

TASMANIAN PLANNING COMMISSION



Our ref: DOC/21/82827
Officer: Claire Wolf
Phone: 03 6165 6818
Email: tpc@planning.tas.gov.au

28 July 2021

Ms Lyn Eyles
General Manager
Central Highlands Council
PO Box 20
Hamilton TAS 7140

By email: council@centralhighlands.tas.gov.au

Attention: Damien Mackey

Dear Ms Eyles

Central Highlands draft Local Provisions Schedule (draft LPS) Direction under section 35B(4) – Public Exhibition

I refer to the Central Highlands draft LPS, submitted to the Tasmanian Planning Commission (the Commission) under section 35(6) of the *Land Use Planning and Approvals Act 1993* (the Act) on 7 February 2020. Following the planning authority's submission of a draft LPS modified in accordance with the Commission's direction under section 35(5)(b) and Schedule 6, clauses 8C(5)(a) of the Act, the Commission is of the opinion under section 35B(4A) that the draft LPS meets the LPS criteria.

Under section 35B(4) of the Act, the Commission directs the planning authority to publicly exhibit, the Central Highlands draft LPS in accordance with the requirements of sections 35C and 35D of the Act.

The Commission is required to notify the Minister of a direction under section 35B(4).

While it is a matter for the planning authority to determine, Commission Practice Note 9 enclosed as Attachment A, provides guidance on the exhibition of draft LPSs. Appendix A of the Practice Note includes a template exhibition notice that planning authorities may adapt as considered appropriate to discharge their exhibition obligations under the Act.

In accordance with section 35B(5) the Commission considers the State Service Agencies and State authorities specified in Attachment B may have an interest in the Central Highlands draft LPS. Notice must be given to these agencies in accordance with section 35C(1) of the Act.

The template notification letter provided in Appendix B of Practice Note 9 may also be adapted as appropriate to notify the specified State Service Agencies and State authorities, along with planning authorities in the regional area or those adjoining the municipal area, as required by section 35C(1).

Under section 35B(4B) and (4C) of the Act, the Commission has prepared an LPS Criteria outstanding issues notice that is included at Attachment C. The LPS criteria outstanding issues notice is a relevant exhibition document and must be exhibited with the draft LPS.

Thank you for your advice that the planning authority will commence public exhibition on Monday 23 August 2021. As the Commission is required to make the draft LPS available on our website during the exhibition period, we would appreciate your earliest advice if the exhibition cannot commence on this date.

If you need clarification, please contact Claire Wolf, Senior Planning Adviser, on 6165 6818 or email tpc@planning.tas.gov.au.

Yours sincerely



Claire Hynes
Delegate (Chair)

Encl: Attachment A – Tasmanian Planning Commission Practice Note 9, Exhibition and reporting of draft Local Provisions Schedules (LPSs)
 Attachment B – Central Highlands draft LPS - Specified State Service Agencies and State authorities
 Attachment C – Central Highlands draft LPS - LPS Criteria Outstanding Issues Notice under sections 35B(4B) and 35B(4C), 28 July 2021

Practice Note 9

Subject: Exhibition and reporting of draft Local Provision Schedules (LPSs)

Purpose: To provide guidance on exhibition of Local Provisions Schedules (LPSs) and report about exhibition by the planning authority.

1.0 Introduction

This practice note provides guidance on the requirements for exhibition of draft Local Provisions Schedules (LPSs) and the contents of the planning authority report to the Commission about the exhibition.

2.0 Process

The *Land Use Planning and Approvals Act 1993* (the Act) sets out the requirements for exhibition of a draft LPS and reporting in sections 35B through to 35G.

The full process for assessing a draft LPS is shown in a flowchart on the Commission's website at [www.planning.tas.gov.au/publications/flowcharts and diagrams](http://www.planning.tas.gov.au/publications/flowcharts_and_diagrams).

A more detailed flowchart, including references to the Act, is provided on the planners portal, a site with specialist technical information and resources for council planners on drafting LPSs. If you require access to the portal, please contact the Commission by emailing tpc@planning.tas.gov.au.

3.0 Exhibition notices

The requirements for exhibition notices for a draft LPS are set out in section 35C of the Act and include the timeframe for public exhibition and that some planning authorities, State Service Agencies and State Authorities must be given notice of exhibition in addition to a published notice.

The draft LPS is to be notified twice in a newspaper circulating generally in Tasmania. The period for making representations is 60 days [section 35C(5)].

To ensure consistency and make it clear that the draft LPS is a component of the Tasmanian Planning Scheme (TPS) a standard exhibition notice, that meets the requirements of the Act, is provided in Appendix A of this Practice Note [section 35C and 35E]. The notice makes it clear that the SPPs and list of provisions required to transition from the interim planning scheme are to be available along with the draft LPS during the exhibition period.

