Rural and Agricultural Retail Supply Services (5)	X	X	X	X	X	X	X	A ^o	X	X	X	X
3.1	Professional	A**	X	X	A	X	X	P	A	X	X	X	X
3.1.1	Consulting Rooms or Surgeries Amendment BF-7 24/1/95, Amendment AT-3 29/7/92	A**	X	A	A	X	X	P	X	X	X	X	X
3.2	General Offices	X	X	X	A	X	X	P	A	X	X	X	X
3.3	Warehouses and Agencies	X	X	X	X	X	X	A	A	X	X	X	X
3.4	Car Saleyard	X	X	X	X	X	X	A	A	X	X	X	X
3.5	Storage and Depots	X	X	X	X	X	X	A	P	A+	X	X	A+
3.6	Funeral Parlour Amendment BF-7 24/1/95	X	X	X	X	X	X	P	A	X	X	X	X
4.1	Service Industry	X	X	X	X	X	X	A	P	X	X	X	X
4.2	Light Industry	X	X	X	X	X	X	X	P	X	X	X	X
4.3	General Industry	X	X	X	X	X	X	X	A	X	X	X	X
4.4	Special Industry	X	X	X	X	X	X	X	A	X	X	X	A+
4.5	Mining Operations	X	X	X	X	X	X	X	X	X	X	X	A+
4.6	Cottage Industry Amendment M 11/12/86	X	X	X	P	X	X	P	P	A+	X	X	A+
4.7	Rural Industry Amendment AT-1 19/2/93	X	X	X	A	X	X	X	P+	A+	X	X	A+
4.8	Timber Mill Amendment BF-7 24/1/95	X	X	X	X	X	X	X	A	X	X	X	A
4.9	Fuel Depot Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95	X	X	X	X	X	X	X	A	X	X	X	A
4.10	Motor Repair Garage Amendment BH-4 26/9/95 & Amendment BF-7 24/1/95	X	X	X	A	X	X	X	P	X	X	X	X

TABLE OF USE ZONES
(Continued)

	USE CLASS	CLOSED RESIDENTIAL	RESERVED RESIDENTIAL	LOW DENSITY RESIDENTIAL	VILLAGE	RURAL RESIDENTIAL	SEMI RURAL RESIDENTIAL	BUSINESS COMMERCIAL	LIGHT INDUSTRIAL	INTENSIVE RURAL	HILL TOP PRESERVATION	CONSERVATION	RURAL
5.1	Agriculture Amendment BF-7 24/1/95	X	P1(4)	P1(4)	P1(4)	P1(4)	P1(4)	X	X	P1(3)	A	X	P1(3)
5.2	Market Gardening	A	A	A	A	A	A	X	X	P	A	X	P
5.3	Woodland	X	X	P	X	P	P	X	X	A	P	X	P
5.4	Intensive Agriculture Amendment BF-7 24/1/95	X	A	A	A	A	A	X	X	P1	A	X	P1
5.5	Land Clearing	A	A	A	A	A	A	A	A	P	A	A	P
5.6	Racing Stables Amendment BI-2 26/9/95	X	X	X	X	A	A	X	X	A	X	X	P
5.7	Tourist Operations Amendment M-3 11/12/86	X	X	A	A	A+	A	A	X	A+	X	X	A+
5.8	Kennels Amendment BI-2 26/9/95	X	X	X	X	A	A	X	X	A	X	X	P
6.1	Administration	X	X	X	A (4)	X	X	A (4)	A (4)	A (4)	X	X	X
6.2	Colleges	X	X	X	X	X	X	X	X	X	X	X	A+
6.3	Primary Schools	A	A	A	A	A	X	X	X	X	X	X	A+
6.4	Cultural Buildings	A	A	A	A	A	A	A	X	X	X	X	X
6.5	Clubs and Hotels	X	X	X	A	X	X	A	X	X	X	X	A+
6.6	Recreational Buildings	X	X	X	A	X	X	A (1)	X	A+	X	X	A+
6.7	Sports Grounds and Burial Grounds	X	X	X	A	X	X	X	X	A+	X	X	A+
6.8	Parks and Playing Fields	A	A	P	P	P	A	A	X	A+	X	X	P+
6.9	Playgrounds	P	P	P	P	P	A	A	A	P+	A	X	P+
7.1	Car parks and Lock-up Garages	X	X	A	A	A	X	A	A	X	X	X	A
7.2	Goods Transit and Utilities	X	X	X	X	X	X	X	P	X	X	X	A+
7.3	Public Utilities Amendment BF-7 24/1/95	A	A	A	A	A	A	A	P	A	A	X	A
7.4	Miscellaneous	X	X	X	X	X	X	A	A	X	X	X	A+

* Denotes subject to services being satisfactorily provided.

+ Denotes the use is prohibited where the land had direct access to the Huon Highway between Huonville and the Municipal boundary at Vines Saddle. **Amendment M-4 11/12/86**

- (1) Amendment X-1 26/11/87
- (2) Amendment AO-9 15/2/91
- (3) Amendment BF-4 24/1/95
- (4) Amendment BF-7 24/1/95
- (5) Amendment BU - 7/5/99

** Refer to Clause 3.8

Amendment BS 27/2/98

° Refer to Clause 3.9

Amendment BU 7/5/99

*** Refer to Clause 3.11

Amendment CB 7/5/03

SCHEDULE 4
EXEMPTIONS FROM APPROVAL

1. CHANGES OF USE

A change of use from any use or development specified in any Class, other than Class 4.3 or 7.4, in Schedule 2 (Table of Use Classes) to another specified use in the same Class except:-

- (a) where any such use is a discretionary or prohibited use under this Scheme,
- (b) where a permit is required by Schedule 11 of this Scheme; or
- (b) in cases covered by Part 4 of the Scheme.

Amendment PSA-2/2013 28/11/13

2. PUBLIC WORKS

The carrying out by public utility, works and transport undertakings of authorised development reasonably required for maintenance and repair purposes.

3. USE OF EXISTING TIPS

The deposit of refuse waste materials on a site in use for that purpose on the appointed day, provided that the height of the deposit does not exceed the level of the adjoining land and the superficial area is not thereby extended.

4. BUILDING MAINTENANCE

The carrying out of building or other work for the maintenance or repair of any building, being work which does not materially alter the external appearance of the building.

5. INTERIOR ALTERATIONS

The carrying out of alterations to the interior of a building, provided such alterations are not associated with a change of use constituting development under this Scheme.

6. PAINTING, ETC

The painting or colouring of the exterior of any building or work otherwise than for purposes of advertisement.

7. MINOR DOMESTIC BUILDINGS

The erection, construction or placing within the curtilage of a dwelling house of dog, kennels, fuel bunkers, cold frames, rubbish receptacles, or such other minor buildings as the Council may by notice permit in a specified locality, subject to the height of such buildings or structures not exceeding 1.5 metres above ground level.

7A. OTHER DOMESTIC BUILDINGS

Amendment BH-3 26/9/95 & Amendment BF-4 24/1/95

The erection or placement of non-commercial garages, Storage sheds, garden sheds, car ports or other such minor buildings:

- (a) within the curtilage of a dwelling, provided that:
 - (i) no part of the building is sited within side boundary set back for the particular zone as defined in Schedule 7.

- (ii) no part of the building encroaches within any service easement or within one metre of any underground service.
 - (iii) the building is for the domestic needs of the occupants of the dwelling.
- (b) not within the curtilage of a dwelling, provided that:
- (i) no part of the building is sited within side boundary setback for the particular zone as defined in Schedule 7.
 - (ii) no part of the building encroaches within any service easement or within one metre of any underground service.
 - (iii) the total floor area of the building does not exceed 20 square metres.

9. REPAIRS TO SERVICES

The carrying out of any work for the purposes of inspecting, repairing or renewing any drains, sewers, mains, pipes, cables or apparatus associated therewith, including the breaking open of any road or footpath for such purpose.

10. TREE PLANTING

The planting of trees, shrubs or other vegetation on any land provided such operations do not involve a change of use constituting development under this Scheme and is in accordance with an approved bushfire hazard management plan.

Amendment PSA-2/2013 28/11/13

11. RURAL FIRE CONTROL

The cutting of firebreaks in woodland.

