

# TASMANIAN PLANNING COMMISSION



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4 January 2023

Ms Kim Hossack  
General Manager  
Central Highlands Council  
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Attention: Damian Mackey and Jacqui Tyson

Dear Ms Hossack

## Central Highlands Local Provisions Schedule

### Notice under section 35K(1)(a) and section 35KB(4)(a)

Further to the hearing of this matter held on 4, 5 and 6 May 2022 and 20 and 21 September 2022, the delegates have finalised their consideration of the Central Highlands draft Local Provisions Schedule (draft LPS) under section 35J of the *Land Use Planning and Approvals Act 1993* (the Act).

The Commission considers, in order for the draft LPS to meet the LPS Criteria, modifications are required. A decision under section 35K(1) and 35KB is enclosed and has been published on the Commission's website.

The Commission directs the planning authority:

- (a) under section 35K(1)(a) of the Act, to modify the draft LPS in accordance with the notice at Attachment 2 to the decision; and
- (b) under section 35K(2)(a) of the Act, to submit the modified draft LPS to the Commission within 28 days;
- (c) under section 35KB(4)(a)(i) of the Act, to prepare draft amendments under Part 3B of the Act, in the terms specified in the notice at Attachment 3 to the decision; and
- (d) under section 35KB(4)(a)(ii) of the Act, to submit the draft amendments to the Commission within 42 days after the LPS comes into effect.

A PDF of the written document, modified in accordance with Annexure A of the notice under section 35K(1)(a), is also enclosed. This copy is suitable for submission under section 35K(2).

For approval of the draft LPS, the Commission requires a GIS version of the zones, zone boundaries, and overlays in Geodatabase format based on the most recent cadastral data, that includes the modifications. A PDF version of the zone and overlay maps is also required for official approval under section 35L(4) of the Act.

Please submit the modified draft LPS, GIS layers and PDFs to [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au).

When the modified draft LPS is in order, the Commission will seek the agreement of the Minister to approve the draft LPS under section 35L(1)(b).

Note that section 51 applies to a planning authority directed under section 35K(1)(a); it details when decisions on permit applications must be in accordance with the provisions of the draft LPS as modified, and the SPPs, as if they were in effect.

If you require further information please contact Linda Graham, Planning Adviser, on 03 6165 6826.

Yours sincerely



Claire Hynes  
**Delegate (Chair)**

Encl.

- Central Highlands draft LPS – decision to modify the draft LPS (including section 35K(1)(a) notice and section 35KB notice)

# TASMANIAN PLANNING COMMISSION

## DECISION

**Local Provisions Schedule** Central Highlands

**Date of decision** 4 January 2023

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

When the directed modifications have been undertaken under section 35K(2), the Commission is satisfied that the LPS meets the LPS criteria and is in order for approval under section 35L(1).

The Commission finds that the draft LPS requires substantial modification and accordingly, under section 35KB of the Act, the Commission directs the planning authority to prepare an amendment, under Part 3B, of the LPS and to submit the amendment to the Commission after the LPS comes into effect, in accordance with the notice in Attachment 3.



Claire Hynes  
**Delegate (Chair)**



Dianne Cowen  
**Delegate**



Dan Ford  
**Delegate**

### Disclosure statement

The Commission's delegates disclosed at the hearing the following interests and associations:

- (i) Ms Claire Hynes made the following disclosure of past and ongoing professional association:
  - (a) she is a friend of Caroline Lindus who is a planning consultant, representing Epuron Pty Ltd.
- (ii) Ms Dianne Cowen made the following disclosure of past and ongoing professional association:
  - (a) she provided planning advice to the Meadowbank Ski Club, approximately 3 years ago as a planning consultant regarding future development opportunities.

Ms Cowen did not consider that this association precluded her from continuing with an independent assessment of the draft Local Provisions Schedule. She removed herself from hearing representations related to the proposed Meadowbank Lake Specific Area Plan.

There were no objections to Ms Hynes and Ms Cowen determining the matter, as outlined above.

## REASONS FOR DECISION

### Background

The Central Highlands Planning Authority (the planning authority) exhibited the Central Highlands draft Local Provisions Schedule (the draft LPS) under section 35D of *Land Use Planning and Approvals Act 1993* (the Act), from 23 July 2021 until 22 October 2021. The exhibited documents included an outstanding issues notice, issued by the Commission under section 35B(4A)(b) of the Act, which identified further information and justification was required to demonstrate the Meadowbank Lake Specific Area Plan meets the LPS Criteria under section 34(2)(a)-(e) of the Act.

On 4 February 2022 the planning authority provided the Commission with a report under section 35F(1) into 42 representations received on the draft LPS. In addition, 3 representations, made after the end of the exhibition period, were included by the planning authority in the report under section 35F(2)(b) of the Act. A list of representations is at Attachment 1.

### Date and place of hearing

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

Hearings were held at the Commission's office on Level 3, 144 Macquarie Street, Hobart on:

- (a) 4 May 2022;
- (b) 5 May 2022;
- (c) 6 May 2022;
- (d) 20 September 2022; and
- (e) 21 September 2022.

### Consideration of the draft LPS

1. Under section 35J(1) of the Act the Commission must consider:
  - the planning authority section 35F(1) report and the draft LPS to which it relates;
  - the information obtained at the hearings;
  - whether it is satisfied that the draft LPS meets the LPS criteria under section 34; and
  - whether modifications ought to be made to the draft LPS.
2. Under section 35J(2) of the Act the Commission may also consider whether there are any matters that relate to issues of a technical nature or may be relevant to the implementation of the LPS if the LPS were approved.
3. The LPS criteria to be met by the draft LPS are:
  - (a) contains all the provisions that the SPPs specify must be contained in an LPS;
  - (b) is in accordance with section 32 of the Act;
  - (c) furthers the objectives set out in Schedule 1 of the Act;
  - (d) is consistent with each State policy;



- (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;
  - (f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates;
  - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and
  - (h) has regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.
4. The relevant regional land use strategy is the Southern Tasmanian Regional Land Use Strategy 2010-2035 (regional strategy).
  5. In addition to the LPS criteria, the Commission has considered Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application (Guideline No. 1) issued under section 8A of the Act.
  6. The requirements for making modifications to the draft LPS are set out under section 35K of the Act. The modifications can be broadly categorised as modifications (section 35K(1)(a) and (b) of the Act).
  7. Under section 35KA, the Commission may also direct under section 35K(1)(a) or (b) that a draft LPS be modified to include relevant modifications, which are subsequent planning scheme amendments that have been approved and contain provisions of a kind that may be included in a draft LPS. Relevant modifications may be varied to meet requirements and terminology of the SPPs and will achieve the effect intended by the amendment of the planning scheme.
  8. The Commission may also reject the draft LPS and request that the planning authority prepare a substitute draft LPS (section 35K(c) of the Act).
  9. Where the Commission has determined modifications ought to be made, these are set out in a notice under sections 35K(1)(a) of the Act (see Attachment 2).
  10. The decisions on relevant modifications considered under section 35KA of the Act are set out below.
  11. Where the Commission has determined substantial modifications ought to be made to the draft LPS and such modifications are suitable to be made as an amendment, under Part 3B, to the LPS, it may direct the planning authority to prepare the amendment and submit to the Commission after the LPS comes into effect. These are set out in a notice under section 35KB of the Act (see Attachment 3).

## Issues raised in the representations

### Rural Zone – Planning Authority recommendation under section 32F(2)(e)

12. In its section 35F report, the planning authority included a recommendation under section 35F(2)(e) of the Act which proposed a modification to reduce the spatial application of the Agriculture Zone across the municipality to apply to land only within a mapped area defined by a “blue line”, as shown in figure 10 below. The planning authority requested all land outside the “blue line” zoned Agriculture to be revised to the Rural Zone. This modification affects 584 titles, including 391 private freehold parcels.

13. The planning authority formed a view that the State's Land Potentially Suitable for Agriculture Zone mapping available on the List, upon which application of the Agriculture Zone is largely based, does not provide a comprehensive analysis of all factors which may pose a constraint upon agricultural land use within the municipality.
14. The planning authority identified constraints not otherwise recognised in the Land Potentially Suitable for Agriculture Zone mapping including lower soil classes which are located at higher altitudes for example. This analysis resulted in the creation of a mapped "blue line", outside of which the planning authority recommended that all land zoned Agriculture in the draft LPS be revised to the Rural Zone. The planning authority contended that this approach could be supported by AZ 1, AZ 3 and AZ 6 of Guideline No. 1.
15. The planning authority submitted that inside the "blue line", the land is Class 4 or 5, currently utilised for cropping or improved pasture, mostly devoid of Private Timber Reserves and conservation covenants, divided into large 'working farm' titles and characterised by relatively flat to moderately sloping terrain. In contrast, outside the "blue line", the land is generally Class 6 or 7 and more constrained. This land is often forested or rough summer grazing land, contains many Private Timber Reserves and further constrained by Conservation Covenants and generally rugged terrain. The land outside of the "blue line" is generally comprised of large titles, although in the southern regions there are numerous smaller titles used for hobby farming.
16. Prior to the hearing, a direction was issued to the planning authority on the 8 March 2022 requesting further information on the methodology employed by the planning authority and the adequacy of recommendations regarding application of the Rural Zone, and to provide a peer review by a suitably qualified person of the methodology and its application. The direction also sought clarification whether the Priority Vegetation Area overlay was intended to apply to the land in the event that the Rural Zone was to be applied and details of the extent of any public consultation undertaken in relation to the proposed zone modification.
17. The planning authority engaged Pinion Advisory Pty Ltd who prepared a report (dated July 2022) that reviewed the proposed extent and spatial application of the Agriculture Zone land within the municipality. This assessment took into consideration a range of factors, including:
  - climate;
  - land capability (size, soil type, slope topography and any relevant constraints);
  - irrigation resources (including allocation, potential connection to existing supply and the potential to expand existing services);
  - established agricultural uses and productivity;
  - various limitations associated with current and future agricultural land use activity;
  - methodology applied by the planning authority;
  - application of the "Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones"; and
  - application of Guideline No.1.
18. The report focussed on 12 areas within the municipality, which are all located outside the "blue line". It concluded that the agricultural potential of the land zoned Agriculture outside the "blue line" was sufficiently constrained to warrant the delineation between that land which ought be included in the Agriculture Zone (located inside the line) and that land which ought be zoned Rural (located outside the line).

19. The planning authority also submitted that the Priority Vegetation Area overlay should be applied to all the land proposed to be revised from the Agriculture Zone to the Rural Zone, consistent with the Regional Ecosystem Model (REM) mapping developed by Natural Resources Management Pty Ltd for the preparation of the overlay and application under Guideline No.1.
20. At the hearing, the planning authority and Mr Jason Lynch of Pinion Advisory submitted further detailed evidence to support the approach to revise the zoning of land outside the “blue line” from the Agriculture Zone to the Rural Zone. Mr Lynch elaborated further on his assessment of the various localities identified in his report and considerations he took into account within his assessment. Specifically, in relation to the Regents Plains area, he stated the remoteness and difficulty to access land is a significant limitation on agricultural activities in this area, and the Fentonbury/Ellendale area is characterised by small legacy titles, a mix of lifestyle/residential uses and agricultural activities.

### **Commission consideration**

21. The Commission generally accepts that a modification to the draft LPS is required that reflects the planning authority’s submission to revise land zoned Agriculture outside the “blue line” to the Rural Zone, following consideration of additional information and evidence submitted by the planning authority and supported by Mr Lynch of Pinion Advisory, an agricultural expert.
22. The Commission is not persuaded however, that land located within the Midlands Irrigation Scheme, being 10 Lake River Road, Miller’s Bluff (folios of the Register 2296331/1, 247488/1 and 204488/1) which is zoned Agriculture, should be revised to the Rural Zone. The Commission is not satisfied based on the submitted evidence, that application of the Rural Zone to this land complies with the State Policy on the Protection of Agricultural Land 2009 (PAL Policy), in particular Principle 8, which states that provision must be made for the appropriate protection of agricultural land located within a proclaimed irrigation district. For this reason, the Commission considers 10 Lake River Road, Miller’s Bluff (folios of the Register 2296331/1, 247488/1 and 204488/1) ought to remain in the Agriculture Zone.
23. The Commission finds that the localities, as assessed and reviewed by Pinion Advisory, identified and located outside of the “blue line” are characterised by a diversity in topography and landscape, with low land capability classes and a limited scope for expanded irrigation. The Commission is satisfied with the expert evidence provided by Pinion Advisory that the land located outside the “blue line” has unique characteristics, including:
  - agricultural land use activity is severely restricted based on the limitations associated with land capability (majority of land has a Class 5 or 6 capability) and climate;
  - the topography, geology and overall elevation of the area limit the breadth and potential efficiency of farming operations;
  - in many cases, the subdivision pattern consists of relatively small lots and land holdings; and
  - the scope of agricultural activities is limited to low intensity dryland seasonal grazing.
24. In other circumstances, such as the area around the Ellendale/Fentonbury locality, there are consolidated areas characterised by smaller lots which are used for small scale cropping and horticulture enterprises. The Commission accepts that potential for these lots to support broad scale agriculture enterprise is limited supporting the case for the application of the

Rural Zone consistent with RZ 1 of Guideline No. 1, which recognises variables that may impact upon agriculture potential.

25. The Commission finds that the land outside the “blue line” is suitable to be zoned Rural under the LPS and that this zoning approach would not compromise the outcomes of the PAL Policy and would be consistent with RZ1, RZ2 and RZ 3 of Guideline No.1.
26. The Commission also notes that the land outside the “blue line” contains priority vegetation and is of the opinion that the Priority Vegetation Area overlay should be applied to land that is considered suitable to be zoned Rural, consistent with the Regional Ecosystem Model (REM) that supports the application of the Natural Assets Code. This approach is consistent with NAC 11 of Guideline No.1.

#### **Commission decision**

27. Modification:
  - revise the zoning of all land (outside the “blue line”) from the Agriculture Zone to the Rural Zone, as shown in figures 1 to 9 below, and summarised in figure 10 below.
  - apply the Priority Vegetation Area overlay, consistent with the Regional Ecosystem Model mapping, to all land to be revised to the Rural Zone (located outside the “blue line”), as shown in figures 11 to 19 below.
  - ensure that adjacent roads are appropriately zoned to centrelines in accordance with Practice Note 7.
  - provide split zone boundary description consistent with the Commission’s Practice Note 7 – Draft LPS mapping: technical advice.

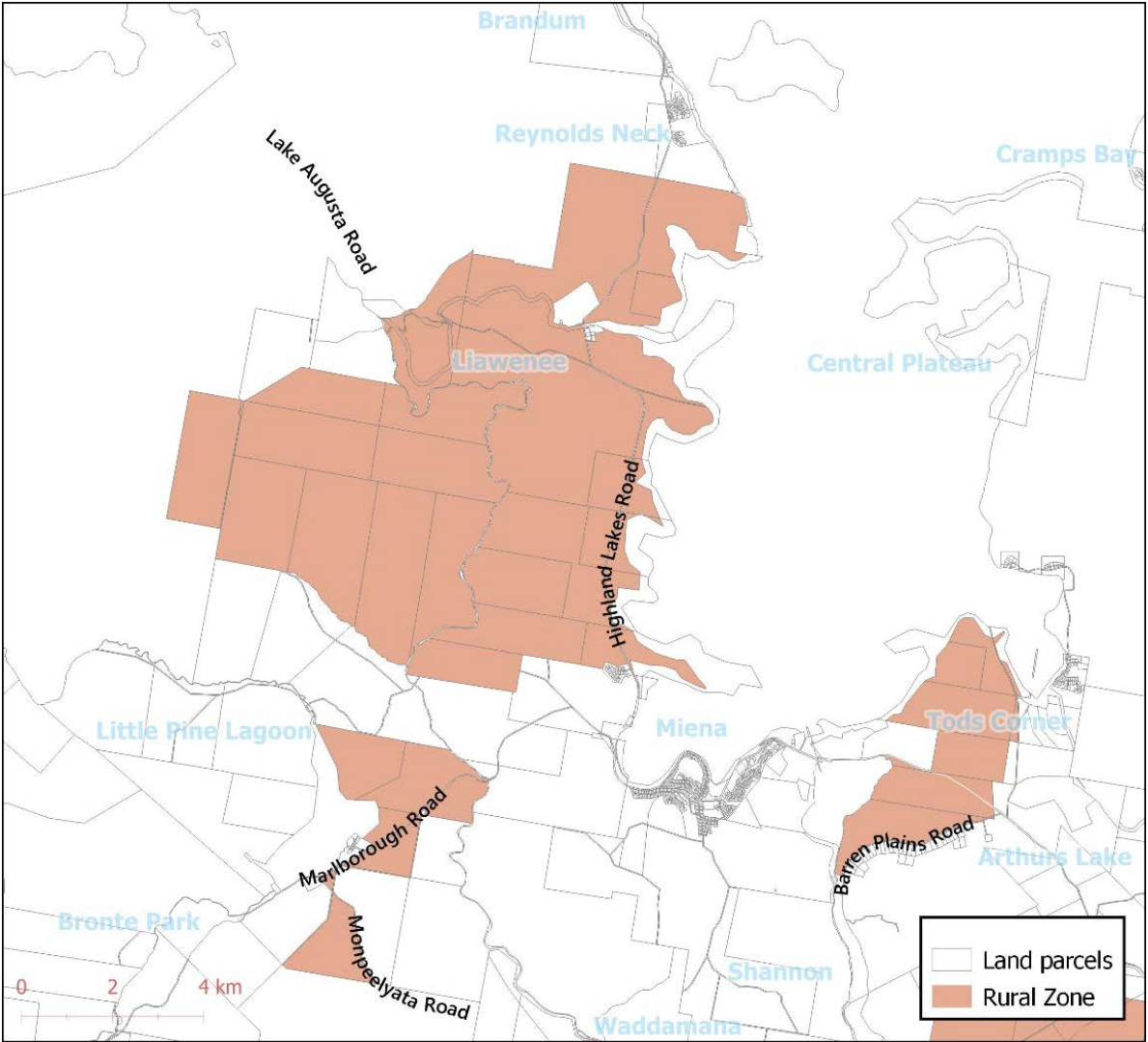


Figure 1: Application of the Rural Zone to land at Liawenee, Tods Corner, Little Pine Lagoon and Bronte Park.

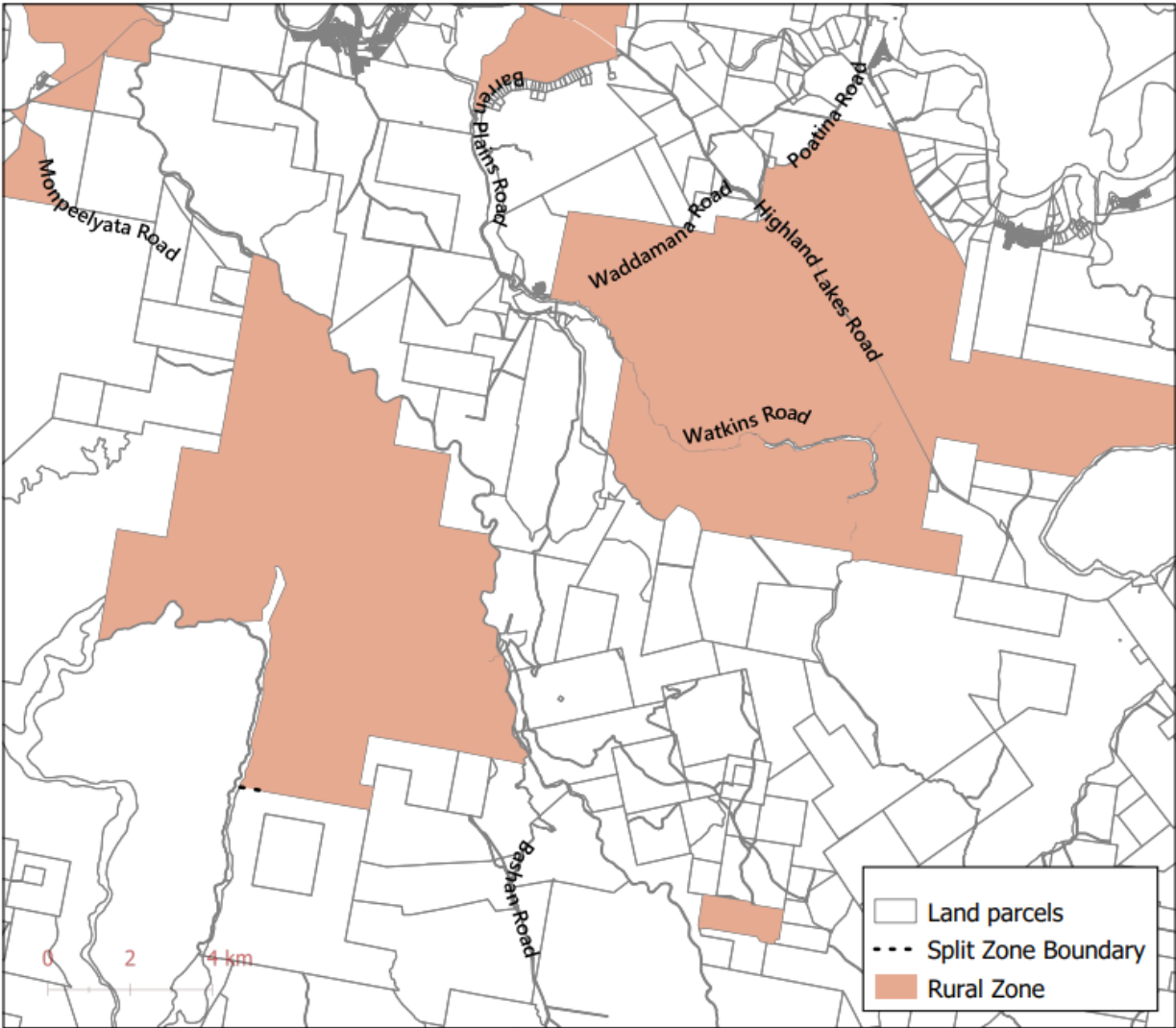


Figure 2: Application of the Rural Zone to land at St Patricks Plains, Steppes, Waddamana and Hermitage.

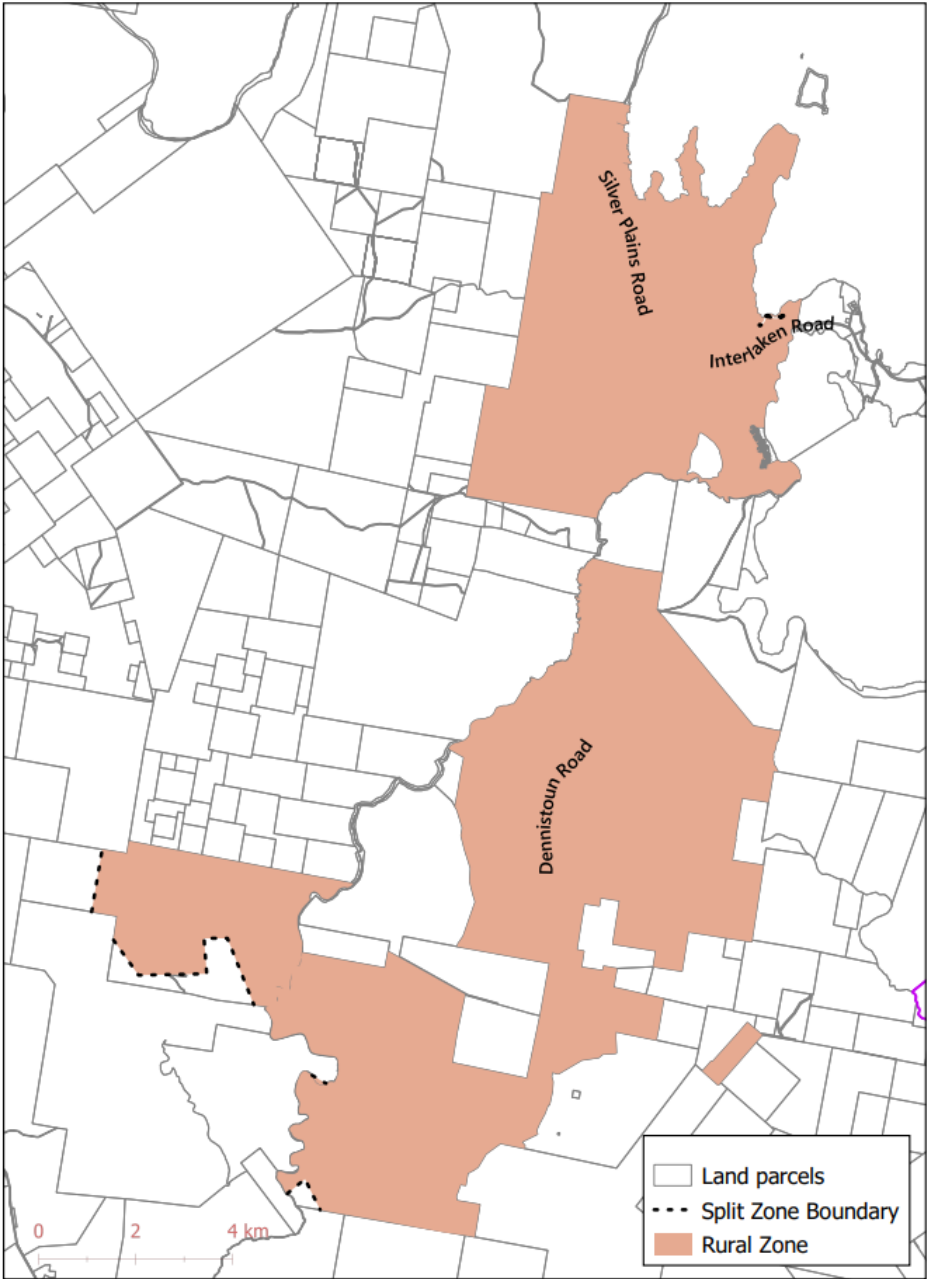


Figure 3: Application of the Rural Zone to land at Interlaken, Bothwell and Lower Marshes.

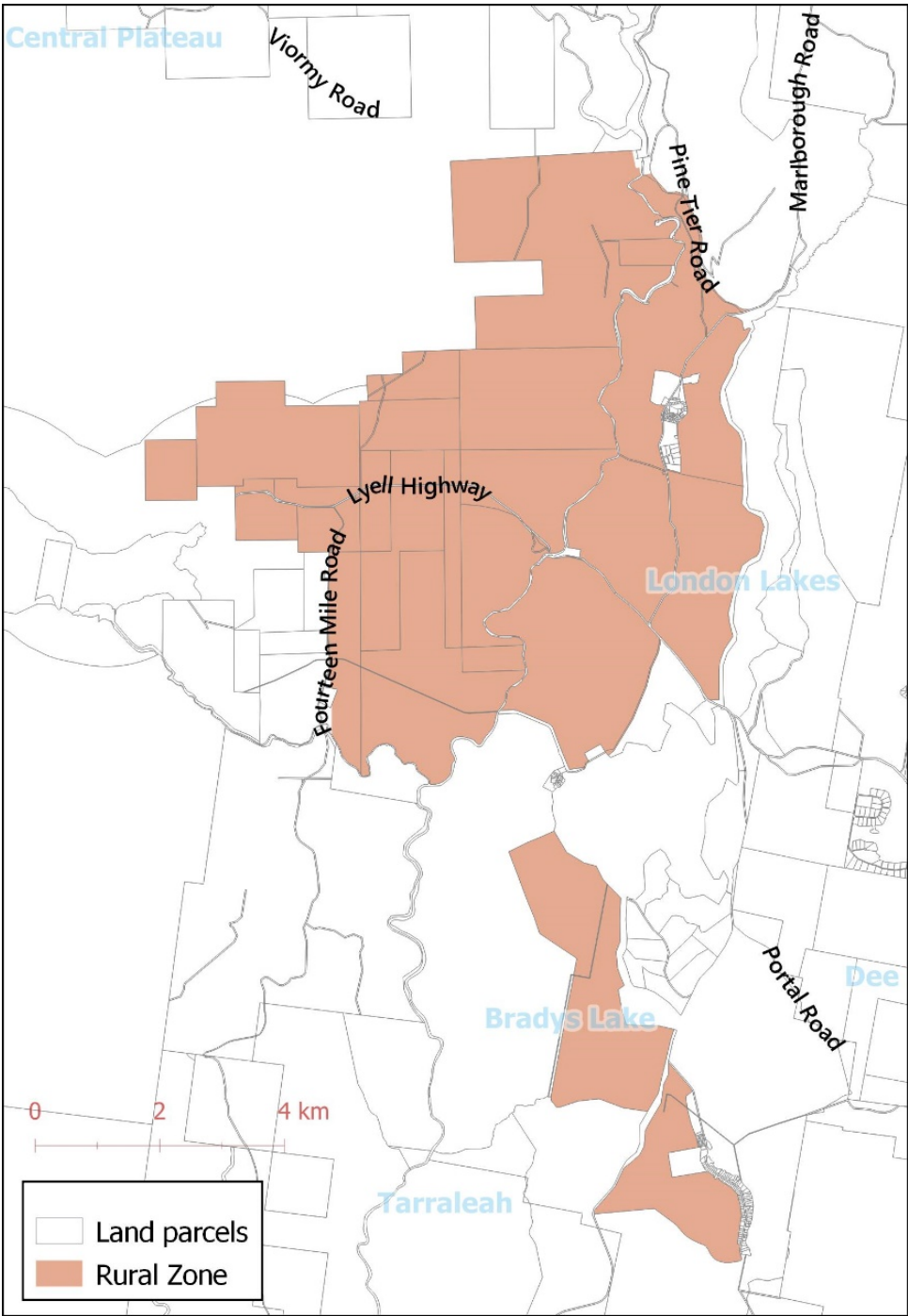


Figure 4: Application of the Rural Zone to land at Bronte Park, London Lakes and Bradys Lake.



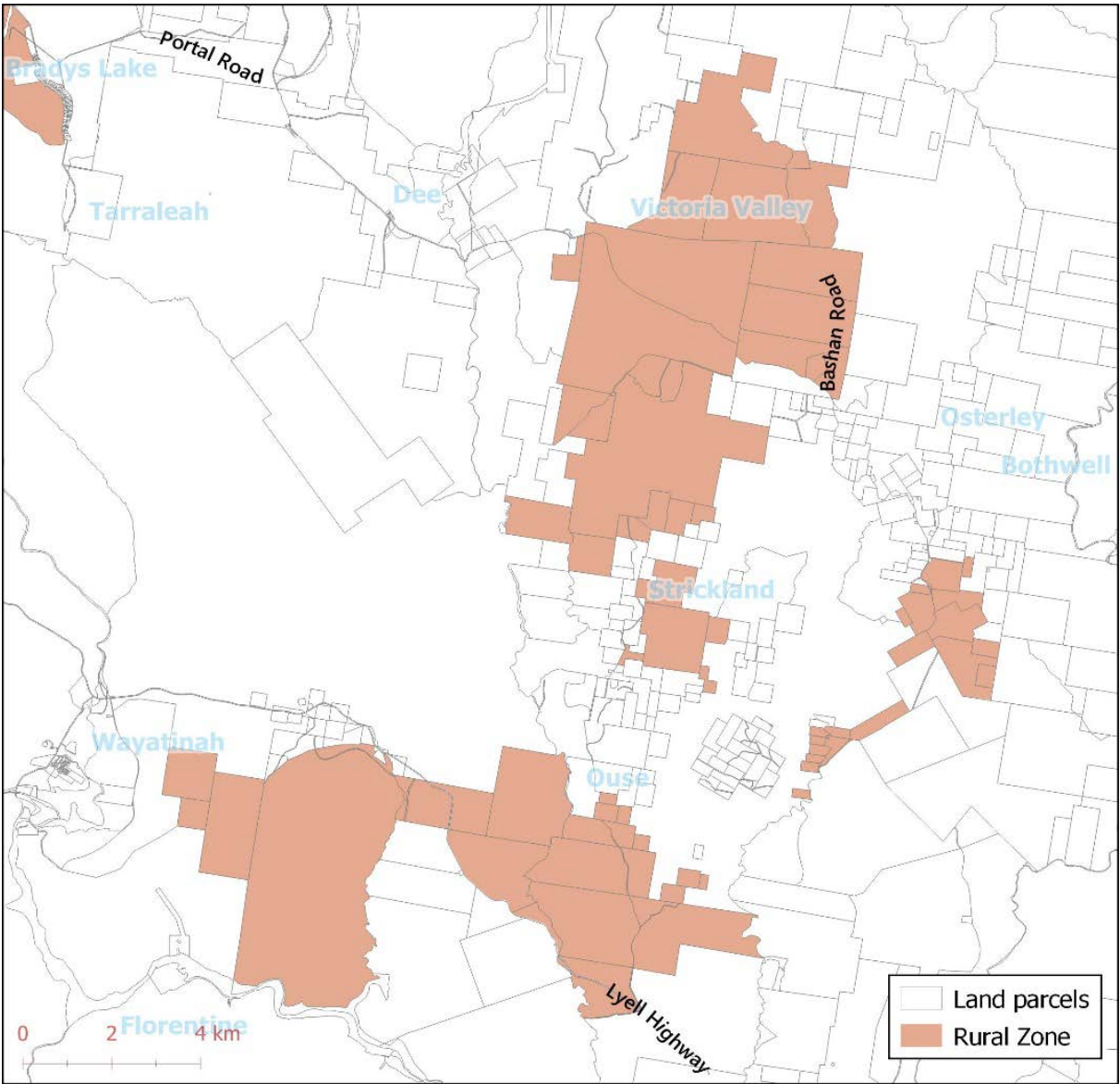


Figure 5: Application of the Rural Zone to land at Victoria Valley, Strickland, Osterley, Ouse and Wayatinah.

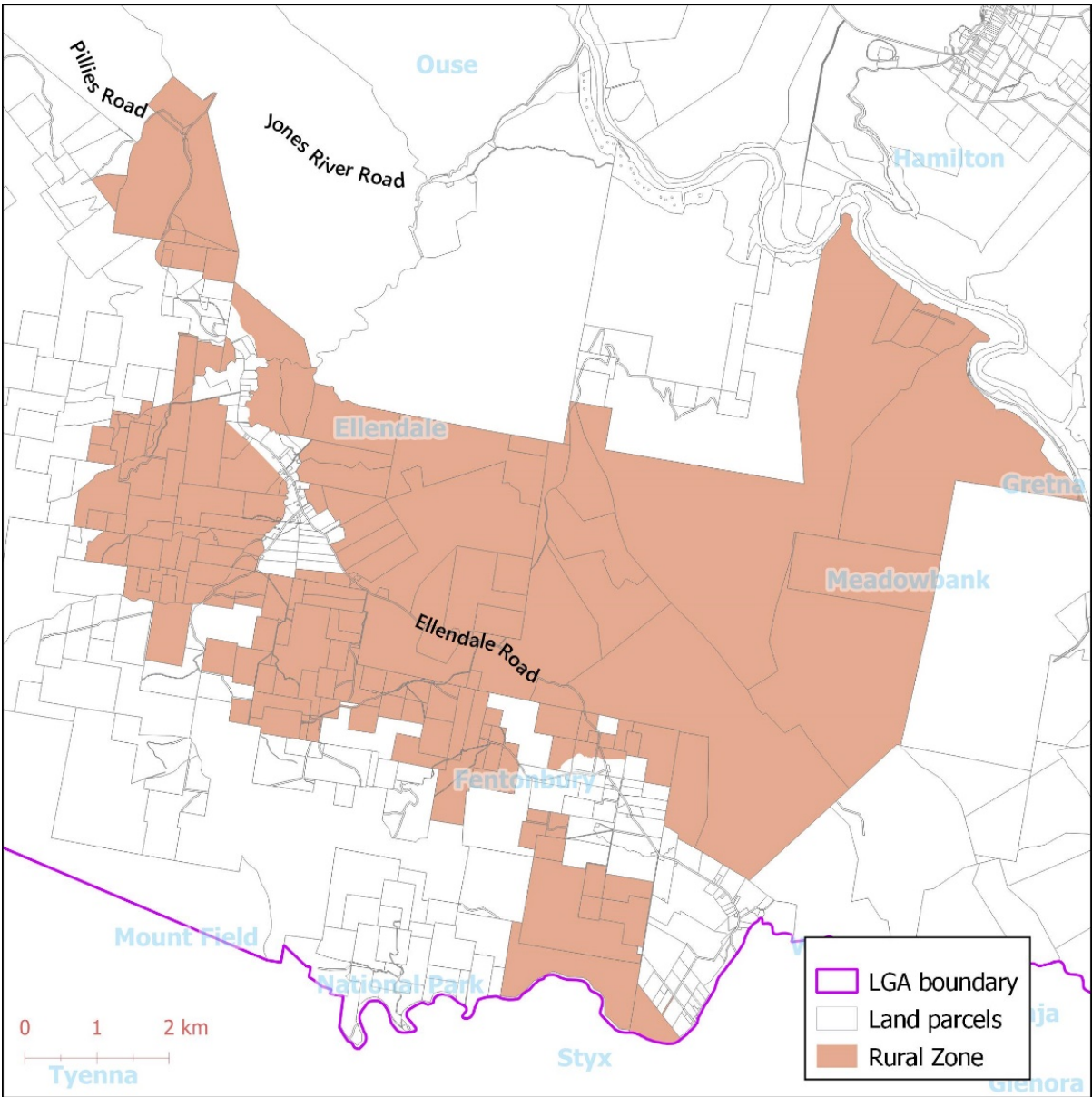


Figure 6: Application of the Rural Zone to land at Ellendale, Meadowbank and Fentonbury.



Figure 7: Application of the Rural Zone to land at Hamilton, Gretna and Pelham.

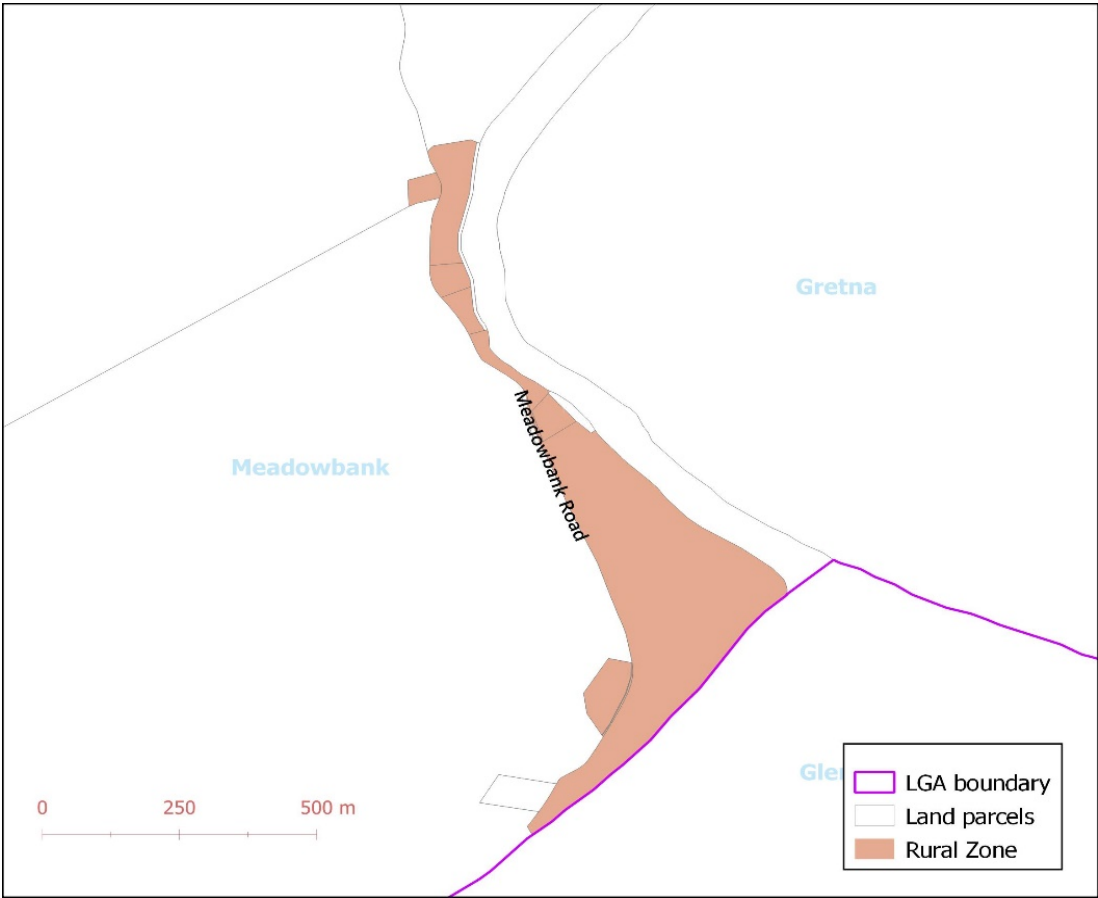


Figure 8: Application of the Rural Zone to land at Meadowbank.

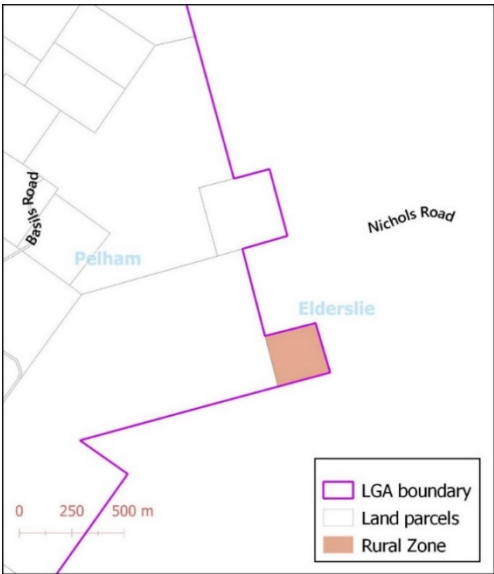


Figure 9: Application of the Rural Zone to land at Pelham.

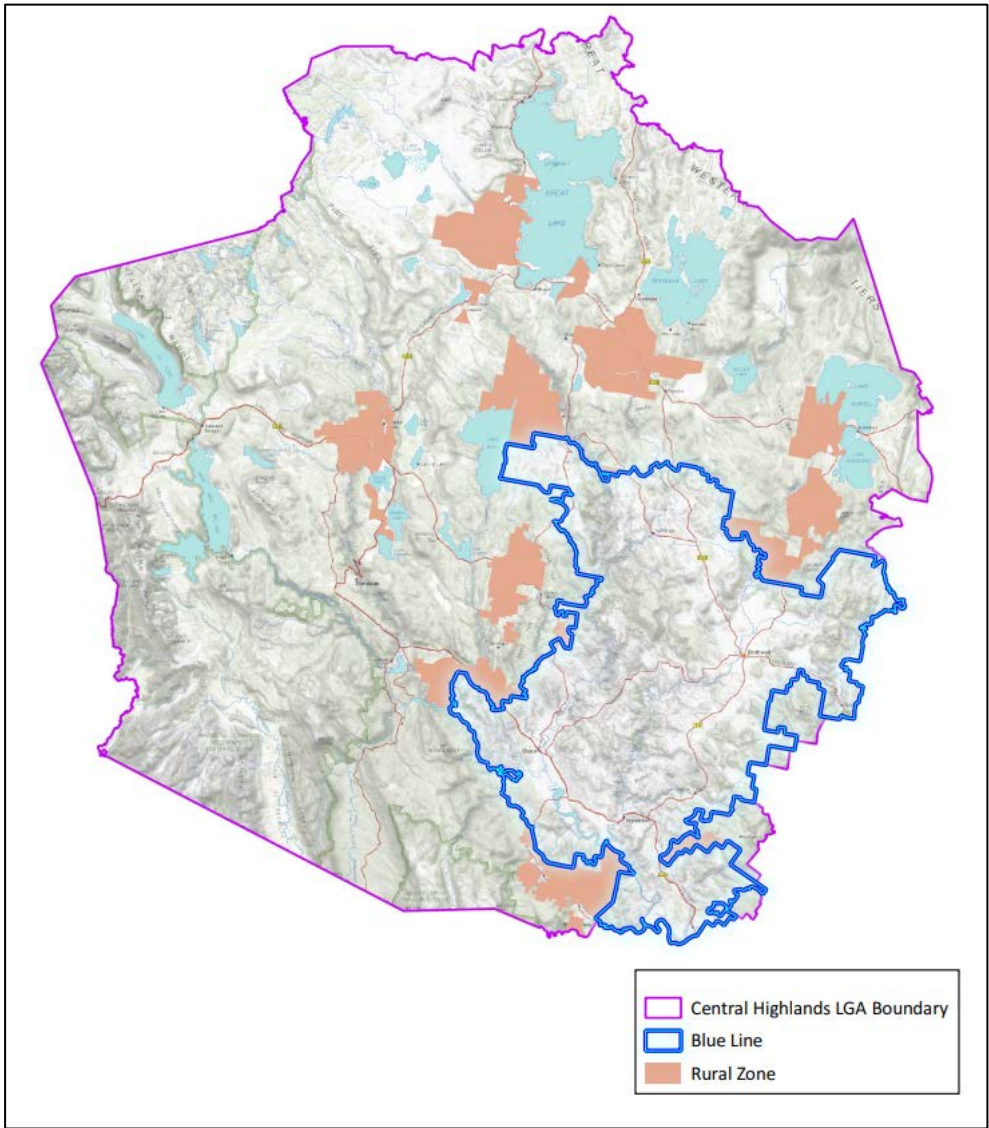


Figure 10: Extent of the “blue line” and application of the Rural Zone to land outside the “blue line”.



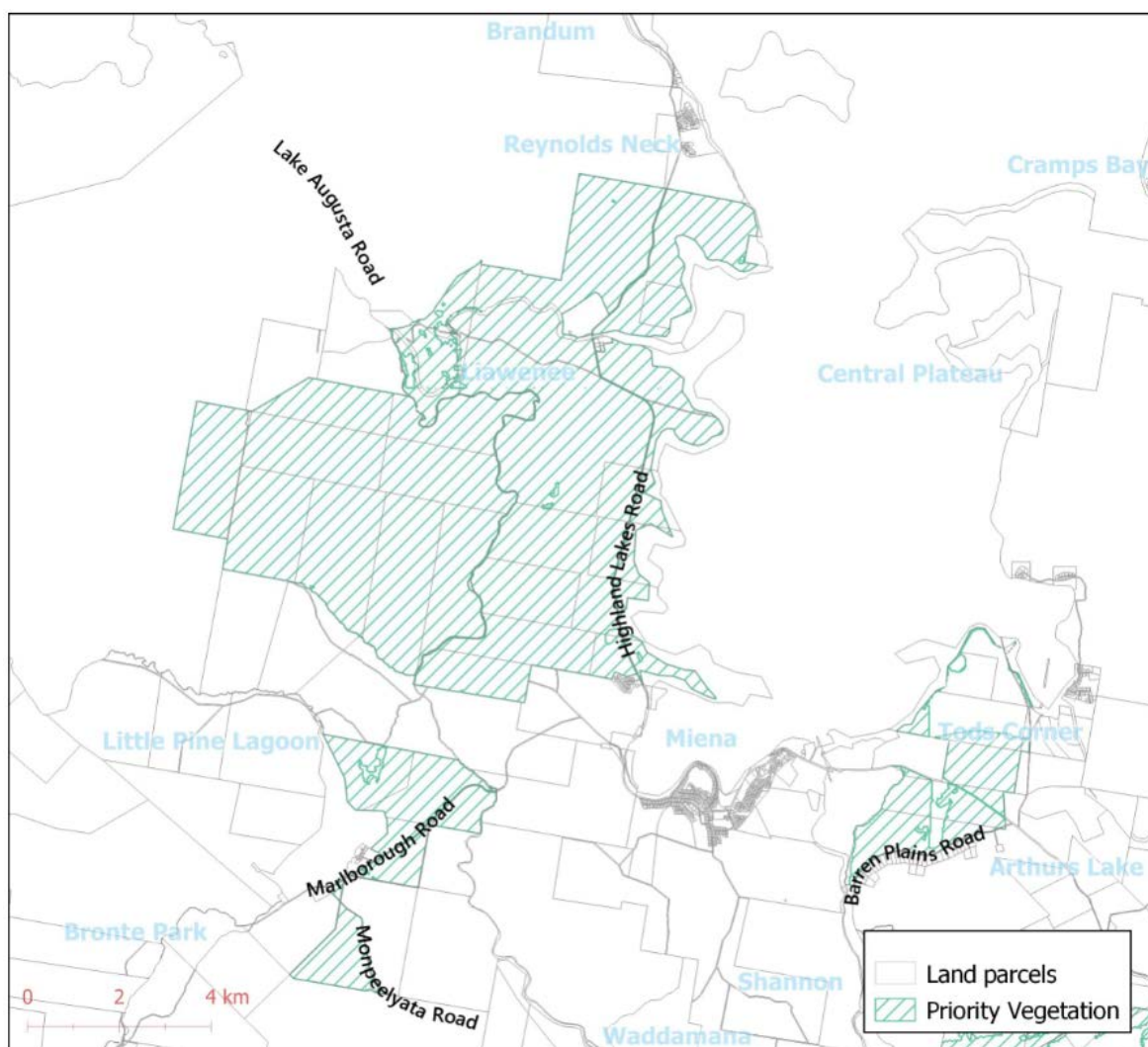


Figure 11: Application of the Priority Vegetation Area overlay to land at Liawenee, Tods Corner, Little Pine Lagoon and Bronte Park.

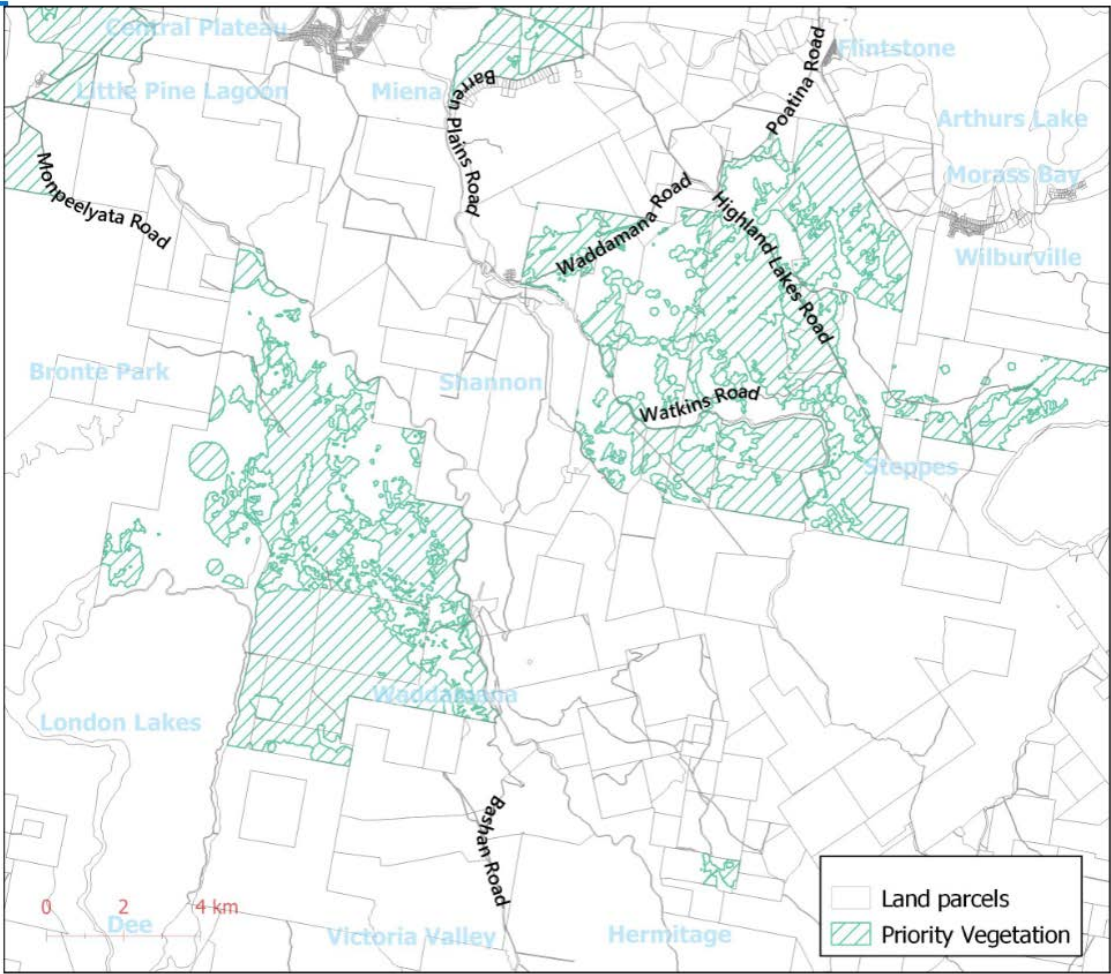


Figure 12: Application of the Priority Vegetation Area overlay to land at St Patricks Plains, Steppes, Waddamana and Hermitage.

