

Visitor accommodation

If -

(a) in a building; and

(b) guest accommodation for not more than 16 people

Discretionary

Use Class

Business and professional services

Qualification

If for a medical centre

Community meeting and entertainment

If not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition centre, function or reception centre, library, museum, music hall, or theatre

Domestic animal breeding, boarding and training

Food services

If not including a drive through In take away food premises

Natural and cultural values management

Passive Recreation

Utilities

Visitor accommodation

Prohibited

Use Class

All other uses

Qualification

13.3 Use Standards

13.3.1 Discretionary permit use

Objective:	
Use in this zone that is a discretionary permit use is to service and support the routine requirements of the local community	
Acceptable Solutions	Performance Criteria
A1	P1
There are no Acceptable Solutions	Discretionary permit use must -
	(a) be consistent with local area objectives;
	(b) be consistent with any applicable desired future character statement; and
	(c) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone

13.3.2 Impact of use

Objective:	
Use in this zone that is a discretionary permit use is to minimise adverse impact on the amenity of residential use	
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>Use that is not a residential use must not occur on more than 2 adjoining sites.</p>	<p>P1</p> <p>Use that is not a residential use must –</p> <ul style="list-style-type: none"> (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statements; (c) be required to service and support the local community; and (d) minimise likelihood for adverse impact on amenity for residential use on adjacent land in the zone
<p>A2</p> <p>The site for a use that is not a residential use must not require pedestrian or vehicular access from a no-through road</p>	<p>P2</p> <p>Use that is not a residential use must –</p> <ul style="list-style-type: none"> (a) be consistent with local area objectives; (b) be consistent with any applicable desired future character statements; be required to obtain vehicular and pedestrian access from a no-through road to service and support the local community; be dependent on the site for provision of significant social, economic, or environmental benefit to the local community; (c) be required as a consequence of – <ul style="list-style-type: none"> (i) the effect of topography on ability to create access upon a through road; or (ii) a regulatory limit on the ability to obtain pedestrian or vehicular access upon a through road; and (d) have minimal likelihood for unreasonable impact on amenity for residential use on adjacent land in the zone
<p>A3</p> <p>Other than for emergency services, residential, and visitor accommodation, hours of operation must be between 6.00am and 9.00pm</p>	<p>P3</p> <p>Other than for emergency services, residential, and visitor accommodation, hours of operation, including for the delivery and despatch of goods and the conduct of routine cleaning, maintenance and service, must be reasonable to requirements of the use and unlikely to cause conflict or interference to other use on adjacent land in the zone</p>

13.4 Development Standards

13.4.1 Suitability of a site or lot for use or development

<p>Objective:</p> <p>The minimum properties of a site and of each lot on a plan of subdivision are to –</p> <ul style="list-style-type: none"> (a) provide a suitable development area for the intended use; (b) provide access from a road; and (c) make adequate provision for a water supply and for the drainage and disposal of sewage and stormwater 	<p>Performance Criteria</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>

A.1

Each site or each lot on a plan of subdivision must –

- (a) have an area of not less than –
 - (i) 1.0 ha excluding any access strip; or
 - (ii) if in a locality shown in the Table to this Clause, not less than the site area shown for that locality; and
- (b) if intended for a building, contain a building area –
 - (i) of not more than 1,000m²;
 - (ii) clear of any applicable setback from a frontage, side or rear boundary
 - (iii) clear of any applicable setback from a zone boundary;
 - (iv) clear of any registered easement;
 - (v) clear of any registered right of way benefiting other land;
 - (vi) clear of any restriction imposed by a utility;
 - (vii) not including any access strip;
 - (viii) clear of any area required for the on-site disposal of sewage or stormwater; and
 - (ix) accessible from a frontage or access strip

A2

A site or each lot on a subdivision plan must have a separate access from a road –

- (a) across a frontage over which no other land has a right of access; and
- (b) if an internal lot, by an access strip connecting to a frontage over land not required as the means of access to any other land; or
- (c) by a right of way connecting to a road –
 - (i) over land not required as the means of access to any other land; and
 - (ii) not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and
- (d) with a width of frontage and any access strip or right of way of not less than 6.0m; and
- (e) the relevant road authority in accordance with the *Local Government (Highways) Act 1982* or the *Roads and Jetties Act 1935* must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a proposed subdivision plan.

P.1

A site or each lot on a plan of subdivision must be of sufficient area for the intended use or development without likely constraint or interference for –

- (a) erection of a building if required by the intended use;
- (b) access to the site;
- (c) use or development of adjacent land;
- (d) a utility; and
- (e) any easement or lawful entitlement for access to other land or for a utility

P2

(a) A site must have a reasonable and secure access from a road provided –

- (i) across a frontage; or
- (ii) by an access strip connecting to a frontage, if for an internal lot; or
- (iii) by a right of way connecting to a road over land not required to give the lot of which it is a part the minimum properties of a lot in accordance with the acceptable solution in any applicable standard; and
- (iv) the dimensions of the frontage and any access strip or right of way must be adequate for the type and volume of traffic likely to be generated by –
 - a. the intended use; and
 - b. the existing or potential use of any other land which requires use of the access as the means of access for that land; and
- (v) the relevant road authority in accordance with the *Local Government (Highways) Act 1982* or the *Roads and Jetties Act 1935* must have advised it is satisfied adequate arrangements can be made to provide vehicular access between the carriageway of a road and the frontage, access strip or right of way to the site or each lot on a subdivision plan; or

(b) It must be unnecessary for the development to require access to the site or to a lot on a subdivision plan.