12. ITEM 12 (deleted)

Amendment AO-6 30/11/90

SCHEDULE 5
BUILDINGS OF HISTORIC OR ARCHITECTURAL
INTEREST OR OF SPECIAL BEAUTY

LOCATION	BUILDINGS
Ranelagh	St. James Church of England, Church Hall and curtilage
Ranelagh	Oast House including Homestead and curtilage
Ranelagh (Lucaston Road)	Stone House
Ranelagh (Glen Road)	Glen House
Franklin	St. Mary's Church of England
Franklin	Cemetery (Prices Rivulet)
Franklin	Methodist Church
Franklin	Brick Cottage (John Surtees White)
Franklin	Roman Catholic Cemetery
Franklin (Walpole Road)	Walpole House
Franklin	Federal Hotel
Glen Huon Road	Valleyfield House
Huonville	Inlet Farm

SCHEDULE 6
DEVELOPMENT PLANS

Development Plan No.1

Land at the corner of Knights Road and Flood Road, Huonville shown on the Plan with reference to this Schedule shall be subdivided only in accordance with the following plan and conditions:

- (i) Access to the land shall be only from the new road, and there shall be no direct access from lots 1, 12 and 13 to Flood Road.
- (ii) No permanent buildings shall be erected on or within 3 metres of the land shown for future road purposes.
- (iii) All dwellings erected on lots 1, 12 and 13 shall be designed and orientated to minimise the effect of noise from future through traffic.
- (iv) At the time of the land being acquired for future road widening the owners of lots 1, 12 and 13 shall erect at their cost a 1.8 metre high solid screen fence along the new road boundary, to the satisfaction of the Road Authority.
- (v) A covenant giving effect to conditions (i) to (iv) shall be included in the Schedule of Easements.

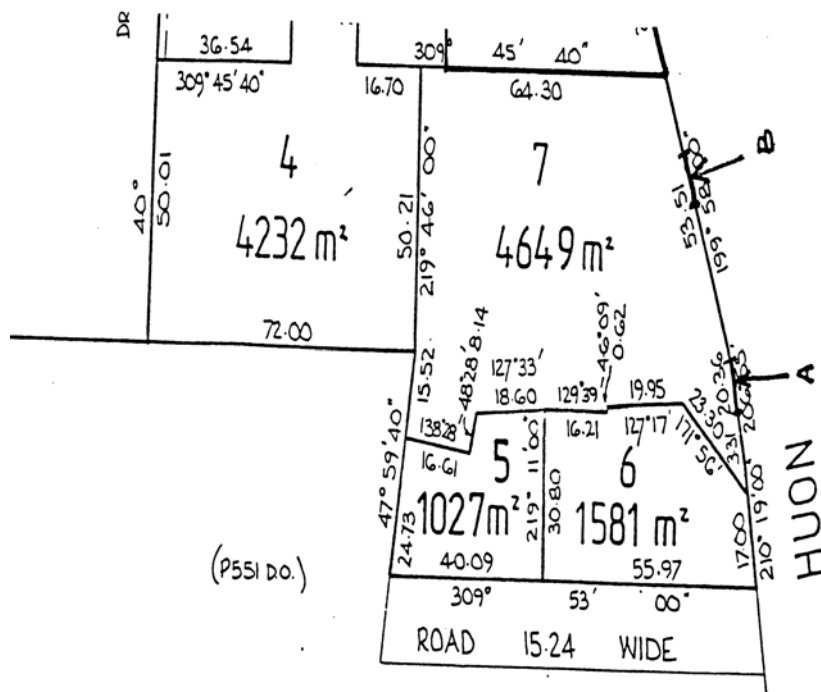
Note: It is intended that in the event of the subdivision and development of the land adjoining to the north an alternative access will be possible allowing the access from Flood Road to be closed.

Amendment AH 21/7/89

Development Plan No.2

Land at 183 Main Road (Huon Highway), Huonville shown on the Plan with reference to this Schedule shall be subject to the following restrictions:-

- (i) All vehicular access from the Huon Highway to the land shall be restricted to points A and B in the plan hereunder.
- (ii) All vehicular access to the Reserved Road 15.24m wide shall be from a point not less than 10m from the Huon Highway boundary.
- (iii) No new buildings or structures are to be erected in the area between the existing buildings and the Huon Highway.



Amendment AK 5/5/89

SCHEDULE 7
SETBACKS OF BUILDINGS ON ALLOTMENTS

Amendment BF-2 24/1/95

S7.1 The siting of buildings on allotments shall conform to the relevant requirements of this Schedule.

Zone Boundary (m)	Front Boundary (m)	Side Boundary (m)	Rear
Closed Residential	4.5	0.9 (a)	0.9 (a)
Reserved Residential	5.0	0.9 (a)	0.9 (a)
Low Density Residential	10.0	0.9 (a)	0.9 (a)
Village	4.5	0.9 (a)	0.9 (a)
Rural Residential	15.0	5.0	5.0
Semi-Rural Residential	15.0	5.0	5.0
Business Commercial	Nil	Nil	Nil
Light Industrial	5.0	3.0	3.0
Intensive Rural	15.0 (b)	10.0	10.0
Hill Top Preservation	20.0	15.0	15.0
Conservation	20.0	20.0	20.0
Rural	15.0 (b)	10.0	10.0

- (a) Except that a wall or walls not more than 3.5 metres in height may be constructed up to a side or rear boundary for a maximum combined length of 10.0 metres.
- (b) The minimum setback from a State Road shall be in accordance with Clause 7.4.1 and 7.4.3 of this Scheme.

S7.2 Notwithstanding the above provisions Council may relax or modify the minimum setback requirements but in doing so shall deal with the application as a discretionary development in accordance Clause 5.2.2.

Please note that under Planning Directive No. 4 the setback standards in the above table s do not apply to a single dwelling in the Closed Residential zone.
Please see www.planning.tas.gov.au for more information on Planning Directive No. 4.

SCHEDULE 8

CAR PARKING REQUIREMENTS

Amendment BF-5 24/1/95

S8.1 INTRODUCTION

- S.8.1.1 In accordance with Clause 7.10 the minimum number of car parking spaces to be provided shall be in accordance with Table 1.
- S.8.1.2 Where a development is for the multiple use of a site, the number of car parking spaces required for that development shall be not less than the sum of the requirements for each use;
- S.8.1.3 Where a development is for a use not listed in Table 1, the minimum number of car parking spaces required shall be that determined by Council;
- S.8.1.4 The minimum dimension of every car parking space to be provided shall be not less than 5.5 metres by 2.5 metres, except that the internal area of a garage or carport shall not be less than 5.5 metres by 2.75 metres.

S8.2 ACCESS REQUIREMENTS

- S.8.2.1 The arrangement of individual car parking spaces within any area set aside for parking shall be in accordance with Australian Standard AS2890.
- S.8.2.2 Vehicular access and egress from a site to a road shall be;
- (i) located not closer than 6 metres from an intersecting road, nor within 6 metres of a break in a median strip;
 - (ii) Located so that turning traffic is clearly visible to traffic on the road; and
 - (iii) located on the road with the lowest traffic volume, where the site has frontage with more than one road;
- S.8.2.3 Satisfactory provisions shall be made for the ingress and egress of vehicles to each car parking space, and for the manoeuvring and turning of vehicles on the site;

S8.3 CASH IN LIEU OF PARKING SPACES

- S8.3.1 In respect of any use or development, Council may require or accept a cash payment in lieu of any or all of the parking spaces required pursuant to Table 1 where complete compliance is not practicable or not desirable.
- S8.3.2 The difference between the number of required parking spaces for any use or development, as determined by the Council and the number provided, shall be used as the basis for the calculation of cash-in-lieu payment for parking spaces not provided by the use or development.
- S8.3.3 The amount required pursuant to Clauses S8.3.1 and S8.3.2 shall be determined by the Council and shall be spent on the purchase, establishment and/or maintenance of land for public parking purposes.

S8.4 VARIATIONS

- S.8.4.1 Subject to Clause 5.2.2, Council may relax the standards in Schedule 8 where:
- (a) the existing use or development precludes compliance with the parking standards;
 - (b) the provision of on-site parking would adversely affect the appearance of a site and building which is deemed to be of historic, cultural or streetscape significance;

- (c) alternative parking is available in proximity to the site; or
- (d) in the opinion of the Council, the development is such as not to warrant compliance with the standards.

S8.4.2 Where a use involves only a change of use of land or alterations and additions to existing buildings, the additional parking requirement shall be assessed as the difference between the parking requirement for the proposed use and the parking requirement for the existing use, calculated in accordance with this Scheme.