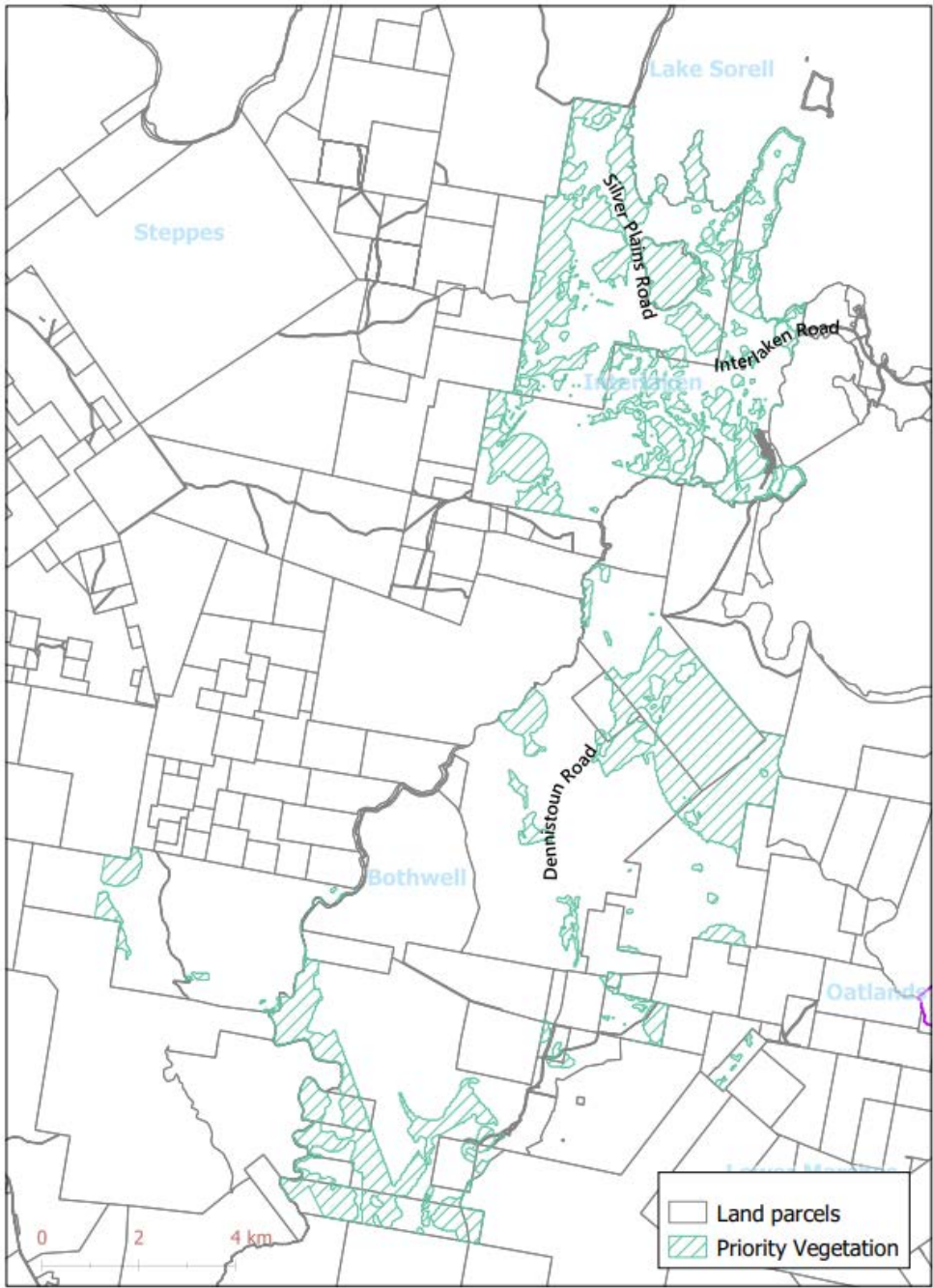


Figure 13: Application of the Priority Vegetation Area overlay to land at Interlaken, Bothwell and Lower Marshes.

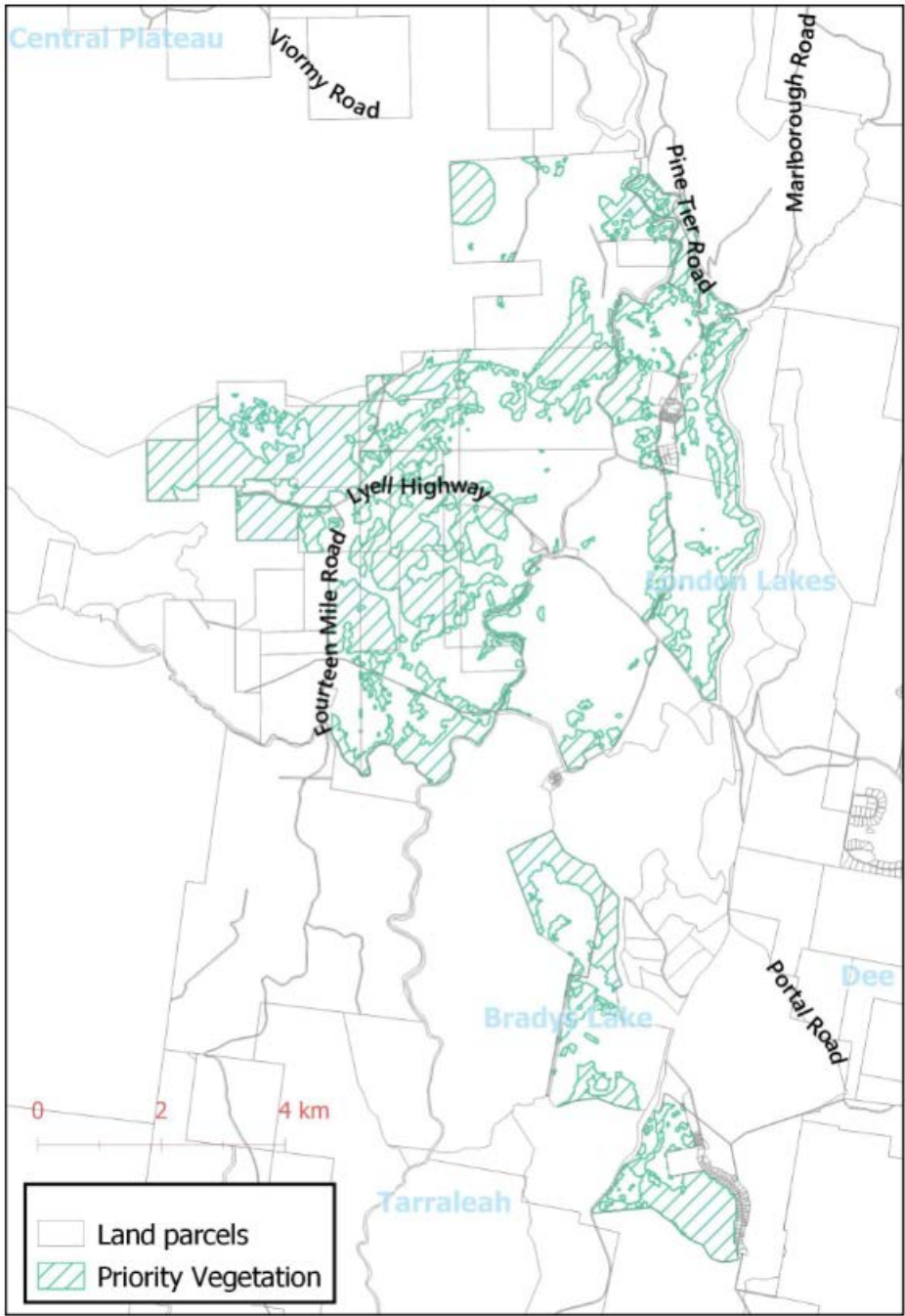


Figure 14: Application of the Priority Vegetation Area overlay to land at Bronte Park, London Lakes and Bradys Lake.



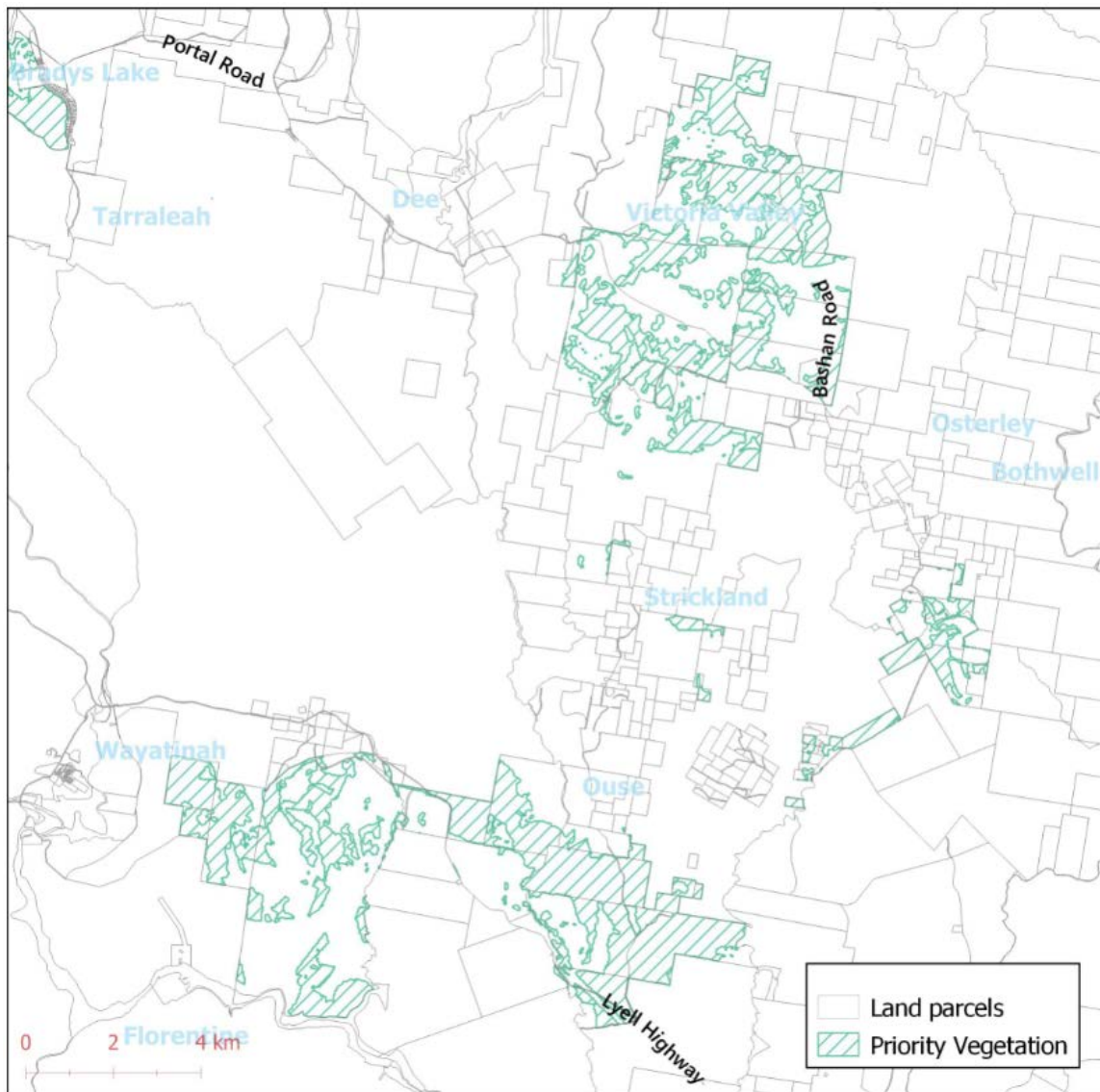


Figure 15: Application of the Priority Vegetation Area overlay to land at Victoria Valley, Strickland, Osterley, Ouse and Wayatinah.

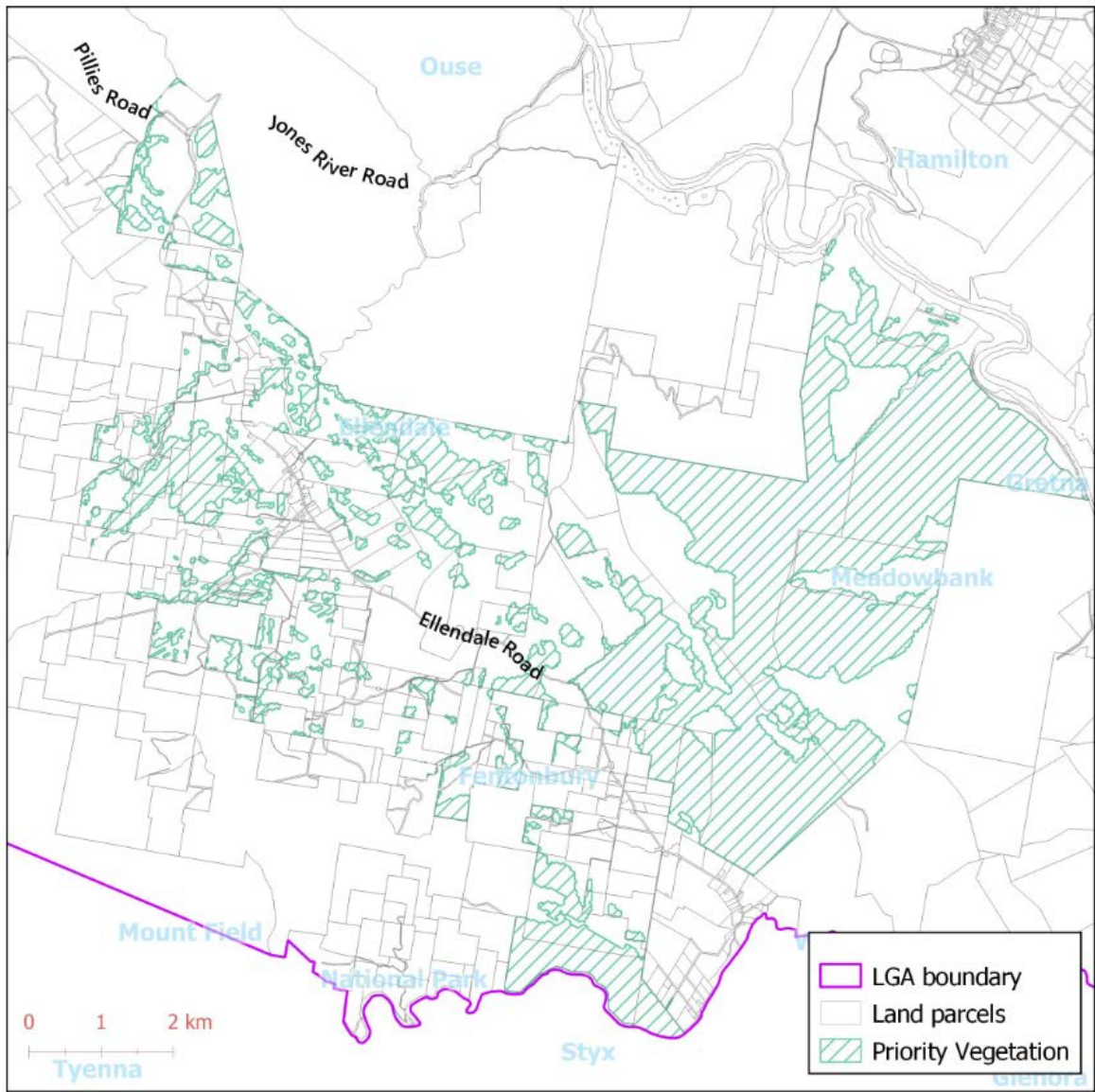


Figure 16: Application of the Priority Vegetation Area overlay to land at Ellendale, Meadowbank and Fentonbury.



Figure 17: Application of the Priority Vegetation Area overlay to land at Hamilton, Gretna and Pelham.

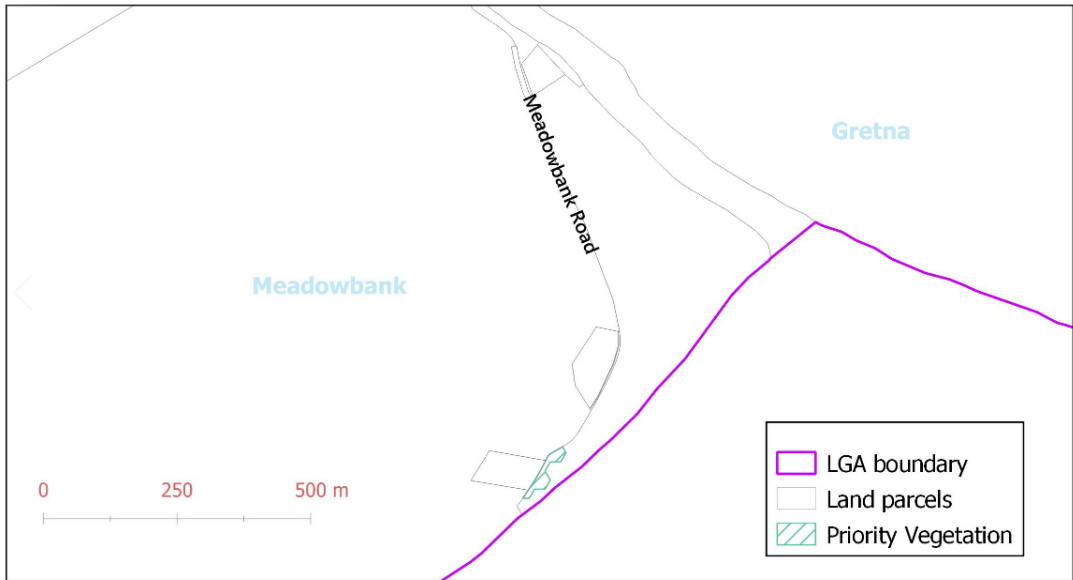


Figure 18: Application of the Priority Vegetation Area overlay to land at Meadowbank.

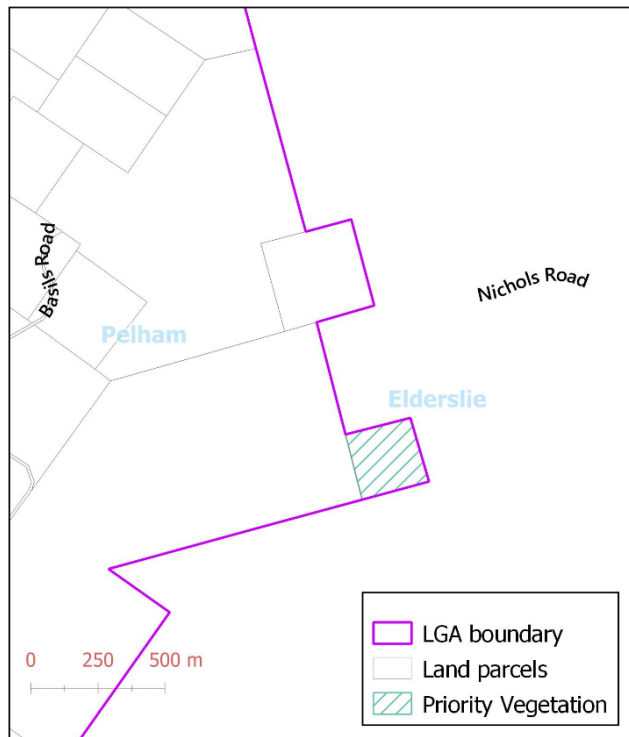


Figure 19: Application of the Priority Vegetation Area overlay to land at Pelham.

28. Reason:

- To apply the Rural Zone consistent with Guideline No.1 and the PAL Policy.
- To apply the Priority Vegetation Area overlay consistent with Guideline No. 1.

**Commission consideration under section 35KB**

29. The Commission notes the modification to apply the Rural Zone and the Priority Vegetation Area overlay affects a large number of properties, and that not all landowners of land located outside the “blue line” were able to be contacted either during the assessment processes or post hearing. Accordingly landowner support, or otherwise, for revising the zoning of the subject land from Agriculture to Rural Zone, or for the application of the Priority Vegetation Area overlay where appropriate, could not be confirmed.
30. The Commission considers the zone and overlay modification which affects a large number of properties should be considered collectively as a whole, as the strategic rationale is based on the land forming clustered and contiguous zoning patterns. The expert evidence demonstrates the constraints and unsuitability of the land for agricultural land use activity based on the limitations associated with land capability, prevailing climate and in some cases property sizes. As owner support has only been supplied for a number of properties affected, there is likely to be public interest in the matter. Therefore, the modification should be a substantial modification affording opportunity for further engagement.
31. The Commission is satisfied that once made, the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.
32. The Commission considers the substantial modification required is suitable to be made by way of an amendment to the Central Highlands draft LPS, after it comes into effect, under Part 3B of the Act.

### Commission decision under section 35KB

33. Draft amendment directed to the Central Highlands LPS:
  - Apply the Rural Zone to all land shown in figures 1 to 9 and summarised in figure 10 in Attachment 3 and as listed in Annexure A to Attachment 3, and adjoining road centre lines; and
  - Apply the Priority Vegetation Area overlay to all land shown in figures 11-19 in Attachment 3 and as listed in Annexure A to Attachment 3.
34. Reason:
  - To apply the Rural Zone consistent with Guideline No.1 and the PAL Policy.
  - To apply the Priority Vegetation Area overlay consistent with Guideline No. 1.
  - The Commission considers that the modification is a substantial modification as there may be a public interest.

### Rural Zone – Multiple properties

**Representations:** Daniel Lee (8), Michael Stevens and Fiona McOwan (11), Paul and Shauna Ellis (12) Venesser Oakes (17) and ERA Planning and Environment (submission)

35. The representations and submission all requested that specific land identified in their particular representation be revised from the Agriculture Zone to the Rural Zone. All identified land is located outside of the “blue line” presented by the planning authority in their section 35F report, to delineate that land which ought to be located in the Agriculture Zone and that land which ought to be located in the Rural Zone.
36. The reasons include:
  - existing natural values should be protected, so the Rural Zone provides application of the Priority Vegetation Area overlay;
  - the Agriculture Zone is too restrictive on allowable uses; and
  - the land is too steep and contains significant vegetation.
37. ERA Planning and Environment for Epuron Pty Ltd, made a submission to the Commission on the 29 March 2022. The submission offered general support for the planning authority’s position on application of the Rural Zone and further supported the planning authority’s intention to undertake future strategic work regarding operation of the Scenic Protection Code within the LPS, to be implemented through a draft amendment once the LPS is approved. A subsequent submission was received from ERA Planning and Environment on the 14 October 2022 which specifically requested application of the Rural Zone to the following lots:
  - 4244A Waddamana Road, Steppes (folios of the Register 100672/1, 156999/1, 100672/3, 100672/4 and 233158/1);
  - 6300 Highlands Lakes Road, Steppes (folio of the Register 126982/1);
  - Penstock Road, Shannon (folios of the Register 100081/65, 205991/1, 100080/2 and 100080/3);
  - 6011 Highlands Lakes Road, Steppes (folios of the Register 182190/1 and 182189/1);
  - Highland Lakes Road, Steppes (folio of the Register 126983/1 and 124603/1);

- 5814 Highland Lakes Road, Steppes (folio of the Register 33301/1 and 247812/2); and
  - 5057 Highland Lakes Road, Steppes (folio of the Register 241119/1, 148905/2 and 148905/1).
38. The submission noted evidence prepared by the planning authority in relation to application of the Rural Zone and requested that the above land be revised to the Rural Zone consistent with the planning authority's views, rather than the Agriculture Zone. The submission made reference to representation 36 and subsequent submissions made by that representor, which sought application of the Landscape Conservation Zone to three clusters of land located at St Patricks Plains, Tods Corner and Liawenee. ERA Planning and Environment argued that there was insufficient evidence to warrant the application of the Landscape Conservation Zone in those locations. The submission provided evidence of landowner support for application of the Rural Zone.
39. At the hearing, representor 8 (Daniel Lee) and representor 11 (Fiona McOwan) acknowledged their support for application of the Rural Zone to the relevant identified parcels of land in their representation. Mr Lee noted that the land capability for folios of the Register 171934/1 and 108593/1 was generally class 5 and 6 and that the class 5 land coincided with threatened vegetation. Mr Lee asserted that AZ 6 of Guideline No. 1 provides for alternative zoning on analysis of vegetated areas which further supports coverage by the Priority Vegetation Area overlay.
40. In response, the planning authority supported this view and noted that the Agriculture Zone was not suited to the land identified in the above representations and acknowledged the natural values present.

#### **Commission consideration**

41. Based on the evidence prepared by the planning authority and supported by an agricultural expert, and consistent with the Commission's consideration outlined at paragraphs 12 to 34 of this decision, the Commission accepts that the land identified in the above representations and submission ought to be included in the Rural Zone.
42. It is noted however, that land comprising 5057 Highland Lakes Road, Steppes is already zoned Rural in the draft LPS.
43. The Commission is also satisfied that the Priority Vegetation Area overlay should be applied to the above land identified to be modified to the Rural Zone, consistent with the Regional Ecosystem Model (REM) that supports the application of the Natural Assets Code. This approach is consistent with NAC 11 of Guideline No.1.

#### **Commission decision**

44. The Commission's decision is included and stated at paragraphs 12 to 34 of this decision. The subject land forms part of the larger area of land located outside the "blue line" that the Commission has determined to be modified to the Rural Zone and for the Priority Vegetation Area overlay to be applied.
45. Modification:
- revise the zoning of the following land from the Agriculture Zone to the Rural Zone and apply the Priority Vegetation Area overlay, consistent with the Regional Ecosystem Model mapping:
    - (a) 970 Marked Tree Road, Hamilton (folios of the Register 171934/1) and Marked Tree Road, Gretna (folio of the Register 108593/1);

- (b) 370 Strickland Road, Strickland (folio of the Register 160316/1);
- (c) St Patricks Plains (PID 5000165, folios of the Register 227348/1 and 122878/1);
- (d) 168 Risbys Road, Ellendale (folio of the Register 22886/1);
- (e) 4244A Waddamana Road, Steppes (folios of the Register 100672/1, 156999/1, 100672/3, 100672/4 and 233158/1);
- (f) 6300 Highlands Lakes Road, Steppes (folio of the Register 126982/1);
- (g) Penstock Road, Shannon (folios of the Register 100081/65, 205991/1, 100080/2 and 100080/3);
- (h) 6011 Highlands Lakes Road, Steppes (folios of the Register 182190/1 and 182189/1);
- (i) Highland Lakes Road, Steppes (folio of the Register 126983/1 and 124603/1); and
- (j) 5814 Highland Lakes Road, Steppes (folio of the Register 33301/1 and 247812/2).

- ensure that adjacent roads are appropriately zoned to centrelines in accordance with Practice Note 7.

46. Reason:

- To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.

#### **Commission consideration under section 35KB**

- 47. With reference to the Commission's decision at paragraphs 12 to 34 of this decision, the Commission finds that the amendment is a substantial modification as there may be a public interest in the matter.
- 48. The Commission is satisfied that once made the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.
- 49. The Commission considers the substantial modification required is suitable to be made by way of an amendment to the Central Highlands LPS, after it comes into effect, under Part 3B of the Act.

#### **Commission decision under section 35KB**

50. The Commission's decision is included and stated at paragraphs 29 to 34 of this decision.

51. Reason:

- To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.
- The Commission considers that the modification is a substantial modification as there may be a public interest.

#### **Rural Zone – Lot 1 Highland Lakes Road, Bothwell**

**Submission:** Greg Ramsay

- 52. A submission was received from Greg Ramsay during the hearing. The submission concerned land at Lot 1 Highland Lakes Road, Bothwell (folio of the Register 147436/1) and requested a



modification of the zone from Agriculture Zone to the Rural Zone (located within the “blue line” previously discussed). The submission introduced a new request for modification that had not previously been the subject of a representation.

53. At the hearing, Mr Ramsay stated the land was class 5 and 6 land, largely forested and was unsuitable for agricultural activity. Mr Ramsay also noted the proximity of the land to the township of Bothwell, stating that the Rural Zone provided greater flexibility as it allows for a greater range of land uses.
54. The planning authority did not support the submission, emphasising the need to undertake structure planning for the township of Bothwell. Given the proximity of the land to Bothwell and the fact that the spatial extent of the future study area has not yet been established, decisions regarding the land should be deferred until after the foreshadowed strategic analysis has been undertaken.

#### **Commission consideration**

55. The Commission is not persuaded that the Rural Zone should apply to the land. The land is located within the “blue line” devised by the planning authority to delineate the land which ought to be included in the Agriculture Zone. The Commission is satisfied that the evidence prepared by the planning authority and supported by Pinion Advisory, reinforce the retention of the Agriculture zoning to this land.

#### **Commission decision**

56. The Commission considers that no modification is required.

#### **Rural Zone – Private Timber Reserves**

**Representations:** Tree Alliance Private Forests Tasmania (1), Reliance Forest Fibre (4), Department of State Growth (26)

57. The representation received from Tree Alliance Private Forests Tasmania indicated that the Department of State Growth would make representations on their behalf. However, it is noted that the representation received from the Department of State Growth (26) did not refer to private timber reserves.
58. Representor 4 (Reliance Forest Fibre) requested that all land managed by Reliance Forest Timber within the municipality (approximately 40,000 ha of freehold land) be included in the Rural Zone for the following reasons:
  - inclusion of plantation land in both the Rural Zone and Agriculture Zone creates conflict for those areas not covered by a private timber reserve; and
  - plantation forestry is more compatible with the Rural Zone as the relevant use class falls into the ‘no permit required’ category as opposed to the Agriculture Zone, where forestry is a discretionary use if associated with prime agricultural land.
59. In its section 35F report, the planning authority supported the modification of all land managed by Reliance Forest Fibre from the Agriculture Zone to the Rural Zone. The 35F report included mapping identifying the location of land owned by Reliance Forest Fibre.
60. At the hearing, no further information was presented.

#### **Commission consideration**

61. The Commission notes that the majority of land managed by Reliance Forest Fibre is located outside of the “blue line” devised by the planning authority to delineate that land which ought to be zoned Agriculture Zone and that land which ought to be zoned Rural.



62. Based on the evidence prepared by the planning authority and supported by an agricultural expert, and consistent with the discussion and Commission's consideration outlined at paragraphs 12 to 34 of this decision, the Commission accepts that the land managed by Reliance Forest Fibre located outside the "blue line" ought to be included in the Rural Zone.
63. The Commission is not persuaded that all land set aside as private timber reserves or for the cultivation of plantations, ought to be included in the Rural Zone. For example, in some circumstances, to avoid spot zoning and to maintain a congruous and contiguous zoning pattern, it may be appropriate to apply the Agriculture Zone to land developed with a private timber reserve. It is noted that Plantation forestry is a discretionary use within the Agriculture Zone. In this instance, and without further information or expert evidence, the Commission is not persuaded that any land managed by Reliance Forest Fibre located within the "blue line" should be modified to the Rural Zone.
64. The Commission is also satisfied that the Priority Vegetation Area overlay should be applied to relevant land to be modified to the Rural Zone, consistent with the Regional Ecosystem Model (REM) that supports the application of the Natural Assets Code. This approach is consistent with NAC 11 of Guideline No.1.

#### **Commission decision**

65. The Commission's decision is included and stated at paragraphs 12 to 34 of this decision. The land referred to in the representations forms part of the larger area of land located outside the "blue line" that the Commission has determined to be modified to the Rural Zone and for the Priority Vegetation Area overlay to be applied.
66. Modification:
  - Revise the zoning of all land managed by Reliance Forest Fibre located outside the blue line" and adjoining road centrelines from the Agriculture Zone to the Rural Zone, as shown in figures 1-9 and as summarised in figure 10 of this decision, and apply the Priority Vegetation Area overlay, consistent with the Regional Ecosystem Model mapping, as shown in figures 1-9 of this decision.
67. Reason:
  - To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.

#### **Commission consideration under section 35KB**

68. With reference to the Commission's decision at paragraphs 12 to 34 of this decision, the Commission finds that the amendment is a substantial modification as there may be a public interest in the matter.
69. The Commission is satisfied that once made the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.
70. The Commission considers the substantial modification required is suitable to be made by way of an amendment to the Central Highlands LPS, after it comes into effect, under Part 3B of the Act.

#### **Commission decision under section 35KB**

71. The Commission's decision is included and stated at paragraphs 29 to 34 of this decision.
72. Reason:
  - To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.

- The Commission considers that the modification is a substantial modification as there may be a public interest.

## **Rural Zone – Mining Leases**

### **Representation:** Department of State Growth (26)

73. The representation notes that land with mining leases have been included in the Agriculture Zone. The representation notes further that while mining is a discretionary use within the Agriculture Zone, extractive industries and mining operations are more strategically aligned with the Rural Zone. No specific land or property details were provided.
74. In its 35F report, the planning authority advised that they had liaised with Mineral Resources Tasmania regarding all mining leases. It was agreed that where a lease related to a minor operation on land within the Agriculture Zone, the Agriculture Zone would be retained rather than applying the Rural Zone in a spot zone manner. The planning authority recommended no change to the draft LPS on this basis.
75. No further information was submitted at the hearing.

### **Commission consideration**

76. The Commission notes RZ3(c) of Guideline No.1 is particularly relevant. It sets out:  

The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer if...

the land is identified for the protection of a strategically important naturally occurring resources which is more appropriately located in the Rural Zone and is supported by strategic analysis;...
77. No further evidence has been submitted to the Commission which represents strategic analysis.
78. Zoning mining lease areas to Rural may result in a spot-zoning, depending on the circumstances of the site. The Commission notes that no specific land details were provided, and that Extractive industries is a Discretionary Use in the Agriculture Zone.
79. The Commission accepts the planning authority's submission and considers that the requested zone change to the Rural Zone is not consistent with Guideline No. 1.

### **Commission decision**

80. The Commission considers that no modification is required.

## **Agriculture Zone – General Issues**

**Representations:** Greg Pullen (13), Jim Allwright (20), Derek and Jane McCann (28), Susanne and Dean Klower (41), TL Wood (42) and Odile Foster (43)

81. Collectively, the representations express general concern regarding application of the Agriculture Zone to the highland lakes and plateau region. Specifically, concerns related to the absence of controls under the Scenic Protection Code and a perceived failure of both the Agriculture Zone and the Rural Zone provisions to provide for consideration of visual impact. Specific concerns relating to a potential windfarm proposal were expressed, alongside general concerns of the loss of landscape character due to inadequate zone provisions.
82. Concerns were also articulated in relation to the wide application of the Agriculture Zone within the municipality and also application adjacent to township boundaries, preventing future expansion of these townships.

83. At the hearing, the “blue line” proposed by the planning authority was discussed in relation to the concerns raised by representors. Representor 13 (Greg Pullen) indicated his general support of the planning authority’s representation for the Agriculture Zone not to be applied outside of the “blue line” and instead zoned Rural. Mr Pullen also acknowledged that there were significant vegetation communities present in the highland lakes and plateau region and that the Agriculture Zone was an insensitive choice of zones in some circumstances.

#### **Commission consideration**

84. Based on the evidence prepared by the planning authority and supported by an agricultural expert, and consistent with the Commission’s consideration outlined at paragraphs 12 to 34 of this decision, the Commission accepts that the land identified in the above representations and submission ought to be included in the Rural Zone.
85. The Commission is also satisfied that the Priority Vegetation Area overlay should be applied to relevant land to be modified to the Rural Zone, consistent with the Regional Ecosystem Model (REM) that supports the application of the Natural Assets Code. This approach is consistent with NAC 11 of Guideline No.1.

#### **Commission decision**

86. The Commission’s decision is included and stated at paragraphs 12 to 34 of this decision. The subject land forms part of the larger area of land located outside the “blue line” that the Commission has determined to be modified from the Agriculture Zone to the Rural Zone and for the Priority Vegetation Area overlay to be applied where appropriate.
87. Modification:
- Revise the zoning of all land located outside the “blue line” and adjoining road centrelines from the Agriculture Zone to the Rural Zone, as shown in figures 1-9 and as summarised in figure 10 of this decision, and apply the Priority Vegetation Area overlay, consistent with the Regional Ecosystem Model mapping, as shown in figures 1-9 of this decision.
88. Reason:
- To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.

#### **Commission consideration under section 35KB**

89. With reference to the Commission’s decision at paragraphs 12 to 34 of this decision, the Commission finds that the amendment is a substantial modification as there may be a public interest in the matter.
90. The Commission is satisfied that once made the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.
91. The Commission considers the substantial modification required is suitable to be made by way of an amendment to the Central Highlands LPS, after it comes into effect, under Part 3B of the Act.

#### **Commission decision under section 35KB**

92. The Commission’s decision is included and stated at paragraphs 29 to 34 of this decision.
93. Reason:
- To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.

- The Commission considers that the modification is a substantial modification as there may be a public interest.

### **Rural Living Zone or Rural Zone – 460 and 449 Dry Poles Road, Ellendale**

**Representation:** Tony Donaghy (3)

94. The representation submits that the Agriculture Zone has been erroneously applied to 460 Dry Poles Road, Ellendale (folio of the Register 121227/1) and 449 Dry Poles Road, Ellendale (folio of the Register 121102/1). The representor considers that the land is used for residential purposes and is more appropriately located within the either the Rural Living Zone or the Rural Zone.
95. In its section 35F report, the planning authority states that the land is located within a broader area recommended to be revised from the Agriculture Zone to the Rural Zone. In this light, the planning authority recommended that the land be zoned Rural and did not support application of the Rural Living Zone.
96. At the hearing, the representor advised that the settlement pattern of the area dated back to the 1850's and further commented that the exercise of rezoning was not granular enough to apply the appropriate zone.

### **Commission consideration**

97. The Commission generally accepts the planning authority's position and is not persuaded that the land ought to be modified to the Rural Living Zone. Application of the Rural Living Zone is not consistent with the Southern Tasmanian Regional Land Use Strategy (regional land use strategy). In particular, regional policy SRD 1.3 which seeks to restrict application of the Rural Living Zone to existing rural living communities, land that adjoins an existing settlement or land that is substantial in size, is not met.
98. The Commission considers the application of the Rural Zone is consistent with RZ3 of Guideline No. 1 because it can be demonstrated there are significant constraints to agricultural use occurring on the land.
99. The Commission notes that the Priority Vegetation Area overlay would have been applied to part of the site, if a compatible zone had been applied. As the Rural Zone is compatible with the Priority Vegetation Area overlay, the Commission considers the overlay should be applied as shown on the Regional Ecosystem Model (REM) mapping.
100. Following evidence prepared by the planning authority which is discussed in greater detail in paragraphs 12 to 34 of this decision, the Commission is persuaded that the Rural Zone ought to apply to the land.

### **Commission decision**

101. The Commission's decision is included and stated at paragraphs 12 to 34 of this decision. The subject land forms part of the larger area of land located outside the "blue line" that the Commission has determined to be modified to the Rural Zone and for the Priority Vegetation Area overlay to be applied.
102. Modification:
  - revise the zoning of 460 Dry Poles Road, Ellendale (folio of the Register 121227/1) and 449 Dry Poles Road, Ellendale (folio of the Register 121102/1) from the Agriculture Zone to the Rural Zone and apply the Priority Vegetation Area overlay, consistent with the Regional Ecosystem Model mapping.

- ensure that adjacent roads are appropriately zoned to centrelines in accordance with Practice Note 7.

103. Reason:

- To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.

#### **Commission consideration under section 35KB**

104. With reference to the Commission's decision at paragraphs 12 to 34 of this decision, the Commission finds that the amendment is a substantial modification as there may be a public interest in the matter. The modification forms part of a large number of properties that have been considered collectively as a whole to be modified to the Rural Zone, and the strategic rationale is based on the properties forming a clustered and contiguous zoning pattern.
105. The Commission is satisfied that once made the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.
106. The Commission considers the substantial modification required is suitable to be made by way of a draft amendment to the Central Highlands LPS, after it comes into effect, under Part 3B of the Act.

#### **Commission decision under section 35KB**

107. The Commission's decision is included and stated at paragraphs 29 to 34 of this decision.

108. Reason:

- To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.
- The Commission considers that the modification is a substantial modification as there may be a public interest.

#### **Rural Living Zone - Meadowbank Road, Meadowbank**

**Representation:** Red Seal Urban and Regional Planning (37)

109. The representor requested that the following land be revised from the Agriculture Zone to the Rural Living Zone D:
- 204 Meadowbank Road, Meadowbank (folio of the Register 35385/2);
  - 109 Meadowbank Road, Meadowbank (folio of the Register 106367/1);
  - 130 Meadowbank Road, Meadowbank (folio of the Register 33235/1);
  - 174 Meadowbank Road, Meadowbank (folio of the Register 32880/1);
  - 720 Meadowbank Road, Meadowbank (folio of the Register 36398/1);
  - 200 Meadowbank Road, Meadowbank (folio of the Register 35385/3);
  - 204 Meadowbank Road, Meadowbank (folio of the Register 35385/2);
  - 208 Meadowbank Road, Meadowbank (folio of the Register 358385/1); and
  - 219 Meadowbank Road, Meadowbank (folio of the Register 16330/1).
110. The reasons include:

- The Agriculture Zone has been applied within the draft LPS on the assumption that the Land Potentially Suitable for Agriculture Zone mapping is correct. This has development implications for land that is not able to be used for agricultural purposes;
  - The layout of the lots and established land uses were not considered when applying the Agriculture Zone. The lots are of an insufficient size to be used for agricultural purposes and are used primarily for residential purposes;
  - The lots display a rural residential character and for this reason it is appropriate to apply the Rural Living Zone; and
  - Application of the Rural Living Zone complies with RLZ 1(a) with Guideline No. 1 and application of the sub zone D would ensure that no further subdivision was possible.
111. While the representation indicated a preference for application of the Rural Living Zone, the representation also referred to the Rural Zone as being a possible alternative zone to the Agriculture Zone.
112. An agricultural assessment prepared by Geo-Environmental Solutions (GES) accompanied the representation. The report concluded that:
- The land has limited agricultural capability based upon a review of available soil and land quality information;
  - Agricultural use of the land is fettered due to lot size; and
  - The Rural Living Zone is a more appropriate zone, based upon historical land use.
113. In its section 35F report, the planning authority recommended the land be modified from the Agricultural Zone to the Rural Living Zone due to the land exhibiting rural residential characteristics similar to other Rural Living or Low Density Residential zoned land within the municipality.
114. At the hearing, Mr Trent Henderson (Red Seal Urban and Regional Planning) represented the land owners and contended that the State's Land Potentially Suitable for Agriculture mapping was based on the whole area but also targeted the smaller titles. Mr Henderson also submitted that the Rural Zone as a potential alternative, would not be appropriate due to the incompatible allowable uses for that zone.
115. At a subsequent hearing on 20 September 2022, Mr Henderson submitted while application of the Rural Living Zone was still the preference, application of the Rural Zone as an alternative to the Agriculture Zone was supported.

#### **Commission consideration**

116. The Commission is not persuaded that the Rural Living Zone ought to apply to those properties identified by the representor. The Commission notes that application of the Rural Living Zone is not supported by the Southern Tasmania Regional Land Use Strategy and in particular does not meet with regional strategy SRD 1.3.
117. The Commission considers the application of the Rural Zone is consistent with RZ3 of Guideline No. 1 because it can be demonstrated there are significant constraints to agricultural use occurring on the land.
118. Based on the evidence prepared by the planning authority and supported by an agricultural expert, and consistent with the Commission's consideration outlined at paragraphs 12 to 34 of this decision, the Commission is persuaded that the Rural Zone ought to apply to the land identified in the representation. This modification forms part of a larger modification that applies to a large number of properties that have been considered collectively as a whole to

be modified to the Rural Zone, where the strategic rationale is based on the properties forming a clustered and contiguous zone pattern.

119. The Commission notes that the Priority Vegetation Area overlay would have been applied to part of 130 Meadowbank Road, Meadowbank (folio of the Register 33235/1), if a compatible zone had been applied. As the Rural Zone is compatible with the Priority Vegetation Area overlay, the Commission considers the overlay should be applied as shown on the Regional Ecosystem Model (REM) mapping and consistent with NAC11 of Guideline No. 1.

#### **Commission decision**

120. The Commission's decision is included and stated at paragraphs 12 to 34 of this decision. The land referred to in the representations form part of the larger area of land located outside the "blue line" that the Commission has determined to be modified to the Rural Zone and for the Priority Vegetation Area overlay to be applied.

121. Modification:

- Revise the zoning of the following land from the Agriculture Zone to the Rural Zone:
  - (a) 204 Meadowbank Road, Meadowbank (folio of the Register 35385/2);
  - (b) 109 Meadowbank Road, Meadowbank (folio of the Register 106367/1);
  - (c) 130 Meadowbank Road, Meadowbank (folio of the Register 33235/1);
  - (d) 174 Meadowbank Road, Meadowbank (folio of the Register 32880/1);
  - (e) part of 720 Meadowbank Road, Meadowbank (folio of the Register 36398/1);
  - (f) 200 Meadowbank Road, Meadowbank (folio of the Register 35385/3);
  - (g) 204 Meadowbank Road, Meadowbank (folio of the Register 35385/2);
  - (h) 208 Meadowbank Road, Meadowbank (folio of the Register 358385/1); and
  - (i) 219 Meadowbank Road, Meadowbank (folio of the Register 16330/1).
- Apply the Priority Vegetation Area Overlay to part of 130 Meadowbank Road, Meadowbank (folio of the Register 33235/1), consistent with the Regional Ecosystem Model.
- Ensure that adjacent roads are appropriately zoned to centrelines in accordance with Practice Note 7.

122. Reason:

- To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.

#### **Commission consideration under section 35KB**

123. The Commission considers that the amendment is a substantial modification as there may be public interest in the modification, as it forms part of a large number of properties that have been considered collectively as a whole to be modified to the Rural Zone (refer to paragraphs 12 to 34 of this decision), and the strategic rationale is based on the properties forming a clustered and contiguous zoning pattern, and further owner support has only partially been supplied.
124. The Commission is satisfied that once made the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.

125. The Commission considers the substantial modification required is suitable to be made by way of an amendment to the Central Highlands draft LPS, after it comes into effect, under Part 3B of the Act.

**Commission decision under section 35KB**

126. The Commission's decision is included and stated at paragraphs 29 to 34 of this decision.

127. Reason:

- To apply the Rural Zone and the Priority Vegetation Area overlay consistent with Guideline No.1.
- The Commission considers that the modification is a substantial modification as there may be a public interest.

**Village Zone - 1 Elizabeth Street, Bothwell**

**Representation: PDA (23)**

128. The representor requested that the land 1 Elizabeth Street, Bothwell (folio of the Register 164767/1) be revised to create a split between the Agriculture Zone and the Village Zone. It is proposed that the Village Zone be applied to a number of future lots to be created under Planning Permit No. 2009-18 which was issued on the 5 July 2010, and allowed for the undertaking of a staged subdivision. The reasons include:

- the planning permit has achieved substantial commencement and the permit holder intends to complete all approved subdivision stages;
- the zoning of the land at the time the planning permit was issued was Village Zone under a former planning scheme; and
- application of the Village Zone will ensure the lots are able to be developed as originally envisaged.

129. In its section 35F report, the planning authority supported the representation and recommended that the extent of land approved as "residential lots" be modified from the Agriculture Zone to the Village Zone. The reasons include:

- acknowledgement that the intention of the permit holder is to proceed with the subdivision of the land under Planning Permit No. 2009-18; and
- as the lots will form a part of the Bothwell township, it is appropriate that the land be zoned Village.

130. At the hearing, the representor noted that the Village Zone promotes small business which in turn supports the economic prosperity of the community. The representor noted further that progress of the subdivision had stalled due to being cost-prohibitive but that economic viability of the project had improved.

131. At the hearing, the planning authority also added the following points:

- the interim planning scheme contains an historic error in regard to the zoning of the land;
- three historic buildings form part of the land. These buildings are considered to be part of the Bothwell township; and
- the Village Zone complies with VZ 1 of Guideline No. 1.



### **Commission consideration**

132. The Commission agrees that the Village Zone ought to apply to the land identified in the representation, resulting in a split zone boundary across the title. Application of the Village Zone is considered to meet with VZ 1 of the Guideline No. 1 as Bothwell is a rural settlement where there is an intention to maintain a mix of residential, commercial and community services.
133. The Commission considers that application of the Village Zone to a portion of this land (with split zone boundary) constitutes a relatively minor extension of the existing Village Zone located to the south. It is acknowledged that Planning Permit No. 2009-18 has substantially commenced, and the future lots which are the subject of the representation are able to be created regardless of the existing zoning of the land. To acknowledge the likely uses of these future lots and given lot sizes which range from 1520sqm to 5360sqm, the Commission considers it appropriate to apply the Village Zone to the relevant portion of the site.

### **Commission decision**

134. Modification:
- Revise the zoning of part of 1 Elizabeth Street, Bothwell (folio of the Register 164767/1), comprising that portion approved as Lots 1 to 16 under Planning Permit No. 2009-18, to the Village Zone, and provide split zone boundary description consistent with the Commission's Practice Note 7 – Draft LPS mapping: technical advice.
135. Reason:
- To apply the Village Zone consistent with Guideline No. 1.

### **Village Zone – 7011 Lyell Highway, Ouse**

**Representation:** Jacob Smith (39)

136. The representor requested that the land at 7011 Lyell Highway, Ouse (folio of the Register 169788/2) be modified from the Agriculture Zone to the Village Zone. The reasons were:
- the land is part of the Ouse township and is located next to a school;
  - zoning decisions should not be based upon the regional land use strategy as the strategy is out of date and requires review;
  - there is a need for additional residential land in Ouse and the township should have the opportunity to grow;
  - the land is unsuitable for agricultural enterprise being relatively small in size, adjacent to a school and is unirrigated; and
  - applying the Village Zone would strengthen the school through an increase in enrolment numbers.
137. In its section 35F report, the planning authority recommended that the land be revised from the Agriculture Zone to the Rural Zone. The reasons include:
- a structure plan or similar settlement analysis would need to be undertaken in order to apply the Village Zone;
  - the land is not considered to be suitable for agricultural enterprise;
  - the Rural Zone would act as a 'holding zone' should this land be considered as part of a future township expansion; and

- the Rural Zone would create a buffer between village uses and the industrial scale of agricultural activity envisaged under the Agriculture Zone, which is considered to be particularly important given the land is located next to a school.
138. At the hearing, the planning authority reiterated that without proper strategic analysis, the application of the Village Zone to the land cannot be considered at this stage. It was further acknowledged that future zoning of the land should be dealt with as a strategic matter and that the Rural Zone was a better holding zone in the interim.

#### **Commission consideration**

139. The Commission accepts the planning authority's recommendation that the Village Zone should not be applied to the land. The land has an approximate area of 8.4ha and would constitute a significant expansion of the Ouse township if included in the Village Zone. It is noted that the regional land use strategy identifies a low growth scenario for Ouse. It is further noted that any expansion of Ouse would need to be justified by strategic analysis which has not been undertaken.
140. The Commission is not persuaded that the Rural Zone should replace the Agriculture Zone. The land is located within the "blue line" devised by the planning authority to delineate that land which ought to remain as Agriculture Zone, rather than the Rural Zone. The planning authority's evidence supports land zoned Agriculture located within the "blue line", and as such, 7011 Lyell Highway, Ouse ought to remain in the Agriculture Zone.
141. The Commission is not convinced that the Rural Zone will function as a "holding zone" any more effectively than the Agriculture Zone. By reference to "holding zone", the Commission takes this to refer to a zone which guards against potential fragmentation or development which may jeopardise realisation of any future Ouse structure plan, thus preventing an orderly and efficient pattern and sequence of development. The Commission does not hold a view on whether the Rural or Agriculture Zone would fulfil this purpose any better than the other.
142. In applying the LPS criteria, the Commission has benefited from evidence prepared by the planning authority. Given this information, and without more detailed strategic analysis justifying an alternative zoning for this land, the Commission is not satisfied that the draft LPS should be modified.

#### **Commission decision**

143. The Commission considers that no modification is required.

#### **Landscape Conservation Zone – Bronte Park**

**Representations:** Stuart and Karen Philp (5), Conservation Landholders Tasmania (6) and Dean Brampton (14)

144. The representors requested land with conservation covenants at 14632 Lyell Highway, Bronte Park (folio of the Register 241850/1) and Lyell Highway, Bronte Park (folio of the Register 243948/1) be revised from the Rural Zone to the Landscape Conservation Zone. The reasons were:
- the properties are protected by conservation covenants and therefore have already been identified by both the State and Commonwealth governments for the protection and conservation of natural values;
  - the 2018 AK Consultants publication, Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones, indicates that either the Environmental Management Zone

or Landscape Conservation Zone should be applied to private reserves, being consistent with LCZ 1, RZ 1 and AZ 6 of Guideline No. 1; and

- advice available on the Commission's Planners Portal suggests that land subject to conservation covenants ought to be zoned Landscape Conservation.

145. In its section 35F report, the planning authority recommended application of the Landscape Conservation Zone to the land due to the presence of conservation covenants and landowner support.
146. At the hearing, representor 6 (John Thompson on behalf of Conservation Landholders Tasmania) submitted that the Landscape Conservation Zone provided a higher level of protection than that afforded by the application of the Natural Assets Code or a Forest Practices Plan. Mr Thompson asserted that the zone was the primary control to protect land through the control of use. This position was supported by photographic evidence at the hearing where grazing was shown to have destroyed vegetation and provided for the invasion of weeds, whereas vegetation on the adjoining property not subject to grazing, remained intact. Mr. Thompson further noted that Conservation Landholders Tasmania had limited requests for application of the Landscape Conservation Zone.
147. In response, the planning authority submitted that it was a policy position not to generally support changes to the Landscape Conservation Zone without owners consent. However, support was given to representations that request application of the Landscape Conservation Zone where possible, contextually appropriate and often forming part of a zoning cluster.