A3

A site or each lot on a plan of subdivision must be capable of connecting to a water supply –

- (a) from a connection to a water supply provided in accordance with the *Water and Sewerage Industry Act 2008*; or
- (b) from a rechargeable drinking water system ⁸⁶ with a storage capacity of not less than 10,000 litres if–
 - (i) there is not a reticulated water supply; and
 - (ii) development is for –
 - a. a single dwelling; or
 - b. a use with an equivalent population of not more than 10 people per day

A4

A site or each lot on a plan of subdivision must be capable of draining and disposing of sewage and trade waste –

- (a) to a reticulated sewer system provided in accordance with the *Water and Sewerage Industry Act 2008*; or
- (b) by on-site disposal if –
 - (i) sewage or trade waste cannot be drained to a reticulated sewer system; and
 - (ii) the development –
 - a. is for a single dwelling; or
 - b. provides for an equivalent population of not more than 10 people per day; or
 - c. creates a total sewage and waste water flow of not more than 1,000l per day; and
 - (iii) the site has capacity for on-site disposal of domestic waste water in accordance with AS/NZS1547:2012 On-site domestic-wastewater management clear of any defined building area or access strip

P3

- (a) There must be a water supply available for the site or for each lot on a plan of subdivision with an adequate level of reliability, quality, and quantity to service the anticipated use of the site or the intended use of each lot on a plan of subdivision; or
- (b) It must be unnecessary to require a water supply

P4

- (a) A site or each lot on a plan of subdivision must drain and dispose of sewage and trade waste –

- (i) in accordance with any prescribed emission limits for discharge of waste water;
- (ii) in accordance with any limit advised by the Tasmanian Environmental Protection Agency;
- (iii) without likely adverse impact for the health or amenity of the land and adjacent land;
- (iv) without compromise to water quality objectives for surface or ground water established under the State Policy on Water Quality Management 1997; and
- (v) with appropriate safeguards to minimise contamination if the use or development has potential to –
 - a. indirectly cause the contamination of surface or ground water; or
 - b. involve an activity or process which requires the use, production, conveyance or storage of significant quantities of sewage or trade waste that may cause harm to surface or ground water if released through accident, malfunction, or spillage; or

- (b) It must be unnecessary to require arrangements for the drainage and disposal of sewage or trade waste

A5

A site or each lot on a plan of subdivision must be capable of draining and disposing of stormwater –

- (a) for discharge to a stormwater system provided in accordance with the *Urban Drainage Act 2013*; or
- (b) If stormwater cannot be drained to a stormwater system –
 - (i) for discharge to a natural drainage line, water body, or watercourse; or
 - (ii) for disposal within the site if –
 - a. the site has an area of not less than 5000m²;
 - b. the disposal area is not within any defined building area;
 - c. the disposal area is not within any area required for the disposal of sewage;
 - d. the disposal area is not within any access strip; and
 - e. not more than 50% of the site is impervious surface; and
 - (iii) the development is for a single dwelling

P5

- (a) A site or each lot on a plan of subdivision must drain and dispose of stormwater –
 - (i) to accommodate the anticipated stormwater –
 - (ii) without likelihood for concentration on adjacent land;
 - (iii) without creating an unacceptable level of risk for the safety of life or for use or development on the land and on adjacent land;
 - (iv) to manage the quantity and rate of discharge of stormwater to receiving waters;
 - (v) to manage the quality of stormwater discharged to receiving waters; and
 - (vi) to provide positive drainage away from any sewer pipe, on-site sewage disposal system, or building area; or
- (b) It must be unnecessary to require arrangements for the drainage and disposal of stormwater

Table to Clause 13.4.1 A1

Locality	Site Area
This clause does not apply	

Amendment information and page history

Amendment date	Amendment reference	Historical view
20 July 2015	UA1-[redacted]-2015	19 July 2015

13.4.2 Dwelling density**Objective:**

Residential dwelling density ^{R7} is to –

- (a) make efficient use of land for housing;
- (b) optimise utilities and community services; and
- (c) be consistent with any constraint on suitability of the land for residential use

Acceptable Solutions**A1**

The site area per dwelling must –

- (a) be not less than 1.0 ha; or
- (b) if the site is in a locality shown in the Table to this Clause, the site area for that locality

Performance Criteria**P1**

The number of dwellings on a site must be consistent with the capability of the land for residential use in terms of –

- (a) a suitable building area;
- (b) access from a road;
- (c) provision of a water supply;
- (d) disposal of sewage;
- (e) disposal of stormwater; and
- (f) a tolerable level of risk from a natural hazard

Table to Clause 13.4.2 A1

Locality	Site Area per dwelling
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This clause does not apply

Footnotes

R7 The maximum number of dwellings permitted on a site is calculated by dividing the total area of the site by the minimum site area per dwelling.

13.4.3 Location and configuration of development

Objective:

The location and configuration of development is to --

- (a) provide for retention of the rural setting;
- (b) be consistent with land capability;
- (c) provide a consistent separation between the development area on adjacent sites and between development and a road;
- (d) provide consistency in the apparent scale, bulk, massing, and proportion of adjacent buildings;
- (e) provide sufficient site area for open space, utilities, and vehicle parking; and
- (f) assist to attenuate likely impact on amenity of residential use on adjacent land

Acceptable Solutions

A1

A building, utility structure, garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste, must be setback from a frontage --

- (a) not less than 20.0m;
- (b) not less than or not more than the setbacks for any existing building on each of the immediate adjoining sites;
- (c) not less than for any building retained on the site;
- (d) in accordance with any building area shown on a sealed plan of subdivision; or
- (e) if the site abuts a road shown in the Table to this clause, the setback specified for that road

Performance Criteria

P1

The setback a building, utility structure, garage, carport or an external car parking area and any area for the display, handling, or storage of goods, materials or waste from a frontage must be --

- (a) consistent with the rural setting and streetscape; and
- (b) required by a constraint imposed by --
 - (i) size and shape of the site;
 - (ii) orientation and topography of land;
 - (iii) arrangements for a water supply and for the drainage and disposal of sewage and stormwater;
 - (iv) arrangements for vehicular or pedestrian access;
 - (v) any requirement of a conservation or urban design outcome detailed in a provision in this planning scheme;
 - (vi) a utility; or
 - (vii) any lawful and binding requirement --
 - a. by the State or a council or by an entity owned or regulated by the State or a council to acquire or occupy part of the site; or
 - b. an interest protected at law by an easement or other regulation