**Table 1
Parking Space Requirements**

Use	Parking Requirement
1.	Residential
1.1	Single Dwelling 1 space
	Dwelling and Ancillary Apartment nil
1.2	Home Occupation 1 space
1.3	Cluster House, Grouped House & Apartment(s) 1.5 space per dwelling
1.4	Other Residential Building 2 spaces per 3 bedrooms
1.5	Holiday Flats, Holiday Cabins 1 space per unit
1.6	Motel 1 space per unit
2.	Commercial
2.1	Shop, Local Shop, Take Away 1 space per 50m ² floor area
	Food Shop
2.2	Major Shop (or Shopping Complex) 1 space per 15m ² floor area
2.3	Saleyard, Service Station 4 spaces
2.4	Restaurant, Licensed Establishment 1 space per 4 persons capacity
2.5	Office 1 space per 30m ² floor area
2.6	Garden Centre 1 space per 150m ² site area
2.7	Roadside Stall 1 space per 15m ²
2.8	Showroom 1 space per 50m ²
2.9	Animal Stockyard or Saleyard as determined by Council
3.	Storage Yard & Depots
3.1	Store, Warehouse 1 space per 200m ² floor area
3.2	Woodyard, Timber Yard, Scrap Yard, Fuel Depot as determined by Council
3.3	Contractors Depot, Transport Depot as determined by Council
4	Industry
	Amendment BI-1 26/9/95
	1 space per 50m ² floor area or as determined by Council
5	Rural
	as determined by Council
6	Recreation
	as determined by Council
7	Public and Community
7.1	Civic Building/Centre, Community Building, Educational/Cultural Establishment 1 space per 20m ² floor area
7.2	Consulting Rooms/Health Centre 1 space per 30m ² floor area
7.3	Veterinary Establishment 1 space per 50m ² floor area
7.4	Welfare Building, Institutional Building 1 space per 4 bedrooms

SCHEDULE 9
GROUPED HOUSES AND APARTMENTS

Amendment BF-1 24/1/95

S9.1 GROUPED HOUSES

- S9.1.1 For a Grouped House, private open space shall:
- (a) be directly accessible from the dwelling unit at a level not greater than 1.5 metres above or below the floor level of the dwelling unit; and
 - (b) have a minimum horizontal dimension of 4.5 metres.
- S9.1.2 Except as provided for in Clause 7.1.3. a development for Grouped Houses shall be in accordance with the development standards specified in the Table to this Clause.

Table to Clause 9.1.2.

Development Standards - Dimensions & Conditions

- A. Minimum Area of Private Open Space per Dwelling Unit:
- | | |
|-------------------|------------------|
| (a) One Bedroom | 50m ² |
| (b) Two Bedroom | 70m ² |
| (c) Three Bedroom | 90m ² |
- B. Minimum separation between dwelling units across a court or driveway is to be 6 metres, plus 3 metres for each additional storey.
- S9.1.3 For a Development for Grouped Houses:
- (a) no pedestrian path or vehicle driveway giving access to a dwelling unit shall be closer than 1 metre from the wall of another dwelling unit or 2 metres, if such wall contains a window with a sill height less than 2 metres above the level of the path or driveway;
 - (b) any common area(s) of open space shall be suitably landscaped, or developed in other appropriate ways for the enjoyment of the residents;
 - (c) suitably designed and screened areas shall be provided for the storage of waste materials and garbage materials free from foraging animals;
 - (d) satisfactory provision shall be made for clothes drying facilities and mail and newspaper receptacles;
 - (e) adequate storage for gardening and other tools and equipment shall be provided and suitably located for each dwelling unit;
- S9.1.4 Council may, at its discretion, grant a planning approval for a development for Grouped Houses that is not in conformity with the requirements of Clause S9.1.1 to S9.1.4, subject to the provisions of Clause 5.2.2.

S9.2 APARTMENTS

- S9.2.1 A development for Apartments shall be in accordance with the development standards specified in the Table to this Clause

Table to Clause S9.2.1

Development Standards - Dimensions & Conditions

- A. Minimum lot area per Dwelling unit
- | | |
|-------------------|-------------------|
| (a) One Bedroom | 150m ² |
| (b) Two Bedroom | 180m ² |
| (c) Three Bedroom | 210m ² |
- B. Minimum separation of Dwelling Units across a court or driveway shall be 6 metres plus 3 metres for each additional storey.
- S9.2.2 For a development for Apartments, the provisions of Clauses S9.1.4(a), (b), (c), (d) and (f), (for development of Grouped Houses), shall apply.
- S9.2.3 Council may, at its discretion, grant a planning approval for a development for Apartments which is not in conformity with the requirements of clause S9.2.1 & S9.2.2, subject to the provisions of Clause 5.2.2

SCHEDULE 10**INTEGRATED TIMBER PROCESSING SITE SPECIAL AREA****Amendment BY - 9/7/02****S10.1 INTEGRATED TIMBER PROCESSING SITE SPECIAL AREA**

S10.1.1 To the extent of any inconsistency, the provisions of this Schedule are to take precedence over any other requirements in this Scheme and are applicable to the area identified on the plan as the Integrated Timber Processing Site Special Area.

S10.2 INTENT

S10.2.1 The Integrated Timber Processing Site Special Area Schedule provides for the sustainable development and use of integrated timber processing facilities of significant economic value to the region and the State.

S10.3 OBJECTIVES

S10.3.1 The Objectives of the Schedule are:

- (a) to provide for a range of timber processing operations;
- (b) to ensure that the development of the site, including infrastructure, is environmentally sustainable;
- (c) to ensure the site is developed in an integrated manner and the various uses are complimentary to each other;
- (d) to encourage the downstream processing of timber products; and
- (e) to ensure the protection of the environmental value of the Huon River and its estuarine waters.

S10.4 USE OR DEVELOPMENT**S10.4.1 Permitted Use or Development**

A permitted use or development within the Integrated Timber Processing Site Special Area is not to be commenced or undertaken without prior application for, and issue of, a permit which the Council must grant either unconditionally or conditionally provided that; the use or development complies with development standards in clauses S10.9.2 “Subdivision”, S10.10 “Car Parking” and S10.11 “Setbacks”.

Permitted uses or developments are:

- (a) log segregation, cross cutting of logs and sawlog sales
- (b) sawmilling and timber drying
- (c) plants for the production of veneers or plywood
- (d) timber sales yard
- (e) composting plant
- (f) wood fibre production plant
- (g) wood fired power generation plant
- (h) Joinery
- (i) Infrastructure that is integral to the development of the above uses
- (j) Visitor information centre
- (k) Engineering and maintenance workshops
- (l) Weighbridge
- (m) Signs
- (n) Landscaping and screening
- (o) All other uses which are related to the downstream processing of the timber resource

S.10.4.2 Discretionary Use or Development

A discretionary use or development is not to be commenced or undertaken without the prior application for, and issue of, a permit which the Council has the discretion to refuse *or* to grant either unconditionally or conditionally.

S10.4.3 Prohibited Use or Development

A use or development is prohibited within the Integrated Timber Processing Site Special Area if it is not listed in S.10.4.1 or is not a discretionary use or development under S.10.4.2

S10.5 INTERPRETATION

S10.5.1 Use or development means use, development, a combination of use and development or uses and developments.

S10.5.2 The provisions of this Schedule are to be interpreted primarily by reference to the intent, Objectives and content of this Schedule. Words and expressions may be used in this Schedule in a manner, or with a meaning, different from the same or similar words or expressions in other provisions of this Scheme.

S10.5.3 Only those provisions of this Scheme which are expressly, or by necessary implication, applicable to this Schedule are to apply to this Schedule.

S10.5.4 For the purpose of this Schedule, the terms “use”, “development” and “sustainable development” have the meaning provided in section 3(1) and Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

S10.5.5 Nothing in this Schedule prevents any use or development which is reasonably incidental to and integral with, any use or development in respect of which a permit is granted by Council under this Schedule.

S10.6 ENVIRONMENTAL IMPACT STATEMENT

S10.6.1 An Environmental Impact Statement prepared to the satisfaction of Council is to be submitted with any development application and must incorporate the following matters:

(a) a detailed description of the proposal including:

- (i) proposed uses of the land;
- (ii) a site plan indicating the location of services, signs, buildings, building envelopes, roads, storage areas, drainage systems, car parking, fencing, proposed landscaping, trees and vegetation to be retained or removed;
- (iii) plans indicating the type and colour of building materials to be used and the form and height of proposed buildings and signs;
- (iv) the number of employees, hours of operation and shift changeover times;
- (v) if required, a plan of proposed subdivision;

(b) a description of the existing environment and the potential environmental impacts of the proposal, including the following matters:

- (i) a geo-technical assessment of the capability of the land;
- (ii) a flora and fauna assessment of the land;
- (iii) a hydrological assessment (including water quality);
- (iv) an archaeological and cultural assessment of the land;
- (v) an air quality impact assessment;
- (vi) a noise impact assessment;
- (vii) a traffic impact assessment;

- (c) the proposed measures to avoid, mitigate or remedy any potential adverse impacts on the environment identified under (b) above; and
- (d) an assessment of the capacity of the infrastructure to meet the demands of the proposal including:
 - (i) local and regional road access;
 - (ii) water supply;
 - (iii) waste water disposal;
 - (iv) solid waste disposal;
 - (v) stormwater disposal;
 - (vi) power supply and transmission capacity; and
 - (vii) emergency response capability.

