

## **Break O’Day Local Provisions Schedule**

### **BRE-Local Provisions Schedule Title**

BRE1.1 This Local Provisions Schedule is called the Break O’Day Local Provisions Schedule and comprises all the land within the municipal area.

### **BRE Effective Date**

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

### **BRE-Local Area Objectives**

This clause is not used in this Local Provisions Schedule.

## **BRE-P1.0 Particular Purpose Zone – Ansons Bay Small Lot Residential**

**Commented [TJ1]:** This is a transitioning provision. Planning authority to check that the policy intent is not changed by the proposed alterations and can make suggestions within the realm of 'permitted alterations'. Best not to accept any track changes as the panel needs a version that shows track changes in order to assess permitted alterations.

### **BRE-P1.1 Zone Purpose**

The purpose of the Particular Purpose Zone – Ansons Bay Small Lot Residential is:

- BRE-P1.1.1 To provide for the amenity of residents in a manner that respects the unique historical character of the waterfront area.
- BRE-P1.1.2 To provide for low impact non-residential uses that fits within the unique character of the waterfront area.
- BRE-P1.1.3 To ensure that areas subject to natural hazards are managed in an appropriate way so as to protect private property with minimal impact to natural process.

### **BRE-P1.2 Local Area Objectives**

Reference Number	Area Description	Local Area Objectives
<a href="#">BRE-P1.2.1</a>	<a href="#">Ansons Bay Small Lot Residential, shown on an overlay map as BRE-P1.2.1.</a>	<p>The local area objectives for Particular Purpose Zone - Ansons Bay Small Lot Residential are:</p> <ul style="list-style-type: none"> <li>(a) the area <del>will-is to</del> remain settled with small buildings that are predominantly residential use with a mixture of full time and part time occupation;</li> <li>(b) the area <del>will-is to</del> remain unfenced and retain an openness welcoming appearance;</li> <li>(c) existing public access to the foreshore <del>will-is to</del> be retained and enhanced where possible; <del>and-</del></li> <li>(d) the number of jetties <del>will-is to</del> be kept to a minimum so as not to dominate the view of the foreshore and there <del>will-are toth</del> be no new boatsheds.</li> </ul>

### **BRE-P1.3 Definition of Terms**

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

### **BRE-P1.4 Use Table**

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
<b>Permitted</b>	
Residential	
<b>Discretionary</b>	
Visitor Accommodation	If to change the use of a building existing as at <u>1 June 2013</u> , the <u>date of commencement of this planning scheme</u> .
Utilities	
<b>Prohibited</b>	
All other uses	

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### BRE-P1.5 Use Standards

BRE-P1.5.1 Amenity

Objective:	To ensure that non-residential uses are of an appropriate scale and type.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Vehicles must be parked within the boundary of the <u>lotsite</u> .	<b>P1</b> Vehicles, including delivery vehicles, must not create a traffic hazard or compromise the mixed use functions of the road.	
<b>A2</b> Goods or materials must not be stored outside or in locations visible from adjacent lots, the road or public land.	<b>P2</b> No <u>pPerformance eCriteria</u> .	
<b>A3</b> Waste <u>Mmaterials</u> must be: (a) stored in a manner and location that is not visible from the road to which the lot has frontage; and (b) stored in fully self-contained receptacles designed <u>to ensure so that</u> waste does not	<b>P3</b> No <u>pPerformance eCriteria</u> .	

escape to the environment.	
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### BRE-P1.6 Development Standards for Buildings and Works

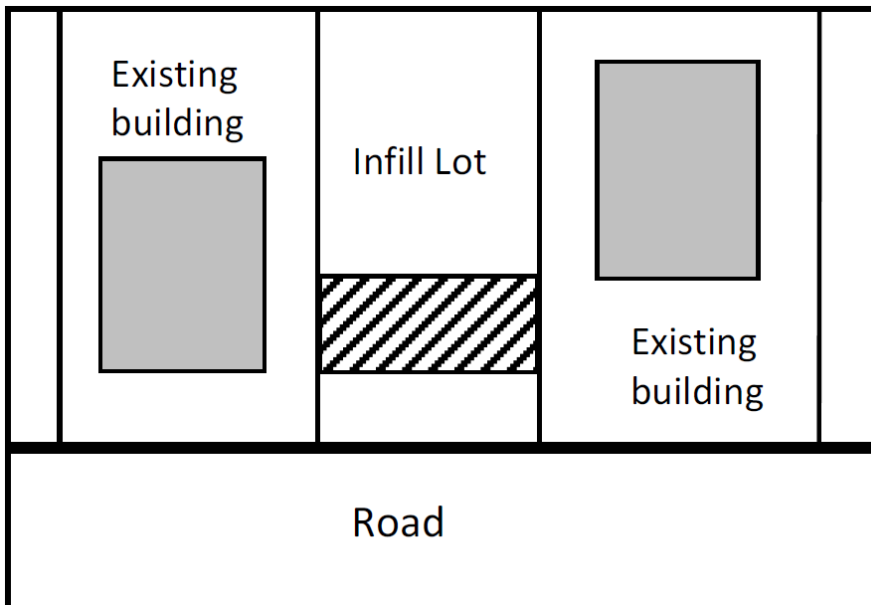
BRE-P1.6.1 Building design and siting

Objective:	<p><del>To ensure</del> that the siting and design of development furthers the <del>desired character</del><u>local area objectives</u> for <del>the area</del><u>this zone</u>.</p> <p>To protect the residential amenity of adjoining <del>lots</del><u>properties</u> by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p><del>The s</del>Site coverage must <del>be not exceed more than</del> 50% of the <del>lot</del><u>site</u> and <del>the lot must have a</del> minimum of 25% of the site <del>must be</del> free from buildings, paving or other impervious surfaces.</p>	<p><b>P1</b></p> <p>The proportion of <del>the</del> site covered by buildings must have regard to:</p> <ul style="list-style-type: none"> <li>(a) the existing site coverage and any constraints imposed by existing development or the features of the site; <del>and</del></li> <li>(b) the site coverage of adjacent <del>lots</del><u>properties</u>; <del>and</del></li> <li>(c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; <del>and</del></li> <li>(d) the capacity of the site to absorb run-off; <del>and</del></li> <li>(e) the landscape character of the area.</li> </ul>
<p><b>A2</b></p> <p><del>The b</del>Building height must <del>be not exceed more than</del> 6.5m.</p>	<p><b>P2</b></p> <p>Buildings must be designed and sited:</p> <ul style="list-style-type: none"> <li>(a) to be consistent with the <del>desired future character</del><u>local area objectives</u> for <del>this zone</del><u>the area</u>; and</li> <li>(b) to protect the residential amenity of adjoining dwellings from the impacts of overshadowing and overlooking, having regard to: <ul style="list-style-type: none"> <li>(i) the surrounding pattern of development;</li> <li>(ii) the existing degree of overlooking and overshadowing;</li> <li>(iii) maintaining a reasonable degree of</li> </ul> </li> </ul>