#### **Commission consideration**

148. The Commission agrees with the planning authority's recommendation to apply the Landscape Conservation Zone to the identified land. It has been sufficiently demonstrated that the properties collectively have landscape value which is further strengthened by proximity to the Central Plateau Conservation Area which is included in the Environmental Management Zone.
149. The Environmental Management Zone and Landscape Conservation Zone are considered complementary zones providing a congruous strategic application of zoning to particular areas to manage use and development in natural areas. Application of the Landscape Conservation Zone to the subject land complies with LCZ 1 of Guideline No. 1.

#### **Commission decision**

150. Modification:
- Revise the zoning of 14362 Lyell Highway, Bronte Park (folio of the Register 241850/1) and Lyell Highway, Bronte Park (folio of the Register 243948/1) from the Rural Zone to the Landscape Conservation Zone.
151. Reason:
- To apply the Landscape Conservation Zone consistent with Guideline No. 1.

#### **Landscape Conservation Zone – Bullock Hills**

**Representors:** Conservation Landholders Tasmania (6), Daniel Lee (8), Malcolm Grant (19), Peter and Michelle Cassar-Smith (25) and Natalie Fowell (33)

152. The representors requested application of the Landscape Conservation Zone to land that collectively forms a cluster of properties located in Bullock Hills. The reasons were:

- the properties are protected by conservation covenants and therefore have already been identified by both State and Commonwealth governments for the protection and conservation of natural values;
  - the 2018 AK Consultants publication, Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones indicates that either the Environmental Management Zone or Landscape Conservation Zone should be applied to private reserves, being consistent with LCZ 1, RZ 1 and AZ 6 of Guideline No. 1;
  - advice available on the Commission's Planners Portal suggests that land subject to conservation covenants ought to be zoned Landscape Conservation; and
  - the identified properties form a cluster which lends itself to the Landscape Conservation Zone.
153. Representor 8 (Daniel Lee) requested that land at Lot 1 Marked Tree Road, Hamilton (folio of the Register 166564/1) be split zoned so as to apply the Landscape Conservation Zone to the covenanted portion of the land, with the uncovenanted portion remaining in the Rural Zone. Otherwise, it was preferred that the land remain wholly within the Rural Zone. The rationale for requesting a split zone was based on the perception that the Rural Zone would better accommodate unspecified future use and development.
154. In its section 35F report, the planning authority recommended application of the Landscape Conservation Zone due to the presence of conservation covenants and landowner support. The planning authority also recommended that the Landscape Conservation Zone only be applied to the covenanted portion of Lot 1 Marked Tree Road, Hamilton (folio of the Register 166564/1) as requested by the representor.
155. At the hearing, the planning authority expressed continued support for application of the Landscape Conservation Zone to the Bullock Hills cluster of properties. Representor 6 also provided some background as to why conservation covenants do not always cover the whole of a title. The reason likely relates to those areas not covenanted being those areas identified as having reduced natural values. The retraction of the covenant would presumably allow for other uses, such as residential, to be considered without being hindered by the restrictions posed by the covenant. Discussion turned specifically to Representation 8 which requested a zone split between the Landscape Conservation Zone and the Rural Zone at Lot 1 Marked Tree Road, Hamilton (folio of the Register 166564/1) with the zone boundary correlating with the covenanted and non-covenanted portions of that site.

### **Commission consideration**

156. The Commission agrees with the planning authority's recommendation to apply the Landscape Conservation Zone to the subject land at Bullock Hill. It has been sufficiently demonstrated that the properties collectively have landscape values which are further strengthened by proximity to the Pelham West Nature Reserve which is included in the Environmental Management Zone.
157. Guideline No.1 states together the Environmental Management Zone and Landscape Conservation Zone provide a suite of environmental zones to manage use and development in natural areas, so when applied on adjoining, land provide complimentary zoning outcomes.
158. Application of the Landscape Conservation Zone to the subject land is considered to comply with LCZ 1 of Guideline No. 1.
159. Based on the submitted information and evidence, the Commission is not persuaded that a split zoning to Lot 1 Marked Tree Road, Hamilton (folio of the Register 166564/1), applying the Landscape Conservation Zone only to the covenanted portion of the title, is warranted. The

Commission notes that residential use, if for a single dwelling, is a discretionary use in both the Rural and Landscape Conservation zones as are other uses encompassing controlled environment agriculture. The application of the Landscape Conservation Zone to the whole of the titles is reflective of identified landscape values, with those values not otherwise diminished by zoning uncovenanted portions of land Rural.

### **Commission decision**

160. Modification:

- Revise the following properties from the Rural Zone to the Landscape Conservation Zone:
  - (a) Lot 1 Marked Tree Road, Hamilton (folio of the Register 166564/1);
  - (b) Lot 2 Marked Tree Road, Hamilton (folio of the Register 166564/2);
  - (c) Lot 3 Marked Tree Road, Hamilton (folio of the Register 166564/3);
  - (d) 1190 Marked Tree Road, Hamilton (folio of the Register 166563/1);
  - (e) Lot 2 Marked Tree Road, Hamilton (folio of the Register 166563/2); and
  - (f) Lot 3 Marked Tree Road, Hamilton (folio of the Register 166563/3).

161. Reason:

- To apply the Landscape Conservation Zone consistent with Guideline No. 1.

### **Commission consideration under section 35KB**

162. The Commission notes that not all landowners were able to be contacted or engaged when the planning authority prepared their section 35F report or during in the hearing process, and therefore support or otherwise for revising the zoning of relevant land from Rural to Landscape Conservation Zone could not be confirmed. The Commission finds that the amendment is a substantial modification as there may be a public interest in the amendment.

163. The Commission is satisfied that once made the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.

164. The Commission considers the substantial modification required is suitable to be made by way of an amendment to the Central Highlands draft LPS, after it comes into effect, under Part 3B of the Act.

### **Commission decision under section 35KB**

165. Draft amendment directed to the Central Highlands draft LPS:

- Apply the Landscape Conservation Zone to the following properties, and as shown in figure 1 in Attachment 3:
  - (a) Lot 1 Marked Tree Road, Hamilton (folio of the Register 166564/1);
  - (b) Lot 2 Marked Tree Road, Hamilton (folio of the Register 166564/2);
  - (c) Lot 3 Marked Tree Road, Hamilton (folio of the Register 166564/3);
  - (d) 1190 Marked Tree Road, Hamilton (folio of the Register 166563/1);
  - (e) Lot 2 Marked Tree Road, Hamilton (folio of the Register 166563/2); and
  - (f) Lot 3 Marked Tree Road, Hamilton (folio of the Register 166563/3).

166. Reason:

- To apply the Landscape Conservation Zone consistent with Guideline No. 1.
- The Commission considers that the modifications are a substantial modification as there may be public interest in the modifications.

### **Landscape Conservation Zone – Dennistoun Road, Bothwell**

**Representors:** Conservation Landholders Tasmania (6) and PC & MJ Jacques (15)

167. The representors requested application of the Landscape Conservation Zone to land known as Dennistoun Road, Bothwell (folio of the Register 126437/1). A conservation covenant is registered on the land. The reasons include:

- the properties are protected by conservation covenants and therefore have already been identified by both the State and Commonwealth governments for the protection and conservation of natural values;
- the 2018 AK Consultants publication, Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones, indicates that either the Environmental Management Zone or Landscape Conservation Zone should be applied to private reserves, being consistent with LCZ 1, RZ 1 and AZ 6 of Guideline No. 1; and
- advice available on the Commission's Planners Portal suggests that land subject to conservation covenants ought to be zoned Landscape Conservation.

168. In its section 35F report, the planning authority recommended application of the Landscape Conservation Zone due to the presence of conservation covenants and landowner support.

169. At the hearing, Mr Thompson for Conservation Landholders Tasmania asserted that the land comprised of a single title that adjoins Environmental Management zoned land known as the Tiger Rise Conservation Area and that the zoning of Landscape Conservation could be justified on this basis.

### **Commission consideration**

170. The Commission agrees with the planning authority's recommendation to apply the Landscape Conservation Zone to the subject land. It has been sufficiently demonstrated that the property has landscape values which are further strengthened by its proximity to the Tiger Rise Conservation Area which is included in the Environmental Management Zone.

171. Guideline No.1 states together the Environmental Management Zone and Landscape Conservation Zone provide a suite of environmental zones to manage use and development in natural areas, so when applied on adjoining land provide complimentary zoning outcomes.

172. The Commission considers that application of the Landscape Conservation Zone is consistent with LCZ 1 of Guideline No. 1.

### **Commission decision**

173. Modification:

- Revise the zoning of Dennistoun Road, Bothwell (folio of the Register 126437/1) from the Rural Zone to the Landscape Conservation Zone.

174. Reason:

- To apply the Landscape Conservation Zone consistent with Guideline No. 1.

## **Landscape Conservation Zone – Electricity Infrastructure**

### **Representation: TasNetworks (18)**

175. The representation raised concern in relation to the Landscape Conservation Zone and conflict with the Electricity Transmission Infrastructure Protection Code. The perceived conflict related to the purpose of the Landscape Conservation Zone which is to protect landscape values and the purpose of the Electricity Transmission Infrastructure Protection Code which is to protect land set aside for the distribution of electricity. No specific land details were provided.
176. In its section 35F report, the planning authority agreed that the Landscape Conservation Zone is incompatible with the Electricity Transmission Corridors.
177. At the hearing, the planning authority confirmed there is no land zoned Landscape Conservation Zone within the municipality that also has the Electricity Transmission Infrastructure Protection Code applying.

### **Commission consideration**

178. The Commission notes that there is no land identified for inclusion in the Landscape Conservation Zone that is simultaneously affected by the Electricity Transmission Infrastructure Protection Code by way of overlay provisions. The Commission also notes Guideline no.1 sets out the application guidelines for applying the Landscape Conservation Zone.

### **Commission decision**

179. The Commission considers that no modification is required.

## **Landscape Conservation Zone – Tasmanian Land Conservancy**

### **Representations: Conservation Landholders Tasmania (6) and Tasmanian Land Conservancy (27)**

180. The Tasmanian Land Conservancy requested that the 'Five Rivers Reserve' which it owns and manages, be revised from the Rural Zone to the Landscape Conservation Zone including also the revision of Gowan Brae Road, Central Plateau (folio of the Register 224902/1) from the Environmental Management Zone to the Landscape Conservation Zone. The representor also requested that all land under the ownership of the Tasmanian Land Conservancy be revised to the Landscape Conservation Zone including a property known as Silver Plains (PID 7612624).
181. While Conservation Landholders Tasmania (representation 6) did not make a specific representation in relation to land owned by the Tasmanian Land Conservancy, it did comment upon the conservancy's intention to make a separate representation and also on the "ground-truthing" role conservancy ecologists played in determining natural values.
182. Representor 27 has requested application of the Landscape Conservation Zone to ensure protection of threatened communities present on private land. The representation also implores the planning authority to keep Natural Assets Code mapping up to date and is of a view that the Natural Assets Code should apply to all zones.
183. In its section 35F report, the planning authority agreed with the representation, and recommended application of the Landscape Conservation Zone to all land owned by the Tasmanian Land Conservancy.
184. Prior to the hearing, the Commission issued a direction seeking clarification of the location of the Five Rivers Reserve and title details for that land comprising the reserve requested to be zoned Landscape Conservation. A response was received on the 10 May 2022 which identified those parcels forming the Five Rivers Reserve.

185. At the hearing, the planning authority confirmed they are satisfied the landscape values of Five Rivers Reserve identified in the representation warrant modification to the Landscape Conservation Zone. The planning authority supported the rationale that application of the zone to the large land area, when clustered together, would form a contiguous zoning pattern recognising the established landscape values. Additionally the land is in private ownership (Tasmanian Land Conservancy). This modification is consistent with Guideline No.1.
186. During the hearing, the ownership of PID 7612624 was also discussed. PID 7612624 is referred to in representation 27 as forming the property known as Silver Plains. Representor 6 (Conservation Landholders Tasmania) identified the landowner as being Tasberry Holdings.
187. It was also submitted that land within the Skullbone Plains area, owned and managed by the Tasmanian Land Conservancy, should be retained zoned Environmental Management as this is located within the World Heritage Area.

#### **Commission consideration**

188. The Commission agrees with the planning authority's recommendation to apply the Landscape Conservation Zone to all the identified land owned and managed by the Tasmanian Land Conservancy, except for the Skullbone Plains area. At the hearing, it was sufficiently demonstrated that all the relevant properties collectively have landscape values which is further strengthened by proximity to various public reserves included in the Environmental Management Zone. The modifications will form clustered and contiguous zoning patterns where applied.
189. Guideline No.1 states together the Environmental Management Zone and Landscape Conservation Zone provide a suite of environmental zones to manage use and development in natural areas, so when applied on adjoining land, provide complimentary zoning outcomes.
190. Application of the Landscape Conservation Zone is considered to comply with LCZ 1 of Guideline No. 1.
191. It was noted however that Gowan Brae Road, Central Plateau (folio of the Register 224902/1), referred to as Skullbone Plains, on the map submitted by the representor in response to a Commission direction dated 8 March 2022, is located within the World Heritage Area. For this reason, it is appropriate the Environmental Management Zone be retained for this parcel given the purpose of the zone is to limit use and development. This is consistent with EMZ 1 of Guideline No. 1.

#### **Commission decision**

192. Modification:
  - Revise all land owned by the Tasmanian Land Conservancy to the Landscape Conservation Zone, as shown in the figures 20 to 24 below:



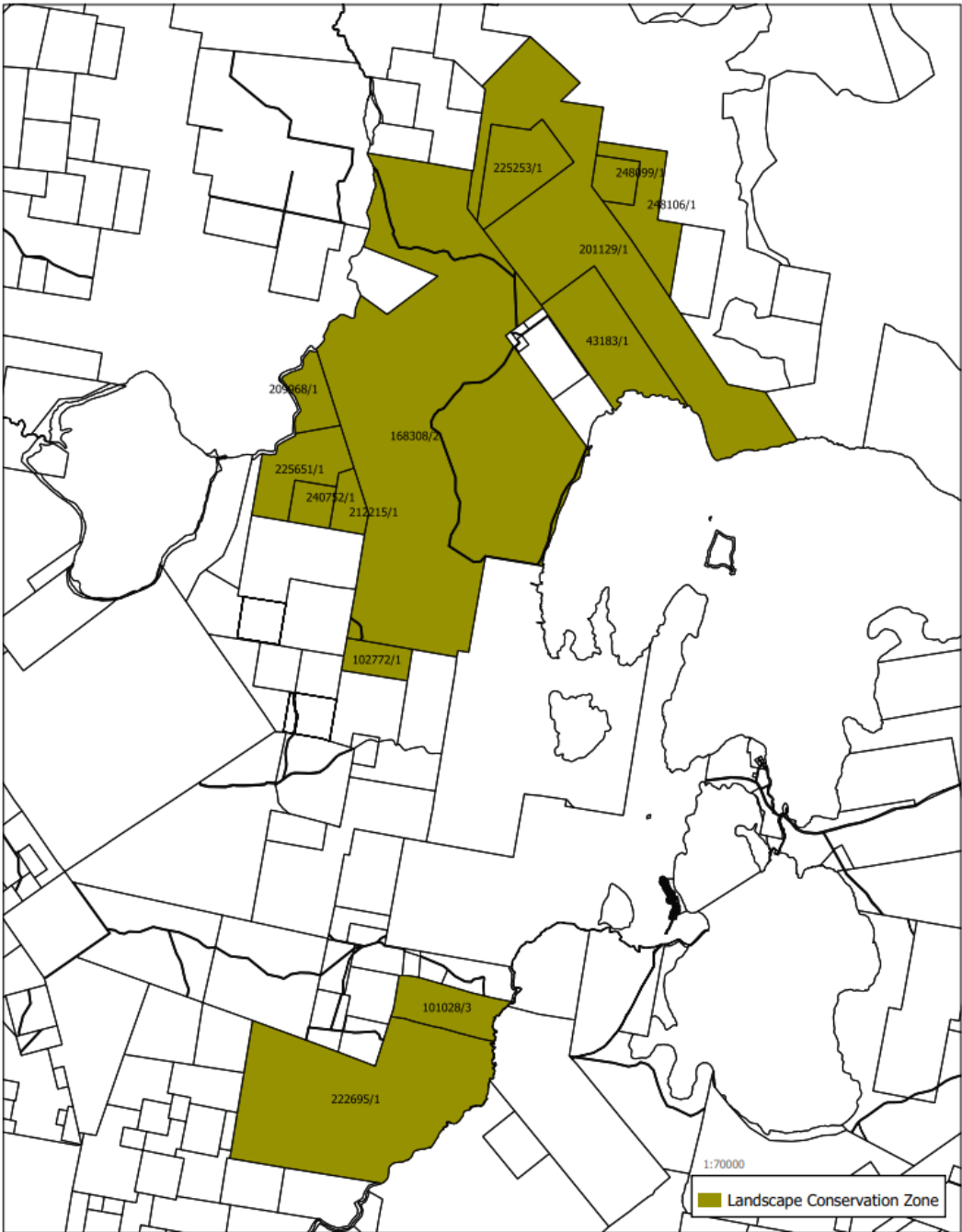


Figure 20: Application of the Landscape Conservation Zone to the Silver Plains area and at ‘Jinks Tier’, owned by Tasmanian Land Conservancy.

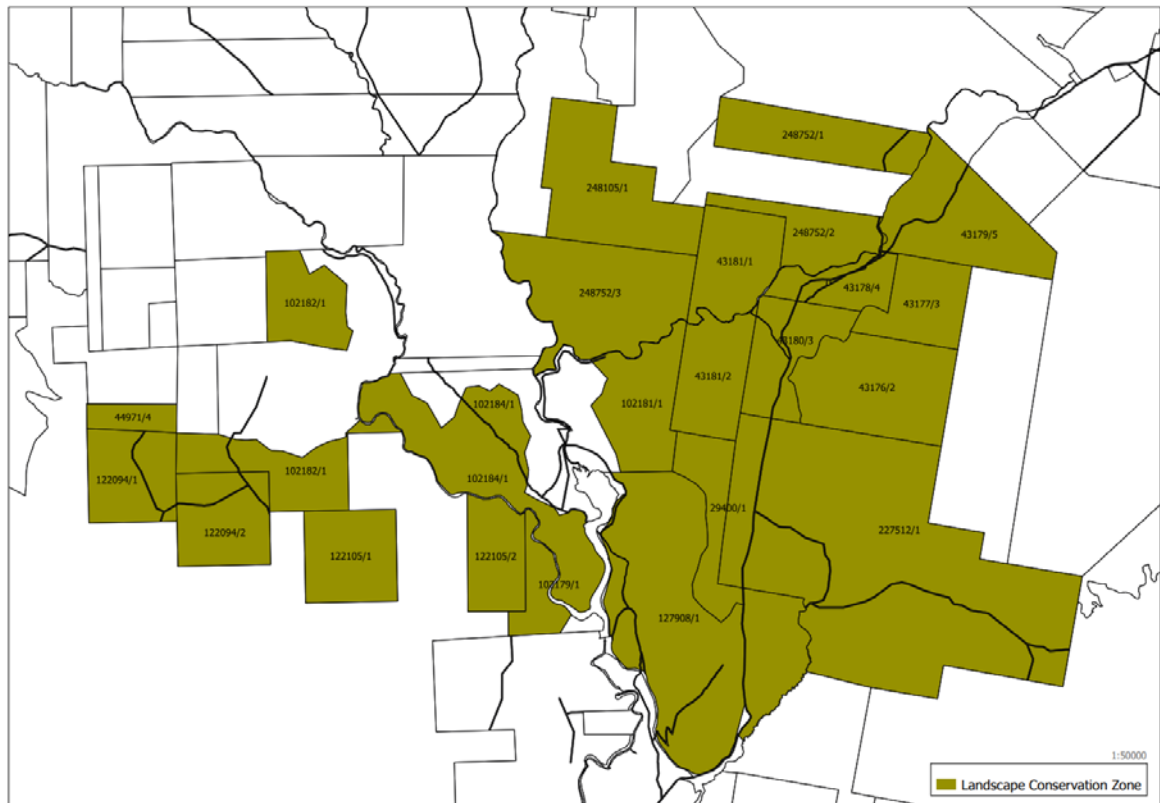


Figure 21: Application of the Landscape Conservation Zone to Viormy, Roscarborough, Serpentine and Pine Tier Lagoon areas owned by the Tasmanian Land Conservancy.



Figure 22: Application of the Landscape Conservation Zone to land at London Lakes, owned by the Tasmanian Land Conservancy.

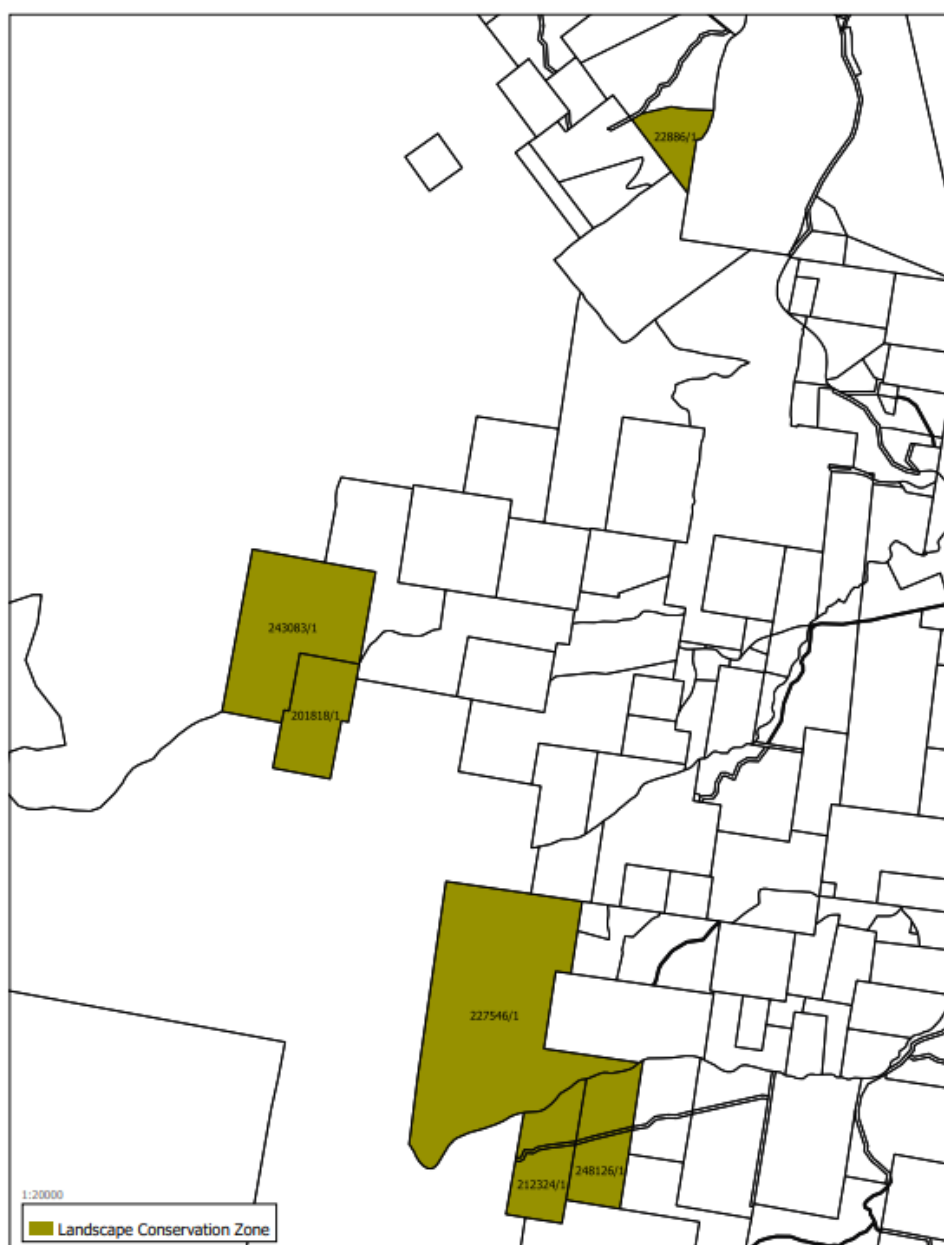


Figure 23: Application of the Landscape Conservation Zone to land at Ellendale, owned by the Tasmanian Land Conservancy.



Figure 24: Application of the Landscape Conservation Zone at Rockmount Road, Ellendale, owned by the Tasmanian Land Conservancy.

193. Reason:

- To apply the Landscape Conservation Zone consistent with Guideline No. 1.

**Landscape Conservation Zone – Liawenee, Tods Corner, St Patricks Plains and Wilburville**

**Representor:** Ireneinc (36) and Trilogy Property Partners (Submitter)

194. Representor 36 (Ireneinc) acting for the No Turbine Action Group Inc, identified three clusters of land in Liawenee, Tods Corner and St Patricks Plain requesting the land be revised from the Agriculture Zone to the Landscape Conservation Zone. The clusters each contain numerous lots, all in different private ownership. Trilogy Property Partners requested that land located at 38 and 42 Arthurs Lake Road, Wilburville (folios of the Register 181243/1 and 181244/1) be included in the Landscape Conservation Zone.

195. The representor and submitter requested that the land be modified from the Agriculture Zone to the Landscape Conservation Zone. The reasons were:

- the land includes significant areas of grassy threatened native vegetation communities, being mainly Highland Poa grassland and Highland grassy sedgeland. These threatened native vegetation communities provide key habitat for threatened species listed under

the *Environment Protection and Biodiversity Conservation Act 1999*, including the Tasmanian wedge-tailed eagle;

- the Priority Vegetation Area overlay should take precedence in informing the appropriate zone; and
  - the Landscape Conservation Zone reflects the unparalleled beauty and tranquillity of the area.
196. Representation 36 (Ireneinc) was accompanied with two reports prepared by Biodiversity Maintenance Australia and Mr Nick Mooney of the Birdlife Australia Raptor Group.
197. The report prepared by Biodiversity Maintenance Australia presented a desktop assessment of the biodiversity values found within the clusters based upon available Tasmanian government databases. The report confirmed the presence of threatened grassland vegetation communities and threatened species including a number of insect species.
198. The report prepared by Mr Mooney concluded that the Central Highlands' natural condition provides an optimum home range for wedge-tailed eagles.
199. A further submission from IreneInc for the No Turbine Action Group Inc was submitted on the 13 September 2022. The submission outlined that the land throughout the highland lakes should not be within the Agriculture Zone and referenced the submissions by the planning authority and the assessment by Pinion Advisory Pty Ltd. It stated the areas should also not be revised to the Rural Zone as an alternative, citing the areas have unique characteristics and values which warrant consideration of the application of the Landscape Conservation Zone.
200. The submission refers to unique values, including the threatened grasslands previously mentioned and also the Central Plateau Terrain geoconservation site which is partially located within the clusters, and included the following observations:
- RZ 1 of Guideline No. 1 indicates that the Rural Zone should only be applied to land that is not better zoned Agriculture or Landscape Conservation;
  - application of the Landscape Conservation Zone is consistent with LCZ 2 of Guideline No. 1;
  - the highland lakes area displays unique natural values which create a unique visual character, that could be impacted by the broad range of uses provided for in the Rural Zone and limited development standards; and
  - the Rural Zone does not allow for a consideration of rural landscape values.
201. A final submission was received from the representor on the 24 October 2022. The submission provided a response to a submission received from ERA Planning and Development on the 14 October 2022 (refer to paragraphs 37 to 38 of this decision for detail in relation to this submission) and notes the following:
- the ERA submission was opposed to the land at St Patricks Plains being included in the Landscape Conservation Zone but did not make any observations on the zoning of land at Liawenee or Tods Corner;
  - approximately one third of all representations received in relation to the draft LPS expressed scenic and landscape protection concerns;
  - the Landscape Conservation Zone is the appropriate zone to ensure the unique landscape has appropriate planning controls;

- advocacy for the Landscape Conservation Zone is not due to a windfarm proposal, as evidenced by the exclusion of three St Patricks Plains titles upon which the windfarm is proposed;
  - scenic values have been well documented in representation (35) (representation by David Ridley);
  - the representation and further submission outline the presence of threatened native vegetation communities and threatened species;
  - forestry resource land has been excluded from land identified for the Landscape Conservation Zone;
  - the area is a natural alpine and sub-alpine plain which is not the result of recent clearing.
  - the area has Aboriginal cultural heritage significance as well as post-European heritage (e.g. historic hydro features);
  - the area satisfies the Landscape Conservation Zone purpose by seeking to protect significant ecological, cultural and scenic values and providing for use and development which does not impact upon landscape values;
  - the area satisfies LCZ 1 and LCZ 2 of Guideline No. 1 by seeking to apply the Landscape Conservation Zone to large areas of native vegetation or areas of important scenic values and land containing threatened native vegetation communities and threatened species;
  - provisions relating to existing non-conforming and discretionary uses within the planning scheme will manage existing operations occurring on the land; and
  - the Rural Zone does not provide sufficient protections given it does not contain provisions to protect scenic and landscape values.
202. A petition accompanied the submission containing a number of signatures which outlined support for the representations made by Mr Ridley (representation 35) and the No Turbine Action Group (representation 36 made by Ireneinc on behalf of the group).
203. At the hearing, representor 36 (Ms Jacqui Blowfield from Ireneinc for No Turbine Action Group Inc) reiterated that the areas identified in the submission contained substantial natural values and the Landscape Conservation Zone provides more suitable development controls to protect these values. Ms Blowfield also submitted that the State's Land Potentially Suitable for Agriculture Zone mapping did not consider identification and location of threatened species, and therefore a natural values assessment lens was warranted.
204. At the hearing, the planning authority submitted that zoning the land to Landscape Conservation in response to the representations was a significant strategic shift without sufficient justification. It was submitted that further investigation of the particular landscape values would be required. The planning authority further noted that the Rural Zone was the nearest equivalent to the existing Interim Planning Scheme Rural Resource Zone and that application of the Priority Vegetation Area overlay is compatible with this zone.

### **Commission consideration**

205. The Commission is not persuaded that the Landscape Conservation Zone should apply to the three clusters of land identified in the representations. Reflecting upon the planning authority's submission and expert evidence provided by Pinion Advisory (refer to paragraphs 12 to 34 of this decision), the Commission remains satisfied that the Rural Zone should replace

the Agriculture Zone to land located outside the “blue line”. This decision is consistent and relevant to the land identified in the representation, modifying the Agriculture Zone to the Rural Zone and allowing the Priority Vegetation Area overlay to apply.

206. Representation 36 (Ireneinc) and subsequent submissions focus upon the presence of threatened native vegetation communities as informing character and therefore landscape values. The Priority Vegetation Area overlay will provide some protection of the significant vegetation present on the land.
207. Based on the evidence provided the Commission agrees with the planning authority that further local strategic analysis of the land is required in order to establish the spatial extent and the particular aspects of landscape values that would warrant the application Landscape Conservation Zone. In the absence of this work and prepared evidence, the Commission is not convinced that the three clusters of land at Liawenee, Tods Corner and St Patricks Plain identified in the representation, warrant application of the Landscape Conservation Zone.

#### **Commission decision**

208. The Commission considers that no modification is required.

#### **Landscape Conservation Zone – Land at Bradys Lake, London Lakes, Hamilton, Elderslie and Pelham**

##### **Representation:** Conservation Landholders Tasmania (6)

209. The representor requested that the Landscape Conservation Zone be applied to the following lots:
  - Lyell Highway, Bradys Lake (folio of the Register 127910/12);
  - Lot 8 Victoria Valley Road, London Lakes (folio of the Register 164812/8);
  - 1190 Marked Tree Road, Hamilton (folio of the Register 166563/1);
  - Lot 2 Marked Tree Road, Hamilton (folio of the Register 166563/2);
  - Nichols Road, Elderslie (folio of the Register 119278/1); and
  - Sonners Road, Pelham (folio of the Register 212268/1).
210. The reasons were:
  - the properties are protected by conservation covenants and therefore have already been identified by both the State and Commonwealth governments for the protection and conservation of natural values;
  - the 2018 AK Consultants publication, Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones, indicates that either the Environmental Management Zone or Landscape Conservation Zone should be applied to private reserves, being consistent with LCZ 1, RZ 1 and AZ 6 of Guideline No. 1; and
  - advice available on the Commission’s Planners Portal suggests that land subject to conservation covenants ought to be zoned Landscape Conservation.
211. Following a direction issued on the 8 March 2022, the representor advised the Commission that evidence of landowner support for application of the Landscape Conservation Zone had not been obtained. The representor advised further that the owner of Lyell Highway, Bradys Lake had indicated via telephone that retention of the Rural Zone was preferable over application of the Landscape Conservation Zone.



212. At the hearing, Mr John Thompson for Conservation Landholders Tasmania expanded on the representation, and confirmed he only wished to pursue a revision of the zoning of 1190 Marked Tree Road, Hamilton (folio of the Register 166563/1) and Lot 2 Marked Tree Road, Hamilton (folio of the Register 166563/2).

**Commission consideration**

213. The Commission accepts that the representor no longer wishes to pursue application of the Landscape Conservation Zone to those properties listed above, on the basis of undemonstrated landowner support. The Commission accepts this position and therefore has not assessed applicability of the Landscape Conservation Zone, with the exception of 1190 Marked Tree Road, Hamilton (folio of the Register 166563/1) and Lot 2 Marked Tree Road, Hamilton (folio of the Register 166563/2).
214. The land at 1190 Marked Tree Road, Hamilton and Lot 2 Marked Tree Road, Hamilton form part of the Bullock Hills cluster discussed at paragraphs 152 to 166 of this decision. The Commission's decision is to include the lots, together with other adjoining lots, as part of a substantial modification to apply the Landscape Conservation Zone.

**Commission decision**

215. Modification:
- Revise the following properties from the Rural Zone to the Landscape Conservation Zone:
    - (a) Lot 2 Marked Tree Road, Hamilton (folio of the Register 166564/2); and
    - (b) 1190 Marked Tree Road, Hamilton (folio of the Register 166563/1).
216. Reason:
- To apply the Landscape Conservation Zone consistent with Guideline No. 1.

**Commission consideration under section 35KB**

217. The Commission's decision is included and stated at paragraphs 152 to 166 of this decision.
218. The Commission is satisfied that once made the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.
219. The Commission considers the substantial modification required is suitable to be made by way of an amendment to the Central Highlands draft LPS, after it comes into effect, under Part 3B of the Act.

**Commission decision under section 35KB**

220. Refer to paragraphs 152 to 166 of this decision.
221. Reason:
- To apply the Landscape Conservation Zone consistent with Guideline No. 1.
  - The Commission considers that the modifications are a substantial modification as there may be public interest in the modifications.

**Environmental Management Zone – 156 Bradys Lake Road, Bradys Lake**

**Representation:** Department of Primary Industries, Parks, Water and Environment (40)

222. The representation requests that the zoning of 156 Bradys Lake, Bradys Lake (folio of the Register 142078/1) be revised from the Rural Zone to the Environmental Management Zone. The representation states that as this land is unallocated Crown land, it should be included in the Environmental Management Zone. The representation also notes that a threatened native vegetation community is present on site, being the Highland Poa grassland.
223. The representation refers to land at Lyell Highway, Bronte Park (folio of the Register 155123/1) identifying this as land owned by the Department of State Growth. The representation raises concern regarding the zoning of Rural, noting that the Rural Zone is inconsistent with the zoning of other reserves and potentially its management objectives. The representation does not suggest a replacement zone.
224. In its section 35F report, the planning authority supports application of the Environmental Management Zone to 156 Bradys Lake, Bradys Lake and also suggests application of the Environmental Management Zone to Lyell Highway, Bronte Park. The planning authority submits that it is appropriate that public reserves be zoned Environmental Management.

#### **Commission consideration**

225. The Commission accepts that the Environmental Management Zone should apply to 156 Bradys Lake, Bradys Lake, due to being Crown land. Application of the Environmental Management Zone is considered to meet with EMZ 1 of Guideline No. 1.
226. In relation to Lyell Highway, Bronte Park it is noted that the Department of State Growth did not make a representation regarding the zoning of this land. It is not certain what management objectives relate to this land. The Rural Zone is considered to be consistent with Guideline No. 1. The Rural Zone is also consistent with adjoining land.

#### **Commission decision**

227. Modification:
- Revise the zoning of 156 Bradys Lake, Bradys Lake (folio of the Register 142078/1) from the Rural Zone to the Environmental Management Zone.
228. Reason:
- To apply the Environmental Management Zone consistent with Guideline No. 1.

#### **Utilities Zone – Water Infrastructure**

##### **Representation: TasWater (7)**

229. The representor requested that:
- The Ouse Reservoir Tank, Lake Repulse Road, Ouse (folio of the Register 35329/2) be revised from the Agriculture Zone to the Utilities Zone; and
  - Bronte Park Reservoir Tanks Lot 2 Bronte Estate Road, Bronte Parl (folio of the Register 178148/2) be revised from the Low Density Residential Zone to the Utilities Zone.
230. The representation was made upon the basis that the Utilities Zone is a more suitable zone to apply to water infrastructure.
231. In its section 35F report, the planning authority agreed with the proposal because key infrastructure such as township water reservoir tanks should be zoned Utilities, and this is consistent with Guideline No.1.
232. At the hearing, the planning authority confirmed that both tanks are on their own titles.



233. It was also noted that the Regional Ecosystem Model (REM) mapping developed by Natural Resources Management Pty Ltd for the preparation of the Priority Vegetation Area overlay does not apply to the site (where the Agriculture Zone is applied the Priority Vegetation Mapping is clipped).

#### **Commission consideration**

234. The Commission agrees with the representor and the planning authority. It is agreed that the Utilities Zone should apply to existing infrastructure owned and maintained by TasWater. The application of the Utilities Zone is considered to comply with UZ 1(e) and UZ 4 of Guideline No. 1.

#### **Commission decision**

235. Modification:

- Revise the zoning of the Ouse Reservoir Tank (folio of the Register 35329/2) and the Bronte Park Reservoir Tanks (folio of the Register 178148/2) to the Utilities Zone.

236. Reason:

- To apply the Utilities Zone consistent with Guideline No. 1.

#### **Utilities Zone – Electricity Infrastructure**

##### **Representation:** TasNetworks (18)

237. The representor requested that various substation and communications station sites be included in the Utilities Zone. The following sites were requested for consideration:

- Derwent Bridge substation (PID 3034441);
- Meadowbank repeater communications station (folio of the Register 122729/1);
- Repulse repeater communications station (folio of the Register 150903/1);
- Bilton Hill communications station (folios of the Register 146134/1 and 170569/1);
- Heals Spur communications station (part of PID 3385823);
- Tarraleah passive reflector communications station (east of folio of the Register 227174/1);
- Bradys Sugarloaf communications station (PID 2523649);
- Five Mile Pinnacles communications station (folio of the Register 117617/1);
- Poatina Intake communications station (south of folio of the Register 209465/1); and
- Poatina Saddle communications station (south of folio of the Register 209465/1).

238. The reasons were:

- The Utilities Zone is the appropriate zone for communication infrastructure as it forms a key part of the broader electricity network and is considered as a major utility;
- The Utilities Zone would support future operation, maintenance, modification and development requirements of the assets;
- Electricity Supply Industry Act exemptions do not apply to communication sites once established;
- The Scenic Protection Code does not apply to the Utilities Zone; and

- It sends a clear message to the community about the existing and long term use of the sites.
239. In its section 35F report, the planning authority recommended that the Utilities Zone should apply to the infrastructure identified in the representation given its significance.
240. Prior to the hearing, a direction was sent to the representor requesting evidence of landowner support for the application of the Utilities Zone. The representor advised that Tasmania Parks and Wildlife Service objected to application of the Utilities Zone to the Heals Spur and Poatina Saddle communications stations on the basis of this infrastructure being located in the World Heritage Area, all of which is included in the Environmental Management Zone.
241. In relation to the Butlers Gorge repeater communications station, it is noted that the installation is located within close proximity to the common boundary between folio of the Register 149022/1 and adjoining land to the south managed by the Parks and Wildlife Service. The land known as folio of the Register 149022/1 is located within the Utilities Zone, while the adjoining Parks and Wildlife Service land is located within the Environmental Management Zone and the World Heritage Area. For similar reasons put forward by the Parks and Wildlife Service, in relation to the Heals Spur and Poatina Saddle communications stations, the Commission determines that the Utilities Zone should not extend into the adjoining World Heritage Area.
242. During the hearing, the accuracy of the Communication Station Buffer Area Overlay was discussed. In response to a post-hearing direction, the representor advised that the following communication stations require realignment of the Communication Station Buffer Area Overlay to ensure the overlay is centred over the communication station:
- Poatina Intake communications station;
  - Bradys Sugarloaf communications station;
  - Repulse power station communications station;
  - Meadowbank repeater communications station;
  - Heals Spur communications station; and
  - Butlers Gorge communications station.

#### **Commission consideration**

243. The Commission considers that the electricity infrastructure detailed in the representation is used and intended to be used for major utilities infrastructure. As such application of the Utilities Zone to the relevant land is consistent with UZ 1 of Guideline No. 1.
244. The Commission notes the position of Tasmania Parks and Wildlife Service in relation to the zoning of communication stations located within the World Heritage Area. The Commission agrees that these sites ought to remain in the Environmental Management Zone.
245. The Commission considers it is appropriate to modify the Communication Station Buffer Area Overlay to be centered over communications stations. This is considered to be a correction to guidance mapping upon which Guideline No. 1 relies, noting that ETIPC 1 accommodates modifications to this mapping where anomalies or inaccuracies are identified.

## Commission decision

### 246. Modification:

- Revise the zoning of the following sites to the Utilities Zone:
  - (a) Derwent Bridge substation (PID 3034441);
  - (b) Meadowbank repeater communications station (folio of the Register 122729/1);
  - (c) Repulse repeater communications station (folio of the Register 150903/1);
  - (d) Bilton Hill communications station (folios of the Register 146134/1 & 170569/1);
  - (e) Bradys Sugarloaf communications station (PID 2523649); and
  - (f) Five Mile Pinnacles communications station (folio of the Register 117617/1).
- Apply the Utilities Zone to a 20m radius circle around the following sites, and provide split zone boundary description consistent with the Commission's Practice Note 7 – Draft LPS mapping: technical advice:
  - (a) Tarraleah passive reflector communications station 20m radius from GDA94 Coordinates 455383.54E 5317929.34N, east of folio of the Register 227174/1); and
  - (b) Poatina Intake communications station (20m radius from GDA94 Coordinates 485694.98E 5368135.17N, south of folio of the Register 209465/1).
- Revise the location of the Communications Station Buffer overlay for the following sites:
  - (a) Meadowbank repeater communications station (55m radius from GDA94 coordinate 487530E 5282512N);
  - (b) Repulse power station communications station (55m radius from GDA94 coordinate 470951E 5293583N);
  - (c) Heals Spur communications station (55m radius from GDA94 coordinate 455880E 5304299N);
  - (d) Bradys Sugarloaf communications station (55m radius from GDA94 coordinate 462440E 5320047N);
  - (e) Poatina intake communications station (55m radius from GDA94 coordinate 485696E 5368139N); and
  - (f) Butlers Gorge repeater communications station (55m radius from GDA94 coordinate 438951E 5319967N).

### 247. Reason:

- To apply the Utilities Zone consistent with Guideline No. 1; and
- To apply the Communications Station Buffer Area consistent with Guideline No. 1.

## Utilities Zone - State Roads

### Representation: Department of State Growth (26)

248. The representor requested that road casement (folio of the Register 46/6704), forming part of Highland Lakes Road, be modified from the Agriculture Zone to the Utilities Zone. The representor requested the modification to ensure the Utilities Zone reflects the State Road Casement layer.

249. In its section 35F report, the planning authority supported the representor's request.

### Commission consideration

250. The Commission accepts the recommendation of the Planning Authority and this is in accordance with UZ 1 of the Guideline No. 1.

### Commission decision

251. Modification:

- Revise the zoning of road casement (folio of the Register 46/6704) to the Utilities Zone.

252. Reason:

- To apply the Utilities Zone consistent with Guideline No. 1.

### Utilities Zone – Interlaken Canal

**Representation:** Department of Primary Industry, Parks, Waters and Environment (40)

253. The representation requests the zoning of Environmental Management to the Interlaken Canal over Crown land nominated as a Ramsar wetland. The Department of Primary Industry, Parks, Water and Environment (DPIPWE) stated they do not support the zoning of half of the canal connecting Lakes Crescent and Sorell from Environmental Management Zone to Utilities Zone, as the Interlaken Ramsar site boundary extends to the full supply level of Lake Crescent (protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)).

254. In its section 35F report, the planning authority advocated for the application of the Utilities Zone to the constructed extent of the canal infrastructure. The reason was that this reflected the reality on the ground and would provide greater certainty benefiting the Clyde Irrigation District operation into the future. Further, the detailed Ramsar maps clearly indicate that the location of wetland areas are located in other parts of the prescribed Ramsar site and not within the vicinity of the canal.

255. The Commission issued directions to both the planning authority and DPIPWE on 2 June, seeking clarification on their respective zoning recommendations and the alignment of the zone boundary. The planning authority prepared a diagram showing the preferred application of the Utilities Zone, and DPIPWE reaffirmed its objection to rezone the western half of the canal to the Utilities Zone and reiterated the issues raised in the representation.

### Commission consideration

256. The Commission accepts the advice of the planning authority that the Utilities Zone ought to apply to the constructed extent of the Interlaken Canal infrastructure. The Utilities Zone reflects the intended and actual use of the land in that portion of the site accommodating the existing infrastructure. This is consistent with UZ 1 of Guideline No. 1.

257. While the planning authority's submission provided guidance in applying the zone, the Commission considers a 40m wide distance measured from the eastern edge of folio of the Register 123332/1 a more consistent methodology with which to apply the Utilities Zone to the southern portion of the canal in order to protect existing infrastructure. The Commission considers it appropriate to apply a consistent methodology to the delineation of a split zone boundary so has modified the zoning boundary accordingly, as shown in the figure below.

## Commission decision

### 258. Modification:

- Revise the zoning of the Interlaken Canal as shown in the figure below, and provide split zone boundary description consistent with the Commission's Practice Note 7 – Draft LPS mapping: technical advice:

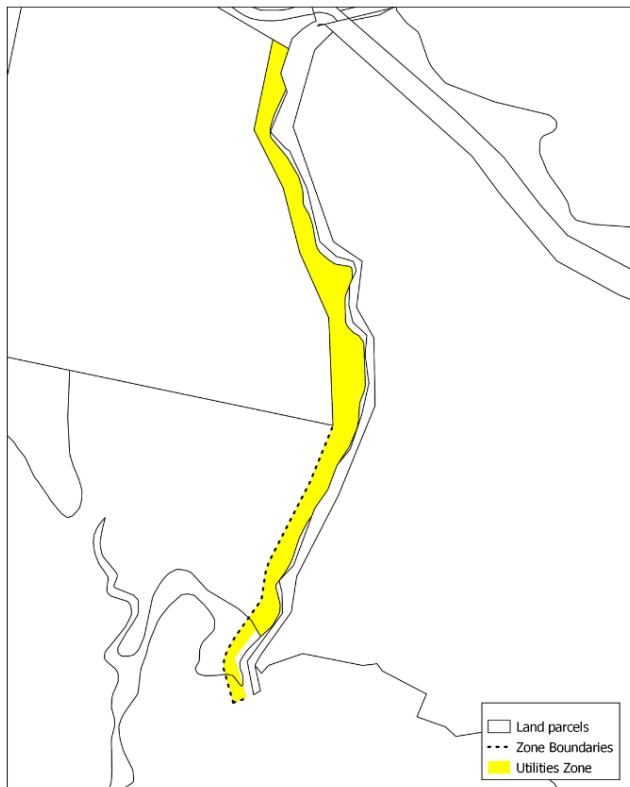


Figure 25: Application of the Utilities Zone to the Interlaken Canal.

### 259. Reason:

- To apply the Utilities Zone consistent with Guideline No. 1.

## Removal of Priority Vegetation Area Overlay - Transmission Electricity Infrastructure

**Representation:** TasNetworks (18)

260. The representor requested the removal or partial removal of the Priority Vegetation Area Overlay from the following sites:

- Derwent Bridge substation (PID 3034441);
- Meadowbank repeater communication site (folio of the Register 122729/1);
- Repulse power station communication site (part of folio of the Register 95451/1);
- Heals Spur communication site (part of PID 3385823);
- Tarraleah passive reflector communication site (east of folio of the Register 227174/1);
- Bradys Sugarloaf communication site (PID 2523649);
- Five Mile Pinnacles communication site (folio of the Register 117617/1);
- Poatina Intake communication site (south of folio of the Register 209465/1);



- Poatina Saddle communication site (south of folio of the Register 209465/1);
- Liapootah substation (folio of the Register 164364/1);
- Liapootah power station communications site (west of folio of the Register 164364/1);
- Tungatinah substation (folio of the Register 164366/1);
- Waddamana substation (folios of the Register 150130/1 and 133339/5);
- Waddamana power station communications site (folio of the Register 133339/6);
- Arthurs Lake substation (folio of the Register 163303/1);
- Catagunya power station communication site (folio of the Register 168545/1); and
- Butlers Gorge repeater communications site (folio of the Register 149022/1).

261. The reasons were:

- clearance of vegetation is required to ensure safety and to maintain electricity infrastructure;
- the Priority Vegetation Area Overlay has been applied to areas which have already been developed and cleared of vegetation; and
- the clearing of vegetation is exempt in any case under the Electricity Supply Industry Act 1995.

262. In its section 35F report, the planning authority supported the removal of the Priority Vegetation Area overlay from infrastructure sites that have been substantially modified through use and development.

263. The Commission issued a direction to TasNetworks seeking further information on the title references and mapped extents where available, of each of the sites referred to in the representation. At the hearing, Mr Odin Kelly for TasNetworks submitted information on each of the sites identified and clarified the particular characteristics of each site. This included clarifying where TasNetworks sought removal of the Priority Vegetation Area overlay from a number of communication sites, including a 20m radius area measured from the centre of each communication station buffer area.

### **Commission consideration**

264. The Commission accepts the representor and planning authority's view that the Priority Vegetation Area overlay should be removed from developed land of the nominated sites.

265. However, the Commission is not persuaded that the Priority Vegetation Area overlay should be removed entirely from those sites where priority vegetation exists and there remains undeveloped land. The Commission notes that these areas are not entirely covered by hard surfaces and there remains the possibility that priority vegetation could remain or naturally re-establish. While the *Electricity Supply Industry Act 1995* exemptions provide for clearance of vegetation independent of planning controls, the primary objective of code overlays should be to achieve the code purpose. Therefore, the Commission considers that the Priority Vegetation Area overlay should apply to land that has not already been developed, which includes hard surfaces.

## Commission decision

### 266. Modification:

- Revise the Priority Vegetation Area overlay by removing the overlay from the following sites as shown in the figures below:
  - (a) Derwent Bridge substation (PID 3034441);
  - (b) Meadowbank repeater communications station (folio of the Register 122729/1);
  - (c) Liapootah substation (folio of the Register 164364/1);
  - (d) Waddamana substation (folios of the Register 150130/1 and 133339/5); and
  - (e) Arthurs Lake substation (folio of the Register 163303/1).

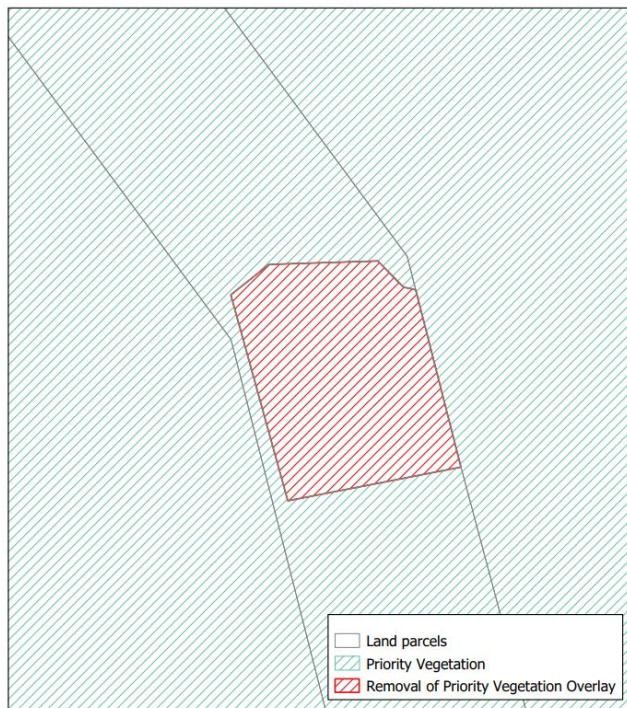


Figure 26: Removal of the Priority Vegetation Area Overlay from the Derwent Bridge substation.