S10.7 ASSESSMENT

- S10.7.1** When assessing an application the Council is to have regard to the effects of the proposal on:
- (a) the natural environment, with particular regard to land capability and rare or threatened fauna and flora species;
 - (b) ground and surface water, rivers and wetlands;
 - (c) cultural heritage values;
 - (d) air quality;
 - (e) existing roads and service infrastructure, both off and on the site;
 - (f) local communities
 - (g) scenic values of the landscape in particular the effects when viewed from significant vantage points
 - (h) existing uses to ensure that each additional use will not adversely impact on other uses; and
 - (i) any other relevant matters deemed by Council to be important.

- S10.7.2** In addition, when assessing an application the Council is to be satisfied with the measures proposed:

- (a) for the protection of areas of high erodibility;
- (b) to avoid the development of land affected by risk of instability;
- (c) to protect any areas recognised as containing significant environmental, scientific or other conservation values;
- (d) to protect the environment, in particular air and water quality;
- (e) for the management of natural hazards and operational risks including fire, spillage of fuels and chemicals, atmospheric emissions and water-borne emissions;
- (f) for solid and liquid waste management including stormwater;
- (g) to mitigate the impacts on local communities; and
- (h) to protect the visual amenity, landscape and cultural values of the municipal area.

- S10.7.3** Council may require additional measures to avoid, mitigate or remedy any adverse effects.

S10.8 SUBDIVISION

- S10.8.1** Pursuant to S81 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* an application for subdivision is to be a permitted use pursuant to s58 of the *Land Use Planning Approvals Act 1993*.

- S10.8.2** For the purposes of s109 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* there are no minimum lot requirements applicable to subdivision.

S10.9 CAR PARKING

S10.9.1 Council is to determine the minimum number and kind of vehicle parking spaces required.

S10.9.2 The minimum dimension of every car parking space to be provided must be not less than 5.5 metres by 2.5 metres.

Vehicle-parking areas are to be designed and constructed to the Council's satisfaction.

S10.10 SETBACKS

S10.10.1 Buildings fronting Weld Road must be set back a minimum of 10 metres from the formed road boundary. The buffer area created by the above 10 metre set back must be landscaped and maintained to Council's satisfaction.

SCHEDULE 11
USE OR DEVELOPMENT IN BUSHFIRE-PRONE AREAS
Amendment PSA-2/2013 28/11/13

S11.1 Purpose of the Bushfire-Prone Areas Schedule

S11.1.1 The purpose of this Schedule is to ensure that use or development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

S11.2 Application of this Schedule

S11.2.1 This Schedule applies to:

- (a) development, on land that is located within a bushfire-prone area, consisting of the subdivision of land or the construction of habitable buildings; and
- (b) a use, on land that is located within a bushfire-prone area, that is a vulnerable use or hazardous use.

S11.2.2 A permit is required for all use or development to which this Schedule applies that is not exempt from this Schedule under clause S11.4.

S11.3 Definition of terms in this Schedule

S11.3.1 In this Schedule, unless the contrary intention appears:

Term	Definition
accredited person	means as defined in the Act.
approved lot	means a lot that is marked on a plan of subdivision that has been approved by the granting of a permit in accordance with this Schedule.
BAL	means the bushfire attack level as defined in <i>AS3959 – 2009 Construction of Buildings in Bushfire Prone Areas</i> ¹ as ‘a means of measuring the severity of a building’s potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire’.
bushfire hazard management plan	means as defined in the Act.
bushfire protection measures	means the measures that might be used to reduce the risk of bushfire attack and the threat to life and property in the event of bushfire.
contiguous	means separated by less than 20m.
dangerous substance	means a substance that has the potential to cause harm to persons, property, or the environment, because of one or more of the following; <ul style="list-style-type: none"> - the chemical properties of the substance; - the physical properties of the substance; - the biological properties of the substance. Without limiting this definition, all dangerous goods, combustible liquids, hazardous substances, and agvet chemicals, each as defined in the <i>Dangerous Substances (Safe Handling) Act 2005</i> , are dangerous substances.

¹ A reference in this Code to "BAL" followed by a number is a reference to a bushfire attack level of that number contained in the *AS3959 – 2009 Construction of Buildings in Bushfire Prone Areas*.

hazard management area	means the area, between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for fire fighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.
hose lay	means the distance between two points established by a fire hose laid out on the ground.
Part 5 agreement	means as defined in the Act.
pre-existing habitable building	means a habitable building that exists, or in relation to which a permit was granted, when this Schedule commences as part of this planning scheme.
pre-existing lot	means a lot that is marked on a plan of subdivision that has been approved by the granting of a permit when this Schedule commences as part of this planning scheme.
Regional Corporation	means as defined in the Act.
static water supply	means water stored in a tank, swimming pool, dam, or lake, that is available for fire fighting purposes at all times.
TFS	means the Tasmania Fire Service.

S11.4 Use or development exempt from this Schedule

The following use or development is exempt from this Schedule:

- (a) any development that the TFS or an accredited person, having regard to the objective of all applicable standards in this Schedule, certifies there is an insufficient increase in risk to the development from bushfire to warrant any specific bushfire protection measures;
- (b) a structure, or building, which is not a habitable building;
- (c) extensions, to habitable buildings, not exceeding a 20m² increase in gross floor area provided that:
 - i) the extension is located within a building area approved in accordance with this Schedule; or
 - ii) the extension is located within a building area which has been approved by the TFS, before this Schedule commenced as part of the planning scheme, as complying with bushfire requirements, if:
 - a. the extension is not within an area required as a hazard management area; and
 - b. the water supply for fire fighting purposes is provided from a fire hydrant and all external parts of the extension that are at ground level are within reach of 120m long hose connected to the hydrant, measured as a hose lay;
 - c. extensions, to habitable buildings, not exceeding a 20m² increase in gross floor area, where the habitable buildings are not within a defined building area for the purpose of bushfire protection, provided that no part of the extension extends towards the bushfire-prone vegetation;
 - d. demolition of buildings or structures not marked on a hazard management plan as being required for bushfire protection;
 - e. habitable buildings that are integral to the agricultural use of the land and are not normally occupied;
 - f. habitable buildings located on land reserved under *Nature Conservation Act 2002*, *Crown Land Act 1976* or the *Forestry Act 1920* where bushfire protection measures are included in a bushfire hazard management plan certified by the TFS or accredited person as being appropriate for the purpose and location of the use or development; and
 - g. adjustment of a boundary in accordance with Clause 3.5.15 of this planning scheme.

S11.5 Development Standards

S11.5.1 Vulnerable uses²

For the purpose of this Schedule, a use is a vulnerable use if it is listed in a use class in Table 1 and, in the case of a residential use, is one of the uses specified as a qualification.

Table 1. Vulnerable uses

Use class	Qualification
1.2 Other residential buildings	If for <ul style="list-style-type: none"> - providing short or medium term accommodation for persons away from their normal place of residence; - residential aged care, retirement village or accommodation for people with disabilities
1.3 Motels	If providing short or medium term accommodation for persons away from their normal place of residence
1.4 Health centre	
1.5 Caravan parks	
6.2 Colleges	
6.3 Primary Schools	
6.5 Clubs and Hotels	If providing short or medium term accommodation for persons away from their normal place of residence
6.6 Recreation Buildings	If providing short or medium term accommodation for persons away from their normal place of residence
7.4 Miscellaneous	If for a remand centre

S11.5.1.1 Standards for vulnerable use

<p>Objective: Vulnerable uses, other than visitor accommodation, should only be in exceptional circumstances located on land which is in bushfire-prone areas. If a vulnerable use is proposed to be located on land which is in a bushfire-prone area, bushfire protection measures shall reflect the risk arising from the bushfire-prone vegetation and the characteristics, nature and scale of the use taking into consideration the specific circumstances of the occupants including their ability to:</p> <ul style="list-style-type: none"> - protect themselves and defend property from bushfire attack; - evacuate in an emergency; and - understand and respond to instructions in the event of a bushfire. <p>Bushfire protection measures shall also reduce the risk to fire fighters.</p>	
Acceptable solutions	Performance criteria
A1. No acceptable solution	P1. Vulnerable uses, other than visitor accommodation, shall demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site.