	<p>solar access to secluded private open space and habitable room windows such that available sunlight is not reduced <u>to</u> below 3 hours on the 21st of June. or, <u>where-if</u> existing available sunlight is less than 3 hours, <del>not reduce</del> the existing levels of available sunlight <u>are not reduced</u>;</p> <p>(iv) maintaining reasonable privacy to secluded private open space and windows; <u>and</u></p> <p>(v) existing screening or the ability to implement screening to enhance privacy.</p>
<p><b>A3</b></p> <p>Buildings must <del>be have a</del> setback from the primary road frontage:</p> <p>(a) <del>a minimum distance of</del> <u>not less than</u> 2m; or</p> <p>(b) within the range of the frontage setbacks of buildings on adjoining <del>lots</del><u>properties</u>, indicated by the hatched section in Fig. <u>A3BRE-P1.1</u> below; <u>and</u>.</p>	<p><b>P3</b></p> <p>Buildings setback to a road must have regard to:</p> <p>(a) the prevailing setbacks of existing buildings on nearby <del>lots</del><u>properties</u>; and</p> <p>(b) the visual impact of the building when viewed from the road;.</p>
<p><b>A4</b></p> <p>Buildings must <del>be have a</del> setback from the side and rear boundaries <del>a minimum distance of</del> <u>not less than</u> 1m.</p>	<p><b>P4</b></p> <p>Buildings must be designed and sited:</p> <p>(a) to further the objectives relating to the visual character of the settlement; and</p> <p>(b) to protect the residential amenity of adjoining dwellings by providing appropriate separation, having regard to:</p> <p>(i) the surrounding pattern of development;</p> <p>(ii) the existing degree of overlooking and overshadowing;</p> <p>(iii) maintaining a reasonable degree of solar access to secluded private open space and habitable room windows such that available sunlight is not reduced <u>to</u> below 3 hours on the 21st of June. or, <u>where-if</u> existing available sunlight is less than 3 hours, <del>not</del></p>

	<p><del>reduce</del> the existing levels of available sunlight <del>are not reduced</del>;</p> <p>(iv) maintaining reasonable privacy to private open space and windows; <del>and</del></p> <p>(v) existing screening or the ability to implement screening to enhance privacy.</p>
<p><b>A5</b></p> <p>Fences are not allowed on front, <del>or</del> side or rear boundaries.</p>	<p><b>P5</b></p> <p>Fences must be required for privacy.</p>
<p><b>A6</b></p> <p>Outbuildings must not exceed a gross floor area of 80% of the gross floor area of the dwelling on the site.</p>	<p><b>P6</b></p> <p>No Performance <del>eCriteria</del>na.</p>

Figure A3BRE-P1.1 – Primary Frontage Setback for Infill Lots



BRE-P1.6.2 Solar efficiency

Objective:	To <del>ensure</del> that all dwellings have adequate access to sunlight.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

<p><b>A1</b></p> <p>Buildings <u>on the site or adjoining sites</u> must not cause overshadowing and reduction of sunlight to habitable rooms and private open space to less than 3 hours between 9.00 am and 5.00 pm on June 21.</p>	<p><b>P1</b></p> <p>Buildings must not result in unreasonable loss of solar access for adjoining residential buildings.</p>
<p><b>A2</b></p> <p>Outbuildings must not be constructed so as to obstruct solar access to north and east facing windows of an existing dwelling on the same site as the outbuildings.</p>	<p><b>P2</b></p> <p>No <del>performance</del> <u>Criteria</u>.</p>

**Note:** Clause A1 applies to the site and adjoining sites.

**Commented [TJ2]:** See addition to A1

BRE-P1.6.3 Privacy

Objective:	To site and design buildings so as to meet projected user requirements for visual privacy, and <u>to</u> protect the visual privacy of nearby residents in their dwellings.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Direct views of windows of habitable rooms, external doorways, balconies, decks or patios of neighbouring dwellings must be screened with vegetation or set apart a minimum distance of 9m.</p>	<p><b>P1</b></p> <p>Direct views of windows of habitable rooms, external doorways, balconies, decks or patios of neighbouring dwellings must be minimised by appropriately designed and located screening that is consistent with the <u>desired future character</u> <u>local area objectives</u> for the <u>area</u> <u>this zone</u>.</p>

BRE-P1.6.4 Stormwater disposal

Objective:	<del>To ensure</del> that stormwater discharge from new development does not result in adverse impacts on surrounding land or the environment.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>All run-off from buildings is to be detained by on-site water storage systems and the overflow released in a manner that <u>will does</u> not cause erosion or flooding to adjoining <u>lots</u> <u>properties</u>.</p>	<p><b>P1</b></p> <p>No Performance <u>Criteria</u>.</p>

BRE-P1.6.5 Development in areas at risk from natural hazards

Objective:	<del>To ensure</del> that natural hazards are identified and addressed at the time of
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	development.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Buildings must be on land where the boundary is setback away from evidence of coastal erosion a distance equal to or greater than the vertical distance from the top of the cliff to the natural ground level at the bottom of the cliff, measured at the cliff top adjacent to the centre of the <u>lot-site</u> boundary.</p>	<p><b>P1</b></p> <p>Buildings on land where the boundary is setback from evidence of coastal erosion less than the vertical distance from the top of the cliff to the natural ground level at the bottom of the cliff, measured at the cliff top adjacent to the centre of the <u>lot-site</u> boundary, must reduce the risk to life and property to a low or very low <u>R</u>isk <u>L</u>evel <u>I</u>mplication in accordance with <u>Practice Note Guideline for Landslide Risk Management 2007 as demonstrated in the Risk Assessment Table in E3.56.2 a)</u> through the submission of a report from a suitably qualified engineer.</p>

BRE-P1.6.6 Vegetation control

Objective:	<del>To ensure</del> that vegetation along the foreshore remains and <del>To ensure</del> weeds are prevented from being planted.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Vegetation must not be removed unless it is within the building footprint.</p>	<p><b>P1</b></p> <p>Vegetation removed outside the building footprint is required to <u>minimize</u> the impacts from natural hazards.</p>
<p><b>A2</b></p> <p>Plants, as listed in <u>appendix 3, BRE-P1.8.1</u>, must not be planted.</p>	<p><b>P2</b></p> <p>No <u>performance criteria</u>.</p>

**BRE-P1.7 Development Standards for Subdivision**

BRE-P1.7.1 Subdivision

Objective:	To minimise alterations to the existing pattern of subdivision along the foreshore <u>and to</u> <del>To ensure</del> <u>maintain</u> frontage to a road <del>is maintained</del> .
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Lots must be:</p> <p>(a) for the consolidation of a lot with another</p>	<p><b>P1</b></p> <p>No <u>performance criteria</u>.</p>



lot with no additional titles created; or (b) to align existing titles with zone boundaries and no additional lots are created.	
<b>A2</b> All lots must have a minimum of 4m frontage to a road or access via a 4m wide <b>R</b> ight-of-way to a road.	<b>P2</b> No <b>p</b> erformance <b>e</b> riteria.