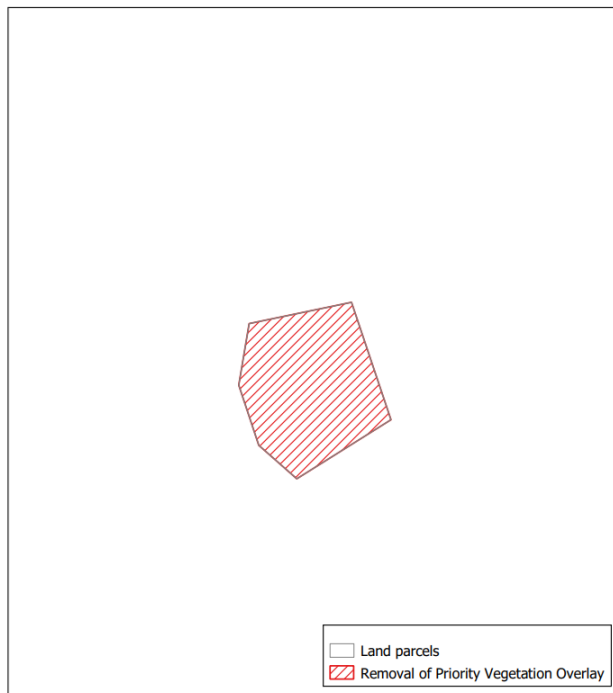


Figure 27: Removal of the Priority Vegetation Area Overlay from the Meadowbank repeater communications station.

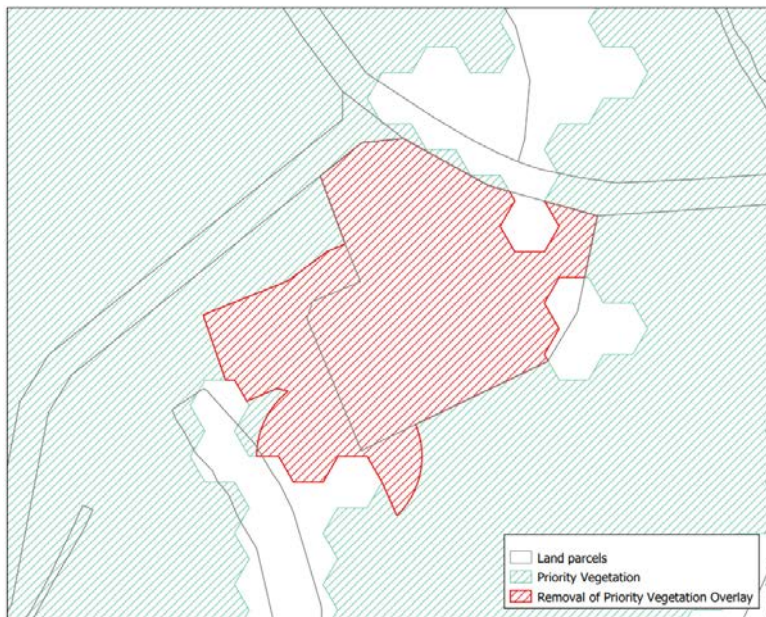


Figure 28: Removal of the Priority Vegetation Area Overlay from the Liapootah substation. The figure also shows the removal of the Priority Vegetation Area Overlay from the developed portion of the Liapootah Power Station communications station referred to later in this report.



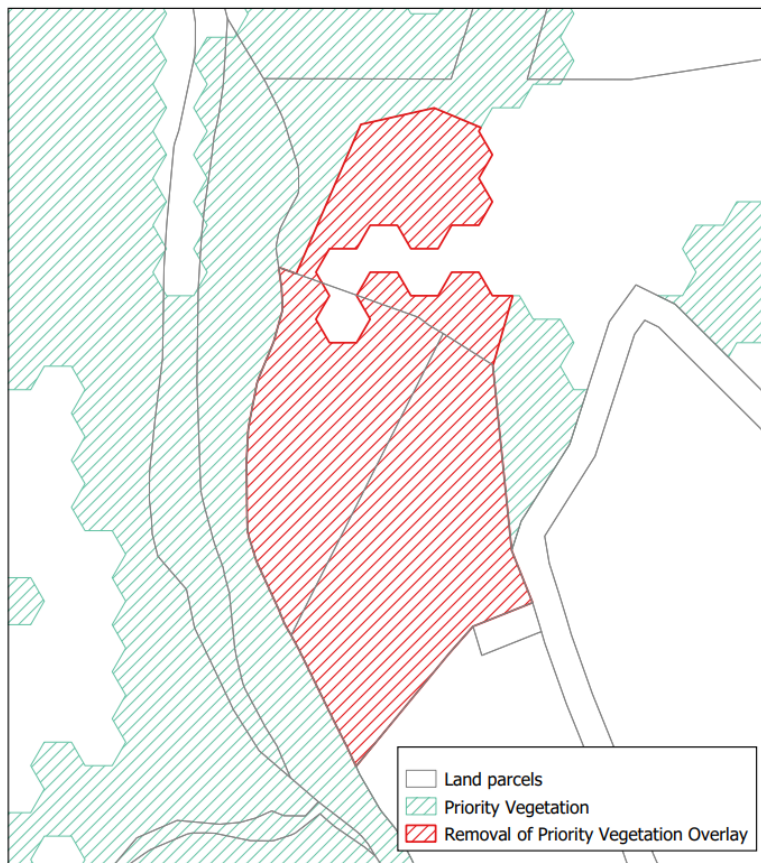


Figure 29: Removal of the Priority Vegetation Area Overlay from the Waddamana substation. The figure also shows removal of the Priority Vegetation Area Overlay from the developed portion of the Waddamana power station communications station referred to later in this report.



Figure 30: Removal of the Priority Vegetation Area Overlay from the Arthurs Lake substation.

- Revise the Priority Vegetation Area overlay by removing the overlay from a 20m radius circle measured from the centre of the following sites, and as shown in the figures below:

- (a) Repulse power station communications station (part of folio of the Register 95451/1);
- (b) Tarraleah passive reflector communications station (east of folio of the Register 227174/1); and
- (c) Poatina Intake communications station (south of folio of the Register 209465/1).



Figure 31: Removal of the Priority Vegetation Area Overlay from the Repulse power station communications station.



Figure 32: Removal of the Priority Vegetation Area Overlay from the Tarraleah passive reflector communications station.



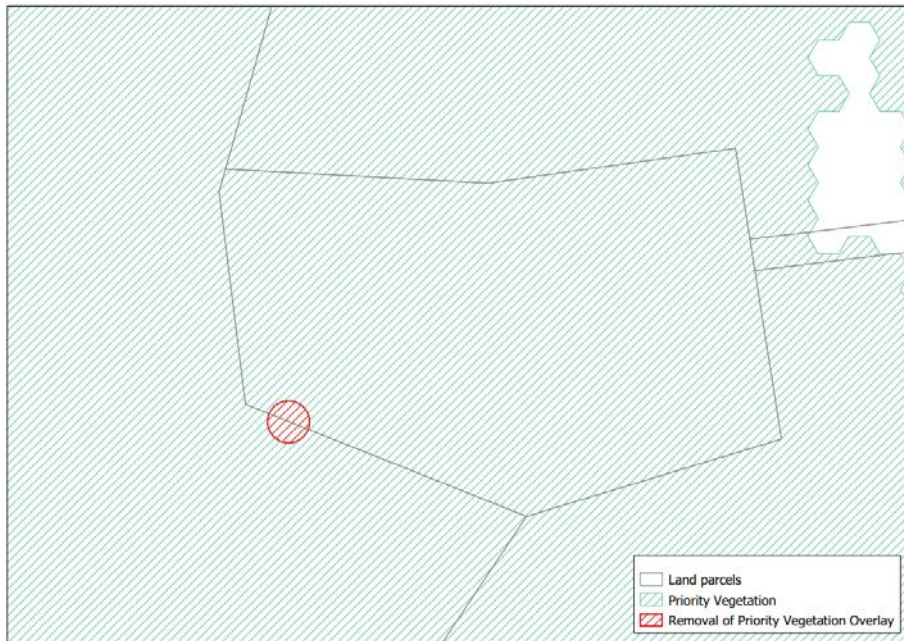


Figure 33: Removal of the Priority Vegetation Area Overlay from the Poatina Intake communications station.

- Revise the Priority Vegetation Area Overlay by removing the overlay from the developed portion of the following sites, and as shown in the following figures:
  - (a) Bradys Sugarloaf communications station (PID 2523649);
  - (b) Five Mile Pinnacles communications station (folio of the Register 117617/1);
  - (c) Liapootah power station communications station (west of folio of the Register 164364/1);
  - (d) Tungatinah substation (folio of the Register 164366/1);
  - (e) Waddamana power station communications station (folio of the Register 133339/6);
  - (f) Catagunya power station communications station (folio of the Register 168545/1); and
  - (g) Butlers Gorge repeater communications station (folio of the Register 149022/1).

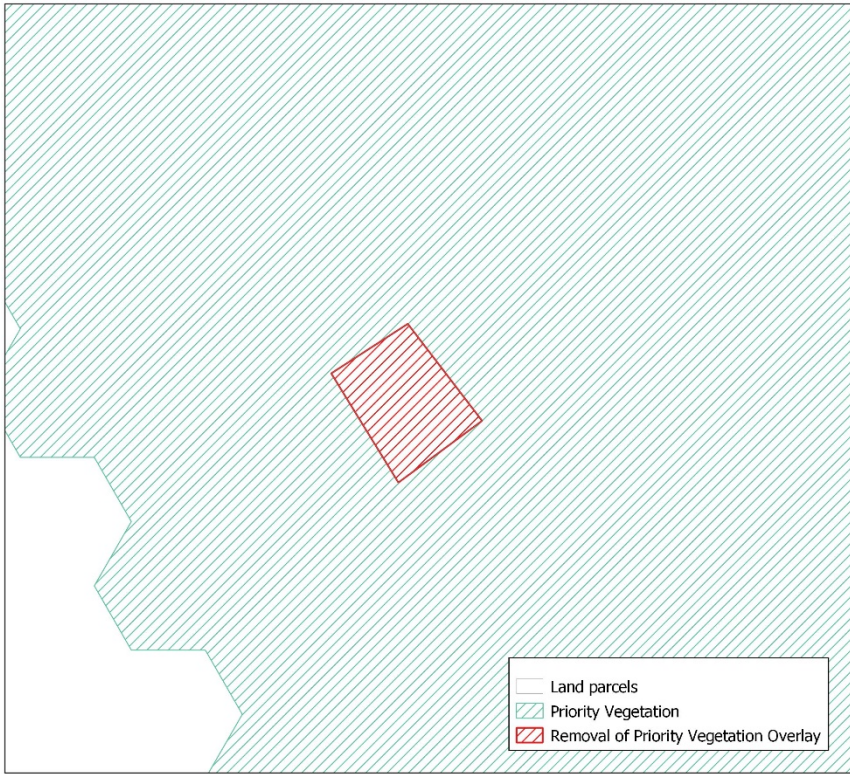


Figure 34: Removal of the Priority Vegetation Area Overlay from the developed portion of the Bradys Sugarloaf communications station.



Figure 35: Removal of the Priority Vegetation Area Overlay from the developed portion of the Five Mile Pinnacles communications station.



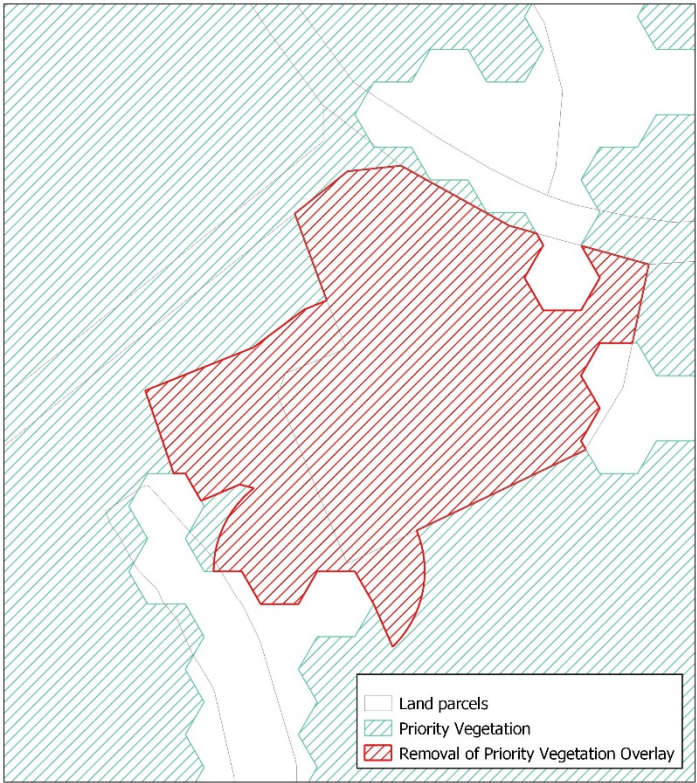


Figure 36: Removal of the Priority Vegetation Area Overlay from the developed portion of the Liapootah Power Station communications station.

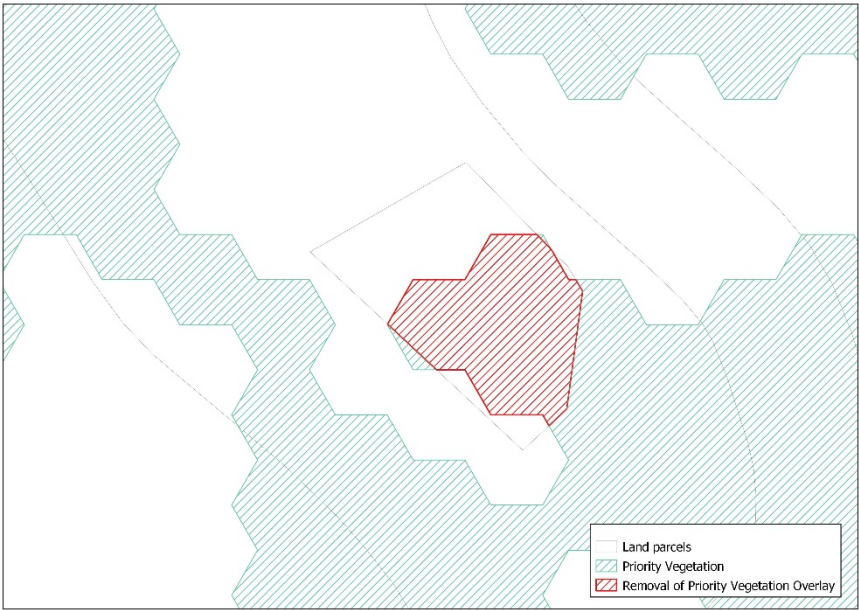


Figure 37: Removal of the Priority Vegetation Area Overlay from the developed portion of the Tungatinah substation.



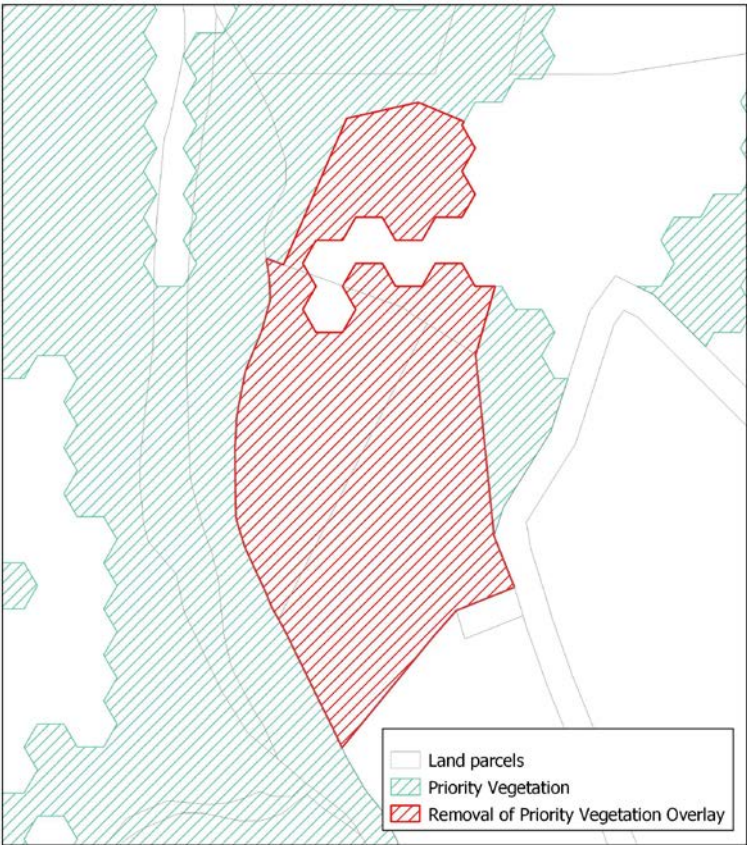


Figure 38: Removal of the Priority Vegetation Area Overlay from the developed portion of the Waddamana power station communications station.

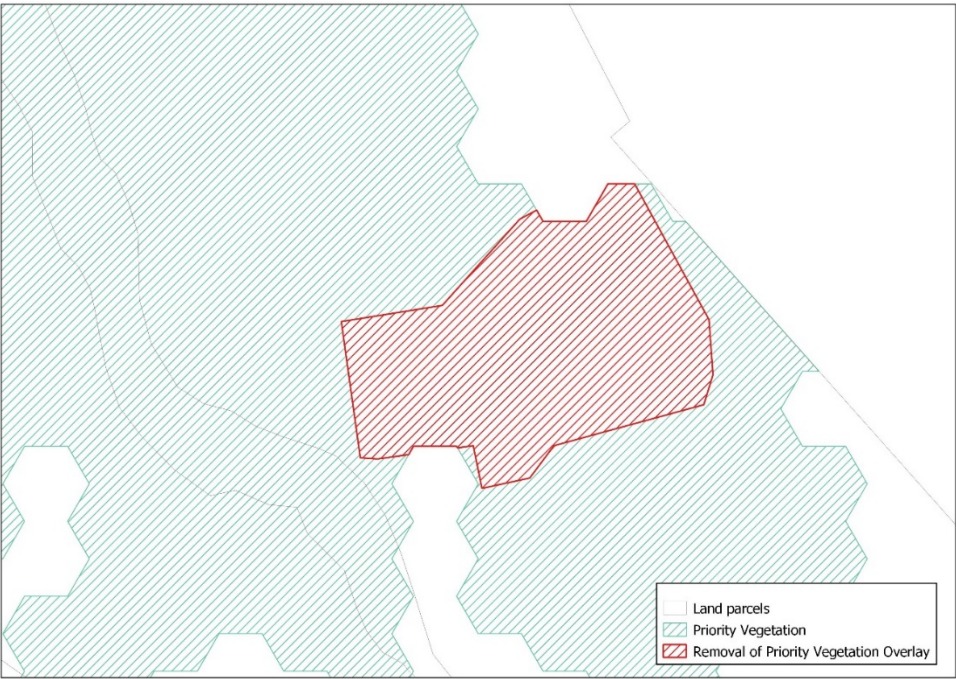


Figure 39: Removal of the Priority Vegetation Area Overlay from the developed portion of the Catagunya power station communications station.

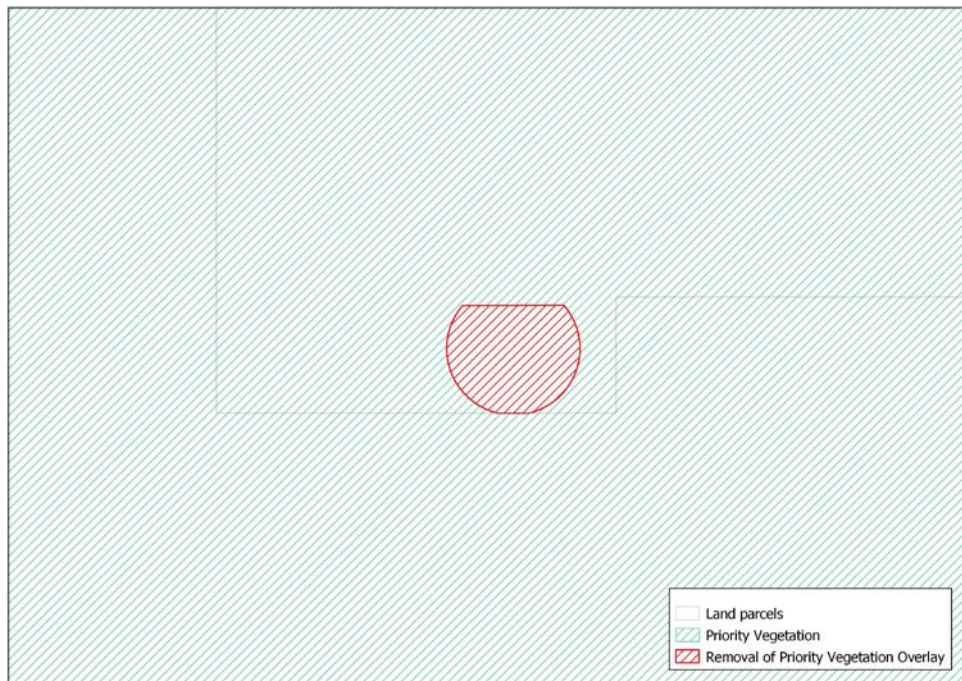


Figure 40: Removal of the Priority Vegetation Area Overlay from the developed portion of the Butlers Gorge repeater communications station.

267. Reason:

- To apply the Priority Vegetation Area overlay consistent with Guideline No. 1.

### Natural Assets Code – Priority Vegetation Area Overlay and State Roads

**Representation:** Department of State Growth (26)

268. The representation supports the planning authority's intention to not apply Natural Assets Code overlays to the Utilities Zone, noting that this will allow relevant authorities to proceed with works with minimal or no planning implications. No specific titles or land were detailed.

269. In its section 35F report, the planning authority does not comment upon this aspect of the representation.

270. At the hearing, the planning authority did not agree that there was an intention to effect a wholesale removal of Natural Assets Code overlays from the Utilities Zone but rather a willingness to consider removal of overlays on a case by case assessment and basis.

### Commission consideration

271. The Commission notes that it is not apparent that the planning authority had the intention to not apply the Natural Assets Code to the Utilities Zone. There are examples in the draft LPS where the Priority Vegetation Area overlay and the Waterway and Coastal Protection Overlay have been applied to land zoned Utilities and the section 35F report does not contain a recommendation to modify the overlays.

272. The State Planning Provisions do not prevent application of the Natural Assets Code overlays to the Utilities Zone. Based on the limited evidence, the Commission is not satisfied that a modification to remove overlays associated with the Natural Assets Code in the draft LPS is warranted.

### Commission decision

273. The Commission considers that no modification is required.

## **Local Historic Heritage Code – Code Lists**

### **Representation: John Toohey (38)**

274. The representor identifies a number of characteristic elements and natural values present in the highlands area, including native vegetation, scenic qualities and historic landscapes. The representor also notes that Tables C6.1 to C6.5, C8.1 and C8.2 of the Local Historic Heritage Code were not used within the draft LPS.
275. In its section 35F report, the planning authority acknowledges that all local listed heritage places in the interim planning scheme were places also included on the Tasmanian Heritage Register. The planning authority opted not to transition heritage places in order to avoid land being encumbered with heritage controls where there is not necessarily heritage value, as the existing listings included large areas of land and the mapping is considered excessive.

### **Commission consideration**

276. The Commission accepts the planning authority's position in relation to the operation of the Local Historic Heritage Code within the draft LPS.

### **Commission decision**

277. The Commission considers that no modification is required.

## **Scenic Protection Code – Scenic Protection Area Overlay and Scenic Road Corridor Overlay**

**Representations:** Dean Brampton (21), Stuart and Karen Philp (22), Dominica Sophia Tannock (29), Ian Fitzgerald (31), Mary Louise Ashton-Jones (32), William and Victoria Onslow (34), David Ridley (35), William John Gunn (44) and Sue Chandler (45)

278. The representors requested the inclusion of specific scenic controls in the draft LPS, in particular the inclusion of the Scenic Road Corridor Overlay and the Scenic Protection Area overlay over areas of land in the Central Plateau area.
279. The reasons were:
- the need to protect skyline views;
  - the need to guard against irreversible changes to the Central Highlands lakes area;
  - protection of wilderness and the historical character of the St Patricks Plains and Steppes area;
  - management of visual impacts posed by a potential windfarm;
  - management of land degradation with the destruction of scenic value;
  - the need to guard against visual pollution;
  - the protection of the lakes for tourist and recreation purposes;
  - the need to protect scenic and heritage drives; and
  - without adequate controls, activities will be left to the discretion of developers which potentially could be at the cost of landscape and scenic amenity.
280. Representation 21 (Dean Brampton) and representation 22 (Stuart and Karen Philp) requested application of the Scenic Road Corridor overlay to a section of the Lyell Highway between Fourteen Mile Road, Bronte Park and Lake King William.
281. Representation 35 (David Ridley) requested application of the Scenic Protection Area overlay to be focused upon the edge of Great Lake and taking in land located at Steppes, St Patricks



Plains, Tods Corner, Miena, Liawenee, Doctors Point and Breona, and submitted a comprehensive submission outlining existing scenic values and a scenic protection assessment of the Central Plateau. This submission included a proposed scenic protection area and overlay with comprehensive information on how the overlay should be applied across a defined location. Mr Ridley noted that in formulating the information, he had referred to relevant guidelines utilised by the Commission.

282. Representors 21 (Dean Brampton) submitted information accompanying his representation, on the area to which the Scenic Road Corridor Overlay should apply.
283. In the section 35F report, the planning authority considered the representations did not warrant modification to the draft LPS because while there was demonstrable merit in the recognition and protection of scenic values in the municipality, it would have to be part of broader strategic work informing a planning scheme amendment at a future stage.
284. At the hearing, Mr Ridley submitted that the Rural Zone was not a direct translation from the Rural Resource Zone under the current Interim Planning Scheme. It was noted that there were differing allowable uses and the existing provisions to protect the landscape in the Rural Resource Zone were not translated. Mr Ridley provide an extensive submission and further outlined that the Landscape Conservation Zone as an alternative was better, however, considered the Scenic Protection Code was more effective.
285. At the hearing, representor 29 (Dominica Tannock) submitted that applying a Scenic Protection Area Overlay was imperative before it was too late and was a precaution to preventing inappropriate development.
286. Representor 34 (Victoria Onslow) also expressed her concern for preserving the natural qualities of the area.
287. At the hearing, Ms Lindus from ERA Planning and Environment (submitter obo Epuron Pty Ltd), advised that a submission was not made on a scenic overlay as the direct translation from the Rural Resource Zone to the Rural Zone was considered satisfactory. Ms Lindus also commented that the future direction to review scenic values within the municipality is appropriate, however based on the long history of power generation in this area, raised concern that a substantial modification under section 35KB was not the correct process to address this issue.
288. In response, the planning authority considered the case put forward for a section 35KB but noted it was not currently in a position to support such an amendment. The planning authority also queried whether the section 35KB process could be extended to allow Council to do more work. The planning authority was supportive of doing further work towards developing a scenic values assessment methodology, but this would require community engagement and the input of experts. The planning authority is supportive of doing further work towards development of mapping, but at this point in time has not undertaken the strategic required work to be able to justify where the overlays should be applied.

#### **Commission consideration**

289. The Commission acknowledges the strong case made for the application of the Scenic Road Corridor overlay and Scenic Protection Area overlay by the representors and the quality of material presented. However it accepts the recommendations and reasons of the planning authority that further local strategic work and public consultation is required to determine whether the Scenic Protection Code overlays are warranted and ought to be applied. It is appropriate for this to occur outside the draft LPS process.
290. The Commission notes there are undoubtedly areas of significant scenic value in the municipality that may be suitable for inclusion in overlays. The Commission also notes the LPS

requirements of the SPPs, specifically clauses LP1.7.6 and LP1.8.1, providing for Scenic Protection Code overlays to be included in the draft LPS, but does not mandate inclusion. As such, the incorporation of the overlays is a matter of local policy for the planning authority.

291. The Commission acknowledges the significant number of representations that requested mapping of Scenic Protection Code overlays. Without further evidence however, there is no rationale for the overlay to be applied to the land identified in the representations. The Commission notes the planning authority intends to undertake further work to develop overlay mapping in the future.
292. The Commission notes a Scenic Protection Area overlay and a Scenic Road Corridor overlay must be supported by a suitably qualified person that establishes the scenic values of each area and what management objectives would apply.

#### **Commission decision**

293. The Commission considers that no modifications are required.

### **Flood-Prone Areas Hazard Code – Flood-Prone Areas Hazard Overlay**

#### **Representation: State Emergency Service (10)**

294. The representor notes that the Flood-Prone Areas Hazard Overlay included in the draft LPS, is a direct translation from the interim planning scheme. The representor also comments further upon the Tasmanian Flood Mapping Project, which is intended to deliver statewide flood hazard mapping later this year and provides advice in relation to the operation of the code and other available flood related resources.
295. In its section 35F report the planning authority recommended no revision to the draft LPS as a result of the representation and indicated a willingness to participate in the Tasmanian Flood Mapping Project.
296. No further information was presented at the hearing.

#### **Commission consideration**

297. The Commission notes the comments by the representor and is satisfied with the planning authority's response in its section 35F report.

#### **Commission decision**

298. The Commission considers that no modifications are required.

### **Representations in support of the draft LPS**

#### **Low Density Residential Zone – 3 Adelaide Street, Bothwell**

##### **Representation: GHD (30)**

299. The representor supports the inclusion of 3 Adelaide Street, Bothwell (folio of the Register 245881/1) within the Low Density Residential Zone.
300. The representor noted that future structure planning for Bothwell may identify the site as suitable for zoning General Residential.
301. In its section 35F report, the planning authority noted a future intent to prepare a structure plan for Bothwell.

### **Commission consideration**

302. The Commission notes the comments by the representor and is satisfied with the planning authority's response in its section 35F report.

### **Commission decision**

303. The Commission considers that no modification is required.

## **Road and Railway Assets Code – Rail Infrastructure**

### **Representation: TasRail (2)**

304. The representor notes that the Road and Railway Assets Code will operate within the draft LPS due to a small section of the state rail corridor which passes through the municipality. The representor further notes that it does not object to the zoning of land adjoining this section of rail corridor and the code will trigger the referral of certain development applications for safety and risk assessment purposes.
305. In its section 35F report, the planning authority notes the representation.

### **Commission consideration**

306. The Commission notes the comments made by the representor and is satisfied with the planning authority's response in the section 35F report.

### **Commission decision**

307. The Commission considers that no modification is required.

## **Road and Railway Assets Code – State Roads**

### **Representation: Department of State Growth (26)**

308. The representation notes that the Road and Railway Attenuation Area overlay has not be used within the draft LPS and supports reliance upon the written description of the Road and Railway Attenuation Area with the code.
309. In the section 35F report, the planning authority notes the representation.

### **Commission consideration**

310. The Commission notes the comments made by the representor and is satisfied with the planning authority's response in its section 35F report.

### **Commission decision**

311. The Commission considers that no modification is required.

## **Representations on Transitioning Provisions under Schedule 6 of the Act**

312. Under Schedule 6 of the Act, the Commission is entitled to make permitted alterations to PPZs, SAPs, SSQs and Code Lists that are authorised by the Minister to transition from the current Interim Planning Scheme in to the draft LPS.
313. Under the Act, Representations on those transitioning provisions are not permitted to be considered as part of the draft LPS assessment process.
314. Two representations were made on the transitioning provisions which were not considered in the assessment process. Those representations are listed below.

- TasWater (7) in relation to application of the Attenuation Area Overlay to the Bronte Park, Wayatinah, Ouse and Hamilton sewerage treatment plants; and
- Jim Allwright (20) in relation to application of the Attenuation Area Overlay to 3096 Marlborough Road, Miena (folios of the Register 244058/1 and 21355/1), Marlborough Road, Miena (folio of the Register 129316/1), Marlborough Road, Miena (folio of the Register 243894/1) and Crown land managed by the Department of Natural Resources and the Environment located to the north of 3096 Marlborough Road, Miena. The Attenuation Area Overlay relates to the Great Lake Hotel's on-site wastewater management system.

## Other matters

### Outstanding Issues Notice – Meadowbank Lake Specific Area Plan

315. On the 28 July 2021, the Commission issued the planning authority with an outstanding issues notice under section 35B(4A)(b) of the Act. This notice identified that the following further information was required to demonstrate that the Meadowbank Lake Specific Area Plan (SAP):
- contains all provisions that the State Planning Provisions specify must be contained in an LPS;
  - is in accordance with section 32(4) of the Act;
  - furthers the objectives set out in Schedule 1;
  - to consistent with the State Policy on the Protection of Agricultural Land 2009; and
  - Is as far as practicable, consistent with the Southern Regional Land Use Strategy 2010-2035.
316. Two representations were made on the outstanding issues notice by Tasmania Fire Service (16) and Jim Allwright (20). Representation 16 proposed minor rewording of provisions relating to bushfire management, and representation 20 highlighted the importance of including the Meadowbank Lake Specific Area Plan (SAP) within the LPS.
317. In its section 35F report, the planning authority addressed the outstanding issues notice as follows:
- The planning authority does not wish to transition the existing F1.0 Lake Meadowbank Specific Area Plan which forms part of the Interim Planning Scheme, instead opting to prepare a new specific area plan;
  - The new SAP is considered to conform with State Planning Provisions requirements which are considered to relate only to the structure and headings used within the specific area plan;
  - Section 32(4) arguments relate to the status of Meadowbank Lake which is considered to be the premier water-skiing facility in Tasmania. Given the lake's state-wide strategic importance, the planning authority intends to allow expansion of the facility both on and off the water. Expansion concerns the construction of clubrooms and other shore based facilities as well as water edge facilities such as jetties, pontoons, boat ramps and other on-water recreational infrastructure. A specific area plan is therefore warranted under section 32(4)(a) of the Act;
  - As the status of the lake as a premier water-skiing location grows, a variety of accommodation will be needed around the lake including camping, caravans and holiday cabins. Siting criteria is required in order to ensure that future development is

compatible with the lake and surrounding landscape values. A specific area plan is therefore warranted under section 32(4)(a) of the Act for this reason;

- Although many operational Hydro Tasmania lakes have a degree of recreational use, Meadowbank Lake experiences higher usage due to its close proximity to greater Hobart and established water-skiing infrastructure. A specific area plan is required to manage pressure and future and use conflict associated with continued agricultural uses, visitor accommodation, housing, camping and aquatic structures;
- The high level of specific water-based recreational activities and associated development pressures pose management challenges for Hydro Tasmania unique to Meadowbank which are over and above those associated with other lakes used for water-based recreation. The planning authority considers that development applications located close to the foreshore should be referred to Hydro Tasmania for comment. A specific area plan will allow this to occur. For this reason the specific area plan is warranted under section 32(4)(b) of the Act;
- The agricultural value of the land is not considered to be highly significant, whilst the economic and social values of the lake as the State's premier water-skiing facility are highly significant. The specific area plan will allow the scheme provisions to lean in favour of recreational uses within the specific area plan's boundaries; and
- Land around the lake contains highly significant Aboriginal heritage sites. The specific area plan will allow development applications to be referred to Aboriginal Heritage Tasmania. A specific area plan will allow this to occur. For this reason the specific area plan is warranted under section 32(4)(b) of the Act.

318. The draft SAP was explored over two hearing days, 6 May and 21 September 2022. Representatives from TasWater and Hydro Tasmania gave evidence at the May hearing and clarified their perspectives regarding issues of water quality protection, asset and infrastructure protection, and potential land use conflicts and issues associated with run off from adjoining and nearby agricultural land. Responding to the Commission's direction dated 2 June 2022, the planning authority drafted a revised SAP addressing the matters raised during the May hearing. At the September hearing, the planning authority further clarified the drafting of provisions, including the incorporation of suggested changes outlined in the submission received from Aboriginal Heritage Tasmania.

### **Commission consideration**

319. The Commission accepts the section 32(4) justification submitted by the planning authority, which relied on both 32(4)(a) and (b). The Commission agrees that the SAP is necessary to manage the unique land use pressures associated with Meadowbank Lake's acknowledged status as a recreation facility, to protect the existing heritage values, recognise existing agricultural uses and to recognise the significant role the lake plays in Greater Hobart's drinking water system. The Commission was assisted by the participation of Hydro Tasmania and TasWater during the hearing and submissions received from Aboriginal Heritage Tasmania.
320. To further strengthen the operation of the specific area plan, and following a suggestion raised at the hearing by the planning authority, the Commission has determined that the Rural Zone ought to replace the Agriculture Zone where it applies within the boundaries of the specific area plan. It is accepted that the purpose of the Rural Zone will facilitate fostering and managing recreational and associated activity on and off the lake, however the purpose of the Agriculture Zone is not considered to complement the purpose of the specific area plan. The Rural Zone is considered to be a more appropriate underlying zone which contemplates the



allowable multiple uses. Further, at the September 2022 hearing, Mr Jason Lynch of Pinion Advisory for the planning authority, supported the revision to the Rural Zone, stating the land has limited agricultural potential within the SAP boundaries and in addition the land is generally located outside the “blue line” (see paragraphs 12 to 34 of this decision regarding revising the zoning of land outside the “blue line” from the Agriculture Zone to the Rural Zone).

321. The Commission is also persuaded that the Priority Vegetation Area overlay should be applied to the land to be revised from the Agriculture Zone to the Rural Zone within the SAP area, consistent with the Regional Ecosystem Model (REM) that supports the application of the Natural Assets Code. This approach is consistent with NAC 11 of Guideline No.1
322. With application of the Rural Zone, it is considered necessary to undertake minor adjustments to the boundary of the specific area plan in order to rationalise instances of split zoning caused by the passing of the SAP boundary through lots. The Commission has determined that modification of the text of the SAP is also required. The modifications are considered to be relatively minor.

### **Commission decision**

323. Modification:

- Insert CHI-S1.0 Meadowbank Lake Specific Area Plan into the LPS as set out in Annexure B to Attachment 3;
- Apply the Meadowbank Lake Specific Area Plan overlay and the defined area – full supply level (73.15 AHD);
- Revise the zoning of land within the SAP area from the Agriculture Zone to the Rural Zone; and
- Revise the Priority Vegetation Area overlay to apply to land within the SAP area:

324. Reason:

- To apply the Meadowbank Lake Specific Area Plan overlay to a unique waterbody and area of land with specific attributes and values to manage and limit appropriate use and development.

### **Commission consideration under section 35KB**

325. The Commission notes the modification to apply the SAP, revise the zoning of the land within the SAP from Agriculture to Rural Zone, and revise the Priority Vegetation Area overlay to apply to land within the SAP area, affects a large number of properties, and that not all landowners were able to be contacted either during the assessment processes or post hearing. Accordingly landowner support, or otherwise, for applying the SAP, revising the zoning of the subject land from Agriculture to Rural Zone, or for the applying the Priority Vegetation Area overlay where appropriate could not be confirmed.
326. The Commission considers the SAP, zone and overlay modification which affects a large number of properties should be considered collectively as a whole, as the strategic rationale is based on the land and waterbody within the SAP area being identified as having specific attributes and values where use and development needs to be limited and managed appropriately. There is likely to be public interest in the matter. Therefore, the modification should be a substantial modification affording opportunity for further engagement.
327. The Commission is satisfied that once made the directed substantial modifications to the LPS will meet the LPS criteria, and will be suitable to commence exhibition under section 40G.

328. The Commission considers the substantial modification required is suitable to be made by way of an amendment to the Central Highlands draft LPS, after it comes into effect, under Part 3B of the Act.

**Commission decision under section 35KB**

329. Modification:

- Insert CHI-S1.0 Meadowbank Lake Specific Area Plan into the LPS as set out in Annexure B to Attachment 3;
- Apply the Meadowbank Lake Specific Area Plan overlay and the defined area – full supply level (73.15 AHD) overlay as shown in the figures below;
- Apply the Rural Zone to land within the boundaries of the Meadowbank Lake Specific Area Plan, as shown in the figure below; and
- Apply the Priority Vegetation Area Overlay to land within the boundaries of the Meadowbank Lake Specific Area Plan, as shown in the figure below:

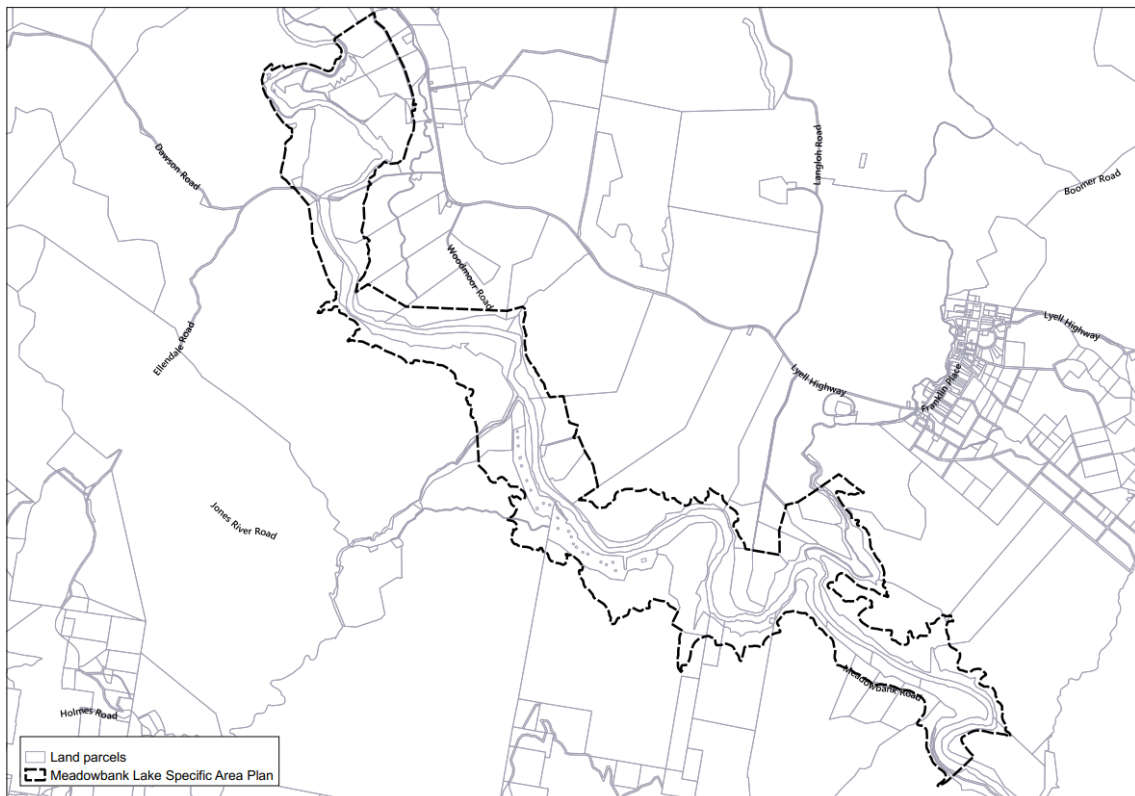


Figure 41: Meadowbank Lake Specific Area Plan Overlay.

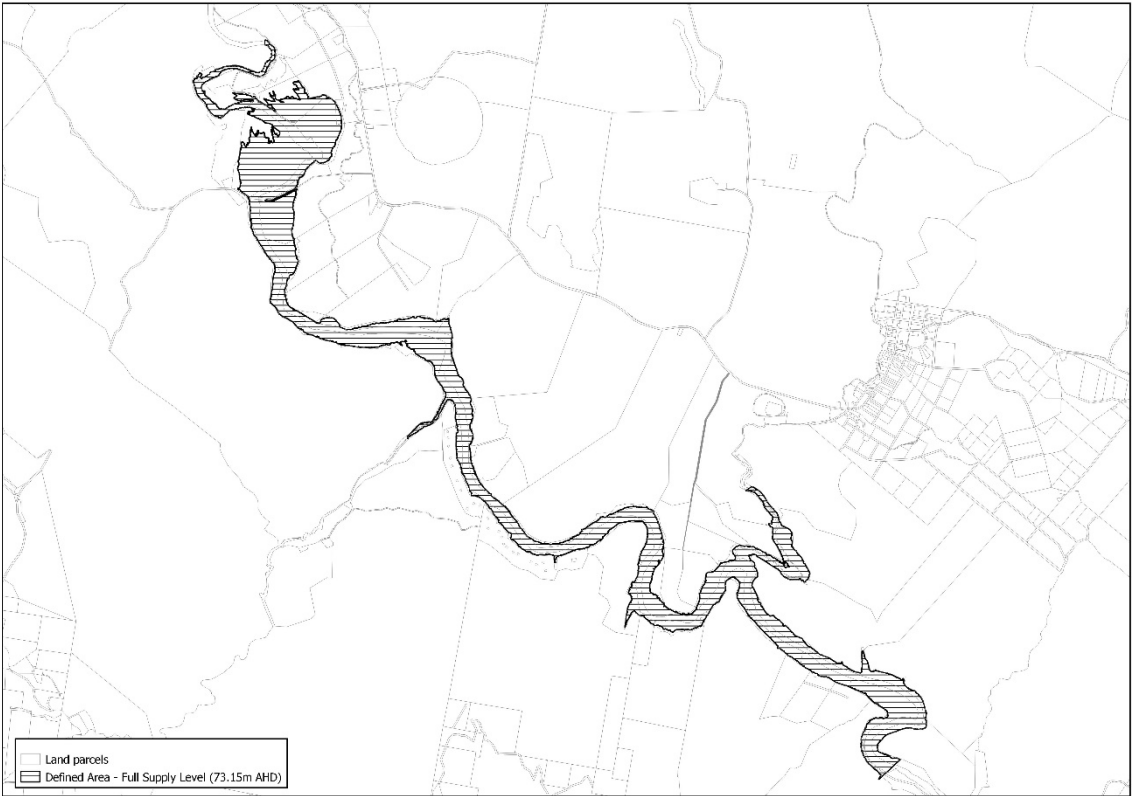


Figure 42: Defined Area – Full Supply Level 73.15m AHD.

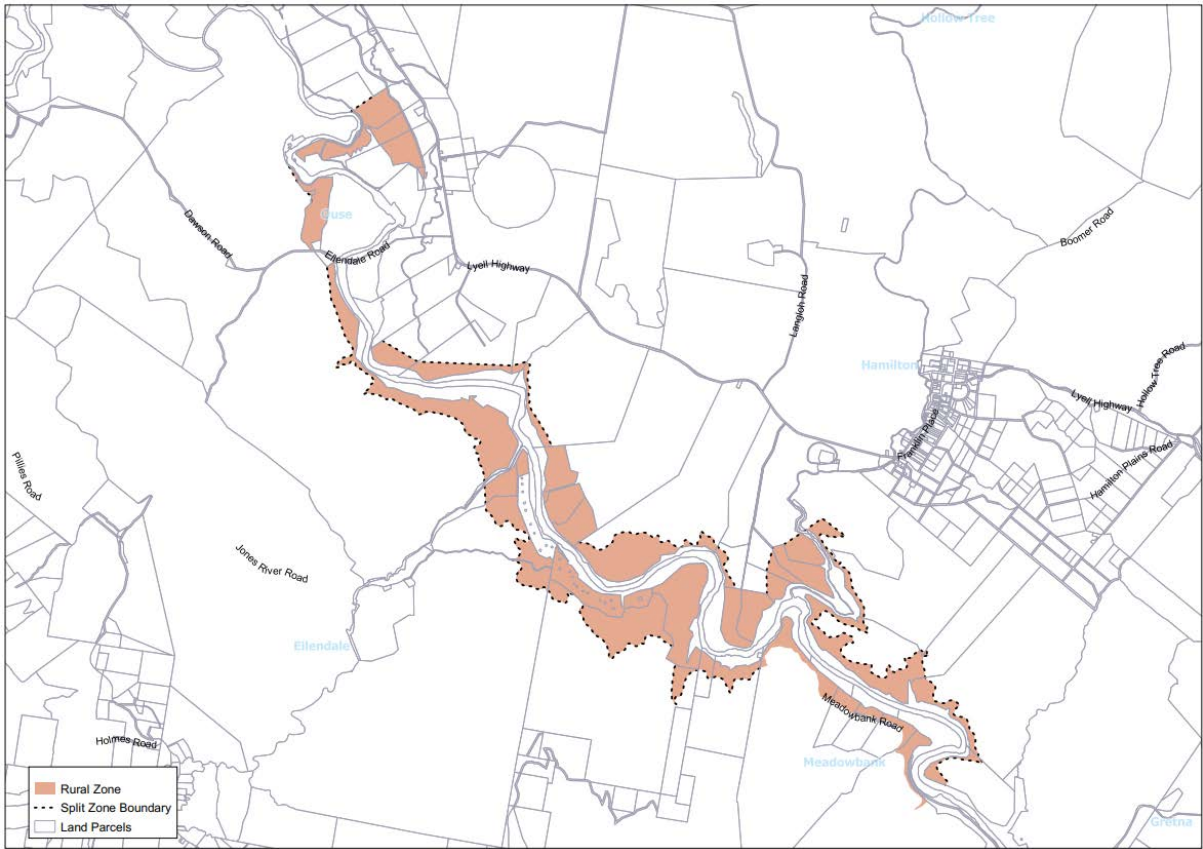


Figure 43: Application of the Rural Zone to the Meadowbank Lake Specific Area Plan.



Figure 44: Application of the Priority Vegetation Area overlay to the Meadowbank Lake Specific Area Plan.

330. Reason:

- To apply the Meadowbank Lake Specific Area Plan overlay to a unique waterbody and area of land with specific attributes and values to manage and limit appropriate use and development; and
- The Commission considers that the modification is a substantial modification as there may be a public interest.

**Matters taken not to be a representation**

**Representations:** TasWater (7), Consumer, Building and Occupational Services (9), TasNetworks (18), Jim Allwright (20), Tasmanian Land Conservancy (27) and John Toohey (38)

331. Representors raised matters about application of the Bushfire-Prone Areas Code to the interim planning scheme, consideration of Aboriginal cultural heritage within the Local Historic Heritage Code, application of the Priority Vegetation Area Overlay to the Agriculture Zone, operation of the Scenic Protection Code when applied to land also the subject of the Electricity Transmission Infrastructure Protection Code, the Attenuation Area overlay which is subject to transitioning provisions and the limited ability to split zone land.

332. In the section 35F report, the planning authority recommended no modification to the draft LPS as a result of the issues raised.

**Commission consideration**

333. The Commission notes that:

- Section 35E of the Act sets out the matters not to be taken to be a representation;

- other matters not subject to Part 3A of the Act cannot be considered as part of this consideration under section 35J; and
- during its consideration, it has sought to establish how all the matters raised relate to the draft LPS and if the matters can be included within the draft LPS under Section 32 of the Act.

### **Commission decision**

334. The Commission considers that the parts of representations listed above are outside the considerations under section 35J of the Act.

### **Matters of a technical nature or relevant to implementation**

335. The Commission notes the draft LPS contains matters that are relevant to section 35J(2) of the Act, including:

- minor numbering and typographical errors in the draft LPS;
- instances where the draft LPS, or proposed modifications, do not apply the writing style and conventions set out in Practice Note 5: Tasmanian Planning Scheme drafting conventions or Practice Note 8: Draft LPS written document - technical advice;
- instances where the draft LPS zone and overlay maps or Geographic Information System (GIS) datasets contain overlaps, gaps and errors, or do not apply the technical advice or conventions set out in Practice Note 7 - Draft LPS mapping; technical advice ;
- instances where the spatial representation of the cadastral parcels dataset have changed after the production of the PDF maps for exhibition that result in minor misalignment between cadastral parcel boundaries and zones or code overlays based on those boundaries;
- instances where the draft LPS zone and overlay maps or Geographic Information System (GIS) datasets apply outside the municipal area; and
- instances where a modification to the draft LPS written document or draft LPS maps and overlays requires a consequent modification to the other.

336. The Commission further notes that Division 1 – Electronic database and documents of Part 6 of the Act, requires the Commission to maintain a database containing an electronic planning map.

### **Commission consideration**

337. The Commission considers that the draft LPS should:

- minimise numbering and typographical errors and be consistent with the conventions set out in the Commission practice notes;
- contain zone and overlay maps that reflect current cadastral parcel boundaries, and the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark on the LIST, and any areas described by section 35J(2) of the Act; and,
- be free from technical anomalies such as gaps and overlaps and be provided in a form suitable for being made under section 35L of the Act and inclusion in an electronic database.

## Commission decision

### 338. Modification:

- Revise the draft LPS written document to include the technical modifications identified in Annexure A of Attachment 2 to:
  - (a) meet the LPS requirements of the SPPs;
  - (b) correct references to relevant provisions;
  - (c) provide for the effective operation of the provisions; and
  - (d) reflect the terminology used in the SPPs.
  - (e) Revise the draft LPS zone and overlay maps to:
  - (f) reflect modifications consequential to modifications made to the draft LPS written document;
  - (g) fill any unzoned gaps in the zoning layer;
  - (h) remove any overlaps between adjoining zones;
  - (i) apply the schema set out in Appendix B of Practice Note 7 to each relevant GIS dataset;
  - (j) some overlays supplied by theLIST have been modified since the original versions were published on LISTmap (eg the Electricity Transmission Infrastructure Protection overlay). Make sure to use the most recent version available;
  - (k) remove any overlaps between features in the same overlay layer that have different categories (excluding for transitioning local area objectives of SAPs and PPZs), such as: coastal inundation investigation areas and low coastal inundation hazard band;
  - (l) aggregate adjoining zone or overlay polygons sharing the same category, such as: zone type, landslip hazard band, and aggregate adjoining overlay polygons that have no required category, such as priority vegetation area;
  - (m) align the boundaries of zones and parcel dependant overlays with parcel boundaries, based on the most recent version of the parcels dataset available from theLIST;
  - (n) remove any zone or overlay shown outside the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark map on theLIST, and any areas described by section 35J(2) of the Act; and
  - (o) present all GIS data in the recommended Geodatabase format provided to council by the Commission.