The Commission is to specify the State Service Agencies or State Authorities it considers will have an interest in the draft LPS in its direction to planning authorities to exhibit the draft LPS. A pro forma letter is provided in Appendix B. Specific contact details will be provided with the Commission's direction to planning authorities [section 35B(4)].

Planning authorities are to provide a notice to each other planning authority in the same regional area and to the planning authorities for the adjacent municipal area [section 35C(1)(a) and (b)]. The pro forma letter in Appendix B can be used for this purpose.

4.0 Representations

During the exhibition any person or body may make a representation [section 35E(1)]. However, there are matters specified in section 35E and subject to the transitional provisions of Schedule 6 that are not taken to be representations.

Under section 35E, matters not taken to be representations include:

- (a) a representation to the effect that the content of a provision of the SPPs should be altered [section 35E(4)];
- (b) a matter that does not relate to the contents or merit of the draft LPS [section 35E(5)(a)]; and
- (c) a matter not specifically listed that a representation can be made about, in section 35E(3).

An LPS must contain the particular purpose zones (PPZs), specific area plans (SAPs), site-specific qualifications (SSQs) and code-applying provisions that are included in a draft LPS, by reason of the transitional provisions of Schedule 6 of the Act. Any matter contained in a representation that seeks to exclude one or more of these provisions cannot be considered, as those provisions must be included.

5.0 Reporting Requirements

Following exhibition, the planning authority is to provide a report to the Commission [section 35F]. The Act sets out the requirements, including timeframes and content, for providing the report to the Commission.

The report must include [section 35F(2)]:

- a copy of each representation, including any agreed to be accepted after the end of the exhibition period;
- a response to any LPS criteria outstanding issues notice;
- the planning authority's views on the merit of each representation;
- a recommendation on whether the draft LPS should be modified to take into account the representation and the effect on the draft LPS as a whole in implementing the recommendation; and
- a statement on whether the planning authority is satisfied that the draft LPS meets the LPS criteria.

The representations must be numbered and as far as is possible each representation addressed consecutively in the report in the order of the allocated numbers.

In making a recommendation to modify the draft LPS, the planning authority may wish to give consideration to whether a substantial modification is required, with reference to section 35K.

Where no representations are received, the planning authority must still consider any recommendations it considers necessary [section 35F(2)(a)]. For example, the planning authority may have identified an error or alternate drafting it would prefer.

The planning authority must identify and include a copy of any representation submitted (either in whole or part) that the planning authority has not taken to be a representation and why the representation (or part) has not been taken to be a representation (both for reasons of transitional provisions and section 35E(5)).

If a LPS criteria outstanding issues notice has been exhibited with the draft LPS, the planning authority's report must include a statement containing the planning authority's response to the matters referred to in the notice [section 35F(2)(ba)].

The planning authority has 60 days from the close of the exhibition period to forward its report to the Commission. The Commission may grant an extension of time if requested.

A checklist of the documentation the Commission requires for the report is in Appendix C.

Further information

For further information contact the Tasmanian Planning Commission:

Telephone: (03) 6165 6828

Email: tpc@planning.tas.gov.au

Website: www.planning.tas.gov.au

Sandra Hogue

Executive Commissioner

Tasmanian Planning Commission

June 2021

Appendix A: Exhibition notice for newspaper

Tasmanian Planning Scheme

<municipal area name> Draft Local Provisions Schedule (LPS)

EXHIBITION NOTICE - INVITATION FOR WRITTEN REPRESENTATIONS

The <insert planning authority name> invites written representations on the relevant exhibition documents in relation to the <insert municipal area name> draft Local Provisions Schedule (LPS). The Tasmanian Planning Commission (the Commission) has directed the planning authority to publicly exhibit the <insert municipal area name> draft LPS under section 35B of the *Land Use Planning and Approvals Act 1993* (the Act).

Representations must be related to the matters listed under section 35E of the Act and not be to the effect that the content of the State Planning Provisions should be altered.

The LPS must contain the particular purpose zones, specific area plans, site-specific qualifications and code-applying provisions that are included in the draft LPS by reason of the transitional provisions of Schedule 6 of the Act. Any matter contained in a representation that seeks to exclude one or more of those provisions will not be taken to be a representation.

The relevant exhibition documents in relation to the <insert municipal area name> draft LPS and relevant supporting documents, including the State Planning Provisions (SPPs) and list of provisions required to transition from the <insert municipal area name> Interim Planning Scheme, are available for viewing during normal business hours at the:

- <insert planning authority name> offices, Monday to Friday at <insert address>; and
- the Tasmanian Planning Commission's offices from 9am until 5pm, Monday to Friday at Level 3, 144 Macquarie Street, Hobart.