## BRE-P1.8 Tables

### BRE-P1.8.1 Environmental weeds

#### D - Weeds declared under the *Weed Management Act, 1999*

#### L – Weeds declared locally

<u>L</u>	<u>Acacia pycnantha</u>	<u>Golden Wattle</u>
<u>L</u>	<u>Acacia baileyana</u>	<u>Cootamundra wattle</u>
<u>D</u>	<u>Acacia nilotica ssp. Indica</u>	<u>Prickly Acacia</u>
<u>L</u>	<u>Acer pseudoplatanus</u>	<u>Sycamore Maple</u>
<u>L</u>	<u>Achillea millefolium</u>	<u>Yarrow</u>
<u>D</u>	<u>Acroptilon repens</u>	<u>Creeping Knapweed</u>
<u>L</u>	<u>Allium triquetrum</u>	<u>Three-cornered garlic</u>
<u>D</u>	<u>Allium vineale</u>	<u>Crow Garlic</u>
<u>L</u>	<u>Aloe spp.</u>	<u>Aloe</u>
<u>D</u>	<u>Alternanthera philoxeroides</u>	<u>Alligator Weed</u>
<u>D</u>	<u>Amaranthus albus</u>	<u>Tumbleweed</u>
<u>D</u>	<u>Amelichloa caudata (=achnatherum caudatum)</u>	<u>Espartillo</u>
<u>D</u>	<u>Amsinckia species</u>	<u>Amsinckia Species</u>
<u>D</u>	<u>Annona glabra</u>	<u>Pond Apple</u>
<u>D</u>	<u>Anthemis cotula</u>	<u>Stinking Mayweed</u>
<u>L</u>	<u>Arctotheca calendula</u>	<u>Capeweed</u>
<u>D</u>	<u>Asparagus asparagoides (=Myrsiphyllum asparagoides)</u>	<u>Bridal Creeper</u>
<u>D</u>	<u>Asparagus scandens</u>	<u>Asparagus Fern</u>
<u>D</u>	<u>Asphodelus fistulosus</u>	<u>Onion Weed</u>
<u>D</u>	<u>Bassia scoparia (=Kochia scoparia)</u>	<u>Kochia</u>
<u>D</u>	<u>Berberis darwinii</u>	<u>Darwins Barberry</u>
<u>D</u>	<u>Berkheya rigida</u>	<u>African Thistle</u>
<u>D</u>	<u>Bifora testiculata</u>	<u>Bifora</u>
<u>L</u>	<u>Briza maxima</u>	<u>Large Quaking Grass</u>
<u>D</u>	<u>Cabomba caroliniana</u>	<u>Fanwort</u>
<u>D</u>	<u>Calluna vulgaris</u>	<u>Heather</u>
<u>D</u>	<u>Cardaria draba</u>	<u>White Weed (Hoary Cress)</u>
<u>D</u>	<u>Carduus nutans</u>	<u>Nodding Thistle</u>
<u>D</u>	<u>Carduus pycnocephalus</u>	<u>Slender Thistle</u>
<u>D</u>	<u>Carduus tenuiflorus</u>	<u>Slender Thistle</u>
<u>D</u>	<u>Carex albula</u>	<u>New Zealand Sedge</u>

Tasmanian Planning Scheme – State Planning Provisions

D	<u>Carex buchananii</u>	<u>Leather Leaf Sedge</u>
D	<u>Carex flagellifera</u>	<u>New Zealand Sedge</u>
D	<u>Carex testacea</u>	<u>New Zealand Sedge</u>
D	<u>Carthamus lanatus L.</u>	<u>Saffron Thistle</u>
D	<u>Cenchrus incertus(= Cenchrus pauciflorus)</u>	<u>Spiny Burrgrass</u>
D	<u>Cenchrus longispinus</u>	<u>Spiny Burrgrass</u>
D	<u>Centaurea calcitrapa</u>	<u>Star Thistle</u>
D	<u>Centaurea eriophora</u>	<u>Mallee cockspur</u>
D	<u>Ceratophyllum demersum</u>	<u>Hornwort</u>
D	<u>Chamaecytisus palmensis</u>	<u>Tree Lucerne</u>
D	<u>Chondrilla juncea</u>	<u>Skeleton Weed</u>
D	<u>Chrysanthemoides monilifera (including subspecies)</u>	<u>Boneseed, Bitou Bush</u>
D	<u>Cirsium arvense</u>	<u>Californian Thistle</u>
L	<u>Conium maculatum</u>	<u>Hemlock</u>
L	<u>Coprosma repens</u>	<u>Mirror Bush</u>
D	<u>Coprosma robusta</u>	<u>Karamu</u>
D	<u>Cortaderia species</u>	<u>Pampas Grasses</u>
L	<u>Cotoneaster</u>	<u>Cotoneaster spp.</u>
L	<u>Crataegus monogyna</u>	<u>Hawthorn</u>
L	<u>Crocosmia x crocosmiiflora</u>	<u>Montbretia</u>
D	<u>Crupina vulgaris</u>	<u>Common crupina</u>
D	<u>Cryptostegia grandiflora</u>	<u>Rubber Vine</u>
D	<u>Cuscuta species (excluding Cuscuta tasmanica)</u>	<u>Dodder</u>
D	<u>Cynara cardunculus</u>	<u>Artichoke Thistle</u>
D	<u>Cyperus rotundus</u>	<u>Purple Nut Grass</u>
D	<u>Cyperus esculentus</u>	<u>Yellow nut grass/Yellow nut sedge</u>
D	<u>Cytisus scoparius</u>	<u>English Broom</u>
D	<u>Cytisus multiflorus</u>	<u>White Spanish Broom</u>
D	<u>Datura species</u>	<u>Datura</u>
L	<u>Delairea odorata</u>	<u>Cape Ivy</u>
L	<u>Digitalis purpurea</u>	<u>Foxglove</u>
D	<u>Dittrichia viscosa</u>	<u>False Yellowhead</u>
D	<u>Echium plantagineum</u>	<u>Paterson's Curse</u>
D	<u>Echium vulgare L.</u>	<u>Viper's Bugloss</u>
D	<u>Egeria densa (= Elodea densa)</u>	<u>Egeria, Dense Water Weed Water</u>
D	<u>Eichhornia crassipes</u>	<u>Hyacinth</u>
D	<u>Eleocharis parodii</u>	<u>Parodi</u>
D	<u>Elodea canadensis</u>	<u>Canadian Pondweed, Elodea</u>
D	<u>Emex australis</u>	<u>Spiny Emex</u>
D	<u>Equisetum species</u>	<u>Horsetail</u>
D	<u>Eragrostis curvula</u>	<u>African Lovegrass</u>
D	<u>Erica lusitanica</u>	<u>Spanish Heath</u>
L	<u>Euphorbia paralias</u>	<u>Sea Spurge</u>
D	<u>Fallopia japonica</u>	<u>Japanese Knotweed</u>
D	<u>Festuca Gautieri</u>	<u>Bear Skin Fescue</u>
D	<u>Foeniculum vulgare</u>	<u>Fennel</u>
L	<u>Fuchsia magellanica</u>	<u>Fuchsia</u>
L	<u>Gazania spp.</u>	<u>Gazania</u>
D	<u>Galium spurium</u>	<u>False Cleavers</u>
D	<u>Galium tricornutum</u>	<u>Three-horned Bedstraw</u>
D	<u>Genista monspessulana</u>	<u>Montpellier Broom</u>
D	<u>Gymnocoronis splanthoides</u>	<u>Senegal Tea Plant, Temple Plant</u>