### 339. Reason:

- To make modifications of a technical nature or relevant to the implementation of the Local Provisions Schedule if the Local Provisions Schedule were approved under section 35L of the Act and to be consistent with the Minister's declaration under Schedule 6, clauses 8 and 8A(1) of the Act.

## Attachments

### 1. Attachment 1 – List of Representations

2. Attachment 2 – Notice under section 35K(1)(a) to modify draft LPS
3. Attachment 2, Annexure A – Modifications to Central Highlands draft LPS written document
4. Attachment 3 – Notice under section 35KB to prepare and submit an amendment of the LPS after the LPS comes into effect
5. Attachment 3, Annexure A – list of land titles – application of Rural Zone and Priority Vegetation Area overlay
6. Attachment 3, Annexure B – modifications to the Central Highlands written document
7. Attachment 3, Annexure C - modifications to the Central Highlands zone and overlay maps

**Attachment 1****List of Representations**

<b>No.</b>	<b>Name</b>
1	Penny Wells, Tree Alliance Private Forests Tasmania
2	Jennifer Jarvis, TasRail
3	Tony Donaghy
4	Darryn Crook, Reliance Forest Fibre
5	Stuart and Karen Philp
6	John Thompson, Conservation Landholders Tasmania
7	Jason Taylor, TasWater
8	Daniel Lee
9	Peter Graham, Consumer, Building and Occupational Services
10	Andrew Lea, State Emergency Service
11	Michael Stevens and Fiona McOwan
12	Paul and Shauna Ellis
13	Greg Pullen
14	Dean Brampton
15	PC and MJ Jacques
16	Tom O'Connor, Tasmania Fire Service
17	Venesser Oakes
18	Odin Kelly, TasNetworks
19	Malcolm Grant
20	Jim Allwright
21	Dean Brampton
22	Stuart and Karen Philp
23	Justine Brooks, PDA for Clyde River Holdings Pty Ltd
24	Alexandra Bock and Garry Daud
25	Peter and Michelle Cassar Smith
26	James Verrier, Department of State Growth
27	James Hattam, Tasmanian Land Conservancy
28	Greg and Jane McCann
29	Dominica Sophia Tannock
30	David Cundall, GHD for Geoffery Herbert
31	Ian Fitzgerald



- 32 Mary Louise Ashton-Jones
- 33 Natalie Fowell
- 34 William Phipps Onslow and Victoria Onslow
- 35 David Ridley
- 36 Jacqui Blowfield, Ireneinc for No Turbine Action Group Inc
- 37 Trent Henderson, Red Seal Urban and Regional Planning Tasmania for Jonathon Dorkings
- 38 John Toohey
- 39 Jacob Smith
- 40 Tim Baker, Department of Primary Industries, Parks, Water and Environment
- 41 Susanne and Dean Klower
- 42 TL Wood
- 43 Odile Foster
- 44 William John Gunn
- 45 Sue Chandler

**Submissions**


- S1 Caroline Lindus, ERA Planning and Environment for Epuron Pty Ltd
- S2 Anthony Waring and Jitesh Gohil for Trilogy Property Partners
- S3 Greg Ramsay



**Attachment 2*****Land Use Planning and Approvals Act 1993*****Notice to modify under sections 35K(1)(a)****Central Highlands Draft Local Provisions Schedule**

4 January 2023

The Tasmanian Planning Commission (the Commission) directs that the Central Highlands planning authority modify the Central Highlands draft Local Provisions Schedule (draft LPS) in accordance with the following:

**1.0 Zone maps and overlays**

No.	Description	Direction and Reason
1.1	Part of 1 Elizabeth Street, Bothwell (folio of the Register 164767/1)	<p>Revise the zoning of part of 1 Elizabeth Street, Bothwell (folio of the Register 164767/1), comprising that portion approved as Lots 1 to 16 under Planning Permit No. 2009-18, to the Village Zone and provide split zone boundary description consistent with the Commission's Practice Note 7 – Draft LPS mapping: technical advice, as shown in the figure below:</p>  <p>Figure: Application of the Village Zone to part of part of 1 Elizabeth Street, Bothwell (folio of the Register 164767/1).</p> <p>Reason: To apply the Village Zone consistent with Guideline No. 1.</p>
1.2	Landscape Conservation Zone – Bronte Park	<p>Revise the zoning of 14362 Lyell Highway, Bronte Park (folio of the Register 241850/1) and Lyell Highway, Bronte Park (folio of the Register 243948/1) to the Landscape Conservation Zone as shown in the figure below:</p>

		 <p>Figure: Application of the Landscape Conservation Zone to 14362 Lyell Highway, Bronte Park and Lyell Highway, Bronte Park (folio of the Register 243948/1).</p> <p>Reason: To apply the Landscape Conservation Zone consistent with Guideline No. 1.</p>
1.3	Dennistoun Road, Bothwell (folio of the Register 126437/1)	<p>Revise the zoning of Dennistoun Road, Bothwell (folio of the Register 126437/1) to the Landscape Conservation Zone as shown in the figure below:</p>  <p>Figure: Application of the Landscape Conservation Zone to land at Dennistoun Road, Bothwell (folio of the Register 126437/1).</p> <p>Reason: To apply the Landscape Conservation Zone consistent with Guideline No. 1.</p>
1.4	Landscape Conservation Zone – Tasmanian Land Conservancy	<p>Modify all land to the Landscape Conservation Zone as shown in the figures below:</p>

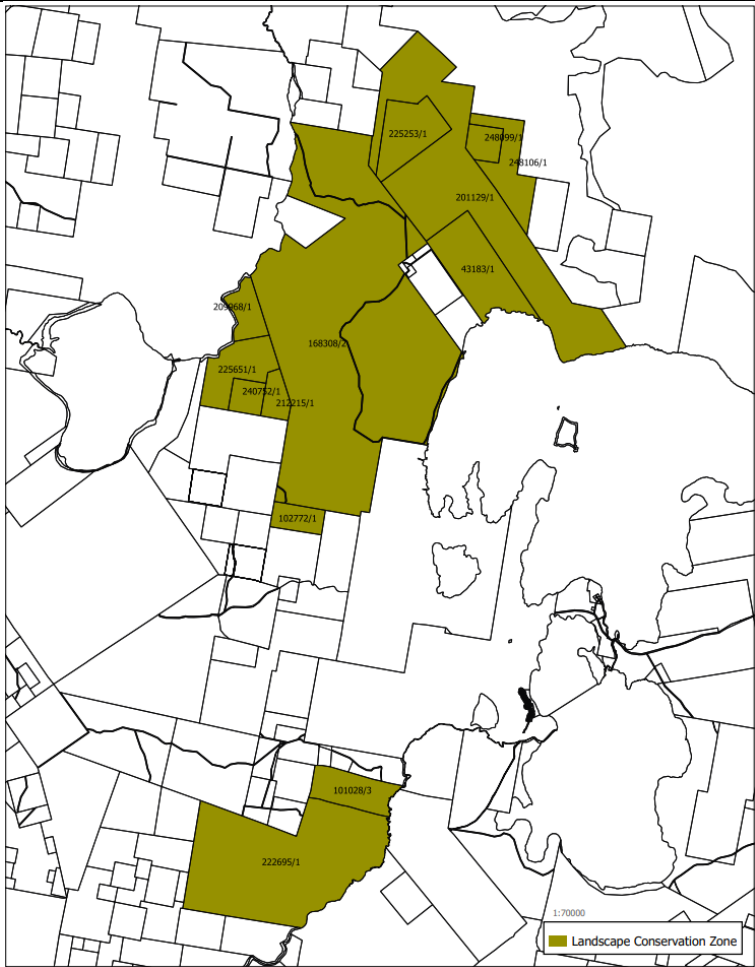


Figure: Application of the Landscape Conservation Zone to the Silver Plains area and at 'Jinks Tier', owned by the Tasmanian Land Conservancy.

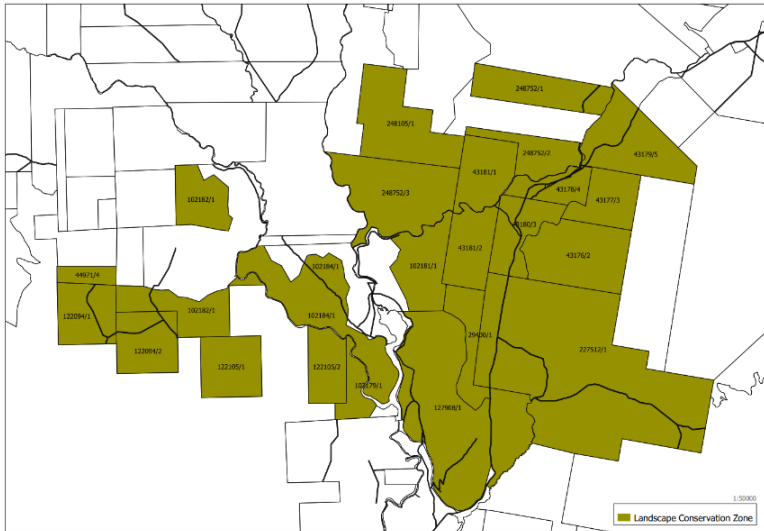
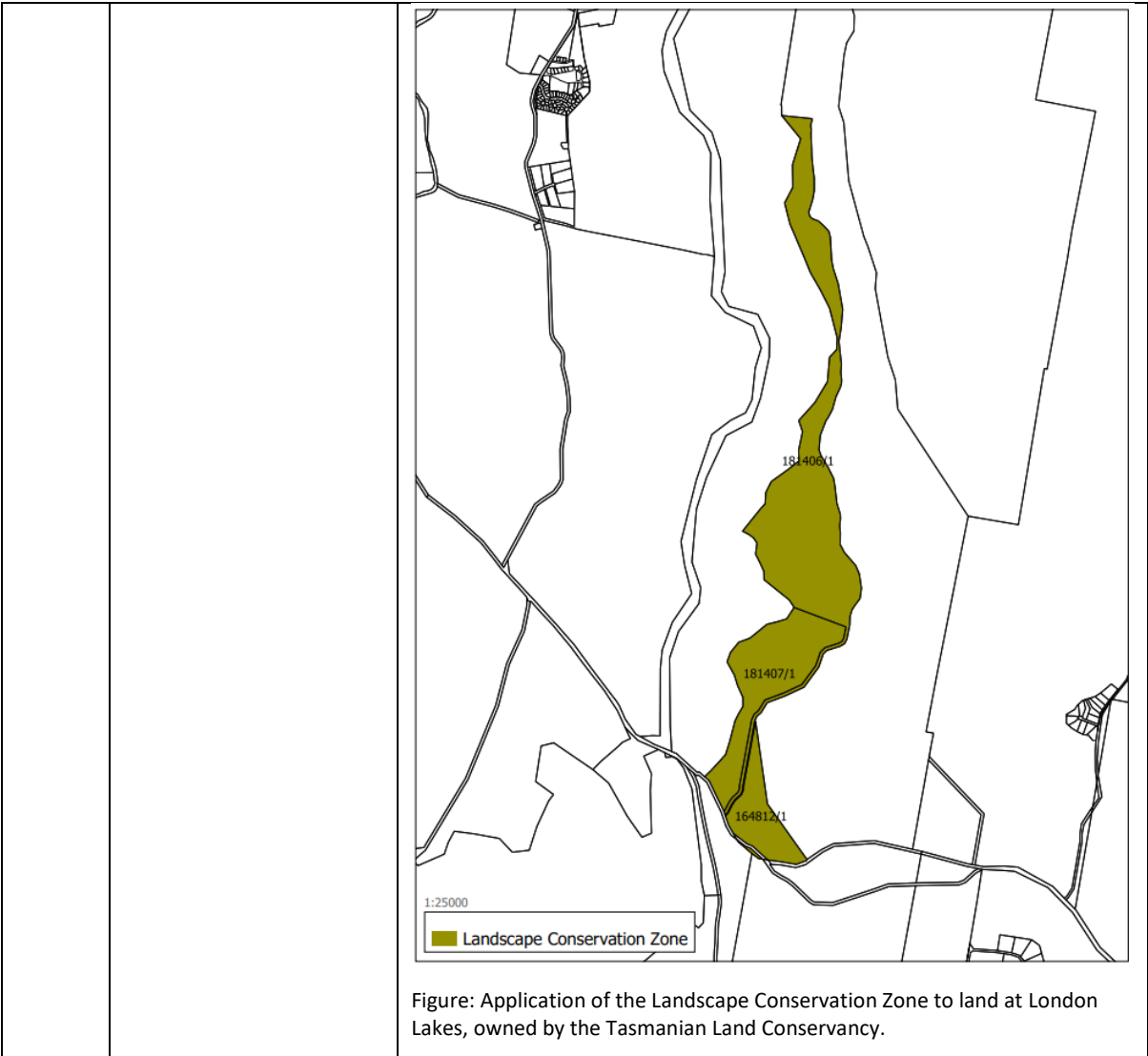
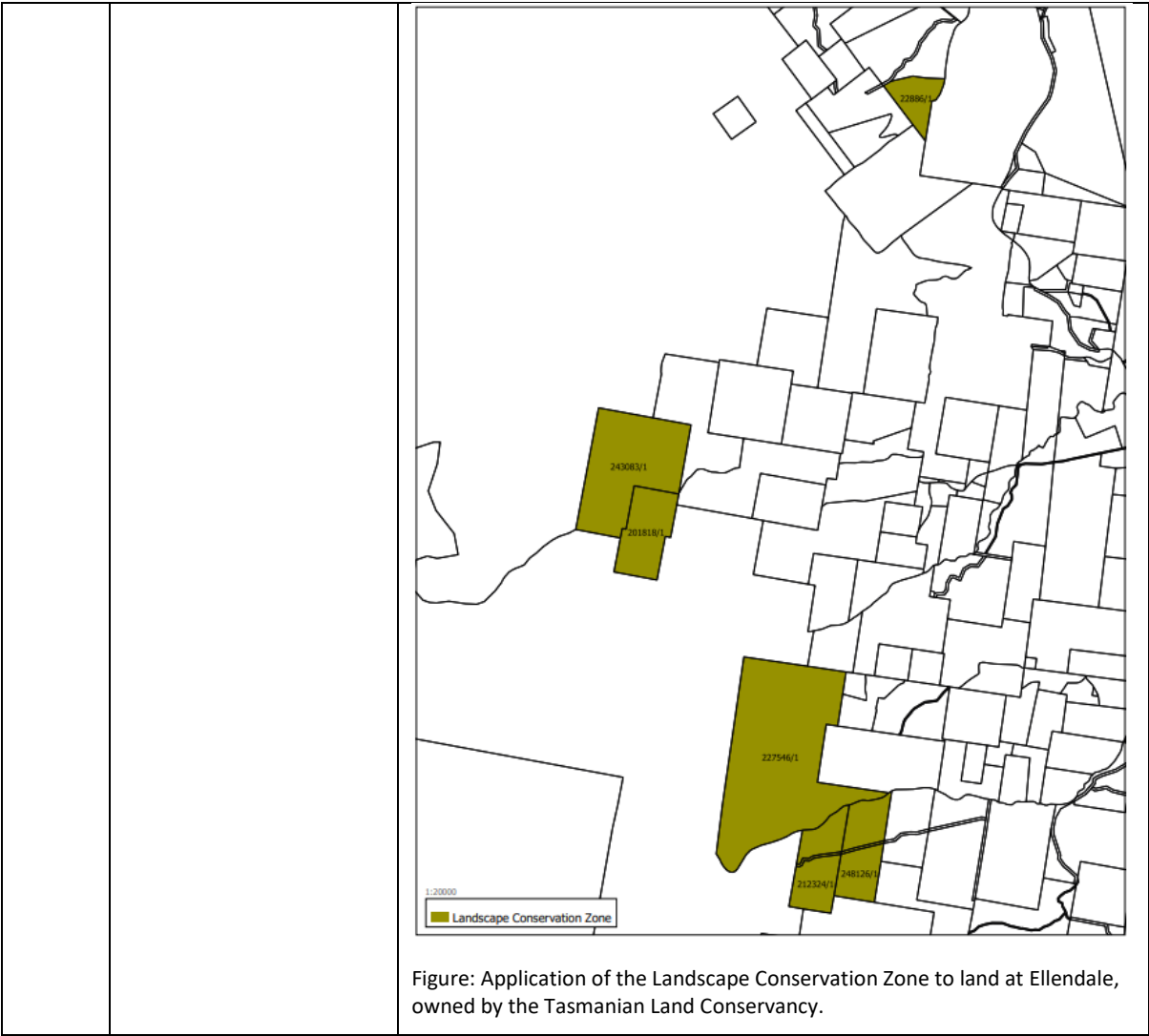
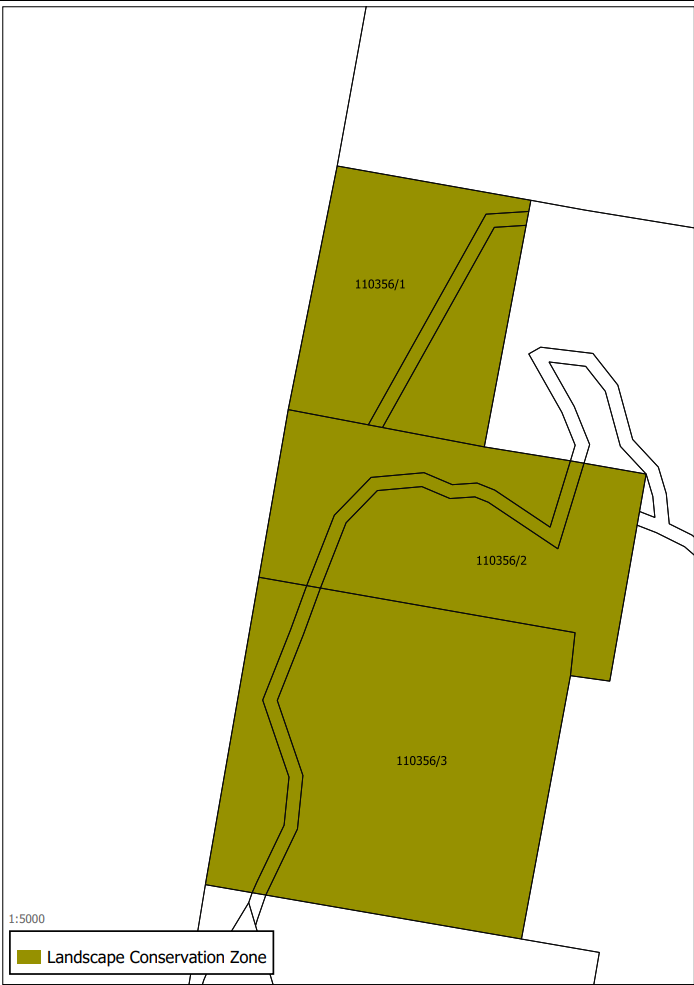

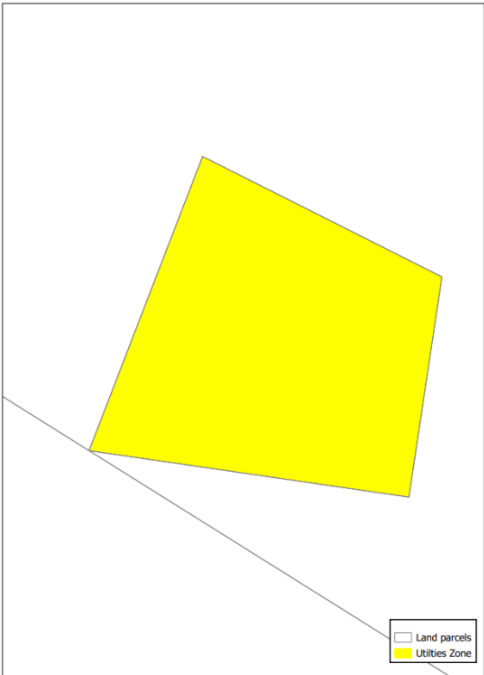


Figure: Application of the Landscape Conservation Zone to Viormy, Roscarborough, Serpentine and Pine Tier Lagoon areas owned by the Tasmanian Land Conservancy.

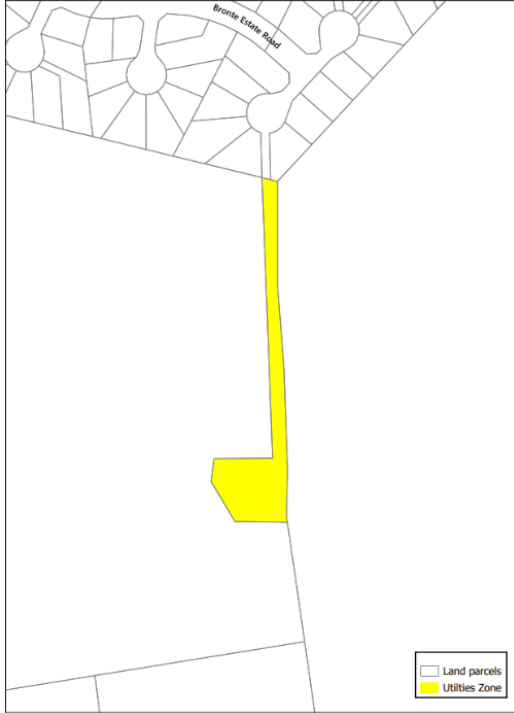


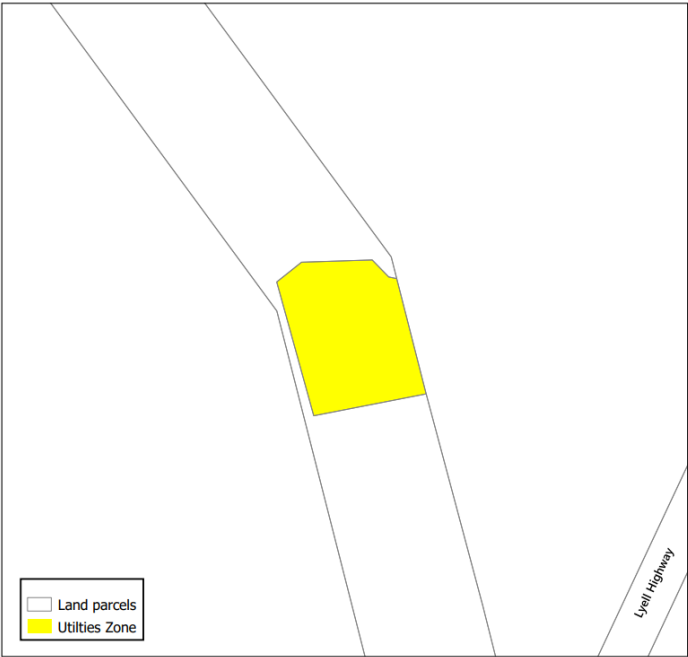
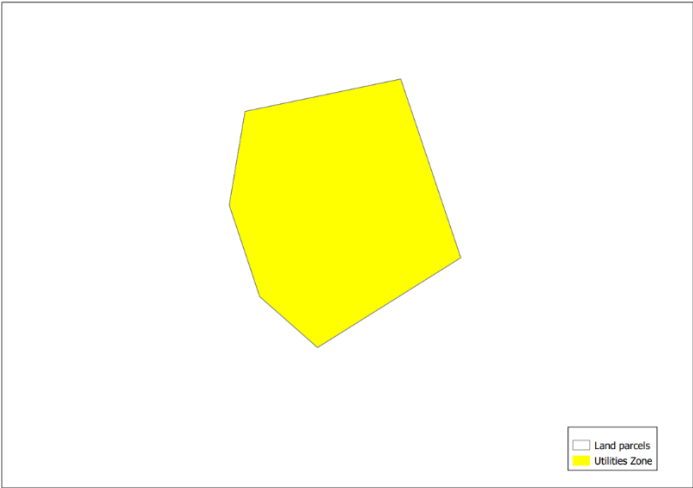
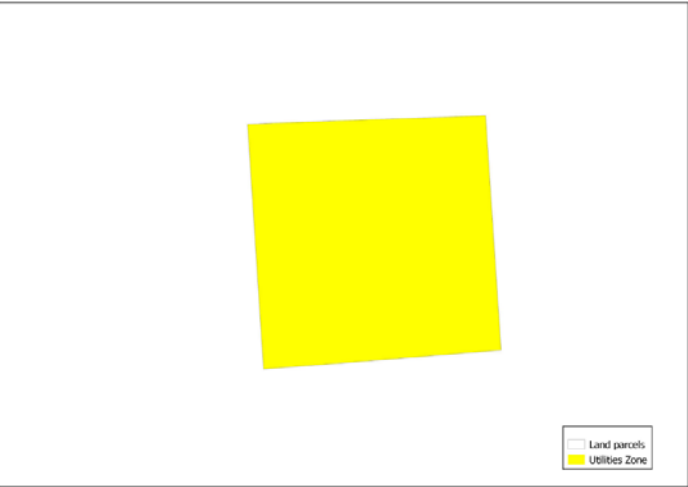


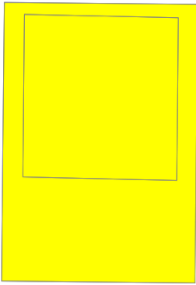
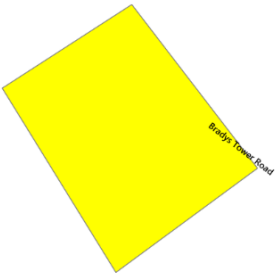
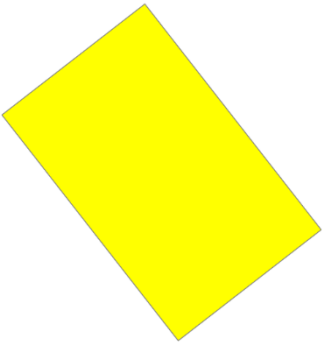
		 <p>Figure: Application of the Landscape Conservation Zone at Rockmount Road, Ellendale, owned by the Tasmanian Land Conservancy.</p> <p>Reason: To apply the Landscape Conservation Zone consistent with Guideline No. 1.</p>
1.5	156 Bradys Lake, Bradys Lake (folio of the Register 142078/1)	Revise the zoning of 156 Bradys Lake, Bradys Lake (folio of the Register 142078/1) to the Environmental Management Zone as shown in the figure below:

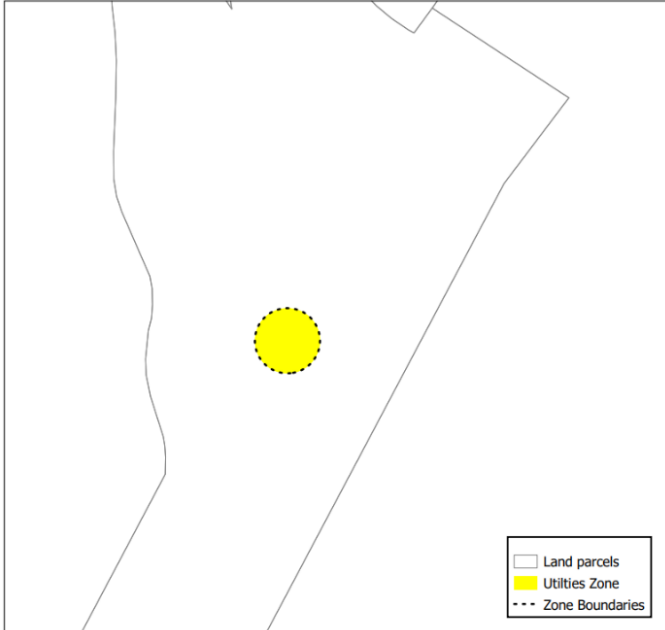
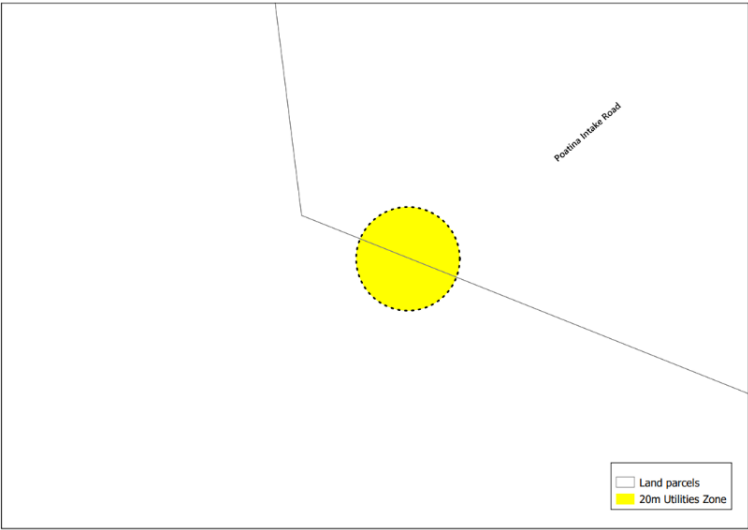
		 <p>Figure: Application of the Environmental Management Zone to land at 156 Bradys Lake, Bradys Lake.</p> <p>Reason: To apply the Environmental Management Zone consistent with Guideline No. 1.</p>
1.6	Utilities Zone – Water Infrastructure	<p>Revise the zoning of the following properties to the Utilities Zone:</p> <ul style="list-style-type: none"> <li>(a) Ouse Reservoir Tank, Lake Repulse Road, Ouse (folio of the Register 35329/2); and</li> <li>(b) Bronte Park Reservoir Tanks, Lot 2 Bronte Estate Road, Bronte Park (folio of the Register 178148/2)</li> </ul> <p>as shown in the figures below:</p>  <p>Figure: Application of the Utilities Zone to the Ouse Reservoir Tank.</p>

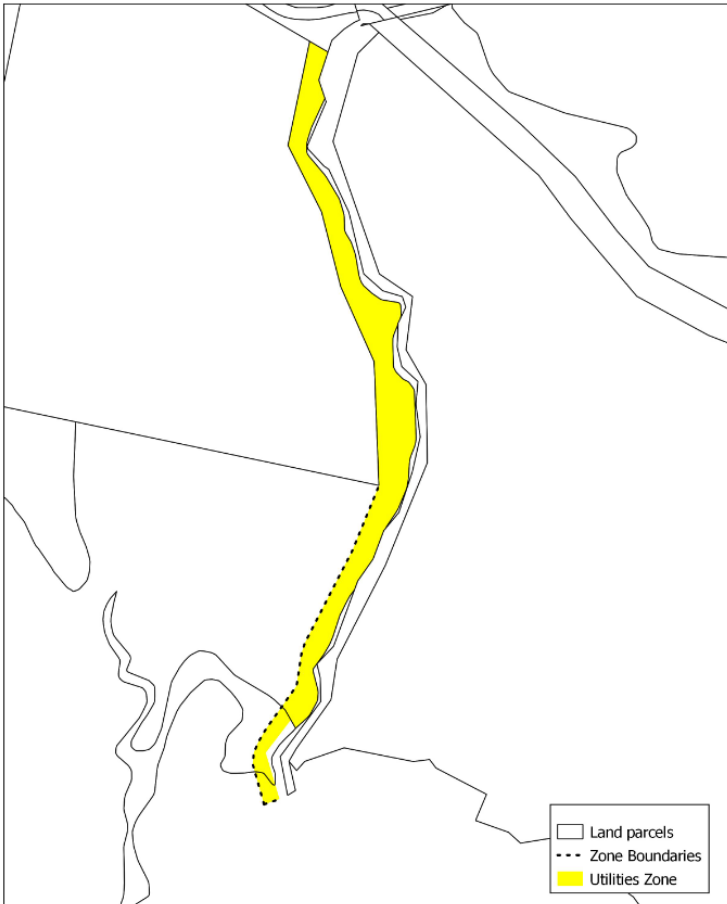


		 <p>Figure: Application of the Utilities Zone to the Bronte Park Reservoir Tanks.</p> <p>Reason: To apply the Utilities Zone consistent with Guideline No. 1.</p>
1.7	Utilities Zone – Electricity Infrastructure	<p>Revise the zoning of the following sites to the Utilities Zone, as shown in the figures below:</p> <ul style="list-style-type: none"> <li>(a) Derwent Bridge substation (PID 3034441);</li> <li>(b) Meadowbank repeater communications station (folio of the Register 122729/1);</li> <li>(c) Repulse repeater communications station (folio of the Register 150903/1);</li> <li>(d) Bilton Hill communications station (folios of the Register 146134/1 &amp; 170569/1);</li> <li>(e) Bradys Sugarloaf communications station (folio of the Register 142602/1); and</li> <li>(f) Five Mile Pinnacles communications station (folio of the Register 117617/1).</li> </ul>

		<div data-bbox="628 194 1319 848"></div> <div data-bbox="624 860 1342 889"><p>Figure: Application of the Utilities Zone to the Derwent Bridge substation.</p></div> <div data-bbox="628 900 1324 1386"></div> <div data-bbox="624 1400 1302 1458"><p>Figure: Application of the Utilities Zone to the Meadowbank repeater communications station.</p></div> <div data-bbox="628 1469 1319 1953"></div> <div data-bbox="624 1966 1244 2024"><p>Figure: Application of the Utilities Zone to the Repulse repeater communications station.</p></div>
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		<div data-bbox="611 194 1351 712"><div data-bbox="1214 651 1310 696"><div data-bbox="1214 651 1310 674">Land parcels</div><div data-bbox="1214 674 1310 696">Utilities Zone</div></div></div> <div data-bbox="611 732 1351 790"><p>Figure: Application of the Utilities Zone to the Bilton Hill communications station.</p></div> <div data-bbox="611 810 1351 1328"><div data-bbox="1214 1261 1310 1305"><div data-bbox="1214 1261 1310 1283">Land parcels</div><div data-bbox="1214 1283 1310 1305">Utilities Zone</div></div></div> <div data-bbox="611 1348 1351 1406"><p>Figure: Application of the Utilities Zone to the Bradys Sugarloaf communications station.</p></div> <div data-bbox="611 1426 1351 1930"><div data-bbox="1214 1870 1310 1915"><div data-bbox="1214 1870 1310 1892">Land parcels</div><div data-bbox="1214 1892 1310 1915">Utilities Zone</div></div></div> <div data-bbox="611 1951 1351 2009"><p>Figure: Application of the Utilities Zone to the Five Miles Pinnacle communications station.</p></div>
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		Reason: To apply the Utilities Zone consistent with Guideline No. 1.
1.8	Utilities Zone – Electricity Infrastructure	<p>Apply the Utilities Zone to a 20m radius circle around the following sites as shown in the figures below, and provide split zone boundary description consistent with the Commission’s Practice Note 7 – Draft LPS mapping: technical advice:</p> <p>(a) Tarraleah passive reflector communication site (east of folio of the Register 227174/1); and</p> <p>(a) Poatina Intake communication site (south of folio of the Register 209465/1).</p>  <p>Figure: Application of the Utilities Zone to the Tarraleah passive reflector communications station</p>  <p>Figure: Application of the Utilities Zone to the Poatina Intake communications station</p>

		Reason: To apply the Utilities Zone consistent with Guideline No. 1.
1.9	Utilities Zone – Road casement (folio of the Register 46/6704)	<p>Revise the zoning of road casement (folio of the Register 46/6704) to the Utilities Zone.</p> <p>Reason: To apply the Utilities Zone consistent with Guideline No. 1.</p>
1.10	Utilities Zone – Interlaken Canal	<p>Revise the zoning of Interlaken Canal to the Utilities Zone as shown in the figure below, and provide split zone boundary description consistent with the Commission's Practice Note 7 – Draft LPS mapping: technical advice:</p>  <p>Figure: Application of the Utilities Zone to the Interlaken Canal.</p> <p>Reason: To apply the Utilities Zone consistent with Guideline No. 1.</p>
1.11	Electricity Transmission Infrastructure Code – Communications Station Buffer Area Overlay	<p>Revise the location of the Communications Station Buffer overlay for the following sites and as shown in the figures below:</p> <ul style="list-style-type: none"> <li>(a) Meadowbank repeater communications station (55m radius from GDA94 coordinate 487530E 5282512N);</li> <li>(b) Repulse power station communications station (55m radius from GDA94 coordinate 470951E 5293583N);</li> </ul>

- (c) Heals Spur communications station (55m radius from GDA94 coordinate 455880E 5304299N);
- (d) Bradys Sugarloaf communications station (55m radius from GDA94 coordinate 462440E 5320047N);
- (e) Poatina intake communications station (55m radius from GDA94 coordinate 485696E 5368139N); and
- (f) Butlers Gorge repeater communications station (55m radius from GDA94 coordinate 438951E 5319967N).

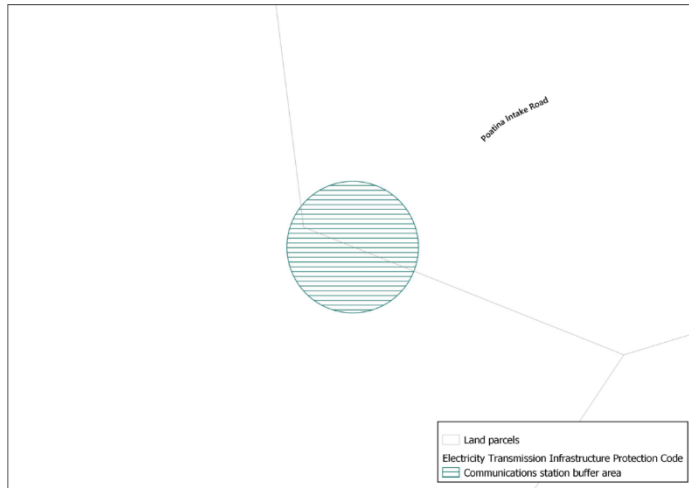


Figure: Realigned Communications Station Buffer Overlay for the Poatina Intake communications station.

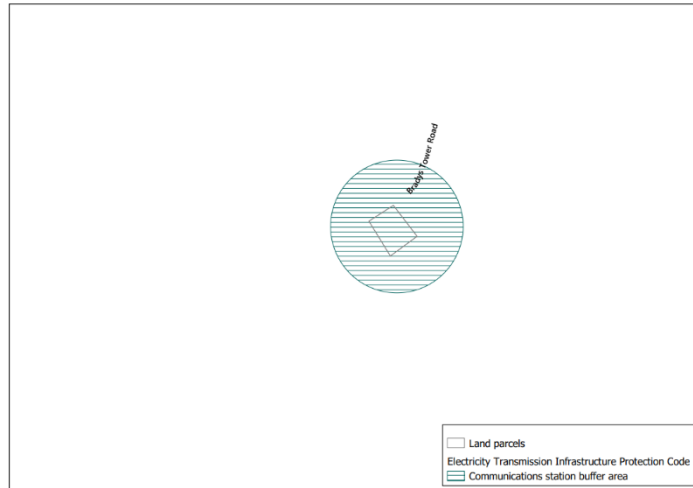
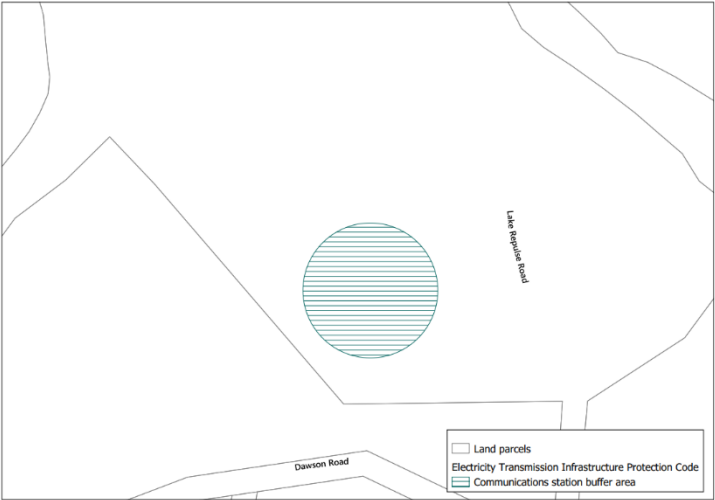
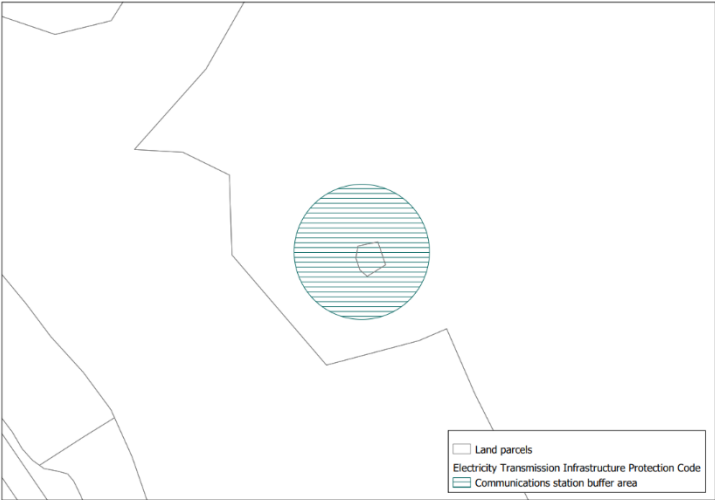
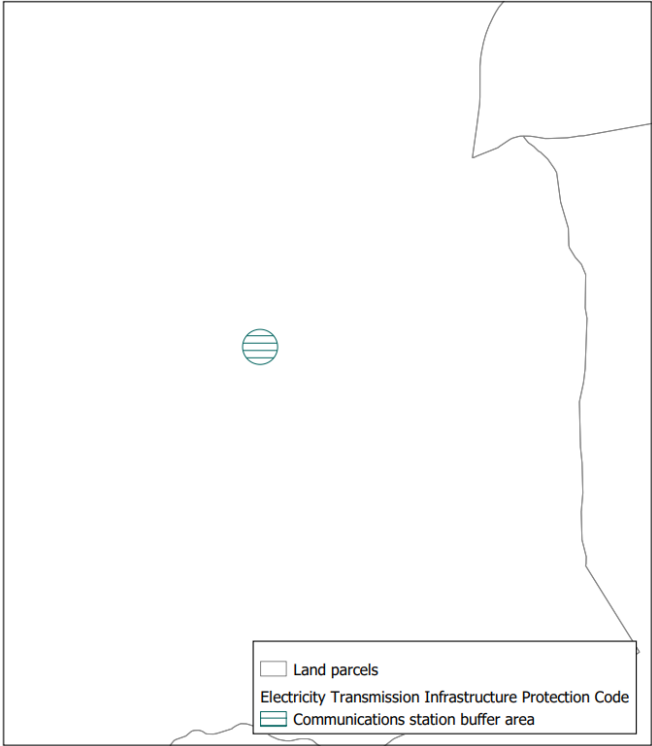



Figure: Realigned Communications Station Buffer Overlay for the Bradys Sugarloaf communications station.

		 <p>Figure: Realigned Communications Station Buffer Overlay for Repulse power station communications station.</p>  <p>Figure: Realigned Communications Station Buffer Overlay for Meadowbank repeater communications station.</p>
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		 <p>Figure: Realigned Communications Station Buffer Overlay for the Heals Spur communications station.</p>  <p>Figure: Realigned Communications Station Buffer Overlay for Butlers Gorge repeater communications station.</p> <p>Reason: To apply the Electricity Transmission Infrastructure Code consistent with Guideline No. 1.</p>
1.12	Natural Assets Code – Priority Vegetation Area Overlay and Electricity Infrastructure	<p>Revise the Priority Vegetation Area overlay by removing the overlay from the following sites, and as shown in the figures below:</p> <ul style="list-style-type: none"> <li>(a) Derwent Bridge substation (PID 3034441);</li> <li>(b) Meadowbank repeater communication site (folio of the Register 122729/1);</li> <li>(c) Liapootah substation (folio of the Register 164364/1);</li> </ul>

- (d) Waddamana substation (folios of the Register 150130/1 and 133339/5); and
- (e) Arthurs Lake substation (folio of the Register 163303/1).

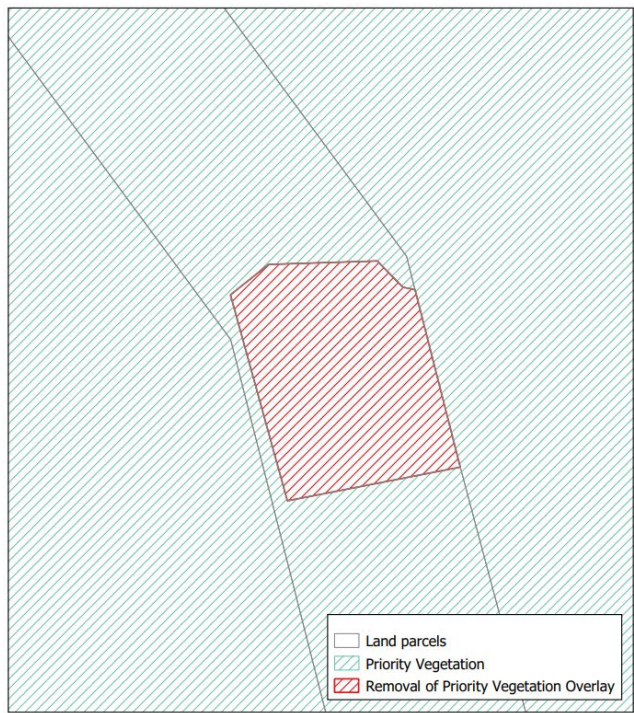


Figure: Removal of the Priority Vegetation Area Overlay from the Derwent Bridge substation.

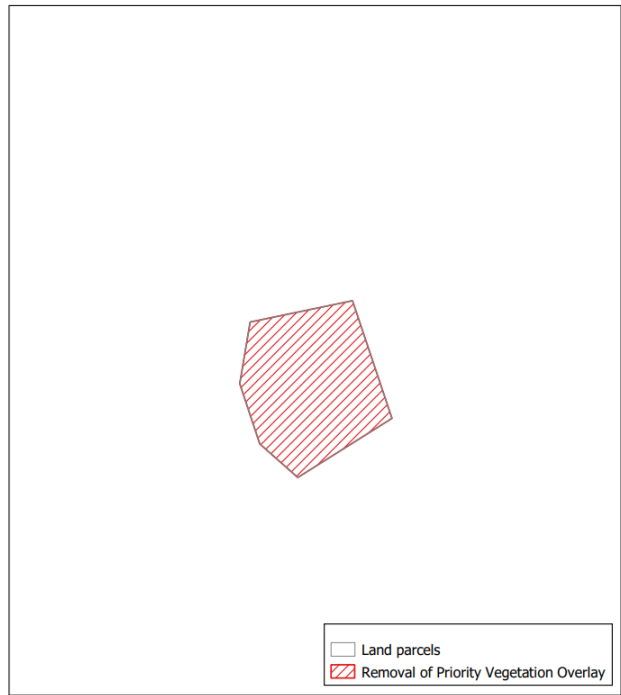


Figure: Removal of the Priority Vegetation Area Overlay from the Meadowbank repeater communications station.

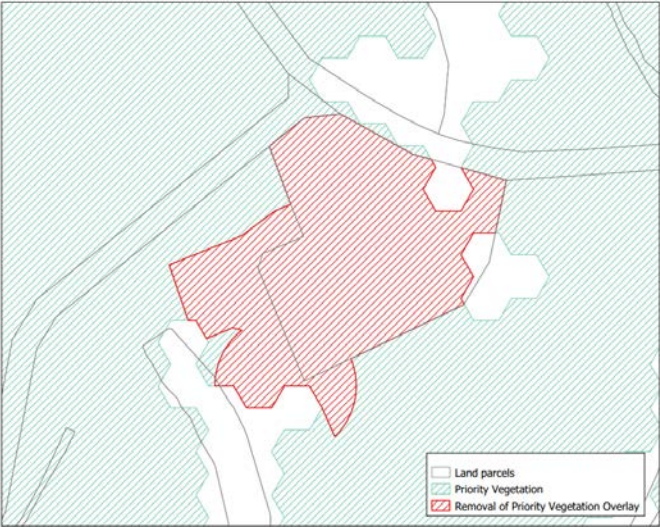
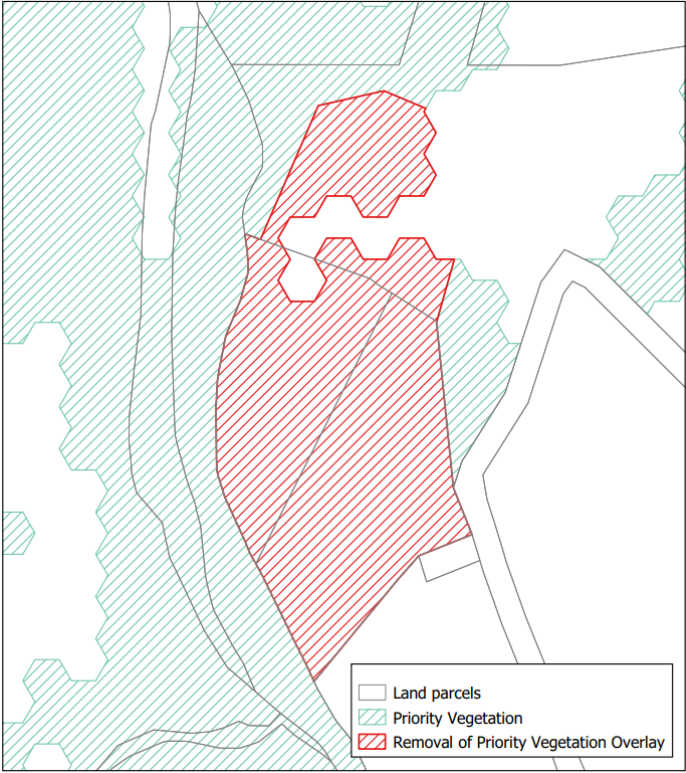
		<div data-bbox="624 194 1287 719">A map showing land parcels, priority vegetation (green hatched), and the removal of the priority vegetation overlay (red hatched) from the Liapootah substation and its communications station. The red hatched area is irregular and covers a significant portion of the central area. A legend in the bottom right corner identifies the symbols: Land parcels (white), Priority Vegetation (green hatched), and Removal of Priority Vegetation Overlay (red hatched).</div> <div data-bbox="624 741 1378 855"><p>Figure: Removal of the Priority Vegetation Area overlay from the Liapootah substation. The figure also shows the removal of the Priority Vegetation Area Overlay from the developed portion of the Liapootah Power Station communications station.</p></div> <div data-bbox="624 878 1313 1648">A map showing land parcels, priority vegetation (green hatched), and the removal of the priority vegetation overlay (red hatched) from the Waddamana substation and its communications station. The red hatched area is irregular and covers a significant portion of the central area. A legend in the bottom right corner identifies the symbols: Land parcels (white), Priority Vegetation (green hatched), and Removal of Priority Vegetation Overlay (red hatched).</div> <div data-bbox="624 1671 1335 1785"><p>Figure: Removal of the Priority Vegetation Area overlay from the Waddamana substation. The figure also shows removal of the Priority Vegetation Area Overlay from the developed portion of the Waddamana power station communications station.</p></div>
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Figure: Removal of the Priority Vegetation Area Overlay from the Arthurs Lake substation.

Revise the Priority Vegetation Area overlay by removing the overlay from a 20m radius circle measured from the centre of the following sites, and as shown in the figures below:

- (a) Repulse power station communication site (part of folio of the Register 95451/1);
- (b) Tarraleah passive reflector communication site (east of folio of the Register 227174/1); and
- (c) Poatina Intake communication site (south of folio of the Register 209465/1).



Figure: Removal of the Priority Vegetation Area overlay from the Repulse power station communications station.



Figure: Removal of the Priority Vegetation Area overlay from the Tarraleah passive reflector communications station.

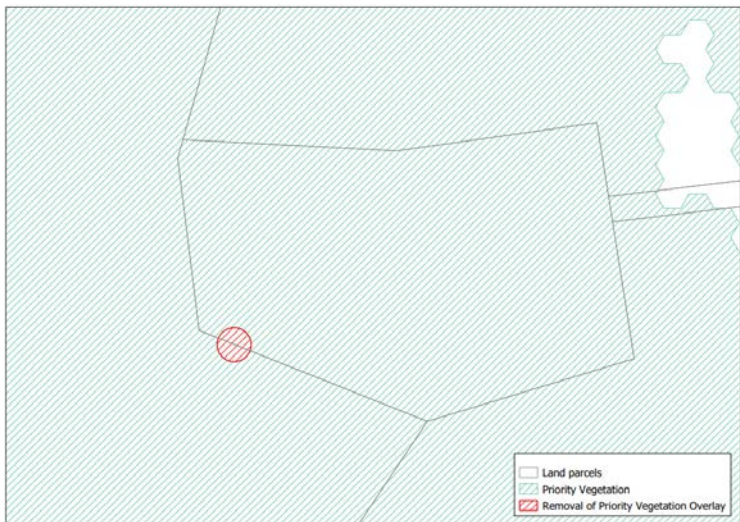


Figure: Removal of the Priority Vegetation Area overlay from the Poatina Intake communications station.

Revise the Priority Vegetation Area overlay by removing the overlay from the developed portion of the following sites, and as shown in the following figures:

- (a) Bradys Sugarloaf communication site (folio of the Register 142602/1);
- (b) Five Mile Pinnacles communication site (folio of the Register 117617/1);
- (c) Liapootah power station communications site (west of folio of the Register 164364/1);
- (d) Tungatinah substation (folio of the Register 164366/1);
- (e) Waddamana power station communications site (folio of the Register 133339/6);



- (f) Catagunya power station communication site (folio of the Register 168545/1); and
- (g) Butlers Gorge repeater communications site (part of folio of the Register 149022/1).