<p>A2</p> <p>All buildings must be contained within a building envelope determined by –</p> <ul style="list-style-type: none"> (a) the applicable frontage setback; (b) a setback of not less than 10.0m from each side boundary; (c) a setback of not less than 10.0m from the rear boundary; (d) a setback of not less than 20.0m from any designated building area on each adjacent site; or (e) any building area shown on a sealed plan; and (f) building height of not more than 8.5m 	<p>P2</p> <p>Building height and location of a building in relation to site boundaries must –</p> <ul style="list-style-type: none"> (a) minimise likelihood for overshadowing of a habitable room in an adjacent dwelling on the site; (b) take account of the relationship between appearance and design characteristics of the buildings and any buildings on adjacent land; (c) minimise the apparent scale, bulk, massing and proportion relative to any adjacent building; (d) be consistent with the rural setting and the streetscape; (e) respond to the effect of the slope and orientation of the site to attenuate impact on adjacent land
<p>A3</p> <p>Site coverage must –</p> <ul style="list-style-type: none"> (a) be not more than 500m² ; and (b) not include any part of a site required for the disposal and drainage of sewage or stormwater; or (c) be not more than any building area shown on a sealed plan 	<p>P3</p> <p>Site coverage must –</p> <ul style="list-style-type: none"> (a) retain capacity in any area required for disposal of sewage or stormwater; and (b) be consistent with the rural setting and streetscape
<p>A4</p> <p>A building or utility structure must be –</p> <ul style="list-style-type: none"> (a) not less than 15m below the level of any adjoining ridgeline; (b) not less than 30m from any shoreline to a marine or aquatic water body, water course, or wetland; and (c) clad and roofed in non-reflective materials 	<p>P4</p> <p>(a) A building or utility structure must be located to –</p> <ul style="list-style-type: none"> (i) not be visually apparent on a skyline; (ii) not be visually apparent above the vegetation canopy; (iii) not be visually apparent on the shoreline of a marine or aquatic water body, water course or wetland; and (iv) not be visually apparent as a result of the reflection of light from an external surface; or <p>(b) The location of a building or structure must –</p> <ul style="list-style-type: none"> (i) provide an overriding community benefit; or (ii) be required by an exceptional circumstance

Table to Clause 13.4.3 A1

Road	Setback
Bass Highway	50

13.4.4 Acoustic and visual privacy for residential development

<p>Objective:</p> <p>The location and configuration of development is to minimise likelihood for –</p> <ul style="list-style-type: none"> (a) overlooking of a habitable room, balcony, deck, or roof garden in an adjacent dwelling; (b) intrusion of vehicle noise from an access strip or communal driveway 	
Acceptable Solutions	Performance Criteria

A1	P1
A door or window to a habitable room or any part of a balcony, deck, roof garden, parking space or carport of a building must –	Likelihood for overlooking from a door or window in a habitable room or from any part of a balcony, deck, roof garden, parking space, or carport of a building must be minimised by –
(a) be not less than 10.0m from a side boundary and 10.0 m from a rear boundary to adjoining land in any zone for residential purposes; or	(a) physical separation from the door, window balcony, deck, or roof garden in an adjacent dwelling;
(b) be not less than 10.0m from a door or window to a habitable room or any part of a balcony, deck, or roof garden in an adjacent dwelling	(b) off-set from a door or window to a habitable room in an adjacent dwelling;
	(c) effective use of screening other than vegetation; or
	(d) effect of topography and natural features
A2	P2
An access strip or shared driveway, including any pedestrian pathway and parking area, must be separated by a distance of not less than 5.0m horizontally from the door or window to a dwelling or any balcony, deck, or roof garden in a dwelling.	An access strip or shared driveway, including any pedestrian pathway and parking area, must minimise likelihood for impact from over-viewing and noise disturbance on the amenity of any dwelling

13.4.5 Private open space for multiple dwelling residential use

Objective:	
Private open space is available in development for residential use to meet the reasonable private and communal needs of residents for garden, recreation, service and storage purposes.	
Acceptable Solutions	Performance Criteria
A1	P1
Each dwelling in a multiple dwelling must have external private open space that –	Private open space must be appropriate for the projected requirements of the residents of a dwelling.
(a) is accessible from the dwelling;	
(b) comprises an area of not less than 50m ² ;	
(c) has a minimum dimension of 5.0m; and	
(d) has a gradient of not more than 1 in 10	
A2	P2
The required minimum private open space area must be capable of receiving at least 3 hours of sunlight between 9.00am and 3.00pm on 21st June.	Each private open space area must maximise opportunity for access to sunlight having regard for –
	(a) aspect, orientation, size, shape, slope, and topography of the site;
	(b) desirability of retaining existing vegetation; and
	(c) the impact of overshadowing by existing development on adjacent land

13.4.6 Setback of development for sensitive use

Objective:	
Development for a sensitive use is to –	
(a) minimise likelihood for conflict, interference, and constraint between the sensitive use and the use or development of land in a zone that is not for a residential purpose; and	
(b) minimise unreasonable impact on amenity of the sensitive use through exposure to emission of noise, fumes, light and vibration from road, rail, or marine transport	
Acceptable Solutions	Performance Criteria