These documents may also be viewed and downloaded from the <insert planning authority name> website at <insert website address> and the Commission website at www.planning.tas.gov.au.

Representations can be made in writing to the <insert planning authority name> from <insert day and date> until close of business <insert day and date>.

Please email your representations to <insert e-mail address> or post to the <insert planning authority name and address>.

Appendix B: Exhibition notice for planning authorities, State Service Agency or State authorities

<date>

«Name»

«Address_1»

«Address_2»

Email: «Email»

Dear «Salutation»

Exhibition – <municipal area name> Draft Local Provisions Schedule

The <insert planning authority name> gives notice of the public exhibition of the relevant exhibition documents in relation to the <insert municipal area name> draft Local Provisions Schedule (LPS). The Tasmanian Planning Commission (the Commission) has directed the planning authority to publicly exhibit The relevant exhibition documents in relation to the <insert municipal area name> draft LPS under section 35B of the *Land Use Planning and Approvals Act 1993* (the Act).

A copy of the exhibition notice is attached for your reference.

Yours sincerely

<name>

General Manager

Appendix C: Checklist for planners

The following information and documents are to be provided to the Commission after the exhibition period has closed and the planning authority has considered any representations to a draft LPS:

1. A copy of the planning authority decision about the representations reported under section 35F. (A formal decision under delegation or by resolution is required even where there are no representations received).
2. A copy of the planning authority minutes including reasons for the decision, or delegated decision if determined under officer delegation (confirming the officer is acting under delegation).
3. A copy of the planner's section 35F report on the representations including a response to an LPS criteria outstanding issues notice if relevant.
4. A copy of the unredacted and numbered representations, either as an appendix to the report or separately.
5. A copy of the names and addresses of those who made representations (such as the planning authority mail merge or email list of representors to assist the Commission in contacting parties for hearings).

NOTES: Please provide the information above by email to tpc@planning.tas.gov.au.
Where attachments are too large for email, please contact the Commission for assistance with accessing Dropbox.
The Commission keeps electronic records and does not require hard copy documents.

Attachment B

State Service Agency and State authority contact details

Contact Details	Salutation	E-mail Address
Mr Kim Evans Secretary Department of State Growth GPO Box 536 HOBART TAS 7001	Mr Evans	secretariat@stategrowth.tas.gov.au cc: Patrick.Carroll@stategrowth.tas.gov.au
Ms Ginna Webster Secretary Department of Justice GPO Box 825 HOBART TAS 7001	Ms Webster	secretary@justice.tas.gov.au cc: planning.unit@justice.tas.gov.au
Mr Tony Ferrall Secretary Department of Treasury and Finance GPO Box 147 HOBART TAS 7001	Mr Ferrall	reception@treasury.tas.gov.au cc: Dean.Burgess@treasury.tas.gov.au
Mr Tim Bullard Secretary Department of Education GPO Box 169 HOBART TAS 7001	Mr Bullard	officeofthesecretary@education.tas.gov.au cc: Todd.M.Williams@education.tas.gov.au
Mr Darren Hine Commissioner of Police Department of Police, Fire and Emergency Management GPO Box 308C HOBART TAS 7001	Mr Hine	tasmania.police@police.tas.gov.au
Mr Andrew Lea Director State Emergency Service GPO Box 1290 HOBART TAS 7001	Mr Lea	andrew.lea@ses.tas.gov.au
Ms Kathrine Morgan-Wicks Secretary Department of Health and Human Services GPO Box 125 HOBART TAS 7001	Ms Morgan-Wicks	ots.mailbox@dhhs.tas.gov.au
Mr Michael Pervan Secretary Department of Communities Tasmania GPO Box 65 HOBART TAS 7001	Mr Pervan	michael.pervan@communities.tas.gov.au cc: OAA@communities.tas.gov.au