² Development Standards for Vulnerable uses are at S11.5.7.

A2	<p>Vulnerable uses shall demonstrate bushfire protection measures, addressing the characteristic, nature and scale of the vulnerable use, the characteristics of its occupants and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, and that the plan provides for:</p> <ul style="list-style-type: none"> - emergency evacuation plans including designated emergency meeting points, which provide protection to fire fighters and evacuees; and - information to staff, occupants and visitors on bushfire safety and evacuation procedures. 	P2	No performance criteria
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S11.5.2 Hazardous Uses

For the purpose of this Schedule, a use is a hazardous use if it listed in a use class in Table 2 and is a use specified opposite as a qualification, except where the quantity of dangerous substances is less than that of a ‘dangerous substance location’, or ‘large dangerous substances location’, each within the meaning of the *Dangerous Substances (Safe Handling) Act 2005*.

Table 2. Hazardous uses

Use class	Qualification
1.4 Health Centre	If for a Hospital involving dangerous substances
2.2 Filling Station and Other Retail Services	If involving dangerous substances
3.5 Storage and Depot	If involving dangerous substances
4.1 Service Industry	If involving dangerous substances
4.2 Light Industry	If involving dangerous substances
4.3 General Industry	If involving dangerous substances
4.4 Special Industry	If involving dangerous substances
4.9 Fuel Depot	If involving dangerous substances
7.2 Goods Transit and Utilities	If involving dangerous substances
7.3 Public Utilities	If involving dangerous substances

S11.5.2.1 Standards for hazardous use

<p>Objective: Hazardous uses should only be located in bushfire-prone areas in exceptional circumstances. Where a hazardous use is to be located in a bushfire-prone area, bushfire protection measures shall reflect the risk arising from the bushfire-prone vegetation and take into consideration the characteristics, nature and scale of the use to:</p> <ul style="list-style-type: none"> - prevent the hazardous use from contributing to the spread or intensification of bushfire; - limit the potential for bushfire to be ignited on the site; - prevent the exposure of people and the environment to dangerous substances as a consequence of bushfire; and - reduce the risk to fire fighters.

Acceptable solutions	Performance criteria
<p>A1. No acceptable solution</p>	<p>P1. Hazardous uses shall demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site.</p>
<p>A2. Hazardous uses shall demonstrate bushfire protection measures, addressing the characteristics, nature and scale of the hazardous use and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, taking into consideration:</p> <ul style="list-style-type: none"> a) exposure to dangerous substances; and b) ignition potential from the site; and c) flammable material contributing to the intensification of a fire. 	<p>P2. No performance criteria</p>

S11.5.3. Development standards for subdivision

This standard applies to a development consisting of a subdivision where any part of that subdivision is in a bushfire-prone area.

S11.5.3.1 Subdivision: Provision of hazard management areas

<p>Objective: Subdivision provides, where appropriate, for hazard management areas that:</p> <ul style="list-style-type: none"> - facilitate an integrated approach between subdivision and subsequent building on a lot; - provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building site; - provide protection for lots at any stage of a staged subdivision. 	
Acceptable solutions	Performance criteria
<p>A1. (a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision-</p> <ul style="list-style-type: none"> i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions; and ii) shows the building area for each lot; and iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater 	<p>P1. A proposed plan of subdivision shall show that there are adequate hazard management areas in relation to the building areas shown on all lots within or partly within a bushfire-prone area. In determining the dimensions of hazard management areas, it shall be demonstrated that the following have been taken into consideration:</p> <ul style="list-style-type: none"> a) the nature of the bushfire-prone vegetation including the type, structure and flammability; b) topography, including slope; c) other potential forms of fuel and ignition sources; d) the risk of bushfire to lots at any stage of staged subdivision; e) separation distance from the bushfire-prone vegetation does not

<p>than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 <i>Construction of Buildings in Bushfire Prone Areas</i>. The proposed plan of subdivision shall be accompanied by a bushfire hazard management plan certified by the TFS or accredited person demonstrating that hazard management areas can be provided ; and</p> <p>iv) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision shall be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	<p>unreasonably restrict subsequent development.</p> <p>Applications shall demonstrate that hazard management areas can be provided.</p>
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S11.5.3.2 Subdivision: Public access

<p>Objective: Access roads to, and the layout of roads, tracks and trails, in a subdivision:</p> <ul style="list-style-type: none"> - allow safe access for occupants, fire fighters and emergency service personnel; - provide access to the bushfire-prone vegetation that enables both property to be defended when under attack and hazard management procedures to be undertaken; - are designed and constructed to allow for fire fighting vehicles to be manoeuvred; - provide access to water supplies for fire-fighting vehicles; and - are designed to allow connectivity, and where needed, offering multiple evacuation points. 	
<p>Acceptable solutions</p>	<p>Performance criteria</p>
<p>A1.</p> <p>(a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of private access to building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being consistent with the objective; or</p> <p>(c) A proposed plan of subdivision:</p> <p>i) shows that, at any stage of a staged subdivision, all building areas are within 200m of a road</p>	<p>P1. A proposed plan of subdivision shall show the road layout and demonstrate that safe access and egress for occupants, fire-fighting vehicles and emergency service personnel is achieved through the use of appropriate design measures, including:</p> <ul style="list-style-type: none"> a) two way traffic; b) provision of passing bays; c) geometry, alignment and slope; d) use of through roads to provide for connectivity; e) limits on the length of cul-de-sacs and provision of turning areas; f) access to water supply points for fire fighting vehicles;

<p>that is a through road; and</p> <p>ii) shows a perimeter road, private access or fire trail between the lots and bushfire-prone vegetation, which road, access or trail is linked to an internal road system; and</p> <p>iii) shows all roads as through roads unless:</p> <p>a. they are not more than 200m in length and incorporate a minimum 12m outer radius turning area; or</p> <p>b. the road is located within an area of vegetation that is not bushfire-prone vegetation; and</p> <p>iv) shows vehicular access to any water supply point identified for fire fighting.</p>	<p>g) perimeter access;</p> <p>h) fire trails.</p>
<p>A2 Unless the development standards in the zone require a higher standard, construction of roads shall meet the requirements of Table 3.</p>	<p>P2 No performance criteria</p>

Table 3: Standards for roads, private access and fire trails in bushfire-prone areas.

Road type	Standard
Roads	Not less than a Class 4A or Class 4B road under Australian Road and Research Board (ARRB) <i>Unsealed Roads Manual – Guidelines to Good Practice 3rd Edition</i>
Private access	Not less than a modified 4C access road under ARRB <i>Unsealed Roads Manual – Guidelines to Good Practice 3rd Edition</i> as specified in the <i>Building Code of Australia</i>
Fire trails	Not less than a modified 4C access road under ARRB <i>Unsealed Roads Manual – Guidelines to Good Practice 3rd Edition</i> as specified in the <i>Building Code of Australia</i>

S11.5.3.3 Subdivision: Provision of water supply for fire fighting purposes

<p>Objective: Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use or development of bushfire-prone areas.</p>	
Acceptable solutions	Performance criteria
<p>A1. In areas serviced with reticulated water by a Regional Corporation:</p> <p>(a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</p> <p>(b) a proposed plan of subdivision shows that all parts of a building area are within reach of a 120m long hose</p>	<p>P1. No performance criteria</p>

	<p>(measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa in accordance with Table 2.2 and clause 2.3.3 of <i>AS 2419.1 2005 - Fire hydrant installations</i>.</p>
<p>A2</p> <p>In areas that are not serviced by reticulated water by a Regional Corporation or where the requirements of A1 (b) cannot be met:</p> <ul style="list-style-type: none"> (a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures being provided; or (b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient, consistent with the objective, to manage the risks to property and lives in the event of a bushfire; or (c) it can be demonstrated that: <ul style="list-style-type: none"> i) a static water supply, dedicated to fire fighting, will be provided and that the water supply has a minimum capacity of 10 000 litres per building area and is connected to fire hydrants; and ii) a proposed plan of subdivision shows all building areas to be within reach of a 120m long hose connected to a fire hydrant, measured as a hose lay, with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa; or (d) it can be demonstrated that each building area can have, or have access to, a minimum static water supply of 10 000 litres that is: <ul style="list-style-type: none"> i) dedicated solely for the purposes of fire fighting; and ii) accessible by fire fighting vehicles; and iii) is within 3m of a hardstand area. 	<p>P2</p> <p>No performance criteria</p>

S11.5.4 Development Standards for habitable buildings on approved lots

These standards apply to habitable buildings located within a bushfire-prone area on approved lots.