A1	P1
A building containing a sensitive use must be contained within a building envelope determined by –	The location of a building containing a sensitive use must –
(a) the setback distance from the zone boundary as shown on the Table to this clause; and	(a) minimise likelihood for conflict, constraint or interference by the sensitive use on existing and potential use of land in the adjoining zone; and
(b) projecting upward and away from the zone boundary at an angle of 45o above the horizontal from a wall height of 3.0m at the setback distance from the zone boundary	(b) minimise likely impact from existing and potential use of land in the adjoining zone on the amenity of the sensitive use
A2	P2
Development for a sensitive use must be not less than 50m from –	Development for a sensitive use must –
(a) a major road identified in the Table to this clause;	(a) have minimal impact for safety and efficient operation of the transport infrastructure; and
(b) a railway;	(b) incorporate appropriate measures to mitigate likely impact of light, noise, odour, particulate, radiation or vibration emissions; or
(c) land designated in the planning scheme for future road or rail purposes; or	(c) be temporary use or development for which arrangements have been made with the relevant transport infrastructure entity for removal without compensation within 3 years
(d) a proclaimed wharf area	

Table to Clause 13.4.6 A1

Adjoining Zone	Setback (m)
Local Business	10.0
General Business	10.0
Commercial	10.0
Light Industrial	10.0
General Industrial	10.0
Rural Resource	(a) 50.0; or (b) 10.0 if the site is a single lot approved for residential use on a plan of subdivision sealed before this planning scheme came into effect
Utilities	10.0

Note - If the zone boundary is a road, the setback is from the frontage of the site to the road containing the zone boundary.

Table to Clause 13.4.6 A2

Road	Setback (m)
Bass Highway	50

13.4.7 Subdivision

Objective:	
The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the Rural Living zone	
Acceptable Solutions	Performance Criteria
A1	P1
There is no acceptable solution	Each new lot on a plan of subdivision must be –
	(a) intended for residential use;
	(b) a lot required for public use by the State government, a Council, a statutory authority or a corporation all the shares of which are held by or on behalf of the State, a Council or by a statutory authority; or
	(c) for a purpose permissible in the zone

A2

There is no acceptable solution

P2

- (a) A lot must have a frontage to a road; or
- (b) An internal lot on a plan of subdivision must be –
 - (i) reasonably required for the efficient use of land as a result of a restriction on the layout of lots with a frontage imposed by –
 - a. slope, shape, orientation and topography of land;
 - b. an established pattern of lots and development;
 - c. connection to the road network;
 - d. connection to available or planned utilities;
 - e. a requirement to protect ecological, scientific, historic, cultural or aesthetic values, including vegetation or a water course; or
 - f. exposure to an unacceptable level of risk from a natural hazard; and
 - (ii) without likely impact on the amenity of adjacent land

13.4.8 Reticulation of an electricity supply to new lots on a plan of subdivision

Objective:

Distribution and connection of reticulated electricity supply to new lots on a plan of subdivision is to be without visual intrusion on the streetscape or landscape qualities of the residential area

Acceptable Solutions

A1

Electricity reticulation and site connections must be installed underground

Performance Criteria

P1

It must be impractical, unreasonable, or unnecessary to install electricity reticulation and site connections underground

CV Ellis & KP Farris	Level 1, 45 Richardson Street	WEST PERTH WA 6005	Sir/Madam
AB & AJ Duff	18 Allport Street West	LEITH TAS 7315	Sir/Madam
RG & RG Cropper	PO Box 106E	EAST DEVONPORT TAS 7310	Sir/Madam
DH Keen	8 Allport Street West	LEITH TAS 7315	Sir/Madam
LJ Stokes	2 Allport Street West	LEITH TAS 7315	Sir/Madam
SM Streets	10 Allport Street West	LEITH TAS 7315	Sir/Madam
BK & PA Williams	12 Allport Street West	LEITH TAS 7315	Sir/Madam
CJ Howe & SL Burt	1 Allport Street West	LEITH TAS 7315	
J & AC Scavo	11 Logan Street	LEITH TAS 7315	Sir/Madam
SA & SA May	13 Logan Street	LEITH TAS 7315	Sir/Madam
LE Fairbrother	72 Clerke Street	LEITH TAS 7315	Sir/Madam
DM Rosevear	PO Box 2127	LAUNCESTON TAS 7250	Sir/Madam
GR Winter	50 Sorell Street	DEVONPORT TAS 7310	Sir/Madam
AM Marshall	12 Logan Street	LEITH TAS 7315	Sir/Madam
MC Smith	14 Logan Street	LEITH TAS 7315	Sir/Madam
BM Neilson	12 Beach Street	LEITH TAS 7315	Sir/Madam
HM Dickson & MM Beazley	10 Beach Street	LEITH TAS 7315	Sir/Madam
WRB & DM Kerr	12 Bay View Avenue	BURNIE TAS 7320	Sir/Madam
NJ Deka & AL McQuitty	4 Beach Street	LEITH TAS 7315	Sir/Madam
BK Deacon	4 Logan Street	LEITH TAS 7315	Sir/Madam
DJ Lee & JA Corbett	2 Logan Street	LEITH TAS 7315	Sir/Madam
BN & AJ Triffett	58 Clerke Street	LEITH TAS 7315	Sir/Madam
GJ & EA Douglas	56 Clerke Street	LEITH TAS 7315	Sir/Madam
DM & CD Gale	54 Clerke Street	LEITH TAS 7315	Sir/Madam
GJ Cure	PO Box 426	ULVERSTONE TAS 7315	Sir/Madam
LM Twamley	40 Clerke Street	LEITH TAS 7315	Sir/Madam
A & CT Busic	47 Short Street	LEITH TAS 7315	Sir/Madam
CA & T Cooper	39 Short Street	LEITH TAS 7315	Sir/Madam
SIH & LA Jones	70 Haywoods Road	GUNNS PLAINS TAS 7315	Sir/Madam
AP Smith & CA Beard	34 Clerke Street	LEITH TAS 7315	Sir/Madam
AJ & GM Chapman	28 Clerke Street	LEITH TAS 7315	Sir/Madam
RA & JE Milnes	22 Clerke Street	LEITH TAS 7315	Sir/Madam
DJ & MJ Bonney	978 Gunns Plains	GUNNS PLAINS TAS	Sir/Madam