Contact Details	Salutation	E-mail Address
Mr Tim Baker Secretary Department of Primary Industries, Parks, Water & Environment GPO Box 44 HOBART TAS 7001	Mr Baker	Tim.Baker@dpipwe.tas.gov.au cc: Dean.Vincent@dpipwe.tas.gov.au
Ms Jenny Gale Secretary Department of Premier & Cabinet GPO Box 123 HOBART TAS 7001	Ms Gale	secretary@dpac.tas.gov.au
Mr Chris Arnol Chief Officer Tasmania Fire Service GPO Box 1526 HOBART TAS 7001	Mr Arnol	fire@fire.tas.gov.au
Mr Jason Taylor Development Assessment Manager TasWater PO Box 1393 HOBART TAS 7001	Mr Taylor	development@taswater.com.au
Mr Evangelista Albertini Chief Executive Officer Hydro Tasmania GPO Box 355 HOBART TAS 7000	Mr Albertini	contactus@hydro.com.au
Mr Steve Whiteley Chief Executive Officer Sustainable Timber Tasmania Level 1, 99 Bathurst Street HOBART TAS 7000	Mr Whiteley	forestry.tasmania@forestrytas.com.au stakeholder@sttas.com.au
Mr Andrew Kneebone Chief Executive Officer Tasmanian Irrigation Pty Ltd PO Box 84 EVANDALE TAS 7212	Mr Kneebone	enquiries@tasirrigation.com.au
Dr Sean Mc Goldrick Chief Executive Officer Tas Networks Pty Ltd PO Box 606 MOONAH TAS 7009	Dr Mc Goldrick	cc: Michele.Percey@tasnetworks.com.au cc: LandUsePlanning@tasnetworks.com.au cc: Gina.Goodman@tasnetworks.com.au cc: Odin.Kelly@tasnetworks.com.au cc: Nishan.Rathanlall@tasnetworks.com.au cc: Mark.Bresnehan@tasnetworks.com.au

Contact Details	Salutation	E-mail Address
Mr Steven Dietrich Chief Executive Officer Attention: Jennifer Jarvis Manager Property and Compliance TasRail PO Box 140 NEWSTEAD TAS 7250	Mr Dietrich	property@tasrail.com.au
Mr Peter Graham Director of Building Control WorkSafe Tasmania PO Box 56 ROSNY PARK TAS 7018	Mr Graham	wstinfo@justice.tas.gov.au
Mr Bill Batt Chief Operating Officer Marine and Safety Tasmania GPO Box 607 HOBART TAS 7000	Mr Batt	admin@mast.tas.gov.au
Mr John Fitzgerald Chief Executive Officer Tourism Tasmania GPO Box 399 HOBART TAS 7001	Mr Fitzgerald	John.Fitzgerald@toursim.tas.gov.au reception@tourism.tas.gov.au
Mr Peter Volker Chief Forest Practice Officer Forest Practices Authority 30 Patrick Street HOBART TAS 7000	Mr Volker	info@fpa.tas.gov.au
Ms Penny Wells Chief Executive Officer Private Forests Tasmania 30 Patrick Street HOBART TAS 7000	Ms Wells	admin@pft.tas.gov.au
Mr Kevin Robinson Director of Mines Mineral Resources Tasmania PO Box 56 ROSNY PARK TAS 7018	Mr Robinson	info@mrt.tas.gov.au
Mr Kevin Maynard Company Secretary TT-Line Company Pty Ltd PO Box 168E East Devonport TAS 7310	Mr Maynard	kfm@spiritoftasmania.com.au

Land Use Planning and Approvals Act 1993 (the Act)

**Notice under section 35B(4B) and (4C)
Local Provisions Schedule Criteria Outstanding Issues Notice**

Central Highlands draft Local Provisions Schedule

28 July 2021

This Notice, in relation to the Central Highlands draft Local Provisions Schedule (LPS), sets out the further information in the following table that the Tasmanian Planning Commission needs from the Central Highlands (planning authority), in order for the Commission to be of the opinion that the draft LPS meets the LPS criteria under section 34(2) of the *Land Use Planning and Approvals Act 1993* (the Act).

LPS criterion	Issue	Information needed
34(2)(a), (b), (c), (d) and (e)	<p>The planning authority (PA) proposes to insert CHI-S1.0 Lake Meadowbank Specific Area Plan (SAP) (Attachment 1) in the Central Highlands LPS.</p> <p>The PA has advised it does not wish to transition F1.0 Lake Meadowbank Specific Area Plan in the <i>Central Highlands Interim Planning Scheme 2015</i> into the LPS, under Schedule 6 – Savings and Transitional Provisions of the Act, but instead insert the new SAP shown in Attachment 1.</p> <p>The Act requires a new SAP in an LPS to meet the LPS criteria under section 34(2).</p>	<p>Information and justification to demonstrate the attached SAP meets the LPS Criteria under section 34(2) (a), (b), (c), (d) and (e) of the Act.</p> <p>Specifically, the Commission requires information that the SAP:</p> <ul style="list-style-type: none">(a) contains all the provisions that the State Planning Provisions (SPPs) specify must be contained in an LPS;(b) is in accordance with section 32(4) of the Act;(c) furthers the objectives set out in Schedule 1;(d) is consistent with the State Policy on the Protection of Agricultural Land 2009 (PAL Policy); and(e) as far as practicable, is consistent with the Southern Tasmania Regional Land Use Strategy 2010-2035.

Appropriate compliance with this Notice will be essential to the Commission being satisfied under section 35L of the Act that the draft LPS meets the LPS criteria in section 34(2).