Tasmanian Planning Scheme – State Planning Provisions

<u>L</u>	<u>Hedera helix</u>	<u>English Ivy</u>
<u>D</u>	<u>Heliotropium europaeum</u>	<u>Common Heliotrope</u>
<u>D</u>	<u>Heracleum mantegazzianum</u>	<u>Giant Hogweed</u>
<u>D</u>	<u>Hieracium species</u>	<u>Hawkweed</u>
<u>D</u>	<u>Hydrilla 11erticillate</u>	<u>Hydrilla</u>
<u>D</u>	<u>Hymenachne amplexicaulis</u>	<u>Hymenachne</u>
<u>D</u>	<u>Hypericum perforatum</u>	<u>St John's Wort</u>
<u>D</u>	<u>Hypericum tetrapterum</u>	<u>Square stemmed St Johns Wort</u>
<u>L</u>	<u>Ilex aquifolium</u>	<u>Holly</u>
<u>D</u>	<u>Lagarosiphon major</u>	<u>Lagarosiphon, Oxygen Weed</u>
<u>D</u>	<u>Lantana camara</u>	<u>Lantana</u>
<u>D</u>	<u>Leptospermum laevigatum</u>	<u>Coast tea tree</u>
<u>D</u>	<u>Leycesteria formosa</u>	<u>Elisha's Tears</u>
<u>L</u>	<u>Lonicera japonica</u>	<u>Japanese Honeysuckle</u>
<u>L</u>	<u>Lupinus arboreus</u>	<u>Tree Lupin</u>
<u>D</u>	<u>Lycium ferocissimum</u>	<u>African Boxthorn</u>
<u>D</u>	<u>Marrubium vulgare</u>	<u>Horehound</u>
<u>D</u>	<u>Miconia Species</u>	<u>Miconia</u>
<u>D</u>	<u>Moraea species</u>	<u>Cape Tulips</u>
<u>D</u>	<u>Myriophyllum aquaticum (= M. brasiliense).</u>	<u>Parrot's Feather</u>
<u>D</u>	<u>Nassella neesiana</u>	<u>Chilean Needle Grass</u>
<u>D</u>	<u>Nassella trichotoma</u>	<u>Serrated Tussock</u>
<u>D</u>	<u>Oenanthe pimpinelloides</u>	<u>Meadow Parsley</u>
<u>D</u>	<u>Onopordum species</u>	<u>Onopordum Thistles</u>
<u>D</u>	<u>Orobanche species (except O. minor and O. cernua var.australiana)</u>	<u>Broomrape</u>
<u>L</u>	<u>Paraserianthes lophantha</u>	<u>Cape Wattle</u>
<u>D</u>	<u>Parkinsonia Species</u>	<u>Parkinsonia</u>
<u>D</u>	<u>Parthenium hysterophorus</u>	<u>Parthenium</u>
<u>L</u>	<u>Passiflora mollissima</u>	<u>Banana Passionfruit</u>
<u>D</u>	<u>Pennisetum macrourum</u>	<u>African Feathergrass</u>
<u>D</u>	<u>Pennisetum villosum</u>	<u>Feathertop</u>
<u>L</u>	<u>Polygala myrtifolia</u>	<u>Polygala</u>
<u>L</u>	<u>Pinus radiata</u>	<u>Radiata Pine</u>
<u>L</u>	<u>Pittosporum undulatum</u>	<u>Sweet Pittosporum</u>
<u>D</u>	<u>Prosopis Species</u>	<u>Mesquite</u>
<u>L</u>	<u>Psoralea pinnata</u>	<u>Blue Butterfly-bush</u>
<u>D</u>	<u>Rorippa sylvestris</u>	<u>Creeping Yellowcress</u>
<u>L</u>	<u>Rosa rubiginosa</u>	<u>Briar Rose</u>
<u>D</u>	<u>Rubus fruticosus aggregate</u>	<u>Blackberry</u>
<u>D</u>	<u>Sagittaria graminea</u>	<u>Sagittaria</u>
<u>D</u>	<u>Sagittaria montevidensis</u>	<u>Arrowhead</u>
<u>D</u>	<u>Salix fragilis</u>	<u>Crack Willow</u>
<u>D</u>	<u>Salpichroa origanifolia</u>	<u>Pampas Lily-of-the-Valley</u>
<u>D</u>	<u>Salvinia molesta</u>	<u>Salvinia</u>
<u>D</u>	<u>Senecio glastifolius</u>	<u>Holly-leave Senecio</u>
<u>D</u>	<u>Senecio jacobaea</u>	<u>Ragwort</u>
<u>D</u>	<u>Solanum elaeagnifolium</u>	<u>Silver-leaf Nightshade</u>
<u>D</u>	<u>Solanum marginatum</u>	<u>White-edged Nightshade</u>
<u>D</u>	<u>Solanum sodomaemum</u>	<u>Apple-of-Sodom</u>
<u>D</u>	<u>Solanum triflorum</u>	<u>Cut-leaf Nightshade</u>
<u>L</u>	<u>Sollya heterophylla</u>	<u>Bluebell Creeper</u>
<u>L</u>	<u>Spartina anglica</u>	<u>Rice Grass</u>

Tasmanian Planning Scheme – State Planning Provisions

<u>D</u>	<u>Striga species (all non-indigenous species)</u>	<u>Witchweed</u>
<u>D</u>	<u>Tamarix aphylla</u>	<u>Athel Pine</u>
<u>L</u>	<u>Tradescantia albiflora</u>	<u>Wandering Jew</u>
<u>D</u>	<u>Trapa species</u>	<u>Floating Water Chestnut</u>
<u>D</u>	<u>Tribulus terrestris</u>	<u>Caltrop</u>
<u>D</u>	<u>Ulex europaeus</u>	<u>Gorse</u>
<u>D</u>	<u>Urospermum dalechampii</u>	<u>Mediterranean Daisy</u>
<u>L</u>	<u>Vinca major</u>	<u>Blue Periwinkle</u>
<u>L</u>	<u>Watsonia meriana</u>	<u>Watsonia</u>
<u>D</u>	<u>Xanthium</u>	<u>Burrs, Bathurst Burr</u>
<u>L</u>	<u>Zantedeschia aethiopica</u>	<u>Arum Lily</u>
<u>D</u>	<u>Zizania Species</u>	<u>Wild Rice</u>

## BRE-P2.0 Particular Purpose Zone – Low Density Coastal Residential

### BRE-P2.1 Zone Purpose

The purpose of the Particular Purpose Zone – Low Density Coastal Residential is:

- BRE-P2.1.1 To ensure that future use and development is compatible with the existing settlement pattern.
- BRE-P2.1.2 To provide amenity for residents in a manner that respects the coastal character of the area.
- BRE-P2.1.3 To provide for low impact non-residential uses that fit within the character of the coastal area.
- BRE-P2.1.4 That areas subject to natural hazards are managed in an appropriate way so as to protect private property with minimal impact to natural process.

### BRE-P2.2 Local Area Objectives

Reference Number	Area Description	Local Area Objectives
BRE-P2.2.2	Low Density Coastal Residential, shown on an overlay map as BRE-P2.2.2.	<p>The local area objectives for Particular Purpose Zone - Low Density Coastal Residential are:</p> <ul style="list-style-type: none"> <li>(a) development is to be compatible with the existing character in bulk, scale and siting;</li> <li>(b) the area is to remain settled with small buildings that are predominantly residential use with a mixture of full time and part time occupation;</li> <li>(c) existing public access to the foreshore is to be retained and enhanced where possible; and</li> <li>(d) the number of structures is to be kept to a minimum so as not to dominate the view of the foreshore.</li> </ul>

### BRE-P2.3 Definition of Terms

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

### BRE-P2.4 Use Table

Use Class	Qualification
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<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities
<b>Permitted</b>	
Residential	
<b>Discretionary</b>	
Community Meeting and Entertainment	If for art and craft centre or public hall
Emergency services	
Storage	If for boat or caravan storage
Visitor Accommodation	If for guests accommodated within an existing building
Utilities	
<b>Prohibited</b>	
All other uses	

### BRE-P2.5 Use Standards

BRE-P2.5.1 Amenity

Objective:	That non-residential uses are of an appropriate scale and type.	
Acceptable Solutions	Performance Criteria	
<b>A1</b> Vehicles must be parked within the boundary of the site.	<b>P1</b> Vehicles, including delivery vehicles, must not create a traffic hazard or compromise the functions of the road.	
<b>A2</b> Goods or materials must not be stored outside or in locations visible from adjacent lots, the road or public land.	<b>P2</b> No Performance Criterion.	
<b>A3</b>	<b>P3</b>	