Map 3 - Leith Residents North of Western Rail Line 04072016

	Road	7315	
EJ Chistofi	2 Clerke Street	LEITH TAS 7315	Sir/Madam
KF Fontaine	33 Downhams Road	RISDON VALE TAS 7016	Sir/Madam
BN & SF Heathcote	PO Box 3130	BURNIE TAS 7320	Sir/Madam
CG Reading	21 Clerke Street	LEITH TAS 7315	Sir/Madam
AR & C Wilton	6 Hopkins Street	LEITH TAS 7315	Sir/Madam
PL & DA Johnson	12 Hopkins Street	LEITH TAS 7315	Sir/Madam
PD Wyatt	3 Hopkins Street	LEITH TAS 7315	Sir/Madam
NB Derrico	157 Gunn Street	DEVONPORT TAS 7310	Sir/Madam
CL Wright	15 Hopkins Street	LEITH TAS 7315	Sir/Madam
MG Dinsdale	11 Clerke Street	LEITH TAS 7315	Sir/Madam
PJ Rowlands	9 Clerke Street	LEITH TAS 7315	Sir/Madam
MN Walker	5 Clerke Street	LEITH TAS 7315	Sir/Madam
PF & EA Murfet	18 Casey Street North	LEITH TAS 7315	Sir/Madam
MLP Mellington	96 Kingston Road	KINGSTON VIC 3364	Sir/Madam
PJ & LF Franks	4 Walker Street	LEITH TAS 7315	Sir/Madam
PJ Booth	PO Box 466	ULVERSTONE TAS 7315	Sir/Madam
BJ & MA Parker	90 Beach Road	LEITH TAS 7315	Sir/Madam
DJ & LN Gale	92 Beach Road	LEITH TAS 7315	Sir/Madam
SM & JK Conroy	94 Beach Road	LEITH TAS 7315	Sir/Madam
HM Klarenbeek	96 Beach Road	LEITH TAS 7315	Sir/Madam
JA Young	98 Beach Road	LEITH TAS 7315	Sir/Madam
MA & RM Young	8 Casey Street North	LEITH TAS 7315	Sir/Madam
IM & EW Paterson	69 Beach Road	LEITH TAS 7315	Sir/Madam
LA & JM Rockliff	75 Beach Road	LEITH TAS 7315	Sir/Madam
MF Coulson	77 Beach Road	LEITH TAS 7315	Sir/Madam
M & DB McCracken	81 Beach Road	LEITH TAS 7315	Sir/Madam
WD & PL Walker	123 Stubbs Road	TURNERS BEACH TAS 7315	Sir/Madam
MG & SE Nesham	97 Beach Road	LEITH TAS 7315	Sir/Madam
HW & BI Goss	12 Martin Road	FORTH TAS 7310	Sir/Madam
JA Wilson & C Eliades	8 Fonthill Place	EAST DEVONPORT TAS 7310	Sir/Madam
MG & SE Nesham	15 Water Street	ULVERSTONE TAS 7315	Sir/Madam
JG Briggs	PO Box 701	SANDGATE QLD 4017	Sir/Madam
GL McDonald	23 Casey Street North	LEITH TAS 7315	Sir/Madam

Map 3 - Leith Residents North of Western Rail Line 04072016

JD & JA Rowe	3 Racecourse Crescent	TURNERS BEACH TAS 7315	Sir/Madam
JI & CO Bufton	19 Casey Street North	LEITH TAS 7315	Sir/Madam
WDG & JM Simms	108 Beach Road	LEITH TAS 7315	Sir/Madam
JT Ashworth	PO Box 195	BAXTER VIC 3911	Sir/Madam
GL & AE Young	25 Walker Street	FORTH TAS 7310	Sir/Madam
KE & CM Gardam	136 Beach Road	LEITH TAS 7315	Sir/Madam
RDJ Evans	140 Beach Road	LEITH TAS 7315	Sir/Madam
HJ & KM Clayton	25 Lethborg Avenue	TURNERS BEACH TAS 7315	Sir/Madam
RA Rose	156 Beach Road	LEITH TAS 7315	Sir/Madam
G & DF Wiliams	162 Beach Road	LEITH TAS 7315	Sir/Madam

4 July 2016

Our ref.:
Doc. ID:
Your ref.:

Dear

CENTRAL COAST INTERIM PLANNING SCHEME 2013 – PROPOSED AMENDMENT TO
RURAL LIVING ZONE PROVISIONS

As you may be aware, the Central Coast Council along with the other eight Councils of the Cradle Coast region, adopted an Interim Planning Scheme in 2013. Following adoption, the Schemes were publicly notified and attracted numerous representations from the public in response.

Your property is currently zoned Rural Living under the Scheme which carries with it a minimum lot size of 1 ha and substantial boundary setback requirements. These provisions were considered by some residents to be inappropriate and inconsistent with those which existed under the previous Scheme (the Central Coast Planning Scheme 2005).

A Panel, established by the Tasmanian Planning Commission (the Commission) has been reviewing the Scheme in the light of those representations and has advised the Council that it intends to recommend to the Minister that development provisions in areas around Leith (south of the Western Rail Line), Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road, Waverley Road, Knights Road, Bladen–Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street be amended to reduce the minimum lot size and dwelling density at some locations and boundary setback provisions to all those listed. Particular changes to the Scheme would be as follows:

In Table to Clause 13.4.1 A1 insert into the locality column "Leith, Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road and Waverley Road, Knights Road, Bladen–Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street" and insert into the site area column "4,000m²".

Insert into Table to Clause 13.4.2 A1 in the locality column "Leith, Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road and Waverley Road, Knights Road, Bladen-Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street" and in the corresponding site area per dwelling column insert 4,000m²".