This notice is one of the relevant exhibition documents for the draft LPS as required by section 35B(4A)(b) of the Act.



Claire Hynes
Delegate (Chair)



Peter Fischer
Delegate

Attachment 1 - CHI-S1.0 Lake Meadowbank Specific Area Plan (SAP)

CHI-S1.0 Lake Meadowbank Specific Area Plan

CHI-S1.1 Plan Purpose

The purpose of the Lake Meadowbank Specific Area Plan is:

- CHI-S1.1.1 To recognise and protect operation of Lake Meadowbank Hydro-electric Power Station from incompatible use and development.
- CHI-S1.1.2 To ensure that on-site waste water management does not contribute to adverse impacts on water quality.
- CHI-S1.1.3 To recognise Lake Meadowbank as the premier water-skiing facility in the State and to support associated use and development whilst managing other use and development to minimise conflict between activities.
- CHI-S1.1.4 To encourage the use and development of Lake Meadowbank and the adjoining land for tourism, recreational and visitor accommodation purposes whilst maintaining and enhancing the natural, cultural and landscape values of the area.
- CHI-S1.1.5 To recognise and protect Aboriginal heritage values.
- CHI-S1.1.6 To encourage co-ownership and sharing of aquatic structures such as boat ramps, jetties, pontoons and water-based sports infrastructure.
- CHI-S1.1.7 To protect the landscape of the lake foreshore, from becoming over-crowded with buildings for Visitor Accommodation.
- CHI-S1.1.8 To encourage orderly and strategic development of Visitor Accommodation, particularly camping and caravan parks and overnight camping areas.
- CHI-S1.1.9 To allow for a continuation of agriculture and Resource Development and for Resource Processing compatible with the recreation-tourism focus of the area.

CHI-S1.2 Application of this Plan

- CHI-S1.2.1 The specific area plan applies to the area of land designated as Lake Meadowbank Specific Area Plan on the overlay maps.
- CHI-S1.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in substitution for, and in addition to the provisions of:
 - a) Rural Zone;
 - b) Agriculture Zone; and
 - c) Environmental Management Zone,as specified in the relevant provision.
- CHI-S1.2.3 The planning authority must notify Aboriginal Heritage Tasmania of any application involving buildings or works at the same time and in the same manner as if the application is for a permit under Section 57 of the Land Use Planning and Approvals Act 1993.

- CHI-S1.2.4 The Planning Authority must not determine the application until 14 days from the date of notification to Aboriginal Heritage Tasmania, or until after Aboriginal Heritage Tasmania has provided advice, whichever occurs first.
- CHI-S1.2.5 The planning authority must notify Hydro Tasmania of any application involving buildings or works within 20m of the full supply level at the same time and in the same manner as if the application is for a permit under Section 57 of the Land Use Planning and Approvals Act 1993.
- CHI-S1.2.6 The Planning Authority must not determine the application until 14 days from the date of notification to Hydro Tasmania, or until after Hydro Tasmania has provided advice, whichever occurs first.

CHI-S1.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

CHI-S1.4 Definition of Terms

CHI-S1.4.1 In this specific area plan, unless the contrary intention appears:

Terms	Definition
aquatic structure	means boat ramp, jetty, pontoon and water-based sports infrastructure.
full supply level	means the level of the lake at which it is at its maximum operational level, as determined by Hydro Tasmania. The supply level is 73.15m above sea level.
land application area	means an area of land used to apply effluent from a waste water treatment unit and reserved for future waste water application.
MAST	means Marine and Safety Tasmania, or its successor.
master development plan	<p>means a site-specific master plan including maps, diagrams and written documentation demonstrating, to the satisfaction of the planning authority:</p> <ul style="list-style-type: none"> (a) the concept design and location of all buildings and associated works, including vehicular access and parking; (b) the concept design and location of any facilities used in association with Visitor Accommodation; (c) access points to the public road network, internal roads and parking areas; (d) the location of any existing or proposed aquatic structures on the foreshore or on Lake Meadowbank; (e) landscaping of the site to minimise the visual impact of development on views to the site from Lake Meadowbank; (f) how the development maintains and enhances the natural, cultural and landscape values of the area and complies with the plan purpose statements;

	(g) an operational plan including: <ul style="list-style-type: none"> (i) waste management; (ii) complaint management; (iii) noise management; and (h) any staging of operations or development including estimated timeframes.
suitably qualified person (onsite waste water management)	means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience, knowledge, expertise or practice in undertaking onsite waste water management system design in accordance with AS/NZS 1547.

CHI-S1.5 Use Table

This clause is in substitution for Rural Zone – clause 20.2 Use Table and Agriculture Zone – clause 21.2 Use Table.