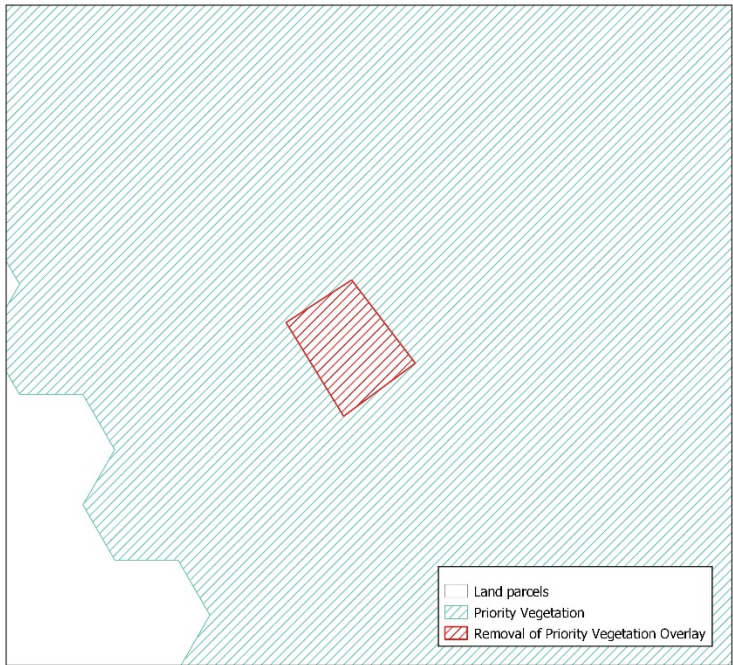


Figure: Removal of the Priority Vegetation Area Overlay from the developed portion of the Bradys Sugarloaf communications station.

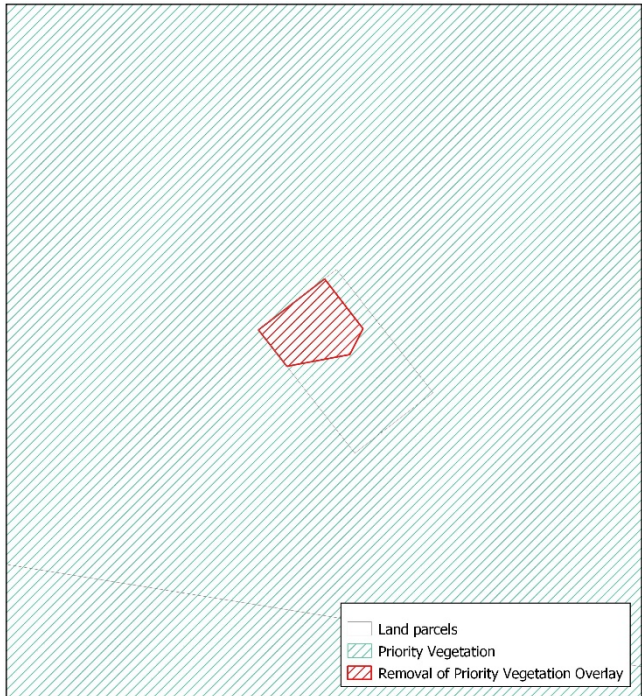


Figure: Removal of the Priority Vegetation Area Overlay from the developed portion of the Five Mile Pinnacles communications station.

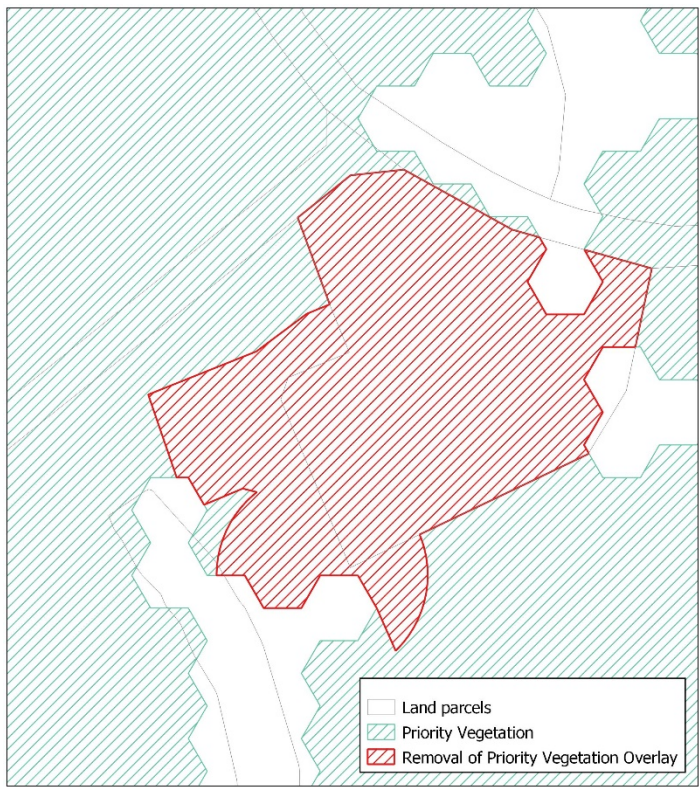


Figure: Removal of the Priority Vegetation Area Overlay from the developed portion of the Liapootah Power Station communications station.

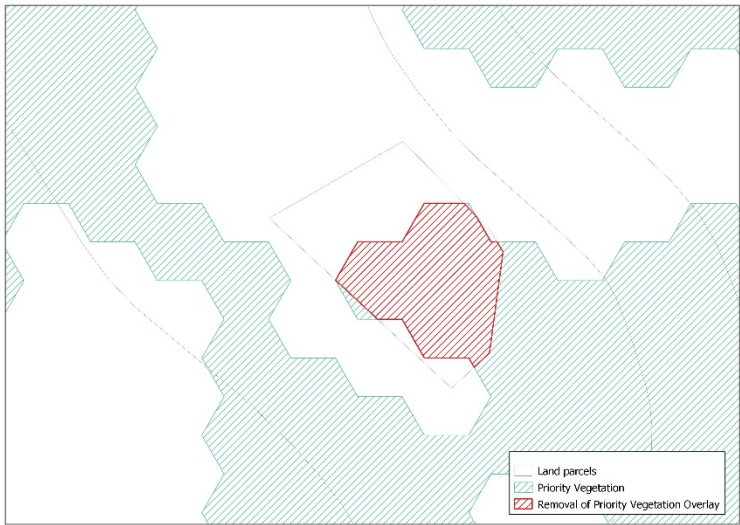


Figure: Removal of the Priority Vegetation Area Overlay from the developed portion of the Tungatinah substation.



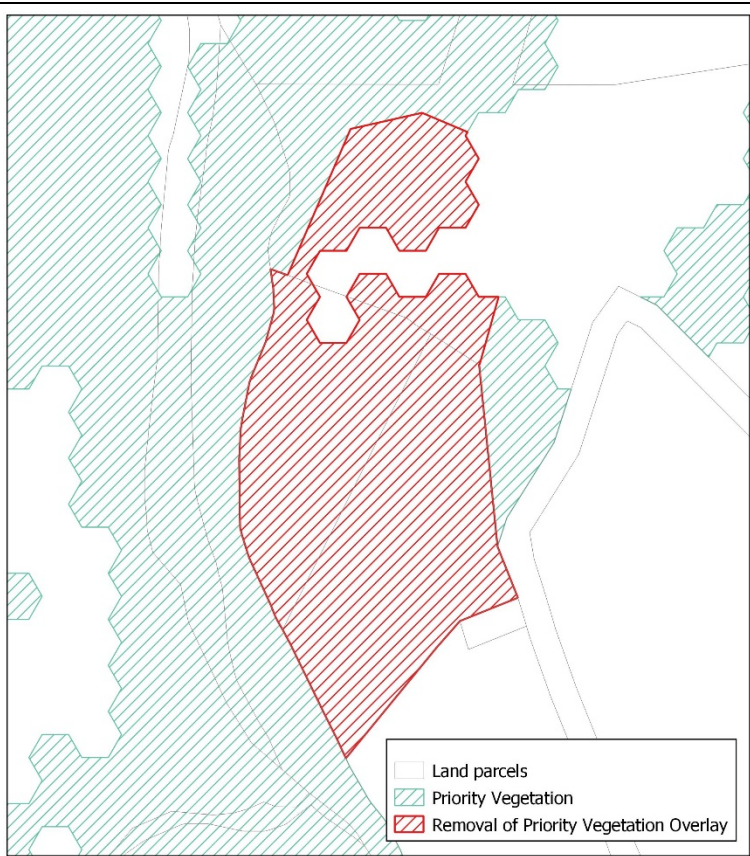


Figure: Removal of the Priority Vegetation Area Overlay from the developed portion of the Waddamana power station communications station.

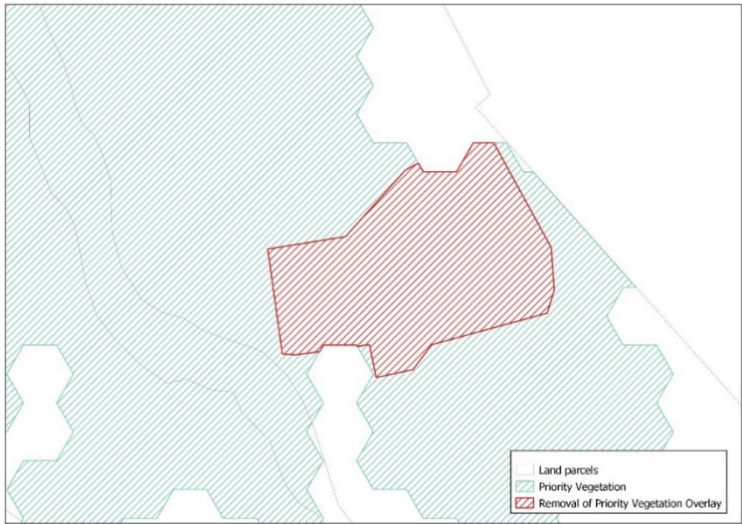


Figure: Removal of the Priority Vegetation Area Overlay from the developed portion of the Catagunya power station communications station.

		<p>Figure: Removal of the Priority Vegetation Area Overlay from the developed portion of the Butlers Gorge repeater communications station.</p> <p>Reason: To apply the Priority Vegetation Area overlay consistent with Guideline No. 1.</p>
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## 2.0 Consequential and technical issues

2.1 Revise the draft LPS to include the technical modifications identified in Annexure A, to:

- (a) meet the LPS requirements of the SPPs;
- (b) correct references to relevant provisions;
- (c) provide for the effective operation of the provisions; and
- (d) reflect the terminology used in the SPPs.

2.2 Revise the draft LPS zone and overlay maps to:

- (a) reflect modifications consequential to modifications made to the draft LPS written document;
- (b) fill any unzoned gaps in the zoning layer;
- (c) remove any overlaps between adjoining zones;
- (d) apply the schema set out in Appendix B of Practice Note 7 to each relevant GIS dataset;
- (e) remove any overlaps between features in the same overlay later that have different categories (excluding for transitioning local area objectives of SAPs and PPZs), such as: coastal inundation investigation areas and low coastal inundation hazard band;
- (f) aggregate adjoining zone or overlay polygons sharing the same category, including zone type, landslip hazard band, and aggregate adjoining overlay polygons that have no required category, such as priority vegetation area;
- (g) align the boundaries of zones and parcel dependent overlays with parcel boundaries, based on the most recent version of the parcels dataset available from theLIST;
- (h) remove any zone or overlay shown outside the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark map on theLIST, and any areas described by section 35J(2) of the Act; and

- (i) present all GIS data in the recommended Geodatabase format provided to council by the Commission.

Reason: To make modifications of a technical nature or relevant to the implementation of the Local Provisions Schedule if the Local Provisions Schedule were approved under section 35L of the Act and to be consistent with Guideline No. 1.

**Attachment 2, Annexure A**

**Modifications to Central Highlands draft LPS written document**

**TABLE OF CONTENTS**

**CHI-Local Provisions Schedule Title**

**CHI-Effective Date**

**CHI-Local Area Objectives**

**CHI-Particular Purpose Zones**

Nil

**CHI-Site-specific Qualifications**

**CHI-Code Lists**

**CHI-Applied, Adopted or Incorporated Documents**

## **Central Highlands Local Provisions Schedule**

### **CHI-Local Provisions Schedule Title**

CHI-1.1      This Local Provisions Schedule is called the Central Highlands Local Provisions Schedule and comprises all the land within the municipal area.

### **CHI-Effective Date**

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

### **CHI-Local Area Objectives**

This sub-clause is not used in this Local Provisions Schedule.

## CHI-Particular Purpose Zones

There are no particular purpose zones in this Local Provisions Schedule.

## CHI-Site-specific Qualifications

There are no site-specific qualifications in this Local Provisions Schedule.

## CHI-Code Lists

### CHI-Table C3.1 Other Major Roads

Road	From	To
This table is not used in this Local Provisions Schedule.		

### CHI-Table C6.1 Local Heritage Places

Reference Number	Town/Locality	Street Number	Street / Location	Property Name	Folio of the Register	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
This table is not used in this Local Provisions Schedule.						

### CHI-Table C6.2 Local Heritage Precincts

Reference Number	Town/Locality	Name of Precinct	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy
CHI-C6.2.1	Bothwell	Bothwell Heritage Precinct	<p>Bothwell was settled by Scottish pioneer farmers in the early 1820s.</p> <p>In 1806, it is believed Lieutenant Thomas Laycock was the first European in the area and by 1821 settlers had moved onto land by the Clyde River. It is widely accepted that Edward Nicholas was the first European settler, who built Nant's Cottage. The cottage was used by the Irish political exiles, John Mitchell and John Martin, during their imprisonment in the 1850s. Bothwell is home to the oldest</p>



			<p>golf course in Australia, Ratho, which was built in the mid-1850s.</p> <p>Bothwell has retained a distinctive colonial Georgian character with small well-proportioned stone houses, simple hotels and shops, and handsome country residences. Bothwell is remarkable for its collection of colonial houses, ranging from grand residences to modest cottages and shops. Bothwell Post Office opened in June 1832.</p> <p>The town was named Bothwell by the Lieutenant-Governor of Van Diemen's Land, Sir Arthur George, in 1824 after the Scottish town of Bothwell, on the Clyde River near Glasgow. About the same time, the Fat Doe River, so called by kangaroo hunters who had visited the area before the first settlers arrived, became known as the Clyde.</p> <p>Design Criteria / Conservation Policy:</p> <ul style="list-style-type: none"> <li>(a) respect the townscape qualities of the settlement having regard to appropriate building form, design and finishes which are compatible with the historical heritage values of the town setting;</li> <li>(b) that new development including additions and adaptations to existing buildings are undertaken in a manner sympathetic to the heritage significance of the streetscapes and landscapes of the town;</li> <li>(c) maintain the visual amenity of historic buildings when viewed from streets and public spaces within the settlement;</li> <li>(d) scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings and additions to existing buildings must be sympathetic to the character of the town;</li> <li>(e) new buildings must not visually dominating neighbouring historic buildings; and</li> <li>(f) if feasible, additions and new buildings must be confined to the rear of existing buildings.</li> </ul>
CHI-C6.2.2	Hamilton	Hamilton Heritage Precinct	<p>Hamilton is an historic Georgian town located on the Clyde River and surrounded by farm land.</p> <p>Hamilton was named by Governor Arthur in 1826 after William Henry Hamilton, a wealthy free settler who had arrived in Van Diemen's Land in April 1824. Hamilton Post Office opened in June 1832.</p> <p>Notable historic buildings in Hamilton include St Peter's Church, completed in 1837 and the Old Schoolhouse, a</p>

			<p>huge 2 storey structure built by convict stonemasons in 1858.</p> <p>Design Criteria / Conservation Policy:</p> <ul style="list-style-type: none"> <li>(a) respect the townscape qualities of the settlement through appropriate building form, design and finishes which are compatible with the historical heritage values of the town setting;</li> <li>(b) that new development including additions and adaptations to existing buildings are undertaken in a manner sympathetic to the heritage significance of the streetscapes and landscapes of the town;</li> <li>(c) maintain the visual amenity of historic buildings when viewed from streets and public spaces within the settlement;</li> <li>(d) scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings and additions to existing buildings must be sympathetic to the character of the town;</li> <li>(e) new buildings must not visually dominating neighbouring historic buildings; and</li> <li>(f) if feasible, additions and new buildings must be confined to the rear of existing buildings.</li> </ul>
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**CHI-Table C6.3 Local Historic Landscape Precincts**

Reference Number	Town/Locality	Name of Precinct	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy
This table is not used in this Local Provisions Schedule.			

**CHI-Table C6.4 Places or Precincts of Archaeological Potential**

Reference Number	Town/Locality	Property Name / Address/ Name of Precinct	Folio of the Register	Description, Specific Extent and Archaeological Potential

This table is not used in this Local Provisions Schedule.				
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**CHI-Table C6.5 Significant Trees**

Reference Number	Town/ Locality	Property Name and Street Address	Folio of the Register	Description / Specific Extent	Botanical Name	Common Name	No. of trees
This table is not used in this Local Provisions Schedule.							

**CHI-Table C8.1 Scenic Protection Areas**

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
This table is not used in this Local Provisions Schedule.				

**CHI-Table C8.2 Scenic Road Corridors**

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
This table is not used in this Local Provisions Schedule.			

**CHI-Table C11.1 Coastal Inundation Hazard Bands AHD Levels**

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
This table is not used in this Local Provisions Schedule.				

**CHI-Applied, Adopted or Incorporated Documents**

Document Title	Publication Details	Relevant Clause in the LPS
This table is not used in this Local Provisions Schedule.		

**Attachment 3*****Land Use Planning and Approvals Act 1993*****Notice under section 35KB(1)****Central Highlands Draft Local Provisions Schedule**

4 January 2023

The Tasmanian Planning Commission (the Commission) directs under section 35KB(1) that the Central Highlands planning authority prepare draft amendments under Part 3B of the Act, of the Central Highlands Local Provisions Schedule (LPS) as follows, and must submit the draft amendments to the Commission within 42 days after the LPS comes into effect. The draft amendments are described below.

**1.0 Rural Zone**

- 1.1 Apply the Rural Zone to all land shown in figures 1 to 9 and summarised in figure 10 below, and as listed in Annexure A to Attachment 3, and adjoining road centre lines; and
- 1.2 Apply the Priority Vegetation Area overlay to all land shown in figures 11-19 below, and as listed in Annexure A to Attachment 3.

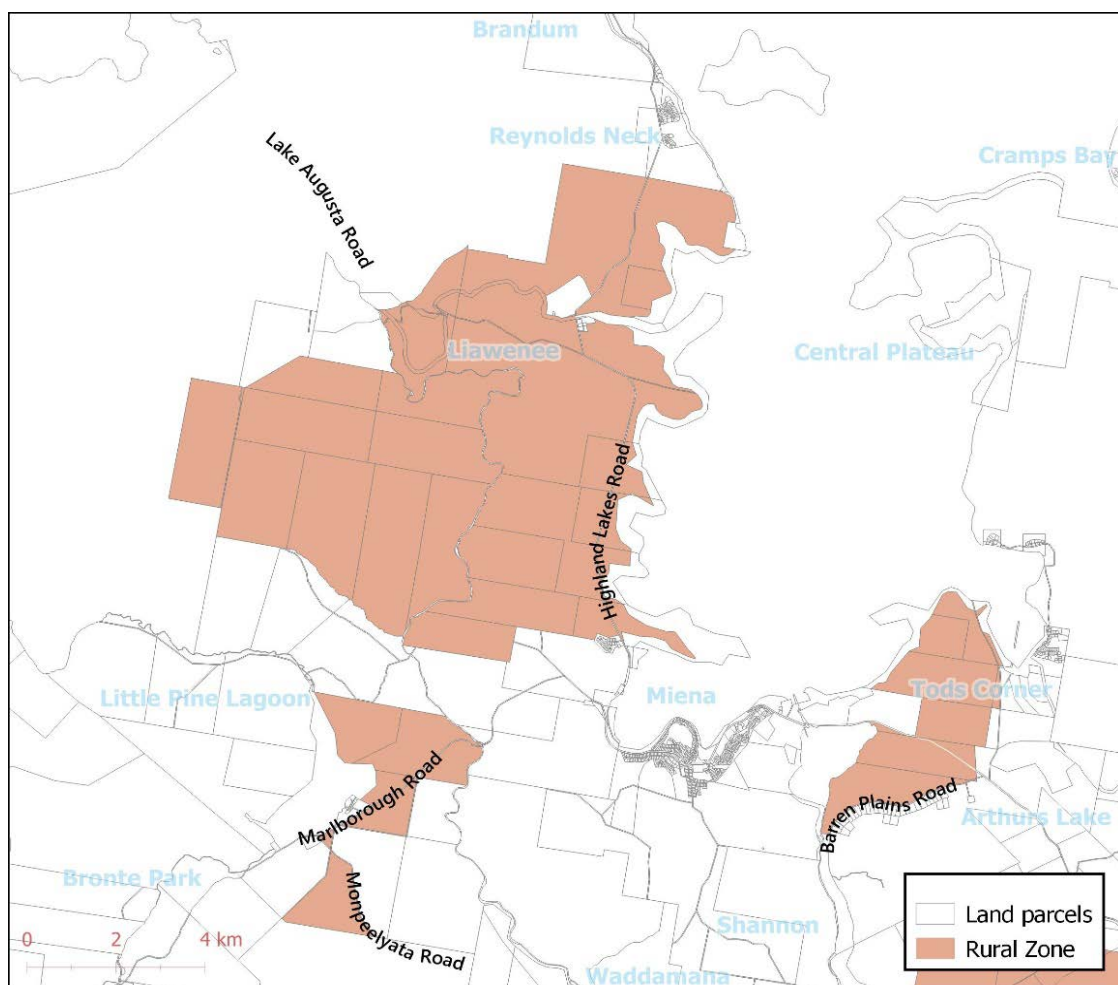


Figure 1: Application of the Rural Zone to land at Liawenee, Tod's Corner, Little Pine Lagoon and Bronte Park

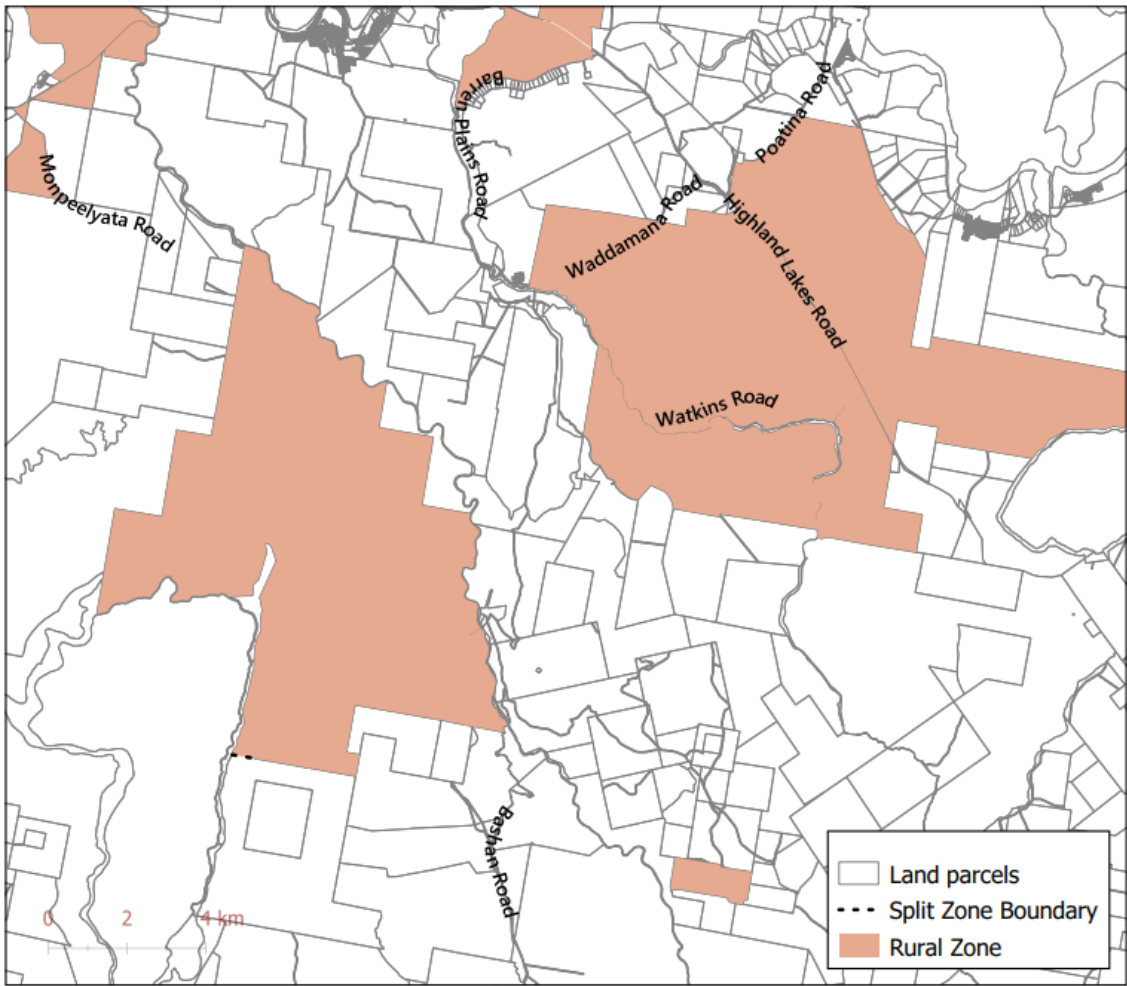


Figure 2: Application of the Rural Zone to land at St Patricks Plains, Steppes, Waddamana and Hermitage

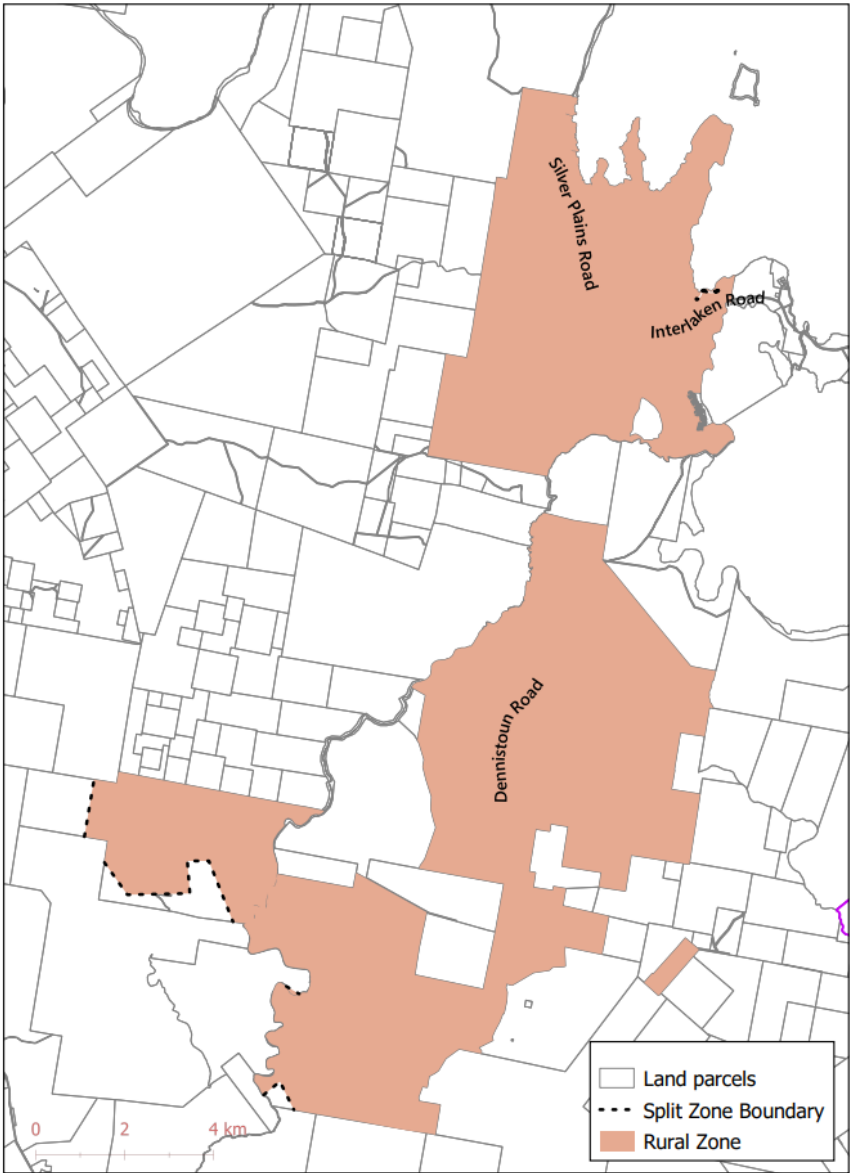


Figure 3: Application of the Rural Zone to land at Interlaken, Bothwell and Lower Marshes



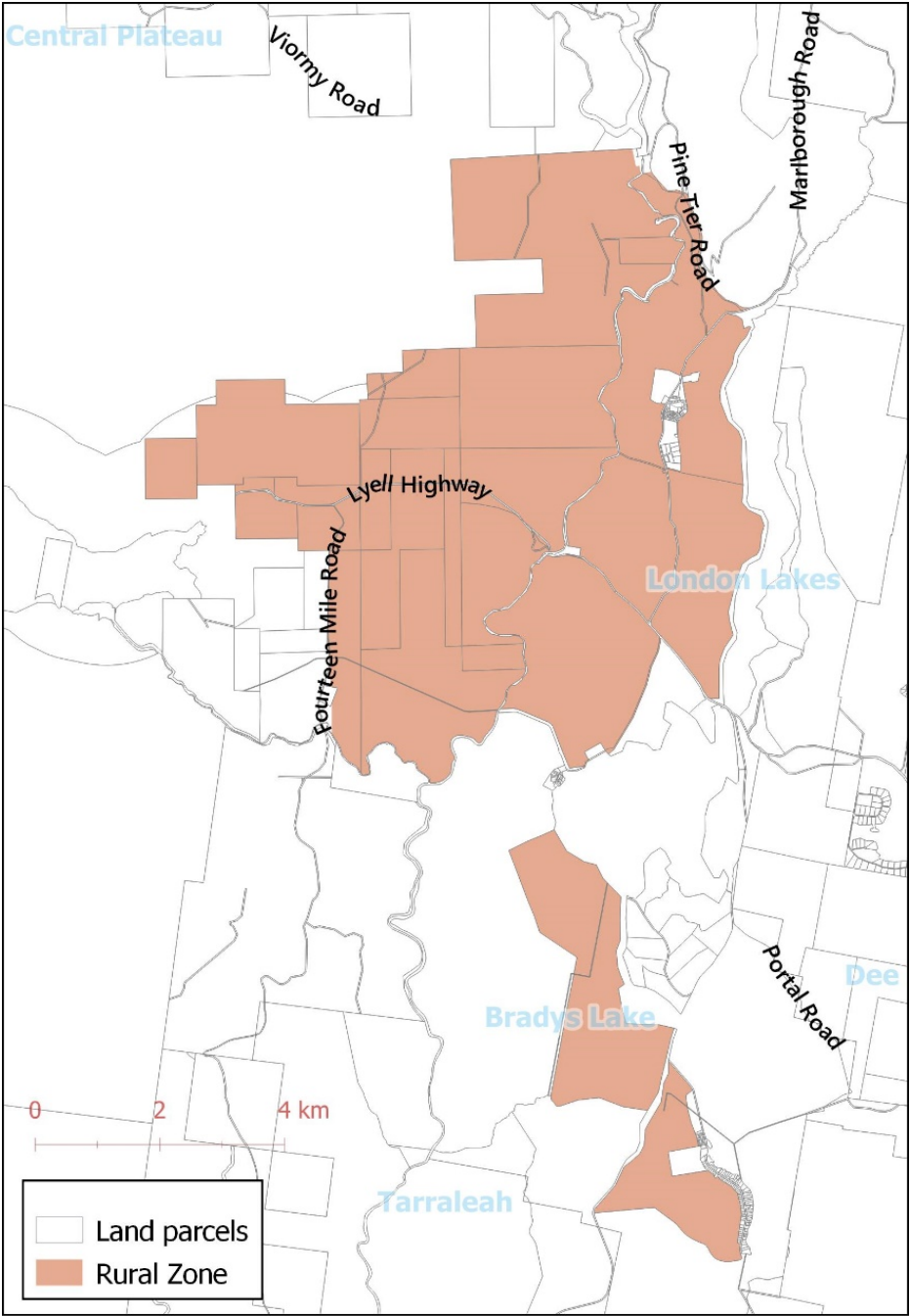


Figure 4: Application of the Rural Zone to land at Bronte Park, London Lakes and Bradys Lake

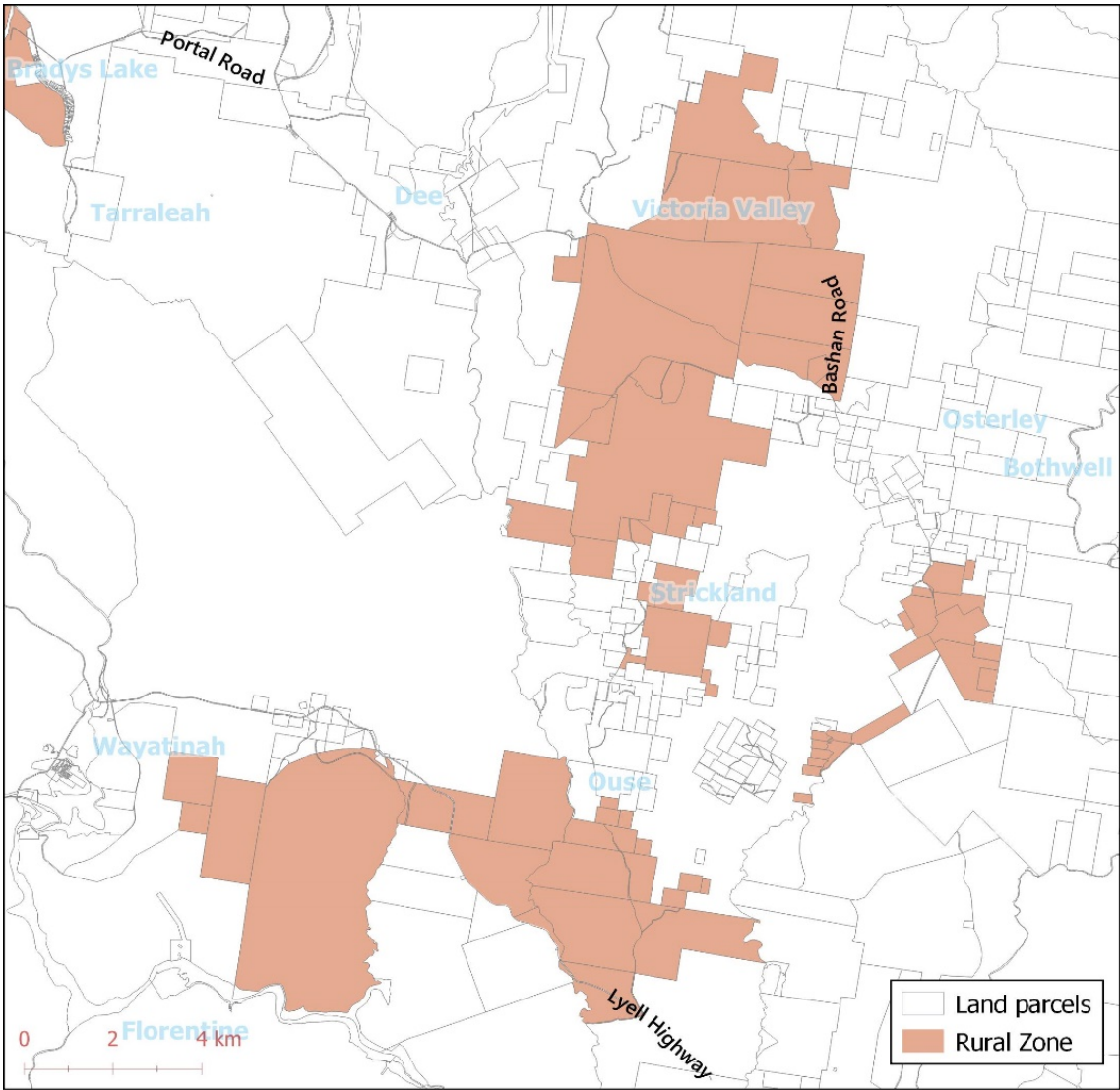


Figure 5: Application of the Rural Zone to land at Victoria Valley, Strickland, Osterley, Ouse and Wayatinah

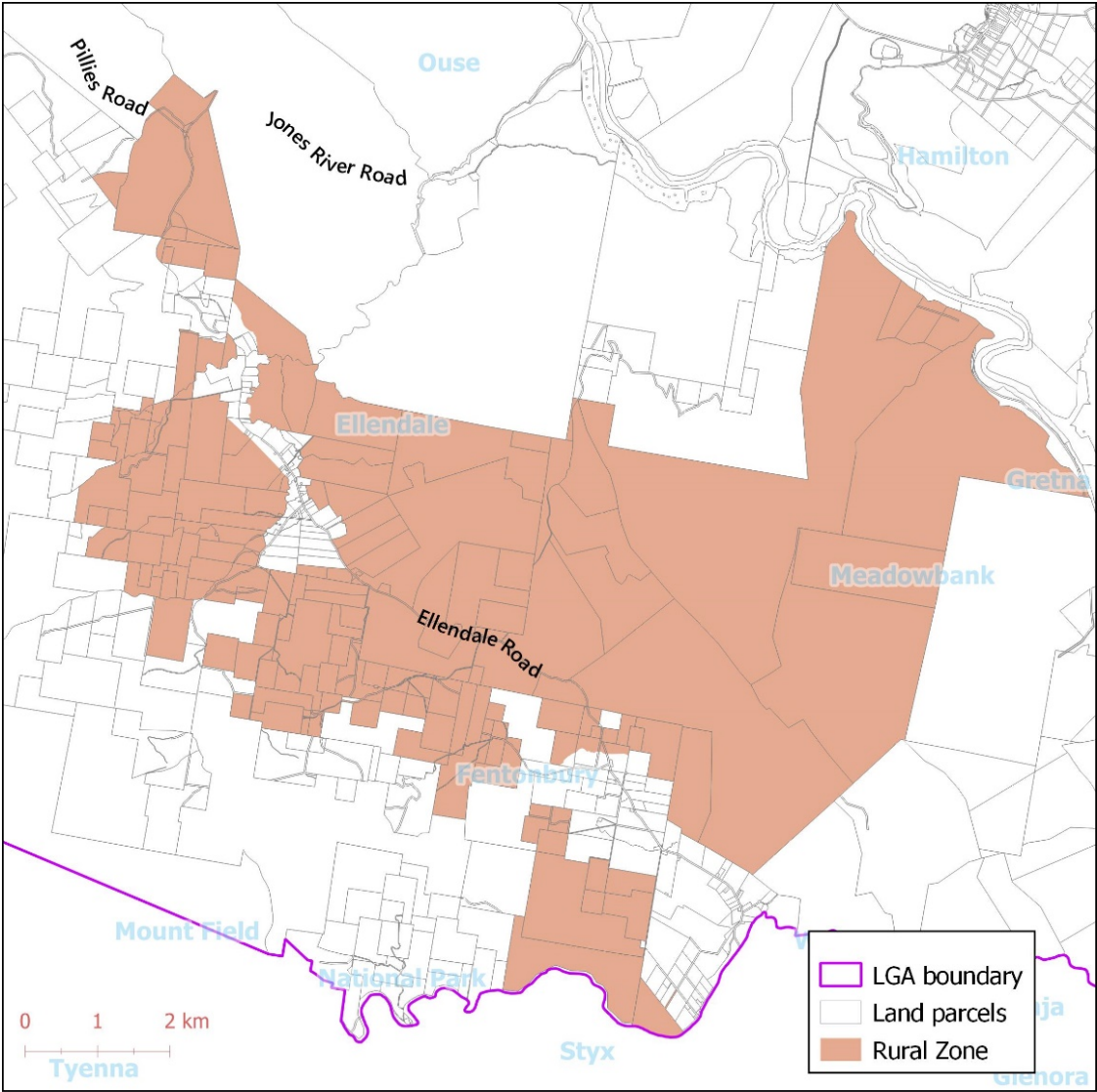


Figure 6: Application of the Rural Zone to land at Ellendale, Meadowbank and Fentonbury



Figure 7: Application of the Rural Zone to land at Hamilton, Gretna and Pelham

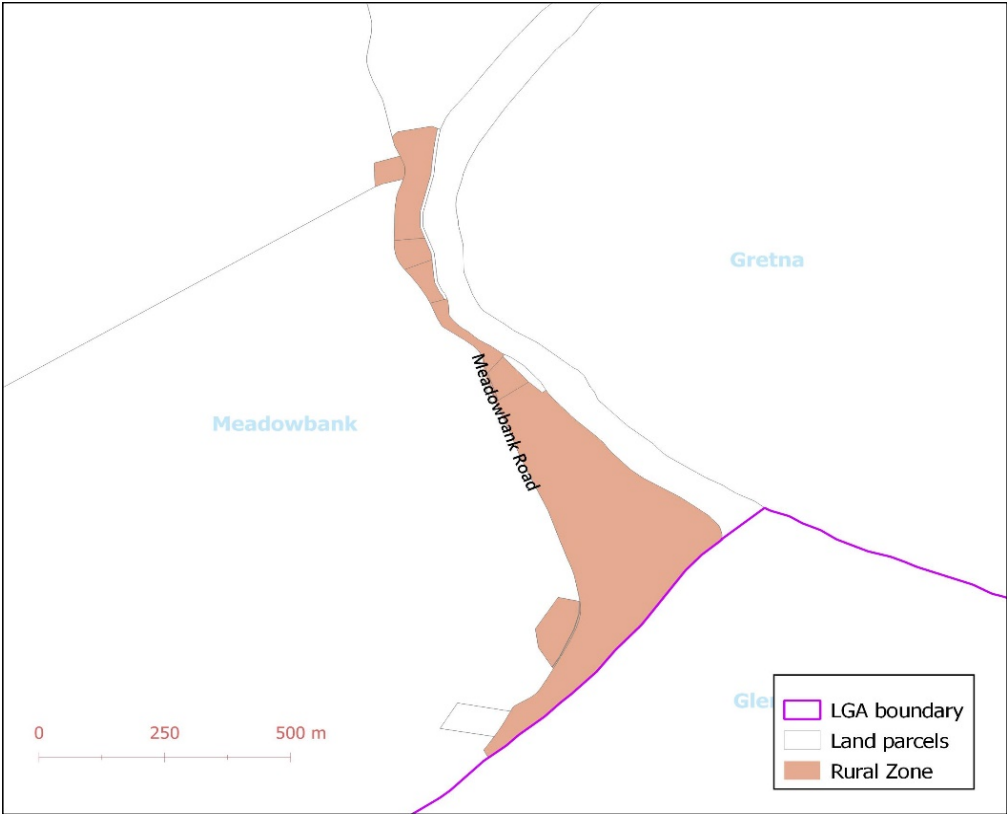


Figure 8: Application of the Rural Zone to land at Meadowbank

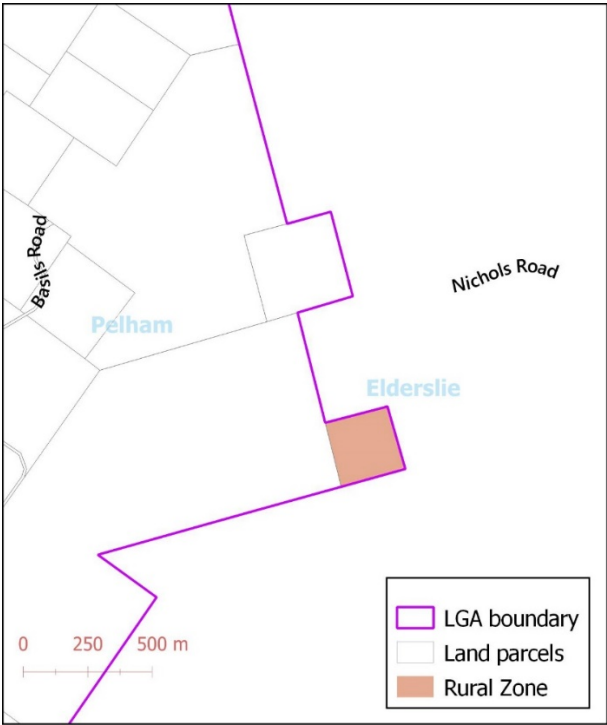


Figure 9: Application of the Rural Zone to land at Pelham



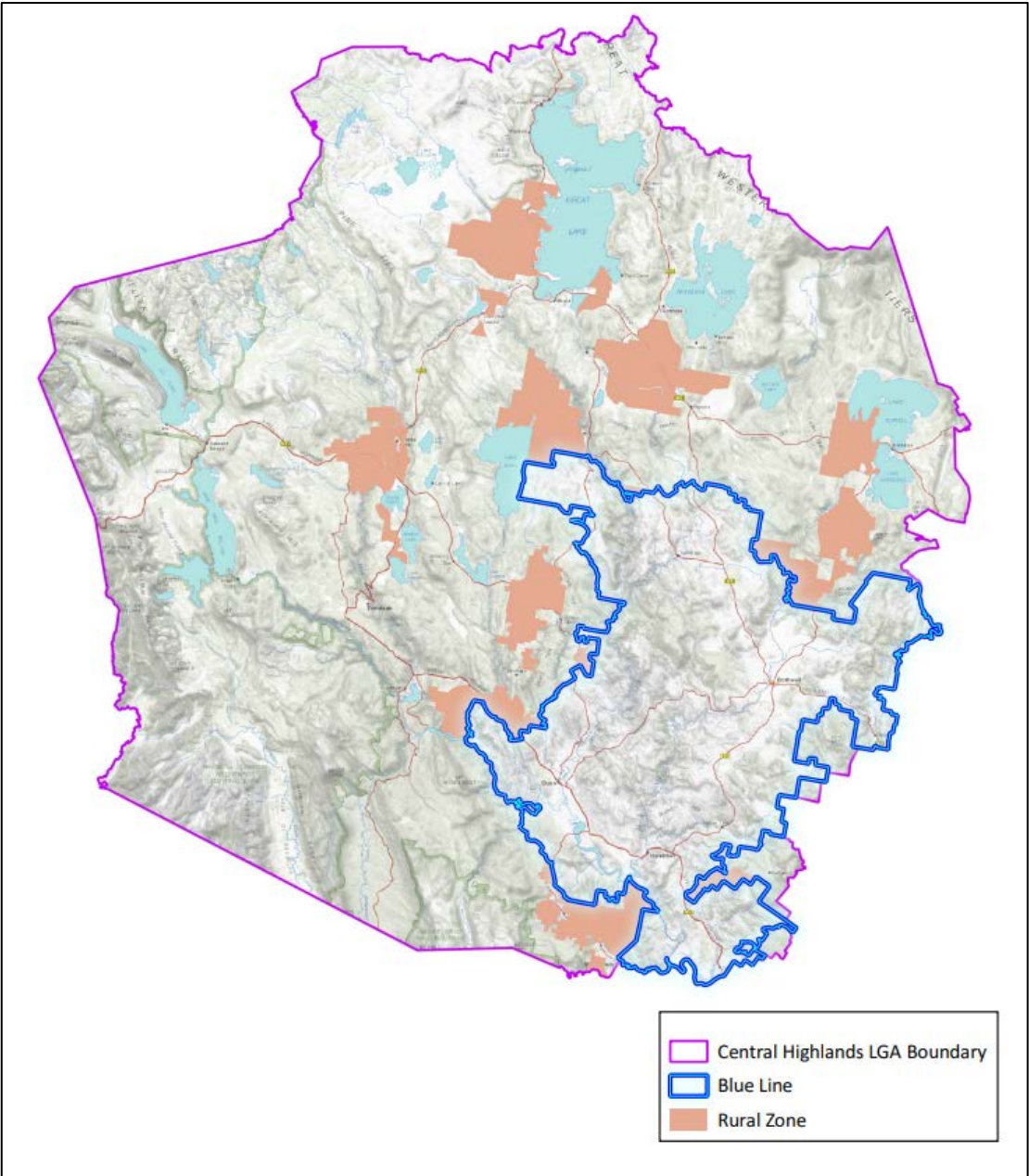


Figure 10: Extent of the “blue line” and application of the Rural Zone to land outside the “blue line”

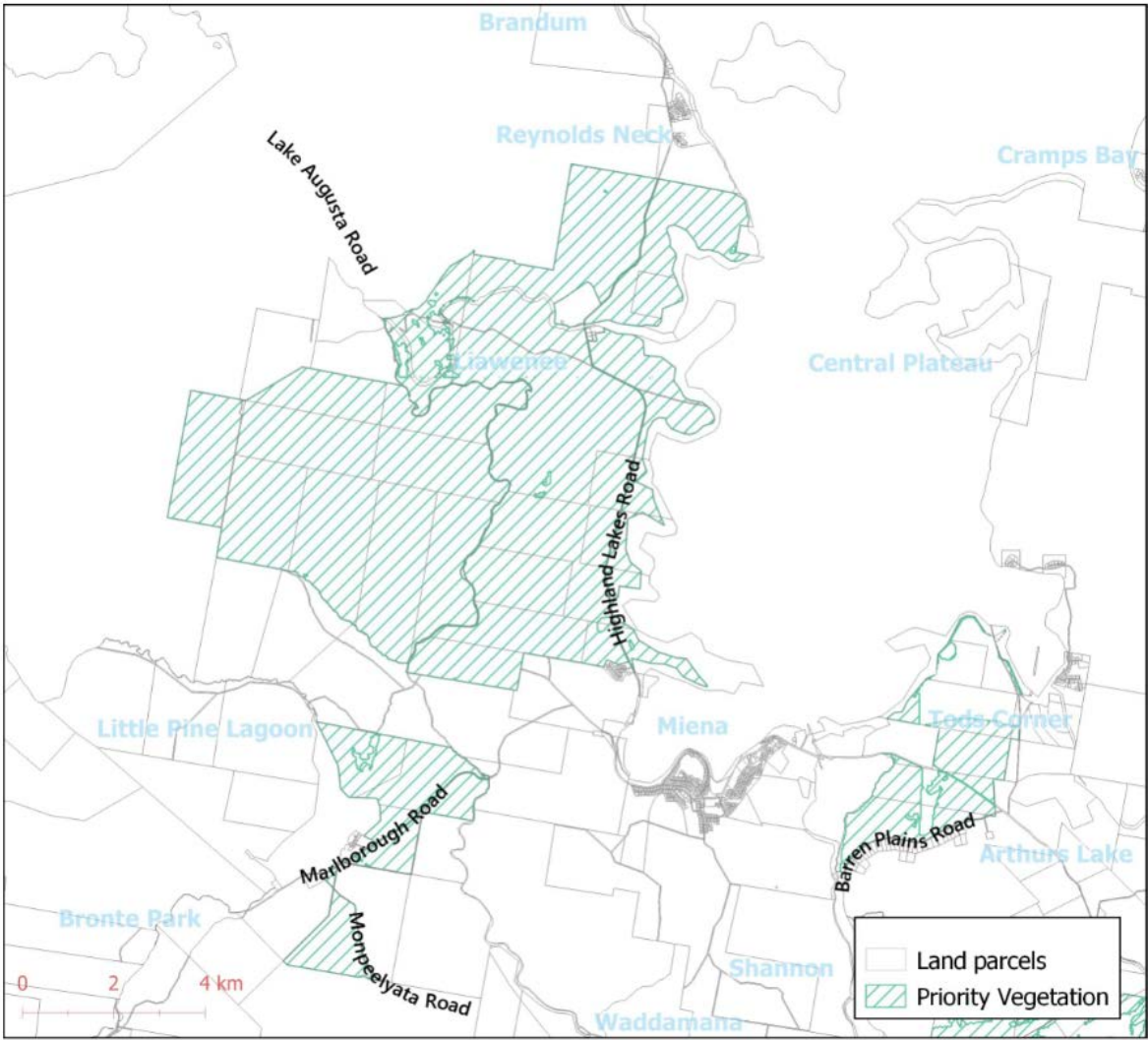


Figure 11: Application of the Priority Vegetation Area overlay to land at Liawenee, Tods Corner, Little Pine Lagoon and Bronte Park