<p>Waste materials must be:</p> <p>(a) stored in a manner and location that is not visible from the road to which the lot has frontage; and</p> <p>(b) stored in fully self-contained receptacles designed so that waste does not escape to the environment.</p>	<p>No Performance Criterion.</p>
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BRE-P2.5.2 Discretionary use

<p>Objective:</p>	<p>That the location, scale and extent of a use listed as Discretionary is compatible with landscape values.</p>
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>No Acceptable Solution</p>	<p><b>P1</b></p> <p>Use listed as Discretionary must be compatible with the natural and landscape values, having regard to:</p> <p>(a) the nature, scale and extent of the use;</p> <p>(b) the characteristics and type of the use;</p> <p>(c) the natural and landscape values of the site and surrounding area; and</p> <p>(d) measures to minimise or mitigate impacts.</p>

**BRE-P2.6 Development Standards for Buildings and Works**

BRE-P2.6.1 Building design and siting

<p>Objective:</p>	<p>That the siting and design of development furthers the local area objectives for this zone.</p> <p>To protect the residential amenity of adjoining properties by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents.</p>
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>Buildings must have a site coverage of not more than 30%</p>	<p><b>P1</b></p> <p>The site coverage of dwelling must be consistent with that existing on established properties in the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the capacity of the site to absorb runoff;</p>

	<ul style="list-style-type: none"> <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 provisions for landscaping and private open space;</li> <li>(f) the need to remove vegetation;</li> <li>(g) the site coverage of adjacent properties.</li> </ul>
<p><b>A2</b></p> <p>A dwelling must have a building height not more than 6m.</p>	<p><b>P2</b></p> <p>The height of dwellings must be compatible with the streetscape and not cause unreasonable loss of amenity to adjoining properties having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height of buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of existing and proposed buildings;</li> <li>(d) sunlight to habitable rooms and private open space of dwellings; and</li> <li>(e) any overshadowing of adjoining properties.</li> </ul>
<p><b>A3</b></p> <p>Dwellings, excluding protrusions that extend not more than 0.9m into the frontage, must have a setback from a frontage, not less than 4m.</p>	<p><b>P3</b></p> <p>The siting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the setbacks of surrounding buildings</li> <li>(c) the height, bulk and form of existing and proposed buildings;</li> <li>(d) the appearance when viewed from roads and public open space adjacent to the site; and</li> <li>(e) the safety of road users.</li> </ul>
<p><b>A4</b></p> <p>Dwellings, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a</p>	<p><b>P4</b></p> <p>The siting and scale of a dwelling must not cause an unreasonable loss of amenity to adjoining properties having regard to:</p>



<p>setback from side and rear boundaries of not less than 3m</p>	<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 setbacks of surrounding buildings;</li> <li>(d) the height, bulk and form of existing and proposed buildings</li> <li>(e) the existing buildings and private open space area on the site;</li> <li>(f) sunlight to provide open space and windows of habitable rooms on adjoining properties; and</li> <li>(g) the character of development existing on establish properties in the area.</li> </ul>
<p><b>A5</b></p> <p>The maximum building height of fences on and within 4.5m of a frontage must be:</p> <ul style="list-style-type: none"> <li>(a) 1.2m if solid; or</li> <li>(b) 1.8m provided that the part of the fence above 1.2m has openings which provide a minimum 30% transparency.</li> </ul>	<p><b>P5</b></p> <p>Fences on and within 4.5m of a frontage must be designed to:</p> <ul style="list-style-type: none"> <li>(a) Provide for security and privacy of residents while allowing for mutual passive surveillance of the road; and</li> <li>(b) Take account of the prevailing height, design and character of neighbouring fences; and</li> <li>(c) Attenuate noise from high volume traffic; and</li> <li>(d) Take account of steep slope or other topographical constraints; and</li> <li>(e) Have regard to streetscape qualities.</li> </ul>
<p><b>A6</b></p> <p>Outbuildings must not exceed a gross floor area of 80% of the gross floor area of the dwelling on the site.</p>	<p><b>P6</b></p> <p>No Performance Criterion.</p>

BRE-P2.6.2 Solar efficiency

<p>Objective:</p>	<p>That all dwellings have adequate access to sunlight.</p>
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>Buildings on the site and on adjoining sites</p>	<p><b>P1</b></p> <p>Buildings must not result in unreasonable loss of</p>

must not cause overshadowing and reduction of sunlight to habitable rooms and private open space to less than 3 hours between 9.00am and 5.00pm on June 21.	solar access for adjoining residential buildings.
<b>A2</b> Outbuildings must not be constructed so as to obstruct solar access to north and east facing windows of an existing dwelling on the same site as the outbuildings.	<b>P2</b> No Performance Criterion.

BRE-P2.6.3 Privacy

Objective:	To site and design buildings so as to meet projected user requirements for visual privacy, and to protect the visual privacy of nearby residents in their dwellings.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Direct views of windows of habitable rooms, external doorways, balconies, decks or patios of neighbouring dwellings must be screened with vegetation or set apart a minimum distance of 9m.	<b>P1</b> Direct views of windows of habitable rooms, external doorways, balconies, decks or patios of neighbouring dwellings must be minimised by appropriately designed and located screening that is consistent with the local area objectives for this zone.	

BRE-P2.6.4 Stormwater disposal

Objective:	That stormwater discharge from new development does not result in adverse impacts on surrounding land or the environment.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> All runoff from buildings is to be detained by on-site water storage systems and the overflow released in a manner that does not cause erosion or flooding to adjoining properties.	<b>P1</b> No Performance Criterion.	

**BRE-P2.7 Development Standards for Subdivision**

BRE-P2.7.1 Subdivision

Objective:	To ensure that subdivision is appropriate to the intended use or development of the lots and that the natural values of the subject land are not diminished.
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Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be:</p> <ul style="list-style-type: none"> <li>(a) required for public use by the Crown, a council or a State authority;</li> <li>(b) required for the provision of utilities; or</li> <li>(c) for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>	<p><b>P1</b></p> <p>No Performance Criterion.</p>
<p><b>A2</b></p> <p>All lots must have a minimum of 4m frontage to a road or access via a 4m wide right-of-way to a road.</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>

## BRE-P3.0 Particular Purpose Zone – St Helens Coastal Marine

### BRE-P3.1 Zone Purpose

The purpose of the Particular Purpose Zone – St Helens Coastal Marine is:

- BRE-P3.1.1 That future use and development provides a mixture of port and tourist related activity that promotes the St Helens foreshore as a place to visit.
- BRE-P3.1.2 To provide for port and marine activity related to shipping and other associated transport facilities, supply, and storage in a manner that respects the coastal character of the area. Whilst acknowledging the importance of gateway location north of the Golden Fleece Bridge as a focal point to St Helens Township.
- BRE-P3.1.3 To provide for low impact non-residential uses that fit within the character of the coastal area.
- BRE-P3.1.4 That areas subject to natural hazards are managed in an appropriate way so as to protect private property with minimal impact to natural process.