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Permitted	
Resource Development	If for an agricultural use, excluding controlled environment agriculture, tree farming and plantation forestry.
Utilities	If for: <ul style="list-style-type: none"> (a) electricity generation; (b) collecting, treating, transmitting, storing or distributing water; (c) electrical sub-station or powerline; (d) pumping station; or (e) storm or flood water drain, water storage dam and weir.
Residential	If for: <ul style="list-style-type: none"> (a) a home-based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
Discretionary	
Community Meeting and Entertainment	
Food Services	
Pleasure Boat Facility	If for a boat ramp, jetty, pontoon.

	If not for a marina.
Research and Development	
Residential	If for: (a) a single dwelling; or (b) a home-based business; and (c) not listed as Permitted.
Resource Development	If not listed as Permitted.
Resource Processing	If for a winery, brewery, cidery or distillery.
Sport and Recreation	
Tourist Operation	
Utilities	If not listed as Permitted.
Visitor Accommodation	If for a holiday cabin, backpackers hostel, bed and breakfast, camping and caravan park, or overnight camping area.
Prohibited	
All other uses	

CHI-S1.6 Use Standards

CHI-S1.6.1 Discretionary use

This clause is in substitution for Rural Zone – clause 20.3.1 Discretionary use, Agriculture Zone – clause 21.3.1 Discretionary use and are in addition to Environmental Management Zone – clause 23.3.1 Discretionary use

Objective:	That uses listed as Discretionary recognise and are compatible with the natural, cultural and landscape values of Lake Meadowbank together with the plan purpose statements.	
Acceptable Solutions		Performance Criteria
A1 No Acceptable Solution.		P1 A use listed as Discretionary must be consistent with the natural, cultural and landscape values of Lake Meadowbank together with the plan purpose statements, having regard to: <ul style="list-style-type: none"> (a) the significance of the natural, cultural, and landscape values; (b) the protection, conservation and management of the values;

	<ul style="list-style-type: none"> (c) the location, intensity and scale of the use and impacts on existing use and other lake activities; (d) the characteristics and type of use; (e) impact of traffic generation and parking requirements; (f) any emissions and waste produced by the use; (g) the storage and holding of goods, materials and waste; and (h) the proximity of sensitive uses.
A2 No Acceptable Solution.	P2 A use listed as Discretionary must not confine or restrain existing agricultural use on adjoining properties, having regard to: <ul style="list-style-type: none"> (a) the location of the proposed use; (b) the nature, scale and intensity of the use; (c) the likelihood and nature of any adverse impacts on adjoining uses; and (d) any off site impacts from adjoining uses.

CHI-S1.6.2 Visitor Accommodation

This clause is in substitution for Rural Zone – clause 20.3.1 Discretionary use, Agriculture Zone – clause 21.3.1 Discretionary use and are in addition to Environmental Management Zone – clause 23.3.1 Discretionary use.

Objective:	Visitor Accommodation does not cause an unreasonable loss of amenity or impact on the natural, cultural or landscape values of the area.	
Acceptable Solutions		Performance Criteria
A1 Visitor Accommodation, excluding camping and caravan park and overnight camping area, must: <ul style="list-style-type: none"> (a) have not more than 1 holiday cabin per title; or (b) accommodate guests in existing buildings. 		P1 Visitor Accommodation, excluding camping and caravan park and overnight camping area, must be in accordance with a master development plan
A2 Camping and caravan parks and overnight camping areas must have no more than 5 campsites or caravan park sites per title.		P2 Camping and caravan parks and overnight camping areas with 6 or more campsites and/or caravan sites must be in accordance with a master development plan.

CHI-S1.7 Development Standards for Buildings and Works

CHI-S1.7.1 Building height

This clause is in substitution for Rural Zone – clause 20.4.1 Building height; Agriculture Zone – clause 21.4.1 Building height; and Environmental Management Zone – clause 23.4.2 Building height, setback and siting A1 and P1.

Objective:	That buildings height is compatible with the natural, cultural and landscape values of the area and protects the visual and visitor accommodation amenity of adjoining properties.	
Acceptable Solutions		Performance Criteria
A1 Building height must be not more than: <ul style="list-style-type: none"> (a) 4m for a camping and caravan park or overnight camping area; (b) 5m for any Tourist Operation or Visitor Accommodation excluding a camping and caravan park or overnight camping area; (c) 5m for an outbuilding; and (d) 8m for any other building and works. 		P1 Building height must be compatible with the landscape values of the area, having regard to: <ul style="list-style-type: none"> (a) the height, bulk and form of proposed buildings; (b) the height, bulk and form of adjacent existing buildings; (c) the topography of the site; (d) the visual impact o the buildings when viewed from Lake Meadowbank, its foreshore or public places; and (e) the landscape values of the surrounding area.