Insert a new 13.4.3 A1 (f) as follows:

(f) if the site is shown in the Table to this clause, the setback specified

Insert a new 13.4.3 A2 (g) as follows:

(g) if the site is shown in the Table to this clause, the setback specified

Insert after Table to Clause 13.4.3 A1 (f) and Table to Clause 13.4.3 A2 (g)

<i>Locality</i>	<i>Front Setback (m)</i>	<i>Side Setback (m)</i>	<i>Rear Setback (m)</i>
<i>Leith</i>	<i>10</i>	<i>5</i>	<i>5</i>
<i>Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road and Waverley Road</i>	<i>10</i>	<i>5</i>	<i>5</i>
<i>In West Ulverstone: Knights Road, Bladen-Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street</i>	<i>10</i>	<i>5</i>	<i>5</i>

I attach maps indicating the areas of Rural Living zoning to which the amendments would apply.

The Commission's view is that the proposed rezoning would more closely reflect the historical development form and the standards which existed in the previous Scheme (the Central Coast Planning Scheme 2015).

The Commission has requested that the Council write to you to inform you of its intention and to seek your response. Your response would be forwarded to the Commission, along with the Council's own views.

I would be obliged if you would complete the attached response form and return it to the Council by 18 July 2016.

For your assistance in understanding the proposed changes, I attach some explanatory information, including what the change would mean for development on your land.

Please call me on telephone 6429 8954 if you require further details or would like to discuss this matter further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ian Sansom', with a stylized, cursive script.

Ian Sansom
LAND USE PLANNING GROUP LEADER

Ms Sandra Ayton
General Manager
Central Coast Council
PO Box 220
ULVERSTONE TAS 7315

Dear Ms Ayton

AGREEMENT TO PROPOSED AMENDMENTS TO CERTAIN RURAL LIVING ZONED AREAS

I, of
Name Address

SUPPORT	
DO NOT SUPPORT	

Please tick appropriate box

amendment of the minimum lot size, density and boundary setback standards in certain Rural Living zoned areas.

Signature _____ Date _____

Print name _____

Address _____

If you wish to add any comments please make them on a separate sheet and attach to this form.
Also, please forward your response to the Council by 18 July 2016.

PLANNING SCHEME PROVISIONS – CERTAIN RURAL LIVING AREAS

The Tasmanian Planning Commission is proposing to amend the minimum lot size, dwelling density and boundary setback standards in certain Rural Living zones. It has proposed the change on the basis that it considers the proposed Rural Living zone development provisions better reflect the type and pattern of existing development in the subject area than the current Rural Living zone provisions.

The Commission proposes to introduce the changes in three general locations:

- Leith (south of the Western Rail Line)
- East Ulverstone - Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road and Waverley Road
- West Ulverstone - Knights Road, Bladen-Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street

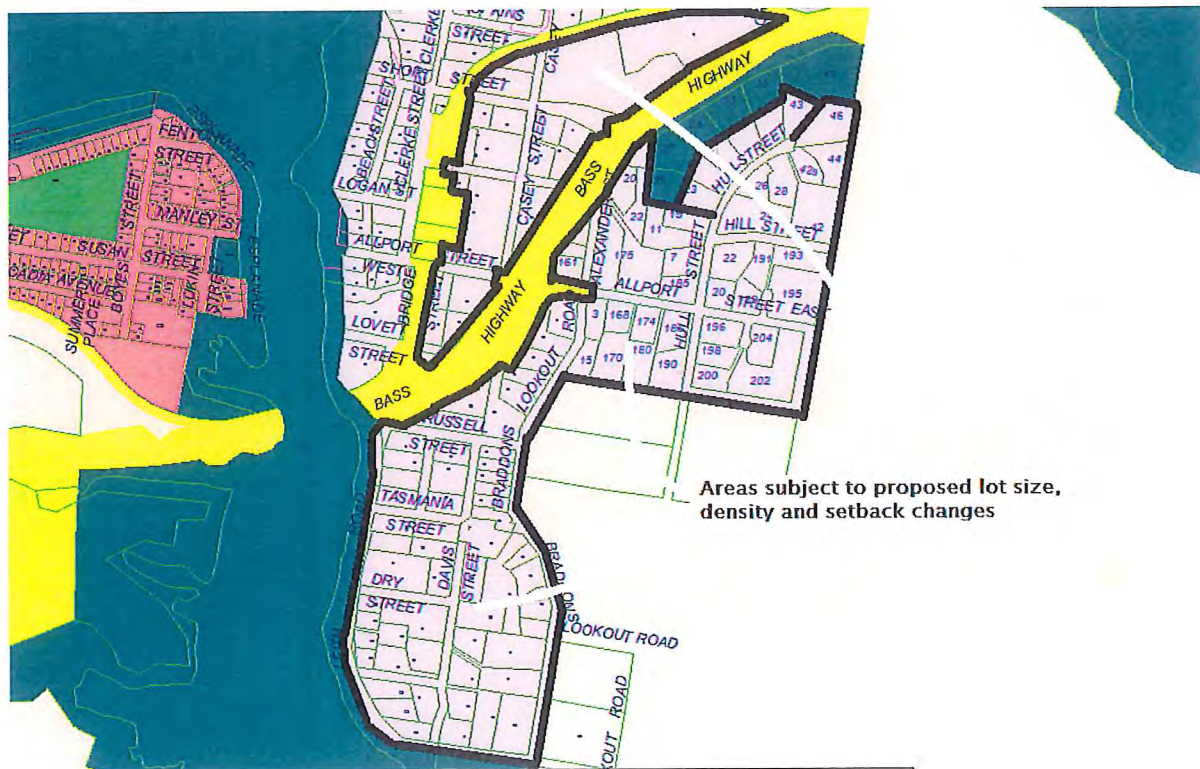
The next sections of this document include:

- Maps showing the location and extent of areas subject to the changed standards
- An explanation of what the changes would mean for affected properties.
- An extract of Rural Living provisions with proposed amendments.