S11.5.4.1 Approved Lots: Provision of hazard management areas for habitable buildings

<p>Objective: Hazard management areas, where appropriate, for habitable buildings on approved lots:</p> <ul style="list-style-type: none"> - provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of the vegetation; - reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of habitable buildings in the event of a bushfire; - provide an area which offers protection to fire fighters and occupants exposed to bushfire while defending property; and - are maintained in a minimum fuel condition. 	
Acceptable solutions	Performance criteria
<p>A1.</p> <ul style="list-style-type: none"> (a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to a habitable building to warrant the provision of hazard management areas; or (b) Habitable buildings are within a building area on an approved lot- <ul style="list-style-type: none"> i) that is on a plan of subdivision that has been approved by the granting of a permit in accordance with this Schedule; and ii) that satisfies the requirements of 1.6.1.1 A1(b); or (c) There are hazard management areas, in relation to habitable buildings, that: <ul style="list-style-type: none"> i) have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 <i>Construction of Buildings in Bushfire Prone Areas</i> ; and (ii) will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective; and (iii) if the hazard management areas are to be located on land external to the lot where the habitable building is located, the application is accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire 	<p>P1. There shall be hazard management areas, in relation to habitable buildings, that provide adequate separation from the bushfire-prone vegetation. In determining the dimension of hazard management areas, it shall be demonstrated that the nature of the hazard has been considered, including:</p> <ul style="list-style-type: none"> a) vegetation type, structure and flammability; b) other potential forms of fuel and ignition sources; c) slope; d) any fire shielding structures or features <p>and that the dimensions, given the nature of the construction, provide adequate protection for the building and to fire fighters and occupants defending property from bushfire.</p> <p>Applications shall demonstrate how hazard management areas will be maintained in a minimum fuel condition.</p>

hazard management plan.	
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S11.5.4.2 Approved Lots: Private access

<p>Objective: Private access on approved lots:</p> <ul style="list-style-type: none"> - allows safe access to and from the road network for occupants, fire fighters, and emergency service personnel; - provides access to ensure that fire fighting equipment can reach all parts of habitable buildings; - are designed and constructed to allow for fire fighting vehicles to be manoeuvred; and - provides access to water supply points, including hardstand areas for fire fighting vehicles. 	
Acceptable solutions	Performance criteria
<p>A1. It shall be demonstrated in one of the following ways that private access provides safe access to habitable buildings:</p> <ul style="list-style-type: none"> (a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant specific measures for private access for the purposes of fire fighting; or (b) private access is in accordance with a plan of subdivision, showing the layout of roads and fire trails and showing the location of private access to building areas, that is included in a bushfire hazard management plan approved by the TFS or an accredited person as being consistent with the objective in 1.6.1.2; or (c) plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or accredited person as being consistent with the objective; or (d) plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay. 	<p>P1. Private access to habitable buildings shall demonstrate:</p> <ul style="list-style-type: none"> a) that the private access will enable fire fighting vehicles to access the buildings safely and efficiently (including by providing access to through roads or alternative access), and to be manoeuvred safely and efficiently; and b) that the private access is in close proximity to habitable buildings to allow access by fire fighting equipment to all parts of such buildings.
<p>A2 Private access shall be provided to all static water supply points:</p> <ul style="list-style-type: none"> (a) in accordance with private access shown to such points in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or (b) by providing private access to a 	<p>P2 No performance criteria</p>

<p>hardstand area within 3m of the static water supply point.</p>	
<p>A3 Construction of a private access, if required to provide access to habitable buildings and static water supply points, shall as appropriate to the circumstances meet the requirements of Table 3 as follows:</p> <ul style="list-style-type: none"> a) single lane private access roads less than 6m carriageway width shall have 20m long passing bays of 6m carriageway width, not more than 100m apart; b) a private access road longer than 100m shall be provided with a driveway encircling the building or a hammerhead “T” or “Y” turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius; c) culverts and bridges shall be designed for a minimum vehicle load of 20 tonnes; d) vegetation shall be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway. 	<p>P3 Construction of private access required to access habitable buildings and any water supply point, shall be an all weather road sufficient to carry fully loaded fire fighting vehicles, including consideration of:</p> <ul style="list-style-type: none"> a) slope, gradient and cross-fall; b) geometry and alignment; c) culverts and bridges; d) height and width of any vegetation clearance; e) travel speed, sight lines and passing bays; f) turning areas.

S11.5.4.3 Approved Lots: Provision of water supply for fire fighting purposes

<p>Objective: Adequate, accessible and reliable water supply for fire fighting purposes on approved lots is available to allow for the protection of life and property.</p>	
<p>Acceptable solutions</p>	<p>Performance criteria</p>
<p>A1. It shall be demonstrated in one of the following ways that there is adequate access to a water supply for fire fighting purposes in relation to habitable buildings:</p> <ul style="list-style-type: none"> (a) the TFS or accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or (b) a bushfire hazard management plan, certified by the TFS or an accredited person, demonstrates that the provision of the water supply is consistent with the objective; or (c) all external parts, of the habitable buildings, that are at ground level are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa; or (d) a minimum static water supply of 10 000 litres per habitable building is 	<p>P1. There shall be, in relation to habitable buildings, a water supply for fire fighting purposes that:</p> <ul style="list-style-type: none"> a) may be accessed by fire fighting equipment, fire fighters and occupants of the habitable buildings; and b) contains water that may be delivered in a quantity, and at a pressure, sufficient to manage the risk of bushfire, depending on the nature of the surrounding bushfire-prone vegetation; and c) stores water in a manner that ensures adequate and reliable quantities may be provided for fire-fighting purposes if there is a bushfire; and d) enables effective delivery of water if there is a bushfire.

provided and that connections for fire fighting purposes are included.	
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S11.5.5 Development standards for new habitable buildings on pre-existing lots

These standards apply to habitable buildings located within a bushfire-prone area on a pre-existing lot.

S11.5.5.1 Pre-existing lots: Provision of hazard management areas for habitable buildings

<p>Objective: Hazard management areas, as appropriate, for new habitable buildings on pre-existing lots:</p> <ul style="list-style-type: none"> - provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of the hazard; - reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of habitable buildings in the event of a bushfire; - provide an area which offers protection to fire fighters and occupants exposed to bushfire while defending property; and - are maintained in a minimum fuel condition. 	
Acceptable solutions	Performance criteria
<p>A1. (a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to habitable buildings to warrant the provision of hazard management areas; or</p> <p>(b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</p> <p>(c) There are, in relation to habitable buildings, hazard management areas that-</p> <ul style="list-style-type: none"> (i) have widths equal to, or greater than, the separation distances required for BAL 29 in Table 2.4.4 of AS 3959 – 2009 <i>Construction of Buildings in Bushfire Prone Areas</i> ; and (ii) will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective. 	<p>P1. There shall be, in relation to habitable buildings, hazard management areas that provide adequate separation from the bushfire-prone vegetation. In determining the dimension of hazard management areas, it shall be demonstrated that the nature of the hazard has been considered, including:</p> <ul style="list-style-type: none"> a) vegetation type, structure and flammability; b) other potential forms of fuel and ignition sources; c) slope; d) any fire shielding structures or features <p>and that the dimensions, given the nature of the construction, provide adequate protection for the building and to fire fighters and occupants defending property from bushfire.</p>
<p>A2 If hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application shall be accompanied by the written consent of the</p>	<p>P2 Applications shall demonstrate how hazard management areas will be maintained in a minimum fuel condition.</p>

<p>owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.</p>	
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S11.5.5.2 Pre-existing lots: Private access