CHI-S1.7.2 Setbacks and Siting

This clause is in substitution for Rural Zone – clause 20.4.2 Setbacks and Agriculture Zone – clause 21.4.2 Setbacks.

Objective:	That building setback and siting is compatible with the natural, cultural and landscape values of the area and protects the visual and visitor accommodation amenity of adjoining properties	
Acceptable Solutions		Performance Criteria
A1 Buildings and works, excluding for a camping and caravan park or overnight camping area, must have a setback not less than 100m from full supply level.		P1 Buildings and works, excluding for a camping and caravan park or overnight camping area, must have a setback not less than 40m from full supply level and must be compatible with the natural, cultural and landscape values of the area and protect the amenity of the adjoining properties, having regard to: <ul style="list-style-type: none"> (a) the visual amenity of the rural setting when viewed from adjoining properties, or from Lake Meadowbank, its foreshore or public places; and

	(b) impacts of any stormwater discharge directly into Lake Meadowbank.
<p>A2</p> <p>Buildings must have a setback from all boundaries of not less than 20m.</p>	<p>P2</p> <p>Buildings must be sited to not cause an unreasonable loss of amenity, or impact on landscape values of the site, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the side and rear setbacks of adjacent buildings; (d) the height, bulk, and form of existing and proposed buildings; (e) the need to remove vegetation as part of the development; (f) the appearance when viewed from adjacent property; (g) the landscape values of the area; and (h) the plan purpose statements.
<p>A3</p> <p>Buildings and works for a camping and caravan park or overnight camping area must have a setback not less than 40m from full supply level.</p>	<p>P3</p> <p>Buildings and works for a camping and caravan park or overnight camping area must have a setback not less than 20m from full supply level, only if compliance with the Acceptable Solution cannot reasonably be achieved due to site constraints.</p>
<p>A4</p> <p>Individual campsites or caravan park sites must be no more than a gross floor area of 50m².</p>	<p>P4</p> <p>No Performance Criteria</p>
<p>A5</p> <p>Buildings for a sensitive use must be separated from the boundary of an adjoining property outside the Specific Area Plan in the Rural Zone or Agriculture Zone a distance of:</p> <ul style="list-style-type: none"> (a) not less than 200m; or (b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building. 	<p>P5</p> <p>Buildings for a sensitive use must be sited to not conflict or interfere with uses in the Rural Zone or Agriculture Zone outside the Specific Area Plan, having regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and topography of the site; (b) the separation from those zones of any existing buildings for sensitive uses on adjoining properties; (c) the existing and potential use of land in the adjoining zones;

	<p>(d) any buffers created by natural or other features; and</p> <p>(e) any proposed attenuation measures.</p>
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CHI-S1.7.3 Access

This clause is in substitution for Rural Zone – clause 20.4.3 Access for new dwellings and Agriculture Zone clause 21.4.3 Access for new dwellings.

Objective:	That safe and practicable vehicular access is provided with minimal impact on the surrounding natural, scenic and cultural values.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Vehicular access is provided using existing vehicular tracks and internal roads.</p>	<p>P1</p> <p>The design, construction and location of vehicular access must have minimal impact on the surrounding natural, scenic and cultural values, having regard to:</p> <ul style="list-style-type: none"> (a) providing safe connections from existing road infrastructure; (b) minimising the total number of new roads and tracks within the Lake Meadowbank Specific Area Plan area; (c) being appropriate to the setting, and not substantially detracting from the rural character of the area; (d) avoiding impacts from dust, run-off and noise to other land users; and (e) consolidating and sharing vehicular access wherever practicable.

CHI-S1.7.4 Landscape Protection

This clause is an addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works; Agriculture Zone – clause 21.4 Development Standards for Buildings and Works.

Objective:	That buildings and works are compatible with the landscape values of the site and surrounding area and managed to minimise adverse impacts.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings and works must:</p>	<p>P1.1</p> <p>Buildings and works must be located to minimise impacts on landscape values, having regard to:</p>