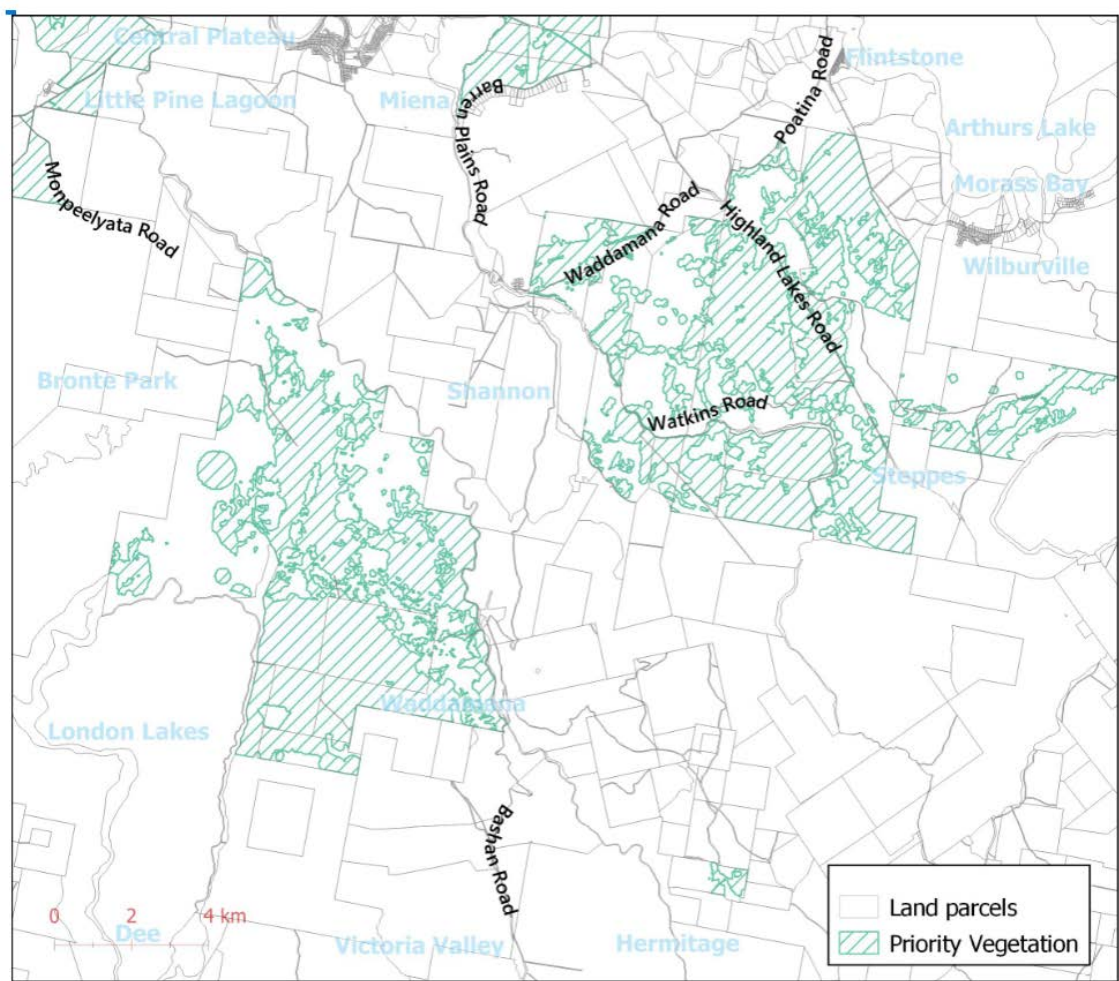


Figure 12: Application of the Priority Vegetation Area overlay to land at St Patricks Plains, Steppes, Waddamana and Hermitage



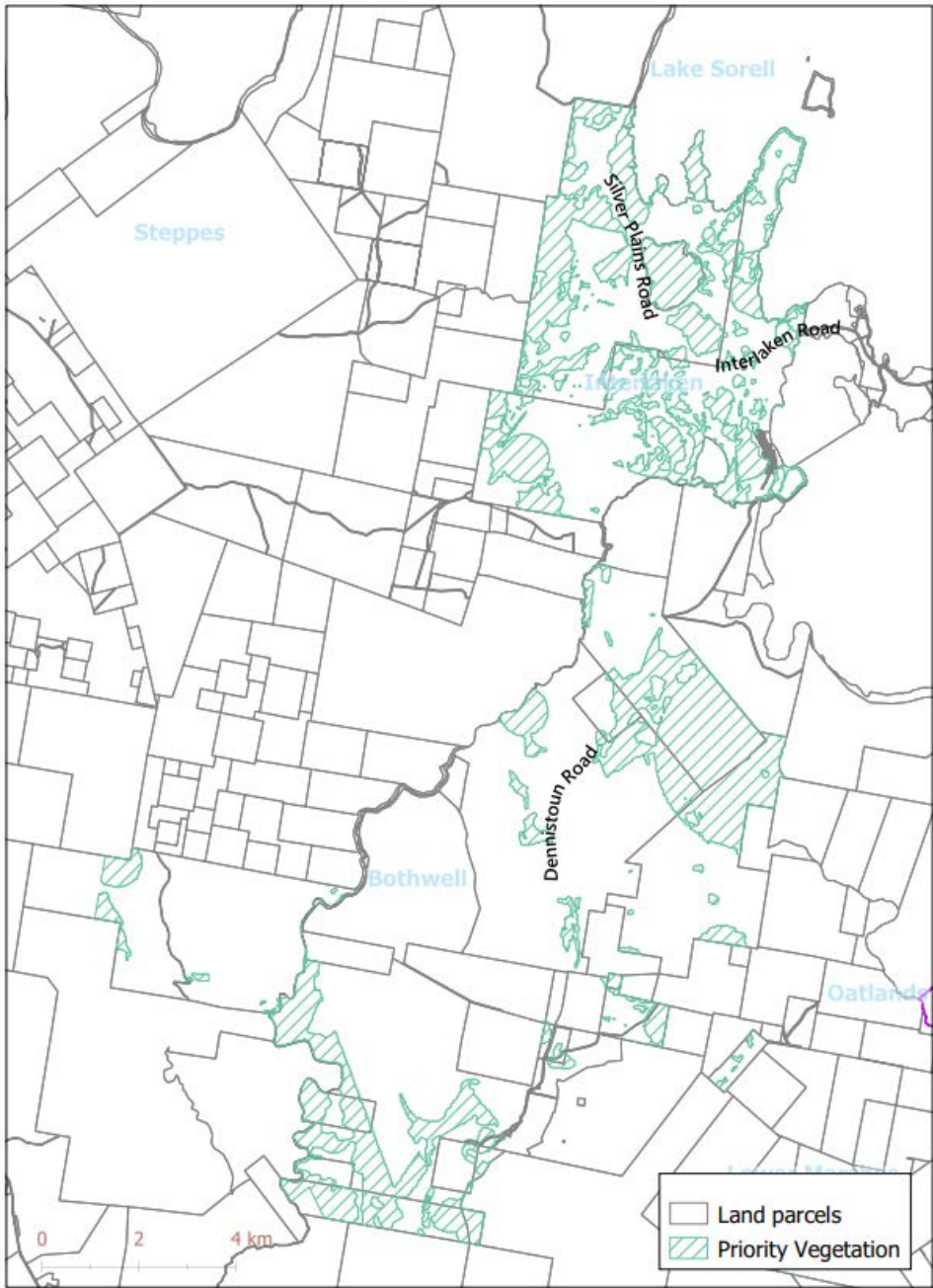


Figure 13: Application of the Priority Vegetation Area overlay to land at Interlaken, Bothwell and Lower Marshes



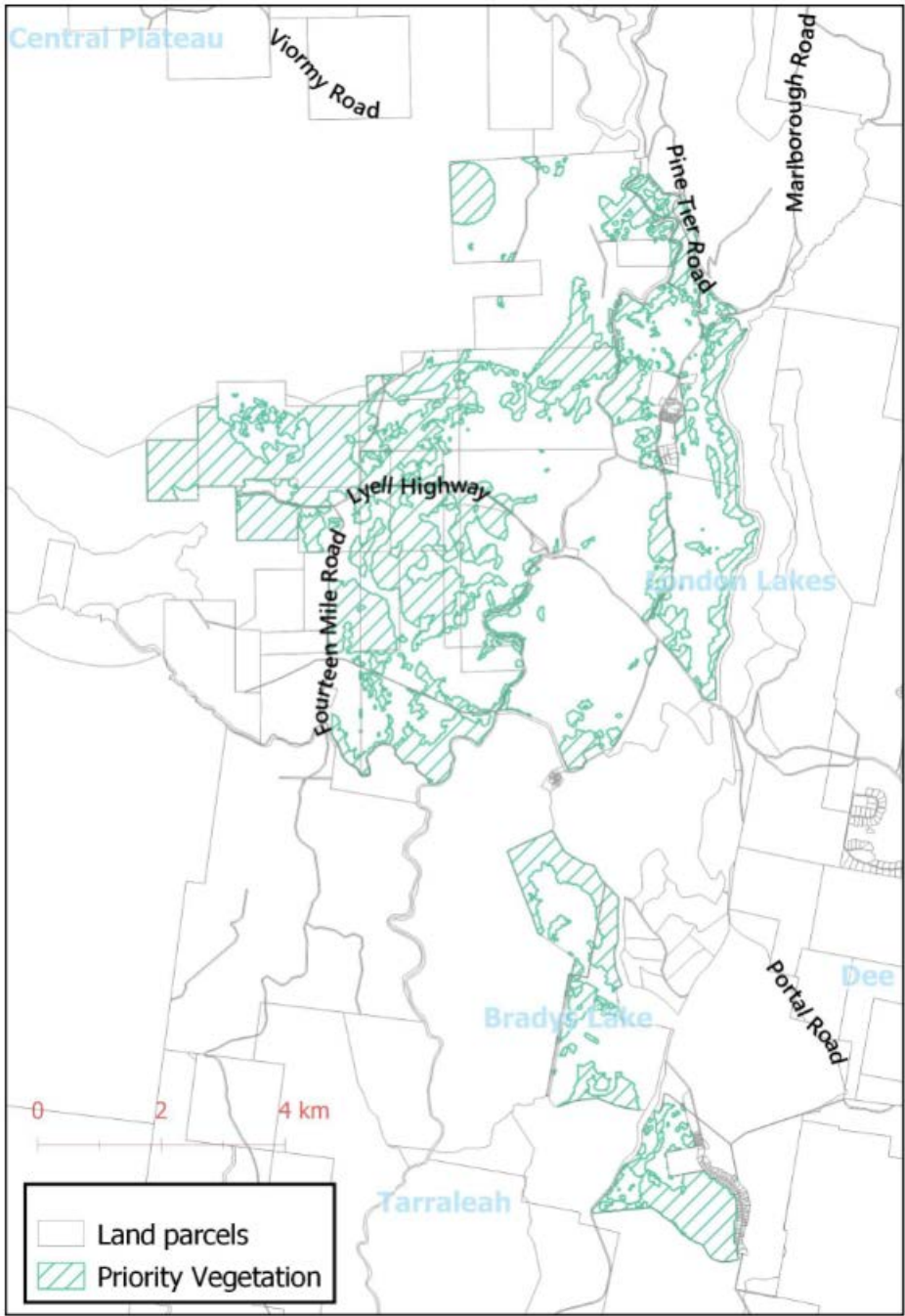


Figure 14: Application of the Priority Vegetation Area overlay to land at Bronte Park, London Lakes and Bradys Lake

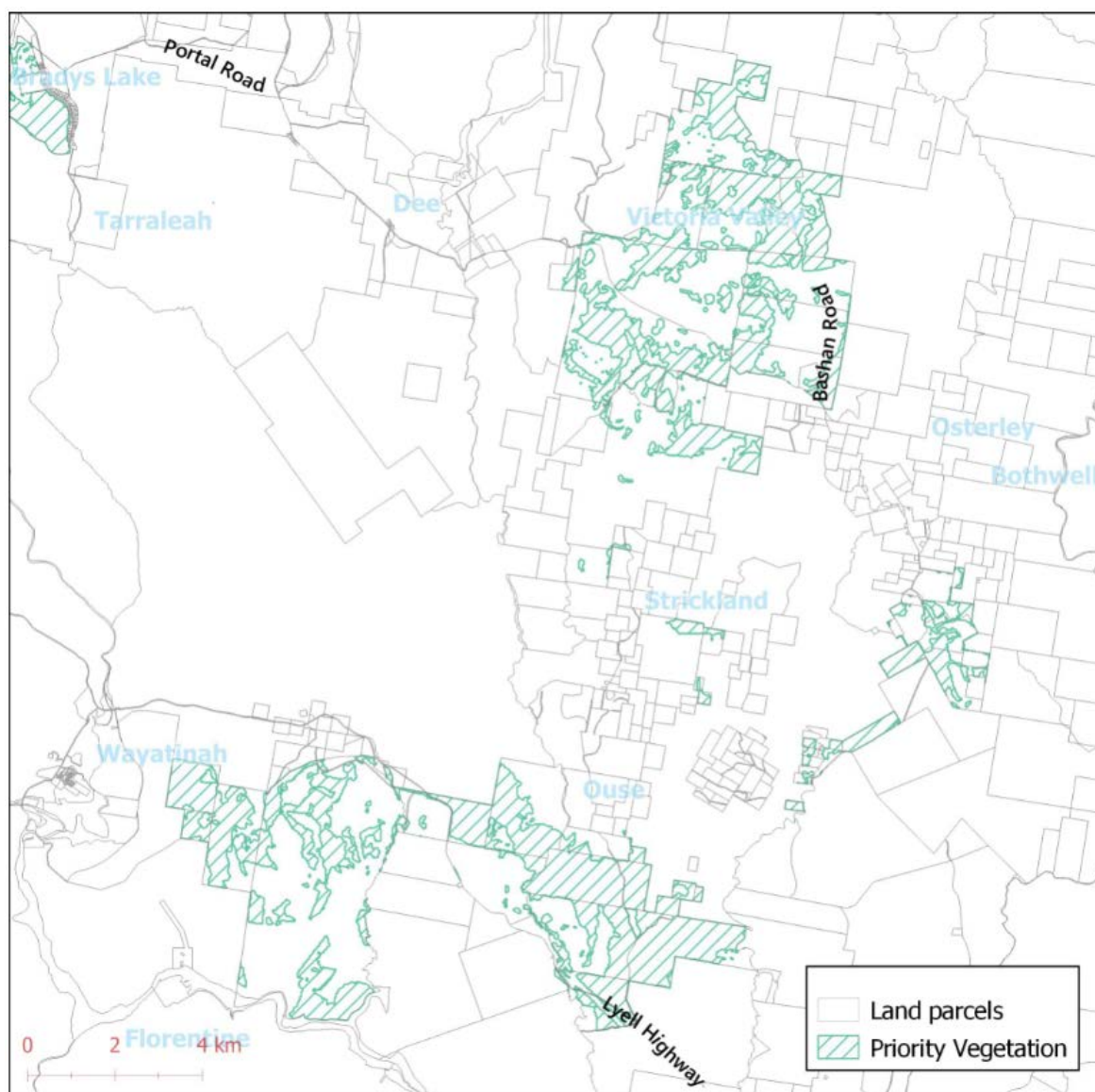


Figure 15: Application of the Priority Vegetation Area overlay to land at Victoria Valley, Strickland, Osterley, Ouse and Wayatinah

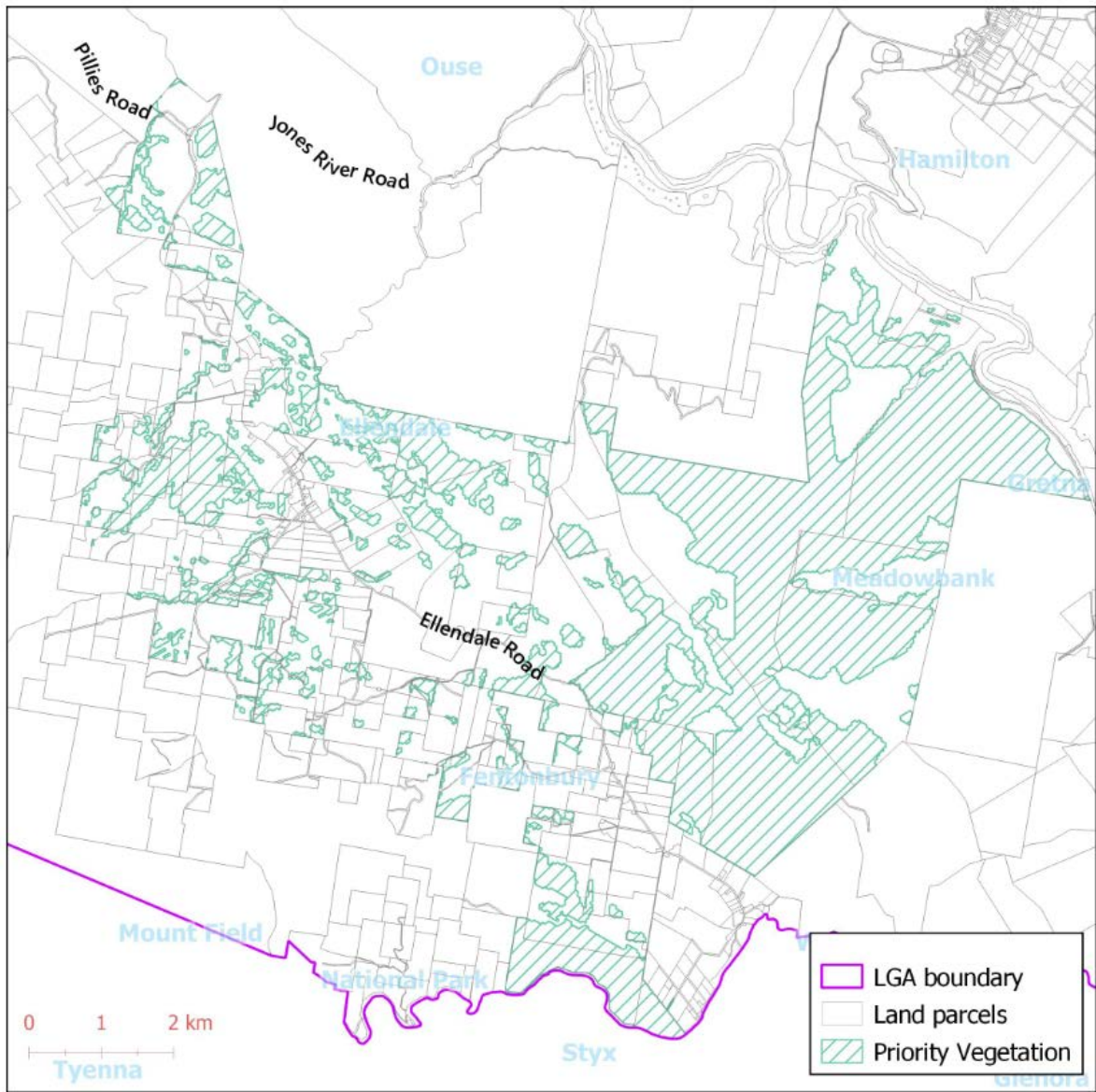


Figure 16: Application of the Priority Vegetation Area overlay to land at Ellendale, Meadowbank and Fentonbury



Figure 17: Application of the Priority Vegetation Area overlay to land at Hamilton, Gretna and Pelham

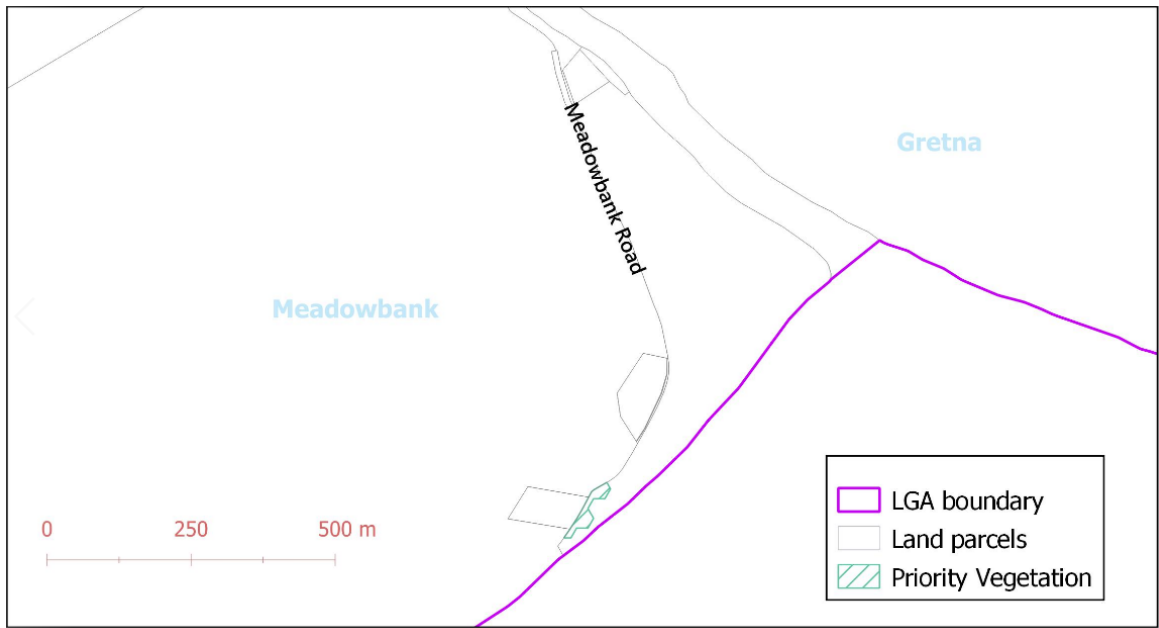


Figure 18: Application of the Priority Vegetation Area overlay to land at Meadowbank

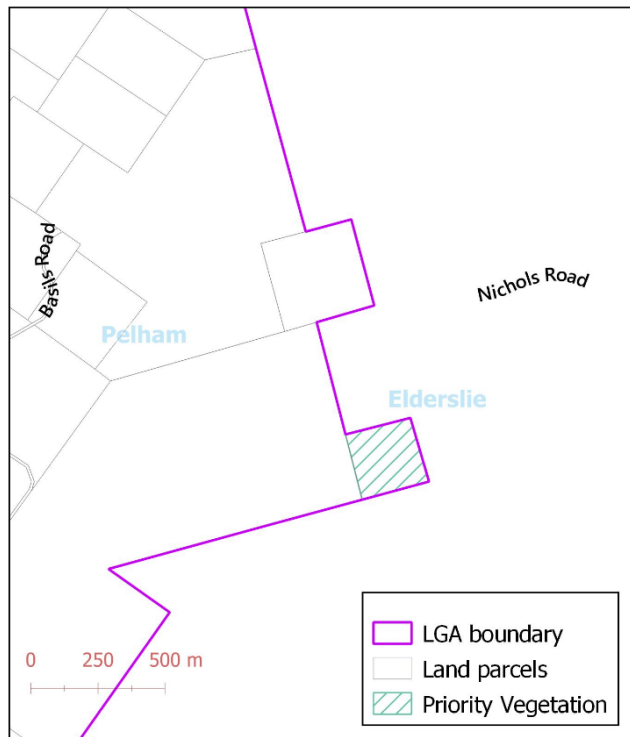


Figure 19: Application of the Priority Vegetation Area overlay to land at Pelham

## 2.0 Landscape Conservation Zone – Bullock Hills

- 2.1 Apply the Landscape Conservation Zone to the following properties, as shown in Figure 20 below:
- (a) Lot 1 Marked Tree Road, Hamilton (folio of the Register 166564/1);
  - (b) Lot 2 Marked Tree Road, Hamilton (folio of the Register 166564/2);
  - (c) Lot 3 Marked Tree Road, Hamilton (folio of the Register 166564/3);
  - (d) 1190 Marked Tree Road, Hamilton (folio of the Register 166563/1);
  - (e) Lot 2 Marked Tree Road, Hamilton (folio of the Register 166563/2); and
  - (f) Lot 3 Marked Tree Road, Hamilton (folio of the Register 166563/3).



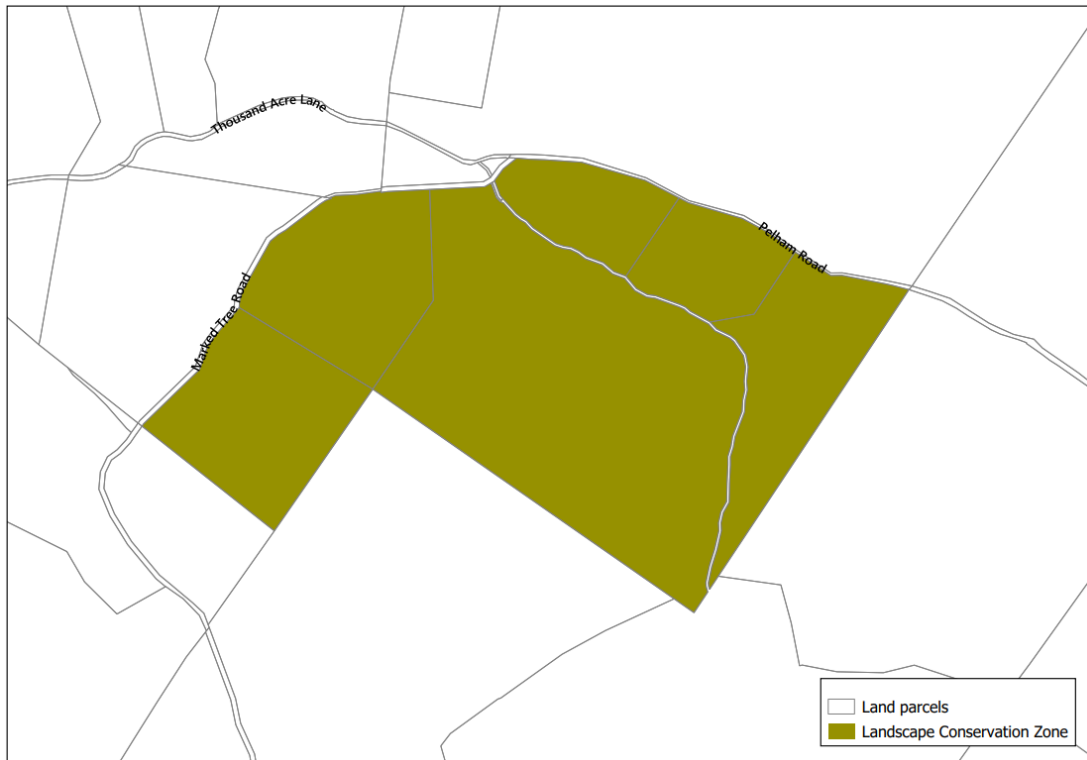


Figure 20: Application of the Landscape Conservation Zone to land at Bullocks Hills

### **3.0 Meadowbank Lake Specific Area Plan**

- 3.1 Insert CHI-S1.0 Meadowbank Lake Specific Area Plan into the Central Highlands Local Provisions Schedule, as set out in Annexure B to Attachment 3.
- 3.2 Apply the Meadowbank Lake Specific Area Plan overlay with annotation CHI-S1.0 to the area and the defined area – full supply level (73.15 AHD) overlay into the LPS overlay maps, as shown in figures 21 to 22 below:

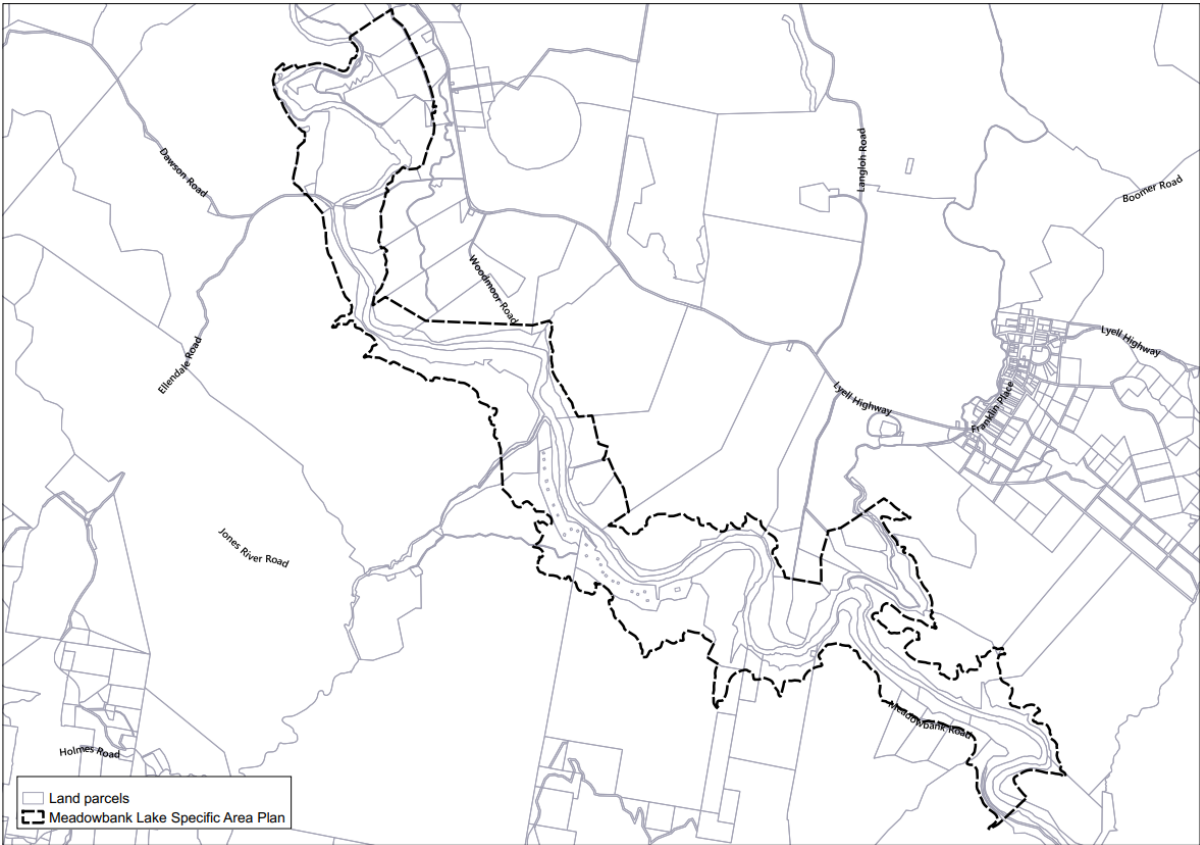


Figure 21: Meadowbank Lake Specific Area Plan overlay

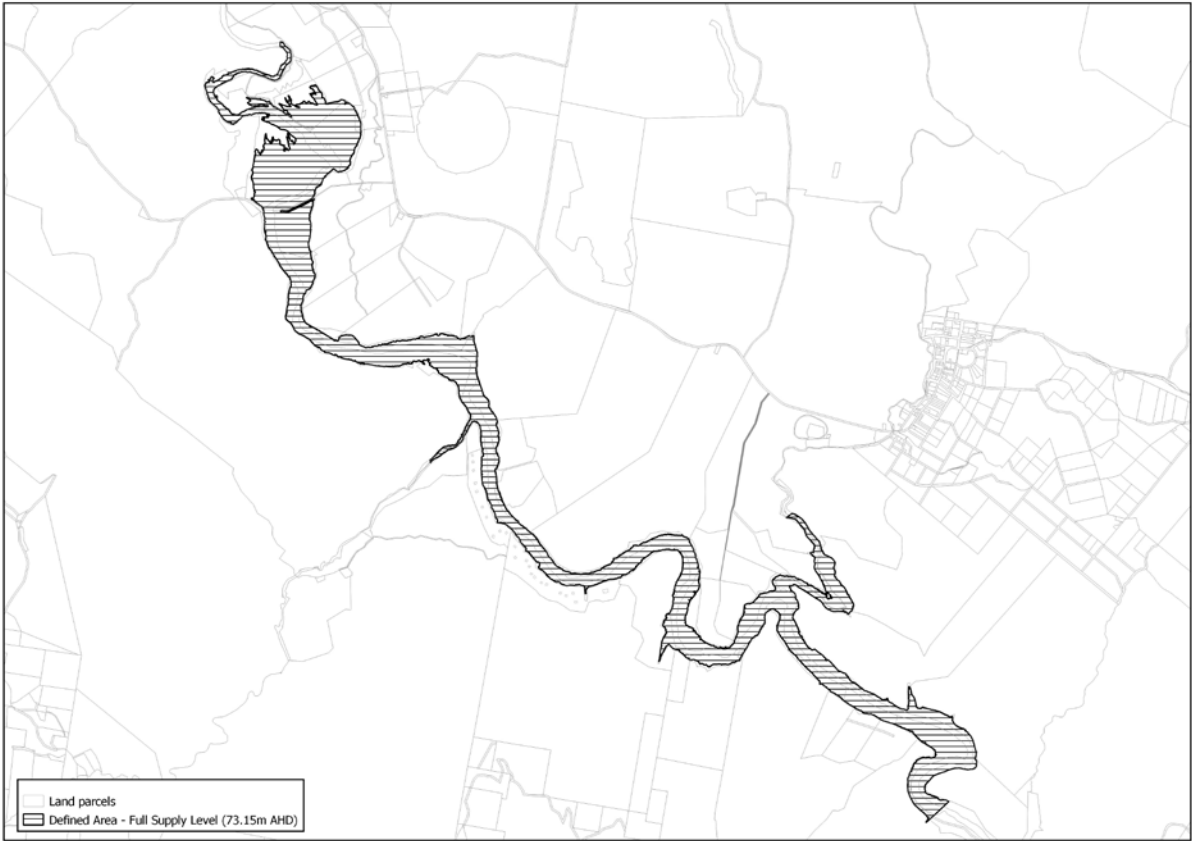


Figure 22: Meadowbank Lake Specific Area Plan – Defined Area Full Supply Level (73.15m AHD) overlay

- 3.3 Apply the Rural Zone to land within the boundaries of the Meadowbank Lake Specific Area Plan, as shown in Figure 23 below:

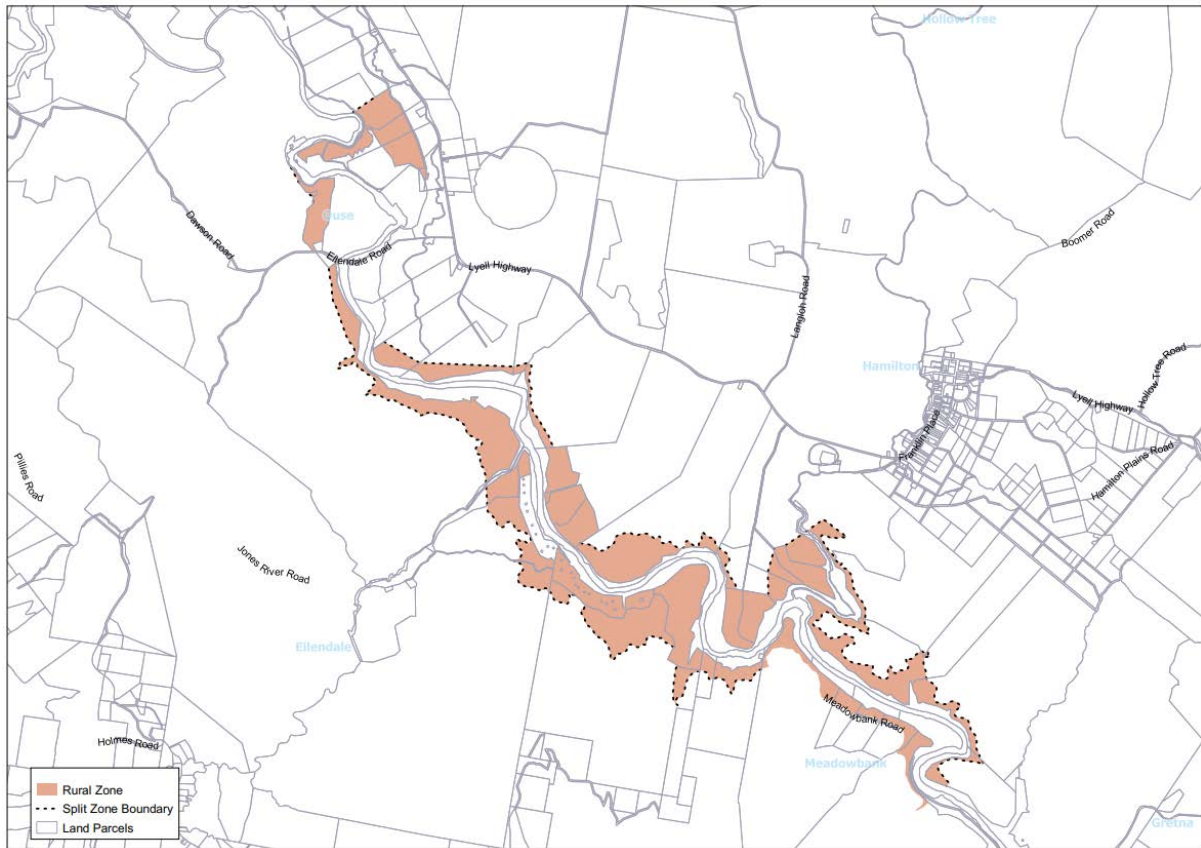


Figure 23: Application of the Rural Zone to land within the boundaries of the Meadowbank Lake Specific Area Plan

- 3.4 Apply the Priority Vegetation Area overlay to land within the boundaries of the Meadowbank Lake Specific Area Plan, as shown in Figure 24 below:





Figure 24: Application of the Priority Vegetation Area overlay to land within the boundaries of the Meadowbank Lake Specific Area Plan

## Attachment 3, Annexure A

### List of titles to be revised to the Rural Zone, located outside the “Blue Line”

#### Bothwell and Lower Marshes

- 1654 Dennistoun Road, Bothwell (folios of the Register 114269/1, 223044/1 and 238982/1);
- 3236 Highland Lakes Road, Bothwell (folios of the Register 208089/1 and 100348/1), being the creation of a split zone between the Rural Zone and Agriculture Zone;
- Lot 1 Dennistoun Road, Bothwell (folios of the Register 145942/1 and 141830/1);
- 2370 Dennistoun Road, Bothwell (folios of the Register 101454/1, 143182/1 and 143166/4);
- Lot 1 Dennistoun Road, Bothwell (folio of the Register 51780/1);
- Lower Marshes Road, Bothwell (folio of the Register 247806/2);
- 1561 Dennistoun Road, Bothwell (folio of the Register 119006/1, 119006/2, 41704/1, 41701/1 and 41703/1);
- Part of 1561 Dennistoun Road, Bothwell (folio of the Register 41699/1);
- Dennistoun Road, Bothwell (folio of the Register 204377/1);
- 749 Rotherwood Road, Lower Marshes (folio of the Register 95950/4);
- 749 Rotherwood Road Lower Marshes (folio of the Register 95950/2);
- 1652 Dennistoun Road, Bothwell (folio of the Register 209996/1);
- Casement land that is surrounded by folio of the Register 114269/1;
- Casement land that is surrounded by folio of the Register 209996/1;
- Casement land that is surrounded by folio of the Register 223044/1;
- Casement land to the north of folio of the Register 223044/1;
- Casement land to the south-east of folio of the Register 119006/1; and
- Crown land (Pot. PID 2225588).

#### Bronte Park and Bradys Lake

- Folio of the Register 236846/1 west of 13196 Lyell Highway, Bronte Park;
- Lyell Highway, Bronte Park (folio of the Register 127907/7);
- 317 Marlborough Road, Bronte Park (folio of the Register 127909/2);
- Lyell Highway, Bronte Park (folio of the Register 127909/5);
- Lyell Highway, Bronte Park (folio of the Register 127909/6);
- 12149 Lyell Highway, Bradys Lake (folio of the Register 127910/11);
- Lyell Highway, Bradys Lake (folio of the Register 127910/15);
- Lot 12 Marlborough Road, Bronte Park (folio of the Register 144483/12);

- Fourteen Mile Road, Bronte Park (folio of the Register 131674/1);
- 13762 Lyell Highway Bronte Park (folio of the Register 119018/1);
- 265 Marlborough Road, Bronte Park (folio of the Register 126862/1);
- Fourteen Mile Road, Bronte Park (folios of the Register 53446/5, 60884/1, 131673/1, 53445/4, 53445/2, 233915/1, 53445/1 and 249585/1);
- 1901 Fourteen Mile Road, Bronte Park (folio of the Register 237156/1 and 224623/1);
- 13545 Lyell Highway, Bronte Park (folio of the Register 222044/1);
- 13196 Lyell Highway, Bronte Park (folio of the Register 107004/3, 249586/2, 107006/5, 86505/5, 249586/1, 107002/1, 34160/1, 34160/2, 107005/4, 107003/2 and 107004/6); and
- Lot 2 Fourteen Mile Road, Bronte Park (folio of the Register 179798/2);
- Casement land within 13196 Lyell Highway Bronte Park (folio of the Register 26588/2);
- Casement land (folio of the Register 26588/1) to the east of folio of the Register 249586/1;
- Casement land, Bronte Lagoon Road (folio of the Register 127907/102);
- Casement land, Bronte Lagoon Road (folio of the Register 127907/103);
- Casement land, Fourteen Mile Road, to the east of folio of the Register 131673/1;
- Casement land within folio of the Register 224623/1;
- Casement land within folio of the Register 127909/2;
- Casement land within folio of the Register 127910/11;
- Casement land within folio of the Register 127910/15;
- Casement land within folio of the Register 34160/1;
- Casement land within folio of the Register 34160/2;
- Casement land to the south of folio of the Register 127909/2;
- Casement land within folio of the Register 127910/12; and
- Hydro Tasmania land, Clarence Pipeline (folios of the Register 52509/1 and 52509/2).

#### **Elderslie**

- Clifton Vale Road, Elderslie (folio of the Register 231712/1).

#### **Ellendale**

- 111 Dillons Road, Ellendale (folio of the Register 23462/1);
- 129 Dillons Road, Ellendale (folio of the Register 213856/17);
- 149 Dillons Road, Ellendale (folio of the Register 101701/1);
- 154 Dillons Road, Ellendale (folio of the Register 49387/1);
- 178 Dillons Road, Ellendale (folio of the Register 47827/1);
- 200 Dillons Road, Ellendale (folio of the Register 118422/1);
- 212 Dillons Road, Ellendale (folio of the Register 53962/1);

- 212 Dillons Road, Ellendale (folio of the Register 60661/1);
- 215 Dillons Road, Ellendale (folio of the Register 118423/1);
- 263 Dillons Road, Ellendale (folio of the register 8655/3);
- 65 Dillons Road, Ellendale (folio of the Register 244287/1);
- Lot 1 Dillons Road, Ellendale (folio of the Register 182220/1);
- Lot 1 Dillons Road, Ellendale (folio of the Register 31025/1);
- 1084 Ellendale Road, Ellendale (folio of the Register 14580/1);
- 1265 Ellendale Road, Ellendale (folio of the Register 104219/2);
- 1360 Ellendale Road, Ellendale (folios of the Register 9417/1 and 230664/1);
- 1420 Ellendale Road, Ellendale (folio of the Register 228354/1);
- 1428 Ellendale Road, Ellendale (folio of the Register 85438/1);
- 1719 Ellendale Road, Ellendale (folios of the Register 226811/1, 239672/1, 242918/1 and 245283/1);
- 418 Ellendale Road, Fentonbury (folio of the Register 100967/1);
- 564 Ellendale Road, Ellendale (folio of the Register 64531/1);
- 632 Ellendale Road, Ellendale (folio of the Register 165629/1);
- 652 Ellendale Road, Ellendale (folios of the Register 180859/1, 181016/1, 52660/2, 16474/1 and 222732/1);
- 691 Ellendale Road, Ellendale (folio of the Register 165870/3);
- 694 Ellendale Road, Ellendale (folio of the Register 162146/1);
- 760 Ellendale Road, Ellendale (folio of the Register 173269/1);
- 795 Ellendale Road, Ellendale (folio of the Register 118491/1);
- 809 Ellendale Road, Ellendale (folios of the Register 14336/1, 250539/1, 44112/1 and 208420/5);
- 820 Ellendale Road, Ellendale (folios of the Register 64193/4);
- 936 Ellendale Road, Ellendale (folio of the Register 197147/1);
- Ellendale Road, Ellendale (folios of the Register 220530/3 and 225570/1);
- Ellendale Road, Ellendale (folios of the Register 230663/1, 86319/1 and 242380/1);
- Ellendale Road, Ellendale (folio of the Register 239733/1);
- Ellendale Road, Ellendale (folio of the Register 247965/1);
- Ellendale Road, Ellendale (folios of the Register 84698/1 and 95467/4);
- Ellendale Road, Fentonbury (folio of the Register 217578/1);
- Lot 1 Ellendale Road, Ellendale (folio of the Register 95449/1);
- Lot 2 Ellendale Road, Ellendale (folio of the Register 173269/2);

- Lot 4 Ellendale Road, Ellendale (folio of the Register 165870/4);
- 1084 Ellendale Road, Ellendale (folio of the Register 14580/2), replacement of the Agriculture Zone with the Rural Zone to the exhibited zone boundary only;
- Ellendale Road, Ellendale (folio of the Register 244823/1) , replacement of the Agriculture Zone with the Rural Zone up to the exhibited zone boundary only;
- 983 Ellendale Road, Ellendale (folio of the Register 148227/1), replacement of the Agriculture Zone with the Rural Zone up to the exhibited zone boundary only;
- 985a Ellendale Road, Ellendale (folio of the Register 148228/1), replacement of the Agriculture Zone with the Rural Zone up to the exhibited zone boundary only;
- 10 Rayners Hill Road, Ellendale (folio of the Register 172976/1);
- 135 Rayners Hill Road, Ellendale (folios of the Register 226750/1, 210298/1, 238434/1 and 224969/1);
- 158 Rayners Hill Road, Ellendale (folio of the Register 126720/2);
- 186 Rayners Hill Road, Ellendale (folio of the Register 13114/4);
- 189 Rayners Hill Road, Ellendale (folio of the Register 205518/1);
- Rayners Hill Road, Ellendale (folio of the Register 126721/1);
- Lot 1 Rayners Hill Road, Ellendale (folio of the Register 231447/1 and 238435/1);
- 175 Rayners Hill Road, Ellendale (folio of the Register 233455/1);
- 121 Dry Poles Road, Ellendale (folio of the Register 117127/1);
- 154 Dry Poles Road, Ellendale (folio of the Register 105673/1 and 105673/2);
- 234 Dry Poles Road, Ellendale (202204/1, 115065/1 and 102672/3);
- 279 Dry Poles Road, Ellendale (folio of the Register 229281/1);
- 310 Dry Poles Road, Ellendale (folio of the Register 229204/1, 52730/2, 52730/4, 222728/1, 208709/1, 52730/3 and 52730/1);
- 449 Dry Poles Road, Ellendale (folio of the Register 121102/1);
- 458 Dry Poles Road, Ellendale (folio of the Register 230826/1);
- 460 Dry Poles Road, Ellendale (folio of the Register 121227/1);
- Dry Poles Road, Ellendale (folio of the Register 104097/1);
- Dry Poles Road, Ellendale (folio of the Register 105673/3);
- Dry Poles Road, Ellendale (folios of the Register 133902/1, 121227/3, 53146/6, 121227/2 and 53146/3);
- 180 Dry Poles Road, Ellendale (folio of the Register 85626/1);
- 10 Coopers Road, Ellendale (folio of the Register 9898/1);
- 27 Coopers Road, Ellendale (folio of the Register 233721/1);
- 50 Coopers Road, Ellendale (folios of the Register 225455/1 and 225990/1);

- 130 The Avenue, Ellendale (folio of the Register 134455/1);
- 38 The Avenue, Ellendale (PID 2662729);
- 38 The Avenue, Ellendale (folios of the Register 142872/1, 142885/1, 142884/1, 24117/5867, 126720/1, 171234/1 and 171234/1);
- 38 The Avenue, Ellendale (folio of the Register 199404/1) replacement of the Agriculture Zone with the Rural Zone to the exhibited zone boundary only;
- 88 The Avenue, Ellendale (folio of the Register 226752/1);
- 90 The Avenue, Ellendale (folio of the Register 207714/1);
- 38 The Avenue, Ellendale (folio of the Register 223933/1) to the exhibited zone boundary only;
- 170 Rockmount Road, Ellendale (folio of the Register 19686/3);
- 214 Rockmount Road, Ellendale (folio of the Register 19686/2);
- 215 Rockmount Road, Ellendale (folio of the Register 168233/3);
- Rockmount Road, Ellendale (folio of the Register 19686/1);
- Lot 1 Rockmount Road, Ellendale (folio of the Register 95467/1);
- 178 Marriotts Road, Ellendale (folios of the Register 200678/1 and 212425/1);
- 79 Marriotts Road, Ellendale (folio of the Register 240562/1);
- 80 Marriotts Road, Ellendale (folio of the Register 50822/2);
- 82 Marriotts Road, Ellendale (folio of the Register 107189/2);
- 9 Marriotts Road, Ellendale (folio of the Register 182220/2);
- Marriotts Road, Ellendale (folio of the Register 107189/1);
- Marriotts Road, Ellendale (folio of the Register 51314/1);
- 20 Wiggs Lane, Ellendale (folio of the Register 54330/1);
- 151 Wiggs Lane, Ellendale (folio of the Register 126413/1);
- 160 Wiggs Lane, Ellendale (folio of the Register 126376/1);
- 40 Wiggs Lane, Ellendale (folio of the Register 233721/2 and 210297/1);
- 30 Curlys Lane, Ellendale (folio of the Register 252646/1);
- Curlys Lane, Ellendale (folio of the Register 223970/1);
- 27 Holmes Road, Ellendale (folio of the Register 245882/1);
- 45 Holmes Road, Ellendale (folio of the Register 104219/1);
- 5 Holmes Road, Ellendale (folio of the Register 225776/1);
- 70 Quinns Road, Ellendale (folio of the Register 44761/1);
- 80 Quinns Road, Ellendale (folio of the Register 115064/1);
- 25 Fenton Road, Ellendale (folio of the Register 44761/4);

- 46 Fenton Road, Ellendale (folio of the Register 44761/5);
- Fenton Road, Ellendale (folio of the Register 67436/1);
- 69 Hanlons Road, Ellendale (folio of the Register 223076/1);
- Ransleys Road, Ellendale (folio of the Register 226751/1);
- 1400 Meadowbank Road, Meadowbank (folio of the Register 163527/1);
- 720 Meadowbank Road, Meadowbank (folio of the Register 18933/2);
- 168 Risbys Road, Ellendale (folio of the Register 22886/1);
- Central Highlands Council land (folio of the Register 64193/15);
- Department of State Growth land (folio of the Register 225848/1);
- Casement land forming part of Pillies Road (folio of the Register 21691/3);
- Casement land forming part of Rockmount Road, to the east of folio of the Register 222732/1;
- Casement land forming part of Rockmount Road, to the north-east of folio of the Register 84698/1;
- Casement land forming part of Rockmount Road (folio of the Register 49633/2);
- Casement land, Ellendale Road, between folios of the Register 67436/1 and 509594/1;
- Casement land within folio of the Register 151251/2 and to the west of folio of the Register 117481/1;
- Casement land, Ellendale Road, between folios of the Register 228354/1 to 225848/1;
- Casement land to the north of folio of the Register 100968/1;
- Casement land forming part of Pillies Road (folios of the Register 21691/1, 21691/2 and 21691/4) and to the north of folio of the Register 239733/1;
- Casement land forming part of Wiggs Lane (folio of the Register 126413/101);
- Casement land forming part of Dry Poles Road, within folios of the Register 105673/1, 208708/1, 221739/1, 22728/1, 208709/1, 52730/4, 117127/1 and 117127/2;
- Casement land to the east of folios of the Register 165870/4 and 105673/1;
- Casement land to the north of folio of the Register 117127/1;
- Casement land (folio of the Register 165870/100);
- Casement land forming part of Dry Poles Road, within folios of the Register 121227/2 and 134455/1;
- Casement land to the east of folio of the Register 53146/6;
- Casement land to the south of folio of the Register 230826/1;
- Casement land forming part of Marriotts Road, within folios of the Register 182220/1, 182220/2, 107189/1, and 107189/2;
- Casement land forming part of Quinns Road (folios of the Register 44761/2, 44761/3 and 49244/1);



- Casement land within folio of the Register 115065/1;
- Casement land to the west of folio of the Register 165810/4;
- Casement land to the east of folio of the Register 229281/1;
- Casement land to the north of folio of the Register 104219/1;
- Casement land within folios of the Register 134455/1 and 133902/1; and
- Casement land to the south of folio of the Register 142884/1.

#### **Fentonbury and Westerway**

- 374 Ellendale Road, Fentonbury (folio of the Register 102188/2);
- 380 Ellendale Road, Fentonbury (folio of the Register 117481/1);
- 379 Ellendale Road, Fentonbury (folio of the Register 117480/1, 209961/1 and 100968/1);
- Lot 1 Ellendale Road, Westerway (folio of the Register 7502/1);
- 351 Ellendale Road, Fentonbury (folio of the Register 49610/1 and 49609/1);
- Ellendale Road, Fentonbury (folio of the Register 151251/2), replacement of the Agriculture Zone with the Rural Zone to the exhibited zone boundary only;
- Ellendale Road, Fentonbury (folio of the Register 50417/2), replacement of the Agriculture Zone with the Rural Zone to the exhibited zone boundary only;
- 160 Gully Road, Fentonbury (folio of the Register 225884/1);
- 179 Gully Road, Fentonbury (folio of the Register 207362/1);
- 260 Gully Road, Fentonbury (folio of the Register 117127/3);
- 50 Gully Road, Fentonbury (folio of the Register 151251/1), replacement of the Agriculture Zone with the Rural Zone to the exhibited zone boundary only;
- 181 Gully Road, Fentonbury (folio of the Register 161804/1);
- Lot 1 Gully Road, Fentonbury (folio of the Register 161805/1);
- 259 Gully Road, Fentonbury (folio of the Register 207821/1);
- 165 Gully Road, Fentonbury (folio of the Register 207363/1);
- 180 Gully Road, Fentonbury (folios of the Register 229616/1, 112772/2 and 125054/1);
- 121 Dry Poles Road, Ellendale (folio of the Register 117127/2);
- 39 Dry Poles Road, Ellendale (folio of the Register 165870/2);
- 99 Dry Poles Road, Ellendale (folio of the Register 221739/1);
- 200 Mccallums Road, Fentonbury (folio of the Register 126435/2);
- Mccallums Road, Fentonbury (folios of the Register 247172/1 and 248137/1);
- Lot 1 Mccallums Road, Fentonbury (folio of the Register 214286/1);
- 106 Mccallums Road, Fentonbury (folio of the Register 126435/1);
- Mccallums Road, Fentonbury (folio of the Register 126435/3);

- 90 Hall Road, Fentonbury (folio of the Register 27963/1);
- 110 Hall Road, Fentonbury (folio of the Register 224868/1);
- 59 Hall Road, Fentonbury (folio of the Register 108642/1);
- 108 Hall Road, Fentonbury (folio of the Register 13940/1);
- 101 Hall Road, Fentonbury (folio of the Register 244601/1);
- Leeson Road, Westerway (folio of the Register 139115/1);
- Casement land that is within folios of the Register 13940/1, 224868/1, 27963/1 and 244601/1; and
- Casement land to the east of folio of the Register 126435/3.