<p>Objective: Private access on pre-existing lots:</p> <ul style="list-style-type: none"> - allows safe access to and from the road network for occupants, fire fighters, and emergency service personnel; - provides access to ensure that fire fighting equipment can reach all parts of habitable buildings; - is designed and constructed to allow for fire fighting vehicles to be manoeuvred; and - provides access to water supply points, including hardstand areas for fire fighting vehicles. 	
<p>Acceptable solutions</p>	<p>Performance criteria</p>
<p>A1. It shall be demonstrated in one of the following ways that private access provides safe access to habitable buildings:</p> <ul style="list-style-type: none"> (a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant specific measures for private access for the purposes of fire fighting; or (b) plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or (c) plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay. 	<p>P1. Private access to habitable buildings shall demonstrate that:</p> <ul style="list-style-type: none"> a) private access will enable firefighting vehicles to access the buildings safely and efficiently (including by providing access to through roads or alternative access), and to be manoeuvred safely and efficiently; and, b) private access is in close proximity to habitable buildings to allow access by fire fighting equipment to all parts of the building.
<p>A2 Private access to all static water supply points shall be provided:</p> <ul style="list-style-type: none"> (a) as included in a bushfire hazard management plan certified by the TFS or an accredited person as being in accordance with the objective of the standard; or (b) to a hardstand area within 3m of the static water supply point. 	<p>P2 No performance criteria</p>
<p>A3 Construction of private access, if required to provide access to habitable buildings and static water supply points, shall as appropriate to the circumstances meet the requirements of Table 3 as follows:</p>	<p>P3 Construction of private access required to access habitable buildings and any water supply point shall be an all weather road sufficient to carry fully loaded fire fighting vehicles, including</p>

<ul style="list-style-type: none"> a) single lane private access roads less than 6m carriageway width shall have 20m long passing bays of 6m carriageway width, not more than 100m apart; b) a private access road longer than 100m shall be provided with a driveway encircling the building or a hammerhead “T” or “Y” turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius; c) culverts and bridges shall be designed for a minimum vehicle load of 20 tonnes; d) vegetation shall be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway. 	<p>consideration of:</p> <ul style="list-style-type: none"> a) slope, gradient and cross-fall; b) geometry and alignment; c) culverts and bridges; d) height and width of any vegetation clearance; e) travel speed, sight lines and passing bays; f) turning areas.
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S11.5.5.3 Pre-existing lots: Provision of water supply for fire fighting purposes

<p>Objective: Adequate, accessible and reliable water supply for fire fighting purposes on pre-existing lots is available to allow for the protection of life and property from the risks associated with bushfire.</p>	
<p>Acceptable solutions</p>	<p>Performance criteria</p>
<p>A1. It shall be demonstrated in one of the following ways that access to a water supply for fire fighting purposes is provided:</p> <ul style="list-style-type: none"> (a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or (b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of the water supply is consistent with the objective; or (c) all external parts of habitable buildings that are at ground level, are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200kPa; or (d) a minimum static water supply of 10 000 litres per habitable building is provided and that connections for fire fighting purposes are included. 	<p>P1. There shall be, in relation to habitable buildings, a water supply for fire fighting purposes that:</p> <ul style="list-style-type: none"> a) may be accessed by fire fighting equipment, fire fighters and occupants of the habitable buildings; and b) contains water that may be delivered in a quantity, and at a pressure, sufficient to manage the risk of bushfire, depending on the nature of the surrounding bushfire-prone vegetation; and; c) stores water in a manner that ensures adequate and reliable quantities may be provided for fire-fighting purposes if there is a bushfire; and d) enables effective delivery of water if there is a bushfire.

S11.5.6 Development standards for extensions to pre-existing habitable buildings

S11.5.6.1 Bushfire protection measures for extensions to pre-existing habitable buildings

<p>Objective: Extensions to pre-existing habitable buildings do not increase the risk of harm to life and property</p>

caused by bushfire.	
Acceptable solutions	Performance criteria
<p>A1.</p> <ul style="list-style-type: none"> (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of any specific bushfire protection measures; or (b) Applications for extensions to habitable buildings are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or (c) Extensions to habitable buildings have hazard management areas that- <ul style="list-style-type: none"> i) are of dimensions equal to, or greater than, the separation distances required for BAL 29 prescribed in Table 2.4.4 of AS 3959 – 2009 <i>Construction of Buildings in Bushfire Prone Areas</i>; and ii) will be managed in accordance with a bushfire hazard management plan, that is certified by the TFS or an accredited person, that demonstrates how hazard management areas will be managed consistent with the objective; and iii) where hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application shall be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan: or (d) Extensions to habitable buildings: <ul style="list-style-type: none"> i) are no closer to the bushfire-prone vegetation than the existing building footprint; and ii) do not exceed a 15% increase in the vertical surface area of the building facing and closest to 	<p>P1.</p> <p>Extensions to habitable buildings shall demonstrate that bushfire protection measures, including the following, can be used to avoid increasing the risk from bushfire:</p> <ul style="list-style-type: none"> a) the design and siting of the building; b) provision and management of hazard management areas; c) access for fire fighting vehicles; d) availability of water for fire fighting purposes.

<p>the bushfire-prone vegetation; and</p> <p>iii) do not restrict any existing vehicular access to any part of the habitable building.</p>	
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S11.5.7 Development Standards for vulnerable uses

In addition to the development standards contained in S11.5.1, S11.5.2, S11.5.3 and S11.5.4, the following provisions apply to development associated with vulnerable uses. Where there is an inconsistency between the standards, the following standard will apply to the extent of the inconsistency.

S11.5.7.1 Vulnerable uses: Provision of hazard management areas for habitable buildings

<p>Objective: Habitable buildings associated with vulnerable uses have, as appropriate, hazard management areas that:</p> <ul style="list-style-type: none"> - provide sufficient separation from bushfire-prone vegetation, taking into consideration the nature and scale of both the hazard and the vulnerable use; and - provide adequate space to reduce the impact of radiant heat exposure to occupants being evacuated, and those assisting them, in the event of a bushfire; and - reduce the radiant heat levels, direct flame attack and ember attack likely to be experienced at the site of the building. 	
Acceptable solutions	Performance criteria
<p>A1.</p> <ul style="list-style-type: none"> (a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to the habitable building to warrant the provision of hazard management areas; or (b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or (c) Habitable buildings have hazard management areas that: <ul style="list-style-type: none"> i) have dimensions equal to, or greater than, the separation distances required for BAL 12.5 in Table 2.4.4 of AS 3959 – 2009 <i>Construction of Buildings in Bushfire Prone Areas</i>; and ii) will be managed in accordance with a bushfire hazard management plan, that is certified by the TFS or an accredited person, that demonstrates how hazard management areas will be managed consistent with the objective. 	<p>P1. No performance criteria</p>

A2	If hazard management areas in relation to a habitable building are to be located on land that is external to the lot where the building is located, the application shall be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.	P2 No performance criteria
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APPENDIX 1

PLACES FOR RECREATION AND AMUSEMENT

Including but not necessarily limited to:-

Amusement arcades,

bars or drinking booths (so far as not included in Class 6.5)

betting premises, except where included in premises in Class 2.1,

bowling alleys,

billiards or snooker saloons,

boxing or wrestling rinks or stadia,

casinos or gaming rooms,

cinemas, theatres or concert halls,

dance halls or ballrooms,

discotheques,

gymnasia, judo clubs or karate clubs,

meeting halls or youth clubs (other than halls or clubs used solely for religious, political, philosophical, literary, or educational purposes),

music halls, music clubs, or band rooms,

shooting galleries,

skating rinks,

slot car racing centres,

sports clubs, squash courts, or buildings for any indoor sport,

swimming baths (so far as not included in Class 6.8),

Turkish baths or other foam or vapour baths, sauna baths.

APPENDIX 2
HOME OCCUPATIONS AND PROFESSIONS

Including but not necessarily limited to:-

Accounting	Private Tutoring
Amateur Radio Operation	Speech Therapy
Architecture	Surveying and Valuing
Art and Handicraft Working	Taxi Driving
Authorship	Town Planning
Basket and Wickerwork Weaving	Watch Repairing
Cake, Confectionery, and Pastry Making	
Chiropody	
Commercial Travelling	
Draughting and Designing	
Dressmaking and Tailoring	
Editing and Journalism	
Fancy Goods Making	
Film Developing and Printing	
Flower and Vegetable Growing	
Hobbies	
Jam and Preserve Making	
Landscape Architecture	
Lapidary Working	
Law	
Medicine and Psychiatry, Physiotherapy	
Millinery	
Music and Restricted Elocution Teaching	
Needlework	
Piano Tuning	
Portrait Painting or Photography	

APPENDIX 3
PROFESSIONAL OFFICES

Amendment AT-3 29/7/92

Including but not necessarily limited to:-

Use for office purposes of accountants, architects, barristers, chartered engineers, landscape, architects, solicitors, surveyors, town planning or valuers. **Amendment AT-3 29/7/92**

Use as laboratories, offices or workshops of analysts, chiropodists, dental mechanics, opticians or photographers.