This information has been prepared to assist Land-owners understand the proposed changes.

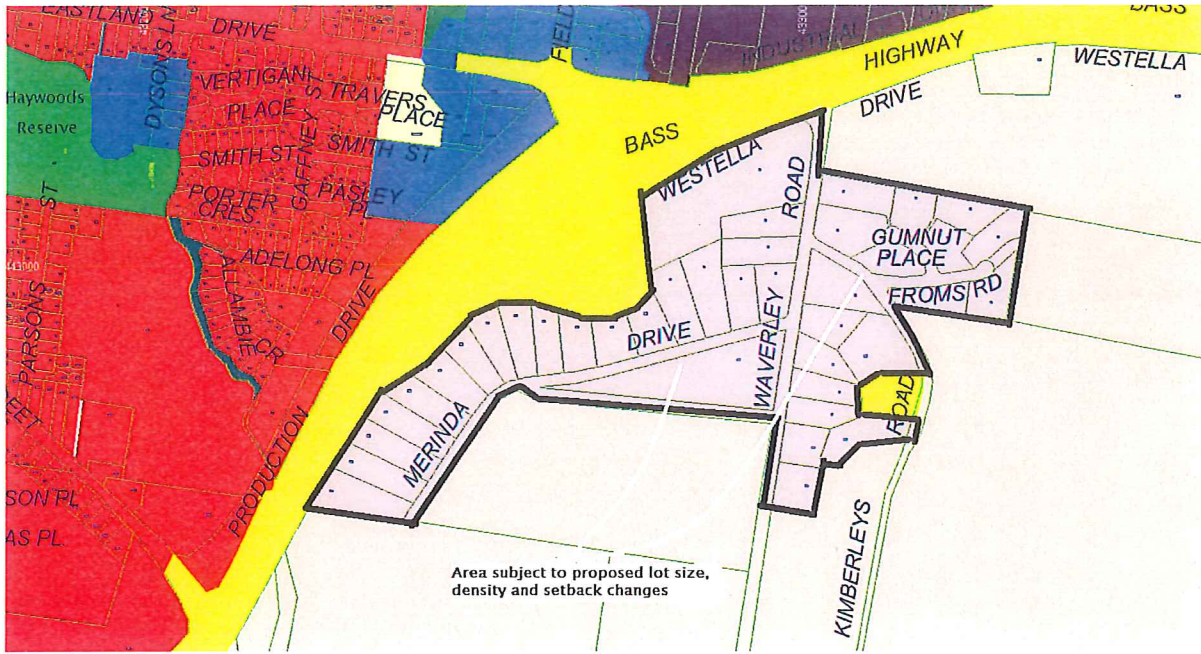
MAP 1 - RURAL LIVING ZONE

Leith



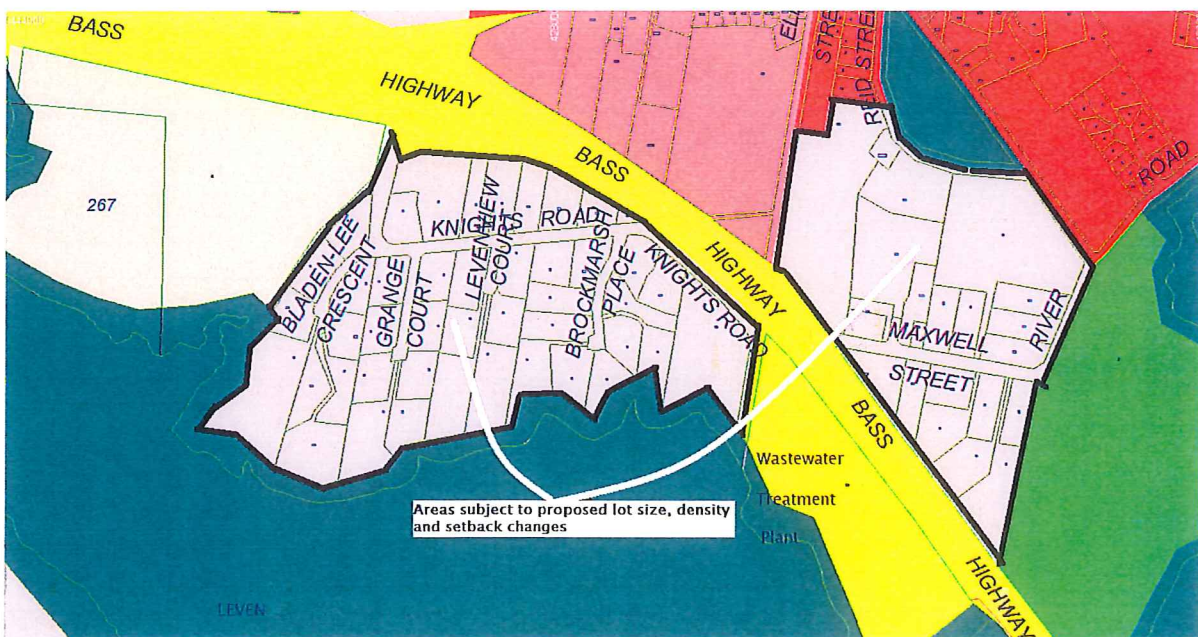
MAP 2 – RURAL LIVING ZONE

Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road and Waverley Road



MAP 3 – RURAL LIVING ZONE

Knights Road, Bladen-Lee Crescent, Levenview Court, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street



KEY DIFFERENCES BETWEEN THE STANDARDS

	CURRENT	PROPOSED
Minimum lot size	1ha	4,000m ²
Dwelling density	1 dwelling per 1ha	1 dwelling per 4,000m ²
Front setback	20m	10m
Side setbacks	10m	5m
Rear setback	10m	5m

WHAT THE CHANGES WOULD MEAN FOR YOUR PROPERTY

In Tasmania, control of development including residential, commercial and industrial uses, buildings and subdivision is largely the responsibility of Local Government. Most development proposals require submission of plans to the Council and approval by it. Councils assess development applications against a planning scheme relating to their municipal area.