#### **Gretna**

- Lot 2 Lyell Highway, Gretna (folio of the Register 146220/2);
- Lyell Highway, Gretna (folio of the Register 158526/1);
- 749 Marked Tree Road, Gretna (folio of the Register 102690/3);
- 970 Marked Tree Road, Hamilton (folio of the Register 171934/1);
- Marked Tree Road, Gretna (folio of the Register 108593/1);
- Lot 1 Marked Tree Road, Gretna (folio of the Register 152912/1);
- Casement land forming part of Marked Tree Road to the west of folios of the Register 171934/1 and 108593/1;
- Casement land to the west of folio of the Register 166563/1.

#### **Interlaken**

- 3119 Interlaken Road, Interlaken (folios of the Register 43771/4, 125860/2, 210216/1 and 43771/1);
- 3269 Dennistoun Road, Interlaken (folio of the Register 40973/1); and
- Casement land forming part of Laycock Drive (folio of the Register 37690/201).

#### **Liawenee and Miena**

- Lot 1 Marlborough Road, Miena (folios of the Register 171135/1, 250486/1, 246605/1, 148377/7, 32146/1, 162608/1, 148378/2, 148377/6, 148377/1, 148380/8 and 148377/5);
- Lot 2 Marlborough Road, Miena (folio of the Register 250486/2);
- 435 Lake Augusta Road, Liawenee (folio of the Register 118623/1);
- Lake Augusta Road, Liawenee (folios of the Register 251215/2, 27224/5, 27224/2, 27224/7, 27224/8 and 27224/6);
- Lake Augusta Road, Liawenee (folio of the Register 27224/1);
- Barren Plains Road, Miena (folio of the Register 19054/9);
- Highland Lakes Road, Miena (folio of the Register 20491/1);
- Lot 646 Highland Lakes Road, Miena (folio of the Register 35611/646);

- Lot 647 Highland Lakes Road, Miena (folio of the Register 35611/647);
- Lot 649 Highland Lakes Road, Miena (folio of the Register 35842/649);
- Lot 1 Highland Lakes Road, Miena (folio of the Register 158054/1);
- Lot 1 Tods Corner Road, Miena (folio of the Register 37040/1);
- Tods Corner Road, Tods Corner (folio of the Register 19054/14);
- Hydro Tasmania land forming the Liawenee Canal (folio of the Register 199869/2);
- Hydro Tasmania land, Liawenee Canal (folio of the Register 199869/1);
- Casement land within folio of the Register 171135/1;
- Casement land within folio of the Register 199869/2;
- Casement land within folio of the Register 246605/1;
- Casement land to the south of folio of the Register 246605/1;
- Casement land to the east of folio of the Register 250486/2; and
- Casement land within folio of the Register 37040/1.

#### **Little Pine Lagoon**

- 2296 Marlborough Road, Little Pine Lagoon (folio of the Register 53436/4);
- 2462 Marlborough Road, Little Pine Lagoon (folio of the Register 53436/2);
- 2533 Marlborough Road, Little Pine Lagoon (folio of the Register 53583/1);
- 2693 Marlborough Road, Little Pine Lagoon (folio of the Register 102295/101);
- Lot 1 Marlborough Road, Little Pine Lagoon (folio of the Register 129317/1);
- Lot 6 Marlborough Road, Little Pine Lagoon (folio of the Register 102295/6);
- 10 Monpeelyata Road, Little Pine Lagoon (folio of the Register 26389/2);
- Casement land to the north-west of folio of the Register 26389/2;
- Casement land to the south of folio of the Register 53436/2;
- Casement land to the west of folio of the Register 53504/3; and
- LGA Subdivision road casements forming Monpeelyata Road (folios of the Register 26389/3, 26389/4 and 18530/2).

#### **Meadowbank**

- 109 Meadowbank Road, Meadowbank (folio of the Register 106367/1) and to the road centreline of Meadowbank Road within casement adjacent to folio of the Register 106437/1;
- 130 Meadowbank Road, Meadowbank (folio of the Register 33235/1);
- 174 Meadowbank Road, Meadowbank (folio of the Register 32880/1);
- 200 Meadowbank Road, Meadowbank (folio of the Register 35385/3);
- 204 Meadowbank Road, Meadowbank (folio of the Register 35385/2);
- 208 Meadowbank Road, Meadowbank (folio of the Register 35385/1);

- 219 Meadowbank Road, Meadowbank (folio of the Register 16330/1);
- 720 Meadowbank Road, Meadowbank (folio of the Register 36399/1);
- 1220 Meadowbank Road, Meadowbank (folio of the Register 138542/4);
- 1240 Meadowbank Road, Meadowbank (folio of the Register 163527/4);
- 1280 Meadowbank Road, Meadowbank (folio of the Register 163527/3);
- 1340 Meadowbank Road, Meadowbank (folio of the Register 163527/2);
- 720 Meadowbank Road, Meadowbank (folio of the Register 36398/1), that section located to the east of Meadowbank Road only;
- 720 Meadowbank Road, Meadowbank (folio of the Register 163541/1), that section located outside of the “blue line” only;
- Casement land , Meadowbank Road adjacent to folio of the Register 33235/1;
- Casement land forming part of Meadowbank Road, within folios of the Register 163527/3 and 163527/4;
- Casement land forming part of Meadowbank Road (folio of the Register 32880/2);
- Casement land within folio of the Register 138542/4;
- To the road centreline of Meadowbank Road within that part of the casement adjacent to folio of the Register 106437/1; and
- Casement land (folio of the Register 106367/2).

**Ouse, Strickland and Osterley**

- 261 Lanes Tier Road, Ouse (folio of the Register 226148/1);
- 943 Lanes Tier Road, Ouse (folio of the Register 115813/1, 115813/2, 171875/1, 115812/2, 115812/1 and 163938/1);
- 1045 Lanes Tier Road, Ouse (folio of the Register 51400/1);
- 7537 Lyell Highway, Ouse (folio of the Register 122489/1);
- 7619 Lyell Highway, Ouse (folio of the Register 252369/1);
- 8415 Lyell Highway, Ouse (folio of the Register 34103/3);
- Lyell Highway, Ouse (folios of the Register 132346/1 and 232159/1);
- Lyell Highway, Ouse (folio of the Register 135001/1);
- Lyell Highway, Ouse (folios of the Register 228880/1, 209518/1 and 212142/1);
- Lyell Highway, Ouse (folio of the Register 132346/2), replacement of the Agriculture Zone with the Rural Zone to the exhibited zone boundary only;
- Lanes Tier Road, Ouse (folio of the Register 240986/1);
- Lanes Tier Road, Ouse (folio of the Register 230603/1);
- Victoria Valley Road, Osterley (folio of the Register 100778/1);
- Victoria Valley Road, Ouse (folio of the Register 51401/1);

- Victoria Valley Road, Osterley (folio of the Register 101602/1);
- Victoria Valley Road, Osterley (folio of the Register 250221/1);
- Victoria Valley Road, Osterley (folios of the Register 205311/1, 205312/1, 205309/1, 205310/1 and 205307/1);
- Lot 2 Victoria Valley Road, Osterley (folio of the Register 154836/2);
- Wellwood Road, Osterley (folio of the Register 101963/1);
- 180 Pearces Road, Strickland (folio of the Register 202950/1);
- Pearces Road, Strickland (folio of the Register 160316/2);
- Pearces Road, Strickland (folio of the Register 204942/1);
- 340 Strickland Road, Ouse (folio of the Register 164926/1);
- 370 Strickland Road, Strickland (folio of the Register 160316/1);
- 798 Strickland Road, Strickland (folio of the Register 107239/1);
- 1024 Strickland Road, Strickland (folio of the Register 232127/1);
- 1239 Strickland Road, Strickland (folio of the Register 201742/1);
- Lot 1 Strickland Road, Ouse (folios of the Register 165087/2 and 241236/1);
- Strickland Road, Ouse (folios of the Register 230267/1 and 68930/1);
- Strickland Road, Strickland (folio of the Register 202947/1);
- Lot 1 Strickland Road, Strickland (folio of the Register 205681/1);
- Strickland Road, Strickland (folios of the Register 209624/1 and 204746/1);
- Strickland Road, Strickland (folio of the Register 232343/1);
- Lot 1 Strickland Road, Strickland (folio of the Register 158240/1);
- Lot 2 Strickland Road, Strickland (folio of the Register 158240/2);
- Strickland Road, Strickland (folios of the Register 204102/1 and 227594/1);
- Strickland Road, Strickland (folio of the Register 209209/1);
- Strickland Road, Strickland (folio of the Register 147026/1);
- Strickland Road, Strickland (folio of the Register 222898/1);
- Lot 1 Strickland Road, Strickland (folio of the Register 161416/1);
- Lot 2 Strickland Road, Strickland (folio of the Register 161416/2);
- Lot 1 Strickland Road, Strickland (folio of the Register 201743/1);
- Strickland Road, Strickland (folio of the Register 211771/1);
- 53 Triffetts Road, Strickland (folio of the Register 201883/1);
- 140 Triffetts Road, Strickland (folio of the Register 240652/1);
- Casement land within folio of the Register 163938/1;

- Casement land to the east of folio of the Register 115813/2;
- Casement land to the south of folio of the Register 171875/1;
- Casement land to the west of folio of the Register 250221/1;
- Crown land to the east of folio of the Register 154836/2;
- Casement land forming part of Strickland Road, within folio of the Register 161416/1;
- Casement land to the east of folio of the Register 201742/1;
- Hydro Tasmania land (Catagunya Road, folio of the Register 249110/1;
- Casement land (Pearces Road, folio of the Register 242213/1);
- Casement land forming part of Strickland Road, to the west of folios of the Register 164926/1 and 160316/1;
- Casement land within folio of the Register 34103/3; and
- Casement land to the south of folio of the Register 122489/1.

#### **Shannon, Steppes and Arthurs Lake**

- 5814 Highland Lakes Road, Steppes (folio of the Register 33301/1);
- 6011 Highland Lakes Road, Steppes (folio of the Register 182189/1);
- 6011 Highland Lakes Road, Steppes (folio of the Register 182190/1);
- 6212 Highland Lakes Road, Steppes (folio of the Register 124603/1);
- 6300 Highland Lakes Road, Steppes (folio of the Register 126982/1);
- Highland Lakes Road, Steppes (folio of the Register 126983/1);
- 5000 Interlaken Road, Steppes (folio of the Register 36492/1);
- Penstock Road, Shannon (folio of the Register 122031/1);
- Penstock Road, Shannon (folios of the Register 100080/3, 100080/2, 100081/65 and 205991/1);
- Poatina Road, Arthurs Lake (folio of the Register 19038/4);
- Poatina Road, Arthurs Lake (folio of the Register 36228/3);
- 4244a Waddamana Road, Steppes (folios of the Register 100672/3, 233158/1, 100672/4, 100672/1 and 156999/1);
- Casement land that is surrounded by folio of the Register 233158/1;
- Casement land that is surrounded by folio of the Register 100672/1;
- Casement land that is surrounded by folio of the Register 36492/1;
- Casement land that is surrounded by folios of the Register 100080/2, 100080/3 and 122031/1;
- Casement land adjacent to the northern boundary of folio of the Register 182190/1; and
- Hydro Tasmania land, Ripple Canal (folios of the Register 28987/1, 29887/1, 26886/4, 26886/3, 26886/2, 26886/1, 26885/5, 26885/4, 26885/3, 26885/2 and 26885/1).

### **Victoria Valley**

- 655 Bashan Road, Victoria Valley (folios of the Register 208314/1 and 248119/3);
- 2500 Victoria Valley Road, Victoria Valley (folios of the Register 241778/1);
- 2965 Victoria Valley Road, Victoria Valley (folios of the Register 161417/1, 153723/1, 106737/2, 106737/1 and 106736/1);
- 3136 Victoria Valley Road, Victoria Valley (folio of the Register 248119/2);
- 3189 Victoria Valley Road, Victoria Valley (folio of the Register 42611/1);
- Victoria Valley Road, Victoria Valley (folios of the Register 104890/1, 104891/1 and 228233/1);
- Casement land forming part of Strickland Road, within folio of the Register 161416/1;
- Casement land to the south of folio of the Register 161417/1;
- Casement land within folio of the Register 153723/1;
- Crown land (Pot. PID 2235938).

### **Waddamana**

- 197 Macclesfield Road, Waddamana (folios of the Register 135247/2, 135246/1, 29897/6 and 29897/1);
- Part of 197 Macclesfield Road, Waddamana (folio of the Register 135247/1);
- 198 Macclesfield Road, Waddamana (folio of the Register 108423/1);
- 166 Jean Banks Road, Waddamana (folio of the Register 51886/2);
- Casement land forming part of Bashan Road (folio of the Register 12657/1);
- Casement land that is surrounded by folio of the Register 108423/1; and
- Casement land that is surrounded by folio of the Register 135247/2.



## Attachment 3, Annexure B

### CHI-S1.0 Meadowbank Lake Specific Area Plan

#### CHI-S1.1 Plan Purpose

The purpose of the Meadowbank Lake Specific Area Plan is:

- CHI-S1.1.1 To recognise and protect operation of Meadowbank Lake 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 Meadowbank Lake 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 Meadowbank Lake 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 the orderly and strategic development of Visitor Accommodation at appropriate scales and in appropriate locations, 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 both the recreation-tourism use of the area and the significant role the lake plays in Greater Hobart's drinking water system.

#### CHI-S1.2 Application of this Plan

- CHI-S1.2.1 The specific area plan applies to the area of land designated as Meadowbank Lake 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 AHD.
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.
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"> <li>(a) the concept design and location of all buildings and associated works, including vehicular access and parking;</li> <li>(b) the concept design and location of any facilities used in association with Visitor Accommodation;</li> <li>(c) access points to the public road network, internal roads and parking areas;</li> <li>(d) the location of any existing or proposed aquatic structures on the foreshore or on Meadowbank Lake;</li> <li>(e) landscaping of the site to minimise the visual impact of development on views to the site from Meadowbank Lake;</li> </ul>

	<p>(f) how the development maintains and enhances the natural, cultural and landscape values of the area and complies with the plan purpose statements;</p> <p>(g) an operational plan including:</p> <ul style="list-style-type: none"> <li>(i) waste management;</li> <li>(ii) complaint management;</li> <li>(iii) noise management; and</li> </ul> <p>(h) any staging of operations or development including estimated timeframes.</p>
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
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	<p>If for:</p> <ul style="list-style-type: none"> <li>(a) a home-based business in an existing dwelling; or</li> <li>(b) alterations or extensions to an existing dwelling.</li> </ul>
Utilities	If for minor utilities.
<b>Permitted</b>	
Resource Development	If for an agricultural use, excluding controlled environment agriculture, tree farming and plantation forestry.
Utilities	<p>If for:</p> <ul style="list-style-type: none"> <li>(a) electricity generation;</li> </ul>

	(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.
<b>Discretionary</b>	
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.
<b>Prohibited</b>	
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 is in addition to Environmental Management Zone – clause 23.3.1 Discretionary use.

<b>Objective:</b>	That uses listed as Discretionary recognise and are compatible with the natural, cultural and landscape values of Meadowbank Lake together with the plan purpose statements.	
Acceptable Solutions		Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> A use listed as Discretionary must be consistent with the natural, cultural and landscape values of Meadowbank Lake together with the plan purpose statements, having regard to:  (a) the significance of the natural, cultural, and landscape values;  (b) the protection, conservation and management of the values;  (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.	
<b>A2</b> No Acceptable Solution.	<b>P2</b> A use listed as Discretionary must not confine or restrain existing agricultural use on adjoining properties, having regard to:  (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 is in addition to Environmental Management Zone – clause 23.3.1 Discretionary use.

<b>Objective:</b>	Visitor Accommodation does not cause an unreasonable loss of amenity or impact on the natural, cultural or landscape values of the area.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Visitor Accommodation must: <ul style="list-style-type: none"> <li>(a) have not more than 1 holiday cabin per title;</li> <li>(b) accommodate guests in existing buildings, or</li> <li>(c) have no more than 5 campsites or caravan park sites per title.</li> </ul>	<b>P1</b> Visitor Accommodation 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.

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

## 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.

<b>Objective:</b>	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
<b>A1</b> 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.	<b>P1</b> Buildings and works, excluding for a camping & 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"> <li>(a) the visual amenity of the rural setting when viewed from adjoining properties, or from Meadowbank Lake, its foreshore or public places; and</li> <li>(b) impacts of any stormwater discharge directly into Meadowbank Lake.</li> </ul>	
<b>A2</b> Buildings must have a setback from all boundaries of not less than 20m.	<b>P2</b> Buildings must be sited to not cause an unreasonable loss of amenity, or impact on landscape values of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the side and rear setbacks of adjacent buildings;</li> <li>(d) the height, bulk, and form of existing and proposed buildings;</li> <li>(e) the need to remove vegetation as part of the development;</li> <li>(f) the appearance when viewed from adjacent property;</li> <li>(g) the landscape values of the area; and</li> <li>(h) the plan purpose statements.</li> </ul>	
<b>A3</b>	<b>P3</b>	



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.	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.
<b>A4</b> Individual campsites or caravan park sites must be no more than 50m <sup>2</sup> in area.	<b>P4</b> No performance criteria.
<b>A5</b> 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: (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.	<b>P5</b> 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: (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; (d) any buffers created by natural or other features; and (e) any proposed attenuation measures.

## 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.

<b>Objective:</b>	That safe and practicable vehicular access is provided with minimal impact on the surrounding natural, scenic and cultural values.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Vehicular access is provided using existing vehicular tracks and internal roads.	<b>P1</b> The design, construction and location of vehicular access must have minimal impact on the surrounding natural, scenic and cultural values, having regard to: (a) providing safe connections from existing road infrastructure;	

	<ul style="list-style-type: none"> <li>(b) minimising the total number of new roads and tracks within the Meadowbank Lake Specific Area Plan area;</li> <li>(c) being appropriate to the setting, and not substantially detracting from the rural character of the area;</li> <li>(d) avoiding impacts from dust, run-off and noise to other land users; and</li> <li>(e) consolidating and sharing vehicular access wherever practicable.</li> </ul>
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#### 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.

<b>Objective:</b>	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
<b>A1</b> Buildings and works must: <ul style="list-style-type: none"> <li>(a) be located within a building area, if shown on a sealed plan; or</li> <li>(b) be an alteration or extension to an existing building providing it is not more than the existing building height; and</li> <li>(c) not include cut and fill greater than 1m; and</li> <li>(d) be on a site not requiring the clearing of native vegetation; and</li> <li>(e) be not less than 10m in elevation below a skyline or ridgeline.</li> </ul>		<b>P1.1</b> Buildings and works must be located to minimise impacts on landscape values, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) the proposed building height, size and bulk;</li> <li>(d) any constraints imposed by existing development;</li> <li>(e) visual impact when viewed from roads and public places; and</li> <li>(f) any screening vegetation, and</li> </ul> <b>P1.2</b> be located in an area requiring the clearing of native vegetation only if <ul style="list-style-type: none"> <li>(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</li> <li>(b) the extent of clearing is the minimum necessary to meet the requirements of the Bushfire-Prone Areas Code.</li> </ul>

<p><b>A2</b></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><b>P2</b></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"> <li>(a) a communal toilet/shower/laundry facility;</li> <li>(b) storage;</li> <li>(c) a site office or reception building.</li> </ul>
<p><b>A3</b></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><b>P3</b></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"> <li>(a) the appearance of the building when viewed from roads or public places in the surrounding area;</li> <li>(b) any screening vegetation; and</li> <li>(c) the nature of the exterior finishes.</li> </ul>

#### CHI-S1.7.5 Aquatic structures

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.

<p><b>Objective:</b></p>	<p>That permanent aquatic structures such as pontoons, boat ramps and jetties on Meadowbank Lake 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.</p>
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>An aquatic structure is:</p> <ul style="list-style-type: none"> <li>(a) for the replacement of an existing structure;</li> <li>(b) provided by or on behalf of the Crown, council or a State Authority; and</li> <li>(c) the rationalisation of two or more structures on Meadowbank Lake or its foreshore.</li> </ul>	<p><b>P1</b></p> <p>Aquatic structures must avoid adverse impacts on the natural, cultural and landscape values of Meadowbank Lake and only be constructed as necessary and safe having regard to:</p> <ul style="list-style-type: none"> <li>(a) the advice and operational needs of Hydro Tasmania;</li> <li>(b) rationalising existing aquatic structures as far as practicable;</li> <li>(c) avoiding the proliferation of aquatic structures in the immediate vicinity;</li> </ul>

	<p>(d) the demonstrated need for the aquatic structure; and</p> <p>(e) the plan purpose statements.</p>
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#### 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.

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

#### 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.

<b>Objective:</b>	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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Buildings or works within 20m of the full supply level must be accepted by Hydro Tasmania	<b>P1</b> Buildings and works within 20m of the full supply 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

<b>Objective:</b>	That on-site waste water management does not contribute to adverse impacts on water quality.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	

<p><b>A1</b></p> <p>Land application area must be 100m from full supply level.</p>	<p><b>P1</b></p> <p>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 Meadowbank Lake, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the capacity of the site to absorb waste water;</li> <li>(c) the size and shape of the site;</li> <li>(d) the existing buildings and any constraints imposed by existing development;</li> <li>(e) the area of the site to be covered by the proposed development;</li> <li>(f) the provision for landscaping, vehicle parking, driveways and private open space;</li> <li>(g) any adverse impacts on the quality of ground and surface waters;</li> <li>(h) any adverse environmental impact on surrounding properties and the locality;</li> <li>(i) any cumulative adverse impacts on the operation of the waste water treatment system created by any nearby waste water treatment systems;</li> <li>(j) the benefit, or otherwise, of collective waste water treatment systems.</li> <li>(k) written advice from a suitably qualified person (onsite waste water management) about the adequacy of the on-site waste water management system.</li> </ul>
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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.

# TASMANIAN PLANNING COMMISSION



Our ref: DOC/23/2833  
Officer: Linda Graham  
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12 January 2023

Ms Kim Hossack  
General Manager  
Central Highlands Council  
PO Box 20  
HAMILTON TAS 7140

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Dear Ms Hossack,

## Central Highlands draft LPS

### Erratum

I refer to the Commission's decision on the Central Highlands draft LPS dated 4 January 2023.

The Commission has issued an erratum to that decision to make a correction to the notice under section 35KB(1), on a matter which was a subject of the hearing.

The decision does not include the correct version of the CHI-S1.0 Meadowbank Lake Specific Area Plan (SAP) at Attachment 3, Annexure B as determined by the Commission Delegates. The erratum contains the correct version of the SAP, which becomes a substantial modification to the draft LPS as indicated at para 330 of the decision,.

A copy of the erratum is attached for your information and will be published on the Commission's website.

If you need clarification on the listed matters, please contact Linda Graham, Planning Adviser, on 03 6165 6826.

Yours sincerely

John Ramsay  
**Executive Commissioner**

Encl: Erratum

cc: representors/submitters

***Land Use Planning and Approvals Act 1993 (the Act)***

**Erratum under section 81AA(1)**

**Decision on Central Highlands draft LPS, 4 January 2023**

**Table 1 - list of corrections to decision**

<b>Page</b>	<b>Paragraph</b>	<b>Correction</b>	<b>Approved</b>
149 - 160	Attachment 3, Annexure B – Notice under section 35KB(1) – CHI-S1.0 Meadowbank Lake Specific Area Plan	To replace Attachment 3, Annexure B (CHI-S1.0 Meadowbank Lake Specific Area Plan) with CHI-S1.0 Meadowbank Lake Specific Area Plan as set out below:	John Ramsay <b>Executive Commissioner</b>  Date: 12 January 2023

**CHI-S1.0 Meadowbank Lake Specific Area Plan**

**CHI-S1.1 Plan Purpose**

The purpose of the Meadowbank Lake Specific Area Plan is:

- CHI-S1.1.1 To recognise and protect operation of Meadowbank Lake 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 Meadowbank Lake 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 Meadowbank Lake 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 the orderly and strategic development of appropriately scaled and located Visitor Accommodation, particularly camping and caravan parks and overnight camping areas.
- CHI-S1.1.9 To provide for Resource Development and Resource Processing compatible with the recreation-tourism use of the area.



CHI-S1.1.10 To provide for use and development which does not compromise the significant role the lake plays in Greater Hobart's drinking water system.

### **CHI-S1.2 Application of this Plan**

CHI-S1.2.1 The specific area plan applies to the area of land designated as Meadowbank Lake 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; and

(b) Environmental Management Zone,

as specified in the relevant provision.

CHI-S1.2.3 Applications requiring assessment against the CHI-S1.7.6 performance criteria will be referred to Aboriginal Heritage Tasmania as part of the Section 57 notification under the Land Use Planning and Approvals Act 1993.

CHI-S1.2.4 Applications requiring assessment against the CHI-S1.7.7 performance criteria will be referred to Hydro Tasmania as part of the Section 57 notification under the Land Use Planning and Approvals Act 1993.

### **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:

<b>Terms</b>	<b>Definition</b>
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 full supply level is 73.15m AHD. as shown on an overlay map and in Figure CHI-S1.1.
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.
master development plan	means a site-specific master plan including maps, diagrams and written documentation demonstrating:

	<ul style="list-style-type: none"> <li>(a) the concept design and location of all buildings and associated works, including vehicular access and parking;</li> <li>(b) the concept design and location of any facilities used in association with Visitor Accommodation;</li> <li>(c) access points to the public road network, internal roads and parking areas;</li> <li>(d) the location of any existing or proposed aquatic structures on the foreshore or on Meadowbank Lake;</li> <li>(e) landscaping of the site to minimise the visual impact of development on views to the site from Meadowbank Lake;</li> <li>(f) how the development maintains and enhances the natural, cultural and landscape values of the area and complies with the plan purpose statements;</li> <li>(g) an operational plan including: <ul style="list-style-type: none"> <li>(i) waste management;</li> <li>(ii) complaint management;</li> <li>(iii) noise management; and</li> </ul> </li> <li>(h) any staging of operations or development including estimated timeframes.</li> </ul>
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.

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	

Residential	<p>If for:</p> <p>(a) a home-based business in an existing dwelling; or</p> <p>(b) alterations or extensions to an existing dwelling.</p>
Utilities	If for minor utilities.
<b>Permitted</b>	
Resource Development	If for an agricultural use, excluding controlled environment agriculture, tree farming and plantation forestry.
Utilities	<p>If for:</p> <p>(a) electricity generation;</p> <p>(b) collecting, treating, transmitting, storing or distributing water;</p> <p>(c) electrical sub-station or powerline;</p> <p>(d) pumping station; or</p> <p>(e) storm or flood water drain, water storage dam and weir.</p>
<b>Discretionary</b>	
Community Meeting and Entertainment	
Food Services	
Pleasure Boat Facility	<p>If for a boat ramp, jetty, pontoon.</p> <p>If not for a marina.</p>
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.
<b>Prohibited</b>	
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 and is in addition to Environmental Management Zone – clause 23.3.1 Discretionary use.

<b>Objective:</b>	That uses listed as Discretionary recognise and are compatible with the natural, cultural and landscape values of Meadowbank Lake together with the plan purpose statements.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>  No Acceptable Solution.		<b>P1</b>  A use listed as Discretionary must be consistent with the natural, cultural and landscape values of Meadowbank Lake together with the plan purpose statements, having regard to:

	<ul style="list-style-type: none"> <li>(a) the significance of the natural, cultural, and landscape values;</li> <li>(b) the protection, conservation and management of the values;</li> <li>(c) the location, intensity and scale of the use and impacts on existing use and other lake activities;</li> <li>(d) the characteristics and type of use;</li> <li>(e) impact of traffic generation and parking requirements;</li> <li>(f) any emissions and waste produced by the use;</li> <li>(g) the storage and holding of goods, materials and waste; and</li> <li>(h) the proximity of sensitive uses.</li> </ul>
<b>A2</b> No Acceptable Solution.	<b>P2</b> 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"> <li>(a) the location of the proposed use;</li> <li>(b) the nature, scale and intensity of the use;</li> <li>(c) the likelihood and nature of any adverse impacts on adjoining uses; and</li> <li>(d) any off site impacts from adjoining uses.</li> </ul>

#### CHI-S1.6.2 Visitor Accommodation

<b>Objective:</b>	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
<b>A1</b> Visitor Accommodation must: <ul style="list-style-type: none"> <li>(a) have not more than 1 visitor accommodation unit per title;</li> <li>(b) accommodate guests in existing buildings, or</li> <li>(c) have no more than 5 campsites or caravan park sites per title.</li> </ul>		<b>P1</b> Visitor Accommodation must be in accordance with suitable master development plan prepared to the satisfaction of the Planning Authority

## **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 and Environmental Management Zone – clause 23.4.2 Building height, setback and siting A1 and P1.

<b>Objective:</b>	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.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> Building height must be not more than: (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.	<b>P1</b> Building height must be compatible with the landscape values of the area, having regard to: (e) the height, bulk and form of proposed buildings; (f) the height, bulk and form of adjacent existing buildings; (g) the topography of the site; (h) the visual impact of the buildings when viewed from Meadowbank Lake, its foreshore or public places; and (i) 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.

<b>Objective:</b>	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	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b> 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.	<b>P1</b> 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: (a) the visual amenity of the rural setting when viewed from adjoining properties, or from	

	<p>Meadowbank Lake, its foreshore or public places; and</p> <p>(b) impacts of any stormwater discharge directly into Meadowbank Lake.</p>
<p><b>A2</b></p> <p>Buildings must have a setback from all boundaries of not less than 20m.</p>	<p><b>P2</b></p> <p>Buildings must be sited to not cause an unreasonable loss of visitor accommodation amenity, or impact on landscape values of the site, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the side and rear setbacks of adjacent buildings;</p> <p>(d) the height, bulk, and form of existing and proposed buildings;</p> <p>(e) the need to remove vegetation as part of the development;</p> <p>(f) the appearance when viewed from adjacent property;</p> <p>(g) the landscape values of the area; and</p> <p>(h) the plan purpose statements.</p>
<p><b>A3</b></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><b>P3</b></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><b>A4</b></p> <p>Individual campsites or caravan park sites must be no more than 50m<sup>2</sup> in area.</p>	<p><b>P4</b></p> <p>No performance criteria</p>
<p><b>A5</b></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> <p>(a) not less than 200m; or</p> <p>(b) if the setback of an existing building for a sensitive use on the site is within 200m of</p>	<p><b>P5</b></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> <p>(a) the size, shape and topography of the site;</p>

that boundary, not less than the existing building.	<p>(b) the separation from those zones of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the existing and potential use of land in the adjoining zones;</p> <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.

<b>Objective:</b>	That safe and practicable vehicular access is provided with minimal impact on the surrounding natural, scenic and cultural values.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Vehicular access is provided using existing vehicular tracks and internal roads.</p>	<p><b>P1</b></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> <p>(a) providing safe connections from existing road infrastructure;</p> <p>(b) minimising the total number of new roads and tracks within the Meadowbank Lake Specific Area Plan area;</p> <p>(c) being appropriate to the setting, and not substantially detracting from the rural character of the area;</p> <p>(d) avoiding impacts from dust, run-off and noise to other land users; and</p> <p>(e) consolidating and sharing vehicular access wherever practicable.</p>



#### CHI-S1.7.4 Landscape Protection

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

<b>Objective:</b>	That buildings and works are compatible with the landscape values of the site and surrounding area and managed to minimise adverse impacts.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Buildings and works must:</p> <ul style="list-style-type: none"> <li>(a) be located within a building area, if shown on a sealed plan; or</li> <li>(b) be an alteration or extension to an existing building providing it is not more than the existing building height; and</li> <li>(c) not include cut and fill greater than 1m; and</li> <li>(d) be on a site not requiring the clearing of native vegetation; and</li> <li>(e) be not less than 10m in elevation below a skyline or ridgeline.</li> </ul>	<p><b>P1.1</b></p> <p>Buildings and works must be located to minimise impacts on landscape values, having regard to:</p> <ul style="list-style-type: none"> <li>(f) the topography of the site;</li> <li>(g) the size and shape of the site;</li> <li>(h) the proposed building height, size and bulk;</li> <li>(i) any constraints imposed by existing development;</li> <li>(j) visual impact when viewed from roads and public places; and</li> <li>(k) any screening vegetation, and</li> </ul> <p><b>P1.2</b></p> <p>be located in an area requiring the clearing of native vegetation only if:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) the extent of clearing is the minimum necessary for bushfire protection.</li> </ul>

<p><b>A2</b></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><b>P2</b></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"> <li>(a) a communal toilet/shower/laundry facility;</li> <li>(b) storage;</li> <li>(c) a site office or reception building.</li> </ul>
<p><b>A3</b></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><b>P3</b></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"> <li>(a) the appearance of the building when viewed from roads or public places in the surrounding area;</li> <li>(b) any screening vegetation; and</li> <li>(c) the nature of the exterior finishes.</li> </ul>

#### CHI-S1.7.5 Aquatic structures

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

<p><b>Objective:</b></p>	<p>That permanent aquatic structures such as pontoons, boat ramps and jetties on Meadowbank Lake 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.</p>
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>An aquatic structure is:</p> <ul style="list-style-type: none"> <li>(a) for the replacement of an existing structure;</li> <li>(b) provided by or on behalf of the Crown, council or a State Authority; and</li> <li>(c) the rationalisation of two or more structures on Meadowbank Lake or its foreshore.</li> </ul>	<p><b>P1</b></p> <p>Aquatic structures must avoid adverse impacts on the natural, cultural and landscape values of Meadowbank Lake and only be constructed as necessary and safe having regard to:</p> <ul style="list-style-type: none"> <li>(a) the advice and operational needs of Hydro Tasmania;</li> <li>(b) rationalising existing aquatic structures as far as practicable;</li> <li>(c) avoiding the proliferation of aquatic structures in the immediate vicinity;</li> </ul>

	<p>(d) the demonstrated need for the aquatic structure; and</p> <p>(e) the plan purpose statements.</p>
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CHI-S1.7.6 Aboriginal Heritage

<b>Objective:</b>	That Aboriginal heritage is not inappropriately disturbed.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Building and works:</p> <p>(a) must not involve excavation;</p> <p>(b) the application is accompanied by a record of advice and Unanticipated Discovery Plan, issued by Aboriginal Heritage Tasmania; or</p> <p>(c) is in accordance with an Approved Permit issued by the Minister for Aboriginal Affairs under Section 14 of the Aboriginal Heritage Act 1975.</p>	<p><b>P1</b></p> <p>Building and works must not inappropriately disturb Aboriginal heritage, having regard to any:</p> <p>(a) advice received from Aboriginal Heritage Tasmania; or</p> <p>(b) Aboriginal cultural heritage assessment by a suitably qualified person.</p>	

CHI-S1.7.7 Protection of Lake Operation

<b>Objective:</b>	That the operation of the lake for hydro-electric power generation and as a major source of potable water for greater Hobart is not compromised.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Buildings and works within 20 metres of the full supply level must be accompanied by the written support of Hydro Tasmania, with or without conditions.</p>	<p><b>P1</b></p> <p>Buildings and works within 20m of the full supply level must:</p> <p>(a) not hinder the operation of the lake for hydro-electric generation purposes; and</p>	

	<p>(b) not compromise water quality;</p> <p>having regard to any advice received from Hydro Tasmania and/or relevant authority.</p>
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#### CHI-S1.7.8 On-site waste water management

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

<b>Objective:</b>	That on-site waste water management does not contribute to adverse impacts on water quality.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Land application area must be 100m from full supply level.</p>	<p><b>P1</b></p> <p>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 Meadowbank Lake, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the capacity of the site to absorb waste water;</li> <li>(c) the size and shape of the site;</li> <li>(d) the existing buildings and any constraints imposed by existing development;</li> <li>(e) the area of the site to be covered by the proposed development;</li> <li>(f) the provision for landscaping, vehicle parking, driveways and private open space;</li> <li>(g) any adverse impacts on the quality of ground and surface waters;</li> <li>(h) any adverse environmental impact on surrounding properties and the locality;</li> <li>(i) (any cumulative adverse impacts on the operation of the waste water treatment system created by any nearby waste water treatment systems;</li> <li>(j) the benefit, or otherwise, of collective waste water treatment systems; and</li> <li>(k) written advice from a suitably qualified person (onsite waste water management) about the adequacy of the on-site waste water management system.</li> </ul>	

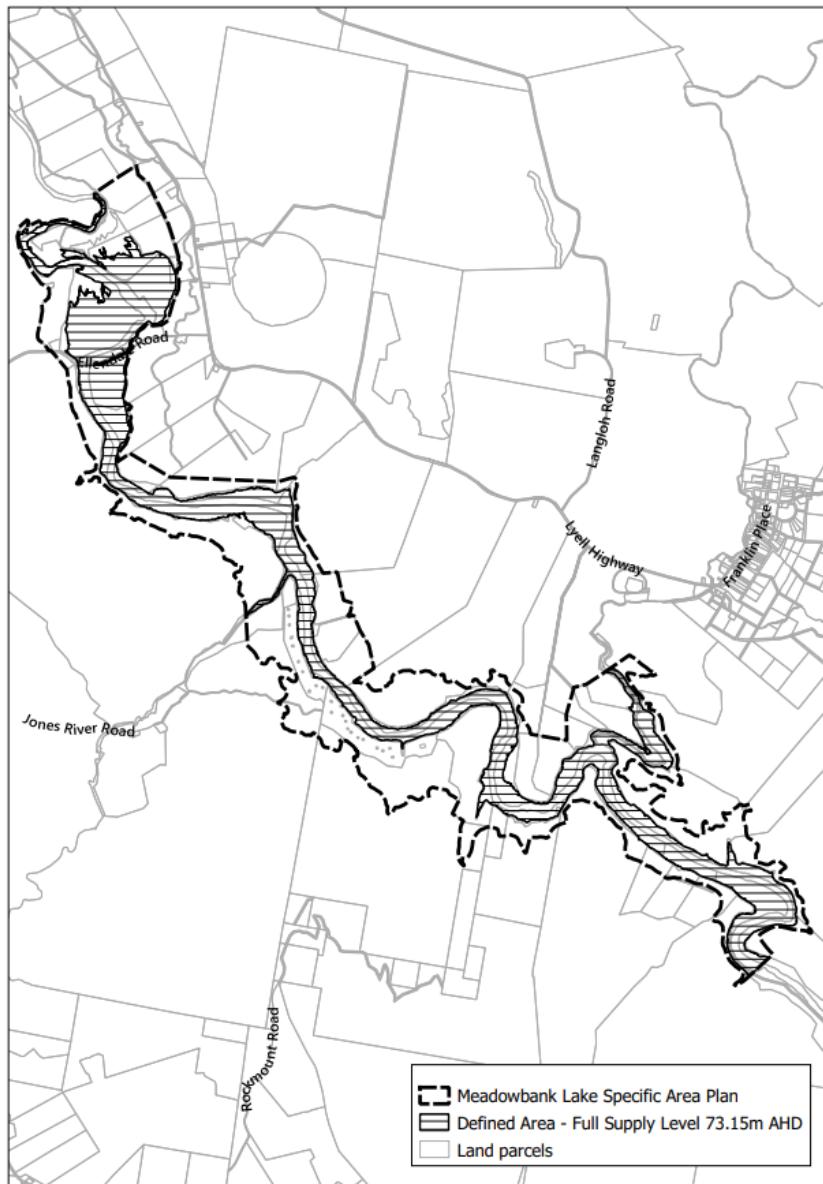
### CHI-S1.8 Development Standards for Subdivision

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.

Figure CHI-S1.1. Specific Area Plan application area and extent of Full Supply Level



## CHI-S1.0 ~~Lake~~ Meadowbank Lake Specific Area Plan

### CHI-S1.1 Plan Purpose

The purpose of the ~~Lake~~ Meadowbank Lake Specific Area Plan is:

- CHI-S1.1.1 To recognise and protect operation of ~~Lake~~ Meadowbank Lake 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 Lake 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 Lake 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 the orderly and strategic development of appropriately scaled and located Visitor Accommodation ~~at appropriate scales and in appropriate locations,~~ particularly camping and caravan parks and overnight camping areas.
- CHI-S1.1.9 To ~~allow provide~~ for a continuation of agriculture and Resource Development and ~~for~~ Resource Processing compatible with ~~both~~ the recreation-tourism use of the area ~~and the significant role the lake plays in Greater Hobart's drinking water system.~~
- CHI-S1.1.10 To provide for use and development and which does not compromise the significant role the lake plays in Greater Hobart's drinking water system.

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## 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 Lake 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; and

~~(b) Agriculture Zone; and~~

~~(c) Environmental Management Zone,~~

as specified in the relevant provision.

CHI-S1.2.3 Applications requiring assessment against the CHI-S1.7.6 performance criteria will be referred to Aboriginal Heritage Tasmania as part of the Section 57 notification under the Land Use Planning and Approvals Act 1993.

~~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-S1.2.54 Applications requiring assessment against the CHI-S1.7.7 performance criteria will be referred to Hydro Tasmania as part of the Section 57 notification under the Land Use Planning and Approvals Act 1993.

~~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.~~

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### **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 <del>full</del> supply level is 73.15m <del>above sea level</del> AHD. <del>as shown on an overlay map and in Figure CHI-S1.1.</del>
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.
master development plan	means a site-specific master plan including maps, diagrams and written documentation demonstrating, <del>to the satisfaction of the planning authority:</del> <ul style="list-style-type: none"> <li>(a) the concept design and location of all buildings and associated works, including vehicular access and parking;</li> <li>(b) the concept design and location of any facilities used in association with Visitor Accommodation;</li> <li>(c) access points to the public road network, internal roads and parking areas;</li> <li>(d) the location of any existing or proposed aquatic structures on the foreshore or on <del>Lake</del> Meadowbank <del>Lake</del>;</li> <li>(e) landscaping of the site to minimise the visual impact of development on views to the site from <del>Lake</del> Meadowbank <del>Lake</del>;</li> <li>(f) how the development maintains and enhances the natural, cultural and landscape values of the area and complies with the plan purpose statements;</li> <li>(g) an operational plan including: <ul style="list-style-type: none"> <li>(i) waste management;</li> <li>(ii) complaint management;</li> <li>(iii) noise management; and</li> </ul> </li> <li>(h) any staging of operations or development including estimated timeframes.</li> </ul>
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

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	undertaking onsite waste water management system design in accordance with AS/NZS 1547.
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#### 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
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for: (a) a home-based business in an existing dwelling; or (b) alterations or extensions to an existing dwelling.
Utilities	If for minor utilities.
<b>Permitted</b>	
Resource Development	If for an agricultural use, excluding controlled environment agriculture, tree farming and plantation forestry.
Utilities	If for: (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.
<b>Discretionary</b>	
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.
<b>Prohibited</b>	
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 is in addition to Environmental Management Zone – clause 23.3.1 Discretionary use.

<b>Objective:</b>	That uses listed as Discretionary recognise and are compatible with the natural, cultural and landscape values of <del>Lake</del> Meadowbank <u>Lake</u> together with the plan purpose statements.
Acceptable Solutions	Performance Criteria
<b>A1</b> No Acceptable Solution.	<b>P1</b> A use listed as Discretionary must be consistent with the natural, cultural and landscape values of <del>Lake</del> Meadowbank <u>Lake</u> together with the plan purpose statements, having regard to: <ul style="list-style-type: none"> <li>(a) the significance of the natural, cultural, and landscape values;</li> <li>(b) the protection, conservation and management of the values;</li> <li>(c) the location, intensity and scale of the use and impacts on existing use and other lake activities;</li> <li>(d) the characteristics and type of use;</li> <li>(e) impact of traffic generation and parking requirements;</li> <li>(f) any emissions and waste produced by the use;</li> <li>(g) the storage and holding of goods, materials and waste; and</li> <li>(h) the proximity of sensitive uses.</li> </ul>
<b>A2</b> No Acceptable Solution.	<b>P2</b> 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"> <li>(a) the location of the proposed use;</li> <li>(b) the nature, scale and intensity of the use;</li> <li>(c) the likelihood and nature of any adverse impacts on adjoining uses; and</li> <li>(d) any off site impacts from adjoining uses.</li> </ul>

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 is in addition to Environmental Management Zone – clause 23.3.1 Discretionary use.~~

<b>Objective:</b>	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
<b>A1</b> Visitor Accommodation must: (a) have not more than 1 <del>holiday</del> <del>cab</del> <u>visitor accommodation unit</u> per title; (b) accommodate guests in existing buildings, or (c) have no more than 5 campsites or caravan park sites per title.		<b>P1</b> Visitor Accommodation must be in accordance with <del>a suitable</del> master development plan <u>prepared to the satisfaction of the Planning Authority</u> .
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## 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.

<b>Objective:</b>	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
<b>A1</b> Building height must be not more than: <ul style="list-style-type: none"> <li>(a) 4m for a camping <del>&amp; and</del> caravan park or overnight camping area;</li> <li>(b) 5m for any Tourist Operation or Visitor Accommodation excluding a camping and caravan park or overnight camping area;</li> <li>(c) 5m for an outbuilding; and</li> <li>(d) 8m for any other building and works.</li> </ul>		<b>P1</b> Building height must be compatible with the landscape values of the area, having regard to: <ul style="list-style-type: none"> <li>(a) the height, bulk and form of proposed buildings;</li> <li>(b) the height, bulk and form of adjacent existing buildings;</li> <li>(c) the topography of the site;</li> <li>(d) the visual impact of the buildings when viewed from <del>Lake</del> Meadowbank <u>Lake</u>, its foreshore or public places; and</li> <li>(e) the landscape values of the surrounding area.</li> </ul>

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.~~

<b>Objective:</b>	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
<b>A1</b>	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.	<b>P1</b> Buildings and works, excluding for a camping & <del>and</del> 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"> <li>(a) the visual amenity of the rural setting when viewed from adjoining properties, or from <del>Lake-Meadowbank</del> <u>Lake</u>, its foreshore or public places; and</li> <li>(b) impacts of any stormwater discharge directly into <del>Lake-Meadowbank</del> <u>Lake</u>.</li> </ul>
<b>A2</b>	Buildings must have a setback from all boundaries of not less than 20m.	<b>P2</b> Buildings must be sited to not cause an unreasonable loss of <u>visitor accommodation</u> amenity, or impact on landscape values of the site, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the side and rear setbacks of adjacent buildings;</li> <li>(d) the height, bulk, and form of existing and proposed buildings;</li> <li>(e) the need to remove vegetation as part of the development;</li> <li>(f) the appearance when viewed from adjacent property;</li> <li>(g) the landscape values of the area; and</li> <li>(h) the plan purpose statements.</li> </ul>
<b>A3</b>		<b>P3</b>



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.	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.
<b>A4</b> Individual campsites or caravan park sites must be no more than 50m <sup>2</sup> in area.	<b>P4</b> No performance criteria
<b>A5</b> 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: (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.	<b>P5</b> 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: (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; (d) any buffers created by natural or other features; and (e) any proposed attenuation measures.

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.~~

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

#### 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.~~

<b>Objective:</b>	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
<b>A1</b> Buildings and works must: <ul style="list-style-type: none"> <li>(a) be located within a building area, if shown on a sealed plan; or</li> <li>(b) be an alteration or extension to an existing building providing it is not more than the existing building height; and</li> <li>(c) not include cut and fill greater than 1m; and</li> <li>(d) be on a site not requiring the clearing of native vegetation; and</li> <li>(e) be not less than 10m in elevation below a skyline or ridgeline.</li> </ul>		<b>P1.1</b> Buildings and works must be located to minimise impacts on landscape values, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) the proposed building height, size and bulk;</li> <li>(d) any constraints imposed by existing development;</li> <li>(e) visual impact when viewed from roads and public places; and</li> <li>(f) any screening vegetation, and</li> </ul> <b>P1.2</b> be located in an area requiring the clearing of native vegetation only if: <ul style="list-style-type: none"> <li>(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</li> <li>(b) the extent of clearing is the minimum necessary <del>to meet the requirements of the Bushfire-Prone Areas Code</del> <u>for bushfire protection.</u></li> </ul>

<p><b>A2</b></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><b>P2</b></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"> <li>(a) a communal toilet/shower/laundry facility;</li> <li>(b) storage;</li> <li>(c) a site office or reception building.</li> </ul>
<p><b>A3</b></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><b>P3</b></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"> <li>(a) the appearance of the building when viewed from roads or public places in the surrounding area;</li> <li>(b) any screening vegetation; and</li> <li>(c) the nature of the exterior finishes.</li> </ul>

CHI-S1.7.5 Aquatic structures

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.

<b>Objective:</b>	That permanent aquatic structures such as pontoons, boat ramps and jetties on <del>Lake</del> -Meadowbank <u>Lake</u> 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
<b>A1</b> An aquatic structure is: <ul style="list-style-type: none"> <li>(a) for the replacement of an existing structure;</li> <li>(b) provided by or on behalf of the Crown, council or a State Authority; and</li> <li>(c) the rationalisation of two or more structures on <del>Lake</del>-Meadowbank <u>Lake</u> or its foreshore.</li> </ul>		<b>P1</b> Aquatic structures must avoid adverse impacts on the natural, cultural and landscape values of <del>Lake</del> -Meadowbank <u>Lake</u> and only be constructed as necessary and safe having regard to: <ul style="list-style-type: none"> <li>(a) the advice and operational needs of Hydro Tasmania;</li> <li>(b) rationalising existing aquatic structures as far as practicable;</li> <li>(c) avoiding the proliferation of aquatic structures in the immediate vicinity;</li> <li>(d) the demonstrated need for the aquatic structure; and</li> <li>(e) the plan purpose statements.</li> </ul>

#### 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.~~

<b>Objective:</b>	That Aboriginal heritage is not inappropriately disturbed.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> <u>Building and works:</u> (a) must not involve excavation; (b) the application is accompanied by a record of advice and Unanticipated Discovery Plan, issued by Aboriginal Heritage Tasmania; or (c) is in accordance with an Approved Permit issued by the Minister for Aboriginal Affairs under Section 14 of the Aboriginal Heritage Act 1975. <del>Buildings and works must be in accordance with a record of advice and Unanticipated Discovery Plan, and any Assessment Result, issued by Aboriginal Heritage Tasmania.</del>	<b>P1</b> <u>Building and works must not inappropriately disturb Aboriginal heritage, having regard to any:</u> (a) advice received from Aboriginal Heritage Tasmania; or (b) Aboriginal cultural heritage assessment by a suitably qualified person. <del>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.</del>	

#### 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.~~

<b>Objective:</b>	That the operation of the lake for hydro-electric power generation and as a major source of potable water for greater Hobart is not compromised.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> <del>Buildings or works within 20m of the full supply level must be accepted by Hydro Tasmania.</del> Buildings and works within 20	<b>P1</b> Buildings and works within 20m of the full supply level must:	

<u>metres of the full supply level must be accompanied by the written support of Hydro Tasmania, with or without conditions.</u>	<u>(a) not hinder the operation of the lake for hydro-electric generation purposes; and</u> <u>(b) not compromise water quality;</u> having regard to any advice received from Hydro Tasmania <u>and/or relevant authority.</u>
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CHI-S1.7.8 ~~Protection of Water Quality~~ On-site waste water management

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

<b>Objective:</b>	That on-site waste water management does not contribute to adverse impacts on water quality.	
Acceptable Solutions		Performance Criteria
<b>A1</b> Land application area must be 100m from full supply level.		<b>P1</b> 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 <del>Lake</del> -Meadowbank <u>Lake</u> , having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the capacity of the site to absorb waste water;</li> <li>(c) the size and shape of the site;</li> <li>(d) the existing buildings and any constraints imposed by existing development;</li> <li>(e) the area of the site to be covered by the proposed development;</li> <li>(f) the provision for landscaping, vehicle parking, driveways and private open space;</li> <li>(g) any adverse impacts on the quality of ground and surface waters;</li> <li>(h) any adverse environmental impact on surrounding properties and the locality;</li> <li>(i) any cumulative adverse impacts on the operation of the waste water treatment system created by any nearby waste water treatment systems;</li> <li>(j) the benefit, or otherwise, of collective waste water treatment systems.</li> <li>(k) written advice from a suitably qualified person (onsite waste water management) about the adequacy of the on-site waste water management system.</li> </ul>



#### 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.

Figure CHI-S1.1. Specific Area Plan application area and extent of Full Supply Level