Use as drawing or design offices. **Amendment D-2 31/8/84**

Use as the headquarters of a social or welfare organisation which operates on a voluntary or non-profit making basis.

APPENDIX 4
SERVICE INDUSTRY

Including but not necessarily limited to:-

Use for blind repairing, boot and shoe repairing, dry cleaning, printing, signwriting, or watch and clock repairing, being uses involving the employment of not more than five persons at the premises.

Amendment AT-1 19/2/93

Use as painters', paviors', or plumbers' yards, carriers' garages, electricians' workshops, floor sanders or polishers' depots, laboratories, radio or television mechanics' workshops, saddlers' or coopers' premises, or wood and coal merchants' depots, subject to such use involving not more than one horse-power of motive power nor more than four vehicles, and to power saws not being operated on the premises.

Use as a veterinary surgeries.

TELECOMMUNICATIONS INFRASTRUCTURE SCHEDULE

1. PRINCIPLES

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

2. USE OR DEVELOPMENT

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

2.1 Relationship To The Scheme

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

2.2 Matters For Consideration

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

2.3 Definitions

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

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

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

Low Impact Facilities

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

Performance criteria are statements identifying the means or achieving the stated objectives.

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

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

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

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

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

3. EXEMPTIONS

The following development is exempt from requiring a planning permit:

- i. the installation and development of *low-impact facilities*;
- ii. works involved in the inspection of land by a carrier to identify suitability for its purposes;
- iii. the installation and development of a facility granted a facility installation permit by the Australian Communication Authority;
- iv. works involved in the maintenance of telecommunication facilities; and
- v. works meeting the transitional arrangements defined in Part 2 of Schedule 3 of the *Telecommunications Act 1997*.

4. INFORMATION REQUIRED

4.1 Application requirements

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

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

4.2 Plans To Accompany Applications

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

- (a) the boundaries and dimensions of the site or the area affected by the development;
- (b) the location of any existing buildings on the site indicating those to be retained or demolished;
- (c) location of any proposed buildings on the site, and their relationship to buildings on adjacent sites, streets and accessways;
- (d) the use of adjoining properties;
- (e) Australian Height Datum Levels;
- (f) natural drainage lines, watercourses, coastal dunes, beach systems and wetlands; and
- (g) any proposals for the rehabilitation of the land on which the development is to occur.

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

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

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

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

OBJECTIVES	PERFORMANCE CRITERIA
<p>Visual amenity</p> <p>To minimise any detrimental impact upon the visual amenity of a locality by reducing prominence of telecommunications infrastructure.</p>	<p>The location of infrastructure is within existing utility corridors and sites and uses existing infrastructure, unless a need to do otherwise is demonstrated.</p> <p>Aerial telecommunication lines or additional supporting structures are erected and operated in residential and commercial areas only where overhead cables operated by other utilities are in existence.</p> <p>Best practice methods are used to reduce the visual impact of infrastructure or to conceal infrastructure within the surrounding natural or built environment.</p> <p>Clearing for infrastructure corridors and facilities is minimised to limit visible prominence while responding to functional and safety requirements.</p> <p>Infrastructure:</p> <ul style="list-style-type: none"> • avoids skyline positions (ie. where a structure would be seen in silhouette); • crosses hills diagonal to the principal slope or crosses at the low point of a saddle between hills; or • is located around the base of hills or along the edge of existing clearings. <p>Unless a need to do otherwise is demonstrated.</p> <p>Equipment housing and other visually intrusive infrastructure is screened or concealed from public areas.</p> <p>The height of freestanding aerials, towers and masts is within the following limits:</p> <ul style="list-style-type: none"> • rural areas 60 metres • industrial areas 45 metres • commercial areas 40 metres • residential areas 20 metres <p>Telecommunications infrastructure may only exceed specified height limits if:</p> <ul style="list-style-type: none"> • a pattern of infrastructure or vegetation above the specified height limit exists in a particular location; and • it has no adverse impact on heritage or ecological values or visual amenity.
<p>To protect important public views such as vistas to significant public buildings, streetscapes and heritage areas.</p>	<p>Telecommunications infrastructure does not intrude into identified important public views or measures are taken to minimise intrusion.</p>
<p>To avoid obstruction of private views from the building line/principal windows by telecommunication lines.</p>	<p>Placement of telecommunication lines avoids or minimises obstruction of private views.</p>
<p>Residential amenity</p>	
<p>To protect residential amenity</p>	<p>Infrastructure servicing a network (facilities not requiring installation on an individual street basis) is not located in residential areas unless a need to do otherwise is demonstrated.</p>

Environmental values	
To protect threatened species or species at risk of becoming a threatened species (as defined in the <i>Threatened Species Protection Act 1995</i>) and the habitats, ecological communities or access essential to their continuing existence.	The proposed infrastructure does not adversely impact on identified threatened species or species at risk of becoming a threatened species.
To protect areas identified as having significant natural values.	The proposed infrastructure does not adversely affect areas identified as having significant natural values.
To protect flora and fauna, habitats and ecological communities.	The proposed infrastructure uses best practice environmental management to minimise harm to the environment.
Land stability	
To ensure that telecommunications infrastructure does not causes land instability.	Telecommunications infrastructure (including specific access routes) does not cause erosion or cause land instability during installation and operation. Telecommunications infrastructure is not located in areas of known unstable land where the risk is identified as unacceptable for development or installation of infrastructure.
Agricultural land	
To protect the productive capacity and sufficient farm operations of agricultural land.	Infrastructure installation and operation does not degrade or restrict the productive capacity of agricultural land. Infrastructure is placed on property boundaries or fence lines (not including road alignment boundaries).
Heritage values	
To protect items, places or areas identified as having aboriginal, natural, cultural, or maritime heritage significance.	Proposals for construction and operation of telecommunications infrastructure are approved by the Tasmanian Heritage Council in accordance with the requirements of the <i>Historic Cultural Heritage Act 1995</i> and/or are consistent with recommendations by the Aboriginal Heritage Section of DELM.
Access	
To ensure that telecommunications infrastructure does not impede movement of vehicular and other modes of transport.	The location of aerial telecommunications infrastructure allows adequate clearance for vehicular traffic and will not pose a danger or encumbrance to other land users or aircraft.

Table 1 Checklist for Environmental Impact Report by Carriers

Item:	Comment:
1. Type of Facility and location 2. Purpose and need for the proposed facility.	<ul style="list-style-type: none"> • Location of the facility (antenna and ground installation). • The need for the facility and its role within a network. • The anticipated need for, and likely locations of, further installations to provide an overall appreciation of the impact • Liaison with other Carriers. • The feasibility of co-location, etc. • Siting options. • Installation option.

<p>3. Design</p> <p>4. Description of the physical environment and possible physical impacts.</p> <p>5. EME</p> <p>6. Visual Assessment</p> <p>7. Social Issues (if appropriate)</p> <p>8. Consultations</p> <p>9. Conclusion and Recommendations</p> <p>10. Plans</p>	<ul style="list-style-type: none"> • Design drawings of the facility: antenna(s), towers, ground installation, etc. • Explain choice of structure. • Details of adjacent landuses. • Details of any adjacent structures. • Details of access (roads, etc). • Description of materials and finishes. • Details of existing vegetation to be removed or damaged in the vicinity, including identification of any trees to be removed. • Details of revegetation and site stabilisation. • Arrangement for provision of power to site. • Details of any external lighting. • Address potential impacts arising from the construction and maintenance of the facility, (eg. Flora, fauna, noise, erosion and runoff control, construction of access and power supply, areas of special significance. • Focal on aspects which are particular to the site. • Details of measures to protect local environment (including flora and fauna) during construction (eg. Erosion and runoff control, vehicle management, stockpiling and storage). • Projected EME levels for proposed sites. • Assessment of the impact of their proposal in visual terms. Refer to separate checklist. • Discussion of community concerns. • Impact on areas of special significance. • Details of consultations with the land owners/occupants. • Carriers must consult with owners before lodging application. • Summary of the relevant issues. • Alternative technical and design options. • Alternative locations including co-masting options. • Discussion of cumulative impacts. • Recommend actions to mitigate or minimise impacts. • Justification of the proposal. • Conclusions. • Location Plan. • Site Plan/Landscape Plan. • Design of facility (plan and elevations of antenna and ground installation).
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