In the case of development in the Ulverstone and Penguin areas the Central Coast Council is the responsible body and the planning scheme is the Central Coast Interim Planning Scheme 2013.

Areas around Leith south of the rail line, Merinda Drive, Kimberleys Road, Gumnut Place, Froms Road, Waverley Road, Knights Road, Bladen-Lee Crescent, Levenview Courtt, Grange Court, Brockmarsh Place, Maxwell Street, Reid Street and 13 Ellis Street, developed in accordance with provisions that were included within previous planning schemes particularly the former 2005 planning scheme. Under this Scheme the areas were zoned Low Density Residential and the key development provisions were:

- a 4,000m² minimum lot size.
- a maximum building height of 8m.
- a 6m setback from the front boundary.
- a 3m side boundary setback.
- a 6m rear boundary setback.

With the change of zoning to Rural Living the minimum lot size more than doubled and setback distances increased substantially. These standards currently apply to new development.

The effect of the current standards is that most development applications are now discretionary, incurring greater assessment times and increased costs for applicants, for little benefit.

The “lesser” development standards proposed by the Commission are closer to the provisions of the 2005 planning scheme and would be more suited to the development form in the identified areas. As a result there would likely be fewer discretionary applications, involving lesser assessment times and reduced costs.

Extract of development provisions for the Rural Living Zone

13.0 Rural Living Zone

13.1 Zone Purpose

13.1.1 Zone Purpose Statements

13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.

13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.

13.1.2 Local Area Objectives

13.1.2.1 (a) Use and development retains a rural setting

(b) Rural living areas make efficient use of land and optimise available infrastructure through a balance between infill and redevelopment of established rural living areas and release of new land

(c) The type, scale and intensity of use or development is consistent with the capacity of infrastructure services, land capability, the level of risk from exposure to natural hazards, and the protection of land significant for primary production;

(d) Rural living areas provide opportunity for housing in single and multiple dwellings for individual, shared, and supported accommodation through private, public, and social investment;

(e) Rural living areas enable small-scale employment opportunities in home occupation and home based-business;

(f) New or intensified use or development is restricted if the limit of a constraint on residential use is unknown or uncertain.

(g) Rural living areas have no priority purpose for primary industry use

(h) The amenity and character of residential use is commensurate with the location of housing and support activity within a rural setting and is to take into account –

(i) likely compromise as a result of factors arising from –

a. occupational and operational practices of primary industry and other use on adjacent rural land;

b. possible absence or under-provision of transport infrastructure and utilities;

c. possible absence of facilities for convenience retail, education, entertainment, health and social support, and for sports and recreation;

d. likelihood for exposure to a natural hazard; and

e. relative remoteness from an urban centre

(ii) the effect of location and configuration of buildings within a site on –

a. apparent bulk and scale of buildings and structures within the rural setting;

b. opportunity for on-site provision of private open space and facilities for parking of vehicles;

c. opportunity for access to daylight and sunlight;

d. visual and acoustic privacy between adjacent dwellings; and

e. consistency of the streetscape

13.1.3 Desired Future Character Statements

13.1.3.1 (a) occur as discrete, contiguous, and ordered clusters of dwellings and associated buildings embedded in a rural setting;

(b) provide sites that are larger than suburban lots, although size is dependent on availability of utilities, land capability, and retention of a rural setting;

(c) provide housing as a predominant but not exclusive use;

(d) provide choice and diversity in the type and form of buildings for housing and non-housing development;

(e) provide buildings that are typically of one or two storeys;

(f) provide a landscape in which buildings are set well apart from buildings on adjacent sites and from the frontage road;

(g) have very low site coverage and sufficient unbuilt area to accommodate any requirement for on-site disposal or sewage or stormwater; and

(h) may be self-sufficient with respect to water supply and arrangements for the treatment and disposal of sewage and stormwater

13.2 Use Table

No Permit Required

Use Class	Qualification
Natural and cultural values management	If for conservation, rehabilitation, or protection against degradation, but must not include a building or external activity area for information, interpretation, or display of items or for any other use
Passive Recreation	If a public park or reserve for the local community
Permitted	
Use Class	Qualification
Community meeting and entertainment	<p>If -</p> <p>(a) not an art gallery, cinema, concert hall, convention centre, dance hall, exhibition centre, function or reception centre, library, museum, music hall, or theatre; and</p> <p>(b) a gross floor area of not more than 300m²</p>
Domestic animal breeding, boarding and training	<p>If -</p> <p>(a) not be more than 4 adult animals; and</p> <p>(b) not be a animal pound</p>
Education and occasional care	<p>If -</p> <p>(a) long day care, before or after school care, occasional care, or out-of-school hours care;</p> <p>(b) a day respite centre;</p> <p>(c) school education to Year 6</p>
Emergency services	If not intended for deployment beyond the local area, or as a facility for training, maintenance, storage, command or administration
Food services	<p>If -</p> <p>(a) not licensed premises;</p> <p>(b) including a drive through in take away food premises;</p> <p>(c) gross floor area of not more than 300m²; or</p> <p>(d) seating capacity for not more than 20 people</p>
General retail and hire	If a local shop
Residential	
Resource development	<p>If -</p> <p>(a) a community garden for production or ornamental purposes to service the local community; or</p> <p>(b) agricultural use dependent on the soil as a growth medium undertaken in association with a residential use</p>
Sport and recreation	If outdoor recreation facilities comprising a single playing field or a single surface for the local community
Tourist operation	<p>If -</p> <p>(a) based on a building, area, or place of regulated scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; and</p> <p>(b) not a visitor's information centre</p>
Utilities	If minor utilities