### BRE-P3.2 Local Area Objectives

Reference Number	Area Description	Local Area Objectives
BRE-P3.2.2	St Helens Coastal Marine, shown on an overlay map as BRE-P3.2.2.	<p>The local area objectives for Particular Purpose Zone - St Helens Coastal Marine are:</p> <ul style="list-style-type: none"> <li>(a) development is to be compatible with the existing character in bulk, scale and siting;</li> <li>(b) uses are to support, supply or facilitate port and/or marine activity;</li> <li>(c) existing public access to the foreshore is retained and enhanced where possible; and</li> <li>(d) the number of structures is to be kept to a minimum so as not to dominate the view of the foreshore.</li> </ul>

### BRE-P3.3 Definition of Terms

Terms	Definition
The Golden Fleece Bridge	means the bridge shown on BRE-P3.2.2

### BRE-P3.4 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities
<b>Permitted</b>	
Emergency services	If: (a) for additions to buildings existing as at the date of commencement of this planning scheme; and (b) not south of the Golden Fleece Bridge.
Pleasure boat facility	
Port and shipping	If not for a shipping container north of the Golden Fleece Bridge.
Tourist Operation	If: (a) for marine, aquatic or aviation based operations; and (b) not south of the Golden Fleece Bridge.
Utilities	If not for minor utilities
Vehicle Parking	If not south of the Golden Fleece Bridge.
<b>Discretionary</b>	
Food services	If not south of the Golden Fleece Bridge
Port and shipping	
Tourist Operation	
Utilities	
<b>Prohibited</b>	
All other uses	

### BRE-P3.5 Use Standards

Tasmanian Planning Scheme – State Planning Provisions

BRE-P3.5.1 Emissions

Objective:	That emissions are contained within the site or are managed in such a way as to not cause a loss of amenity to surrounding sensitive uses or impact detrimentally on the environment.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> All waste materials and by-products produced through operations on the site must: (a) where stored on site, be in a covered building with connection to reticulated waste and storm water services; or (b) be removed and disposed of in accordance with a management plan approved by the Environment Protection Authority; or (c) be removed and disposed of by a licensed waste removal operator or disposed of in an approved land fill.	<b>P1</b> A waste management plan demonstrates how the storage and on-site handling of waste and by products of the activity will be managed to: (a) minimise impacts to the environment; and (b) contain and treat emissions from the materials being held or stockpiled on the site (particularly waste and storm water); and (c) prevent views of the subject materials from outside of the site.	

BRE-3.5.2 Amenity

Objective:	That: (a) recognition is provided for the reasonable impacts of the allowed uses within the zone and to surrounding zones; and (b) use in the zone does not significantly impact on the amenity of sensitive uses in adjoining zones.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Use must be set back at least 50m from the boundary of the General Residential zone or a sensitive use in other zones.	<b>P1</b> Use must not cause unreasonable disturbances or loss of amenity to sensitive uses in adjoining zones.	
<b>A2</b> Outside storage areas must be screened from adjacent roads and properties.	<b>P2</b> Outside storage areas must not cause loss of amenity through unsightly appearance of storage areas.	

BRE-P3.5.2 Discretionary use

Objective:	That the location, scale and extent of a use listed as Discretionary is compatible with landscape values of the adjoining open space zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> No Acceptable Solution	<b>P1</b> Use listed as Discretionary must be compatible with natural and landscape values, having regard to: (a) the nature, scale and extent of the use; (b) the characteristics and type of the use; (c) the natural and landscape values of the site and surrounding area; and (d) measures to minimise or mitigate impacts.	

**BRE-P3.6 Development Standards for Buildings and Works**

BRE-P3.6.1 Building design and siting

Objective:	Building height, siting and scale: (a) is consistent with the coastal character of the area; (b) is compatible with the streetscape and maintain key viewpoints; and (c) furthers the local area objectives for this zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Building height must not exceed 6m.	<b>P1</b> Building height must be consistent with the local area objectives, if any.	
<b>A2</b> All buildings and storage areas must be setback a minimum of 10m from the frontage.	<b>P2</b> Buildings and storage areas must be setback to be consistent with the local area objectives, if any.	
<b>A3</b> Storage areas must not be located between the building and the frontage.	<b>P3</b> Storage areas are sited and designed in a manner that will not have an adverse impact on visual amenity.	

BRE-P3.6.2 Environmental Impacts

Objective:	That the environmental impacts are regulated to minimise off-site impacts to adjoining areas and they are managed in accordance with environmental best practice.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> All wastewater must be disposed of into a reticulated sewerage system.	<b>P1</b> All wastewater is treated by an on-site system suitable to the nature and volume of the discharges generated by the activity.	
<b>A2</b> All stormwater from hardstand areas must be directed to Council's reticulated stormwater system.	<b>P2</b> Surface water from hardstand areas (excluding pontoons, jetties and marinas) is treated to minimise pollution to receiving environments.	
<b>A3</b> If for permitted or no permit required uses.	<b>P3</b> A plan for managing by-products and wastes demonstrates how impacts to the environment will be minimised.	
<b>A4</b> The development is for the redevelopment of an existing marina or slipway facility	<b>P4</b> The marina or slipway is: (a) located in an area characterised by other structures such as jetties, ramps and boatsheds; and (b) consistent with the local area objectives, if any.	
<b>A5</b> Non-domestic marinas provide at least one wastewater pump out facility.	<b>P5</b> No performance criteria.	

**BRE-P3.7 Development Standards for Subdivision**

BRE-P3.7.1 Subdivision

Objective:	That subdivision allows for the siting and design of development consistent with the intended function of the facility and its location.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	



<p><b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 2000m<sup>2</sup>; and</p> <p style="padding-left: 20px;">i. be able to contain a 20m diameter circle; and</p> <p style="padding-left: 20px;">ii. all requirements by clause 3.6.1 A1, A2 and A3;</p> <p>(b) required for public use by the Crown, a council or a State authority;</p> <p>(c) required for the provision of utilities; or</p> <p>(d) for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b> All lots must have sufficient useable area and dimensions to allow for:</p> <p>(a) the intended function for the relevant lot; and</p> <p>(b) on-site parking and manoeuvrability; and</p> <p>(c) waste disposal.</p>
<p><b>A2</b> Each lot must have a frontage of at least 20m.</p>	<p><b>P2</b> Subdivision must provide appropriate, permanent access by a right of carriageway registered over all relevant titles.</p>
<p><b>A3</b> Each lot must be connected to a reticulated:</p> <p>(a) water supply; and</p> <p>(b) sewerage system.</p>	<p><b>P3</b> No Performance Criterion.</p>
<p><b>A4</b> Each lot must be connected to a reticulated stormwater system.</p>	<p><b>P4</b> Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <p>(a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</p> <p>(b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the</p>

	<p>predevelopment levels of the subdivision, and</p> <p>(c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and</p> <p>(d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</p>
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## BRE-S1.0 Safeguarding St Helens Airport Specific Area Plan

### BRE-S1.1 Plan Purpose

The purpose of the Safeguarding St Helens Airport Specific Area Plan is:

- BRE-S1.1.1 To ensure future development of the runway is not compromised by development that could obstruct safe air navigation of aircraft approaching and departing the Airport.

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

- BRE-S1.2.1 The specific area plan applies to the area of land designated as Safeguarding St Helens Airport Specific Area Plan on the overlay maps and shown in Figure S1.1. Specifically two titles identified as CT 214209/1 and CT 237235/1.

- BRE-S1.2.2 In the area of land to which this plan applies, the provisions of the specific area plan are in addition to the provisions of:
- (a) Landscape Conservation Zone; and
  - (b) Utilities Zone
- as specified in the relevant provision.