<ul style="list-style-type: none"> (a) be located within a building area, if shown on a sealed plan; or (b) be an alteration or extension to an existing building providing it is not more than the existing building height; and (c) not include cut and fill greater than 1m; and (d) be on a site not requiring the clearing of native vegetation; and (e) be not less than 10m in elevation below a skyline or ridgeline. 	<ul style="list-style-type: none"> (a) the topography of the site; (b) the size and shape of the site; (c) the proposed building height, size and bulk; (d) any constraints imposed by existing development; (e) visual impact when viewed from roads and public places; and (f) any screening vegetation, and <p>P1.2</p> <p>be located in an area requiring the clearing of native vegetation only if</p> <ul style="list-style-type: none"> (a) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure; and (b) the extent of clearing is the minimum necessary to meet the requirements of the Bushfire-Prone Areas Code.
<p>A2</p> <p>Buildings and works for a camping and caravan park or overnight camping ground must be of a temporary nature, such as not having footings and with the capacity to be easily removed from the site.</p>	<p>P2</p> <p>Buildings and works for a camping and caravan park or overnight camping ground of a permanent nature must be for one or more of the following purposes:</p> <ul style="list-style-type: none"> (a) a communal toilet/shower/laundry facility; (b) storage; (c) a site office or reception building.
<p>A3</p> <p>Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.</p>	<p>P3</p> <p>Exterior building finishes must not cause an unreasonable loss of amenity to occupiers of adjoining properties or detract from the landscape values of the site or surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the appearance of the building when viewed from roads or public places in the surrounding area; (b) any screening vegetation; and (c) the nature of the exterior finishes.

This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works, Agriculture Zone – clause 21.4 Development Standards for Buildings and Works, and Environmental Management Zone – clause 23.4 Development Standards for Building and Works.

Objective:	That permanent aquatic structures such as pontoons, boat ramps and jetties on Lake Meadowbank or its foreshore are only constructed as necessary and are safe, functional, and do not detract from the natural, cultural and landscape values of the area or impede recreational use or the operational needs of Hydro Tasmania.
Acceptable Solutions	Performance Criteria
A1 An aquatic structure is: <ul style="list-style-type: none"> (a) for the replacement of an existing structure; (b) provided by or on behalf of the Crown, a council or a State Authority; and (c) the rationalisation of two or more structures on Lake Meadowbank or its foreshore. 	P1 Aquatic structures must avoid adverse impacts on the natural, cultural and landscape values of Lake Meadowbank and only be constructed as necessary and safe, having regard to: <ul style="list-style-type: none"> (a) the advice and operational needs of Hydro Tasmania; (b) rationalising existing aquatic structures as far as practicable; (c) avoiding the proliferation of aquatic structures in the immediate vicinity; (d) the demonstrated need for the aquatic structure; and (e) the plan purpose statements.

CHI-S1.7.6 Aboriginal Heritage

This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works, Agriculture Zone – clause 21.4 Development Standards for Buildings and Works, and Environmental Management Zone – clause 23.4 Development Standards for Building and Works.

Objective:	That Aboriginal heritage is not inappropriately disturbed and
Acceptable Solutions	Performance Criteria
A1 Buildings and works must be in accordance with a Certificate and Unanticipated Discovery Plan, and any Assessment Result, issued by Aboriginal Heritage Tasmania.	P1 Buildings and works must be in accordance with an Approved Permit issued by the Minister for Aboriginal Affairs under Section 14 of the Aboriginal Heritage Act 1975.

CHI-S1.7.7 Protection of Lake Operation

This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works, Agriculture Zone – clause 21.4 Development Standards for Buildings and Works, and Environmental Management Zone – clause 23.4 Development Standards for Building and Works.

Objective:	That the operation of the lake for hydro-electric power generation and as a major source of potable water or greater Hobart is not compromised.
Acceptable Solutions	Performance Criteria
A1 Buildings or works within 20m of the maximum flood level must be accepted by Hydro Tasmania	P1 Buildings and works within 20m of the maximum flood level must not hinder the operation of the lake for hydro-electric generation purposes having regard to any advice received from Hydro Tasmania.

CHI-S1.7.8 Protection of Water Quality

This clause is in addition to Natural Assets Code – Clause C7.6.1 Development Standards for Buildings and Works

Objective:	That on-site waste water management does not contribute to adverse impacts on water quality.
Acceptable Solutions	Performance Criteria
A1 Land application area must be 100m from full supply level.	P1 Land application area must be of sufficient size and location to adequately manage waste water treatment so that there are no adverse impacts on water quality in Lake Meadowbank, having regard to: <ul style="list-style-type: none"> (a) the topography of the site; (b) the capacity of the site to absorb waste water; (c) the size and shape of the site; (d) the existing buildings and any constraints imposed by existing development; (e) the area of the site to be covered by the proposed development; (f) the provision for landscaping, vehicle parking, driveways and private open space; (g) any adverse impacts on the quality of ground and surface waters; (h) any adverse environmental impact on surrounding properties and the locality; (i) any cumulative adverse impacts on the operation of the waste water treatment system created by any nearby waste water treatment systems; (j) the benefit, or otherwise, of collective waste water treatment systems.

	(k) written advice from a suitably qualified person (onsite waste water management) about the adequacy of the on-site waste water management system.
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CHI-S1.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

CHI-S1.9 Tables

This sub-clause is not used in this specific area plan.