### BRE-S1.7 Development Standards for Buildings and Works

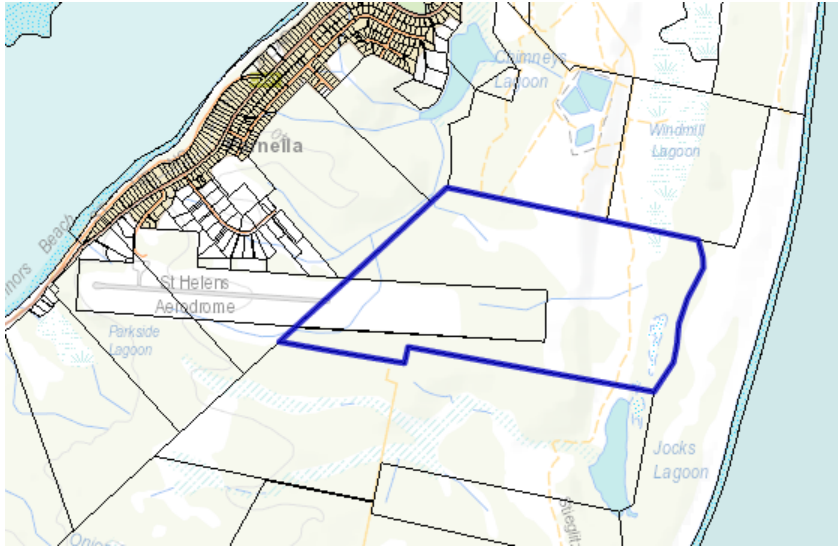
- BRE-S1.7.1 Protection of airspace

This clause is in addition to the Landscape Conservation Zone – clause 22.4.2 and the Utilities Zone – clause 26.4.1.

Objective:	Buildings and works do not compromise the potential expansion of the runway and future operational safety of the airport.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> No acceptable solution	<b>P1</b> Buildings and works must not create an obstruction or hazard to the future operation of aircraft having regard to any advice from: (a) Airservices Australia; (b) The Civil Aviation Safety Authority; and (c) The airport operator.	

### BRE-S1.9 Figure S1.1 Extent of Specific Area Plan

Tasmanian Planning Scheme – State Planning Provisions



## BRE- S2.0 Stormwater Management Specific Area Plan

### BRE-S2.1 Plan Purpose

The purpose of the Stormwater Management Specific Area Plan is:

- BRE-S2.1.1 The purpose of this provision is to ensure that stormwater from use and development, in both construction and operational phases, is of a quality and quantity that enables protection of natural assets, infrastructure and property.

### BRE-S2.2 Application of this Plan

- BRE-S2.2.1 The specific area plan applies to the area of land designated as Stormwater Management Specific Area Plan on the overlay maps.
- BRE-S2.2.2 This plan applies to all land within the municipal area except for land within the Rural Zone, Agriculture Zone and Environmental Management Zone.

### BRE-S2.3 Local Area Objectives

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

### BRE-S2.4 Definition of Terms

BRE-S2.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
Annual exceedance probability (AEP)	means the probability of an event with a certain magnitude being exceeded in any one year.
impervious surface	includes any roof or external paved or hardstand area, including for a road, driveway, a vehicle loading, parking and standing apron, cycle or pedestrian pathway, plaza, uncovered courtyard, deck or balcony or a storage and display area.
major stormwater drainage system	means the combination of overland flow paths (including roads and watercourses) and the underground reticulation system designed to provide safe conveyance of stormwater runoff and a specific level of flood mitigation.
stormwater drainage system	means a major or minor stormwater drainage system.
Stormwater Service Provider	Means as defined in the Urban Drainage Act 2013

### BRE-S2.5 Use Table

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

### BRE-S2.6 Use Standards

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

## BRE-S2.7 Development Standards for Buildings and Works

### BRE-S2.7.1 Stormwater drainage and disposal

This clause is in addition to General Residential Zone – clause 8.4 and 8.5; Low Density Residential Zone – clause 10.4 and 10.5; Rural Living Zone – clause 11.4 and 11.5; Village Zone – clause 12.4; Local Business Zone – clause 14.4; General Business Zone – clause 15.4; General Industrial Zone – clause 19.4; Landscape Conservation Zone – clause 22.4; Major Tourism Zone – clause 24.4; Port and Maine Zone – clause 25.4, Utilities Zone – clause 26.4, Community Purpose Zone – clause 27.4; Recreation Zone – clause 28.4; Open Space Zone – clause 29.4 and Future Urban Zone – clause 30.4.

Objective:	To ensure that buildings, works and stormwater drainage and disposal create stormwater of a quality and quantity that enables protection of natural assets, infrastructure and property.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b> A stormwater system for a new development must incorporate water sensitive urban design principles (Footnote 1) for the treatment and disposal of stormwater if:</p> <ul style="list-style-type: none"> <li>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</li> <li>(b) new car parking is provided for more than 4 cars; or</li> <li>(c) a subdivision is for more than 5 lots.</li> </ul>	<p><b>P1</b> A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table SOR-S3.9.1</p> <p>This is to be supported by a report from a suitably qualified person advising of the suitability of private and public stormwater systems for a proposed development or use.</p>	
<p><b>A2</b> Building and works must comply with one of the following:</p> <ul style="list-style-type: none"> <li>(a) results in no change in the proportion of total impervious areas to pervious area for the whole site; or</li> <li>(b) the quantity and conveyance of stormwater caused is compliant with stormwater drainage system requirements of the Stormwater Service Provider.</li> </ul>	<p><b>P2</b> Building and works must comply with one of the following:</p> <ul style="list-style-type: none"> <li>(a) Any increase in stormwater runoff can be accommodated within an existing stormwater drainage system (or infrastructure upgraded as part of the development proposal) to the satisfaction of the Stormwater Service Provider, and the Stormwater Service Provider may, at their discretion, accept a cost contribution for a future improvement of the public stormwater system for infrastructure upgrades that are linked to an Urban Drainage Plan (or similar)</li> </ul>	

	<p>created or accepted by the Stormwater Service Provider;</p> <p>(b) a new minor stormwater drainage system must be sized in accordance with the requirements of the Stormwater Service Provider; or</p> <p>(c) a new major stormwater drainage system must be designed to accommodate a 1% AEP storm event (and having regards to climate change).</p>
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## BRE-S2.8 Development Standards for Subdivision

### BRE-2.8.1 Development Standards for Subdivision

General Industrial Zone – clause 19.5; Landscape Conservation Zone – clause 22.5; Major Tourism Zone – clause 24.5; Port and Maine Zone – clause 25.5, Utilities Zone – clause 26.5, Community Purpose Zone – clause 27.5; Recreation Zone – clause 28.5; Open Space Zone – clause 29.5 and Future Urban Zone – clause 30.5.

Objective:	To ensure that the subdivision layout, including roads, provides that stormwater is satisfactorily drained and discharged.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, including roads, must be capable of connecting to a public stormwater system by ensuring the development is adequately drained, and stormwater is managed and lawfully discharged without altering stormwater drainage characteristics external to the site.</p>	<p><b>P1</b></p> <p>All stormwater runoff is to be collected and discharged from the subdivision in a manner that will not cause adverse impacts, having regard to:</p> <p>(a) the location of the discharge point (if any);</p> <p>(b) stormwater flow paths both internal and external to the site;</p> <p>(c) the location of building areas within the site;</p> <p>(d) the topography of the site;</p> <p>(e) the characteristics of the site, including rainfall and flooding;</p> <p>(f) the development on the site and adjoining land;</p> <p>(g) the additional runoff from the subdivision development and likely future development of the land; and</p> <p>(h) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.</p>

<p><b>A2</b> Stormwater flows discharged from the development are either within the capacity of the downstream drainage system such that non-worsening occurs, or are mitigated to pre-development characteristics</p>	<p><b>P2</b> Stormwater discharge flows from the subdivision are mitigated to a level that the public stormwater system can accommodate, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the location of the discharge point (if any);</li> <li>(b) stormwater flow paths both internal and external to the site;</li> <li>(c) the topography of the site;</li> <li>(d) the characteristics of the site, including rainfall and flooding;</li> <li>(e) the development of the site;</li> <li>(f) the additional runoff from the subdivision development and likely future development of the land; and</li> <li>(g) any onsite storage devices, detention basins or other water sensitive urban design techniques within the subdivision.</li> </ul>
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Table 1 (see also Footnote 4):

80% reduction in the average annual load of total suspended solids (TSS) based on typical urban stormwater TSS concentrations or acceptable to the stormwater service provider.
45% reduction in the average annual load of total phosphorus (TP) based on typical urban stormwater TP concentrations or acceptable to the stormwater service provider.
45% reduction in the average annual load of total nitrogen (TN) based on typical urban stormwater TN concentrations or acceptable to the stormwater service provider.
Stormwater treatment and risk minimisation of potential stormwater contamination associated with carparks, roads, recreational, commercial and industrial sites, that are acceptable to the:
(a) Stormwater Service Provider,
(b) Urban Drainage Plan (or similar) created or accepted by the Stormwater Service Provider,
(c) legislated water quality targets,
(d) licenced operational targets.
(e) ANZEC (2000) guidelines in the absence of local water quality objectives for receiving waters

Footnotes

<p>1 Water Sensitive Urban Design Engineering Procedures for Stormwater Management in Southern Tasmania or the Model for Urban Stormwater Improvement Conceptualisation (MUSIC), a nationally recognised stormwater modelling software package used to assess land development proposals based on local conditions including rainfall, land use and topography, is recognised as current best practice.</p>
<p>2 Advice can be obtained from the Derwent Estuary Programs Water Sensitive Urban Design Engineering Procedures for Stormwater Management  <a href="http://www.derwentestuary.org.au/wsudengineeringinfo/">http://www.derwentestuary.org.au/wsudengineeringinfo/</a>                      The DPIPWE State Stormwater Strategy 2010  <a href="http://epa.tas.gov.au/epa/document?docid=721">http://epa.tas.gov.au/epa/document?docid=721</a>                      The Model for Urban Stormwater Improvement Conceptualisation (MUSIC),  <a href="http://ewater.org.au/products/music/">http://ewater.org.au/products/music/</a></p>



Tasmanian Planning Scheme – State Planning Provisions

a nationally recognised stormwater modelling software package used to assess land development proposals based on local conditions including rainfall, land use and topography, is recognised as current best practice

3 Advice can be obtained for preparing sediment and water management plans or appropriate control measures for development from the

Derwent Estuary Program:

<http://www.derwentestuary.org.au/stormwater-factsheets/>

and International Erosion Control Association:

<http://www.austieca.com.au/publications/best-practice-erosion-and-sediment-control-bpesc-document>

4 Stormwater quantity requirements must always comply with requirements of the local authority including catchment-specific standards. All stormwater flow management estimates should be prepared according to methodologies described in Australian Rainfall and Runoff (Commonwealth of Australia, current version) or through catchment modelling completed by a suitably qualified person.

### BRE-Site-specific Qualifications

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
BRE-11.1	12 Main Road, Weldborough	148985/1 234011/1 226420/1 247287/1 104676/10	An additional Discretionary Use Class for this/these site/s is:  Hotel Industry with the qualification "If for alterations or additions to the Weldborough Hotel site."	Rural Living Zone – clause 11.2 Use Table
BRE-22.1	5 West Street, St Helens	131158/3	An additional Discretionary Use Class for this site is:  Tourist Operation.	Landscape Conservation Zone – clause 22.2 Use Table

### BRE-Code Lists

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

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

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

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRE-C6.1.1	Not applicable	Ansons Bay	3km NE of Ansons Bay	Bayley Rocks		30ha area
BRE-C6.1.2	Not applicable	Ansons Bay	6km SSE of Ansons Bay	Bay of Fires Area		17ha areas
BRE-C6.1.3	Not applicable	Blue Tier		Chintok Battery Complex		
BRE-C6.1.4	Not applicable	Blue Tier		Blue Tier Rainforest		
BRE-C6.1.5	Not applicable	Blue Tier		Bartholomew Griffiths		

Tasmanian Planning Scheme – State Planning Provisions

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
				Tunnel		
BRE-C6.1.6	599	Eddystone Point	2986 Eddystone Point Road	Eddystone Light Station	6804536	
BRE-C6.1.7	Not applicable	Eddystone Point	2986 Eddystone Point Road	Stone Cottages	6804536	
BRE-C6.1.8	Not applicable	Eddystone Point		Georges Rock Nature Reserve		
BRE-C6.1.9	Not applicable	Falmouth	Legge Street	Falmouth Cemetery	1474275	
BRE-C6.1.10	554	Falmouth	22464 Tasman Highway	Glencoe	2751369	
BRE-C6.1.11	553	Falmouth	22746 Tasman Highway	Enstone Park	2507024	
BRE-C6.1.12	Not applicable	Falmouth		St Partick's Foreland		
BRE-C6.1.13	561	Fingal	Victoria Street	St Josephs Catholic Church	6412890	
BRE-C6.1.14	560	Fingal	Seymour Street	St Andrews Uniting Church	6412006	
BRE-C6.1.15	565	Fingal	Seymour Street	Schoolmasters House & Primary School	6411900	
BRE-C6.1.16	571	Fingal	4 Talbot Street	Talbot Arm – Fingal Hotel	6412583	
BRE-C6.1.17	5903	Fingal	3 Short Street	Railway Station	6412049	
BRE-C6.1.18	573	Fingal	2 Talbot Street	St Peters Anglican Church	1837101	
BRE-C6.1.19	574	Fingal	57 Talbot Street	Stables	2623711	
BRE-C6.1.20	5898	Fingal	11 Talbot Street	Shop (Sarich)	6412508	

Tasmanian Planning Scheme – State Planning Provisions

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
				Kaths Milk Bar		
BRE-C6.1.21	5893	Fingal	4 Short Street	Council Chambers (Town Hall)	6412022	
BRE-C6.1.22	5894	Fingal	9 Talbot Street	Fingal Post Office	6412516	
BRE-C6.1.23	Not applicable	Fingal	22 Yates Street	Yates Clog Factory	6411433	
BRE-C6.1.24	566	Fingal	Stieglitz Street	Convict Cells	6412073	
BRE-C6.1.25	567	Fingal	2 Short Street	Police Magistrates House	6412014	
BRE-C6.1.26	5918	Fingal	10-12 Legge Street	Fingal Probation Station – Former Hospital	6411396	
BRE-C6.1.27	10254	Fingal	14-16 Stieglitz Street	Fingal Probation Station – 2 Houses	6412145	
BRE-C6.1.28	10255	Fingal	18-20 Stieglitz Street	Fingal Probation Station – House	6412153	
BRE-C6.1.29	10256	Fingal	17 Russell Street	Fingal Probation Station – Part	6411847	
BRE-C6.1.30	559	Fingal	13 Russell Street	Fingal Probation Station – Superintendents Quarters	6411855	
BRE-C6.1.31	570	Fingal	20 Talbot Street	Former Tasmania n Hotel	6412663	
BRE-C6.1.32	576	Fingal	31 Talbot Street	Holders Store (2 Storey)	2594148	
BRE-C6.1.33	577	Fingal	33 Talbot Street	Holders Store (Shop Selection)	2594148	
BRE-C6.1.34	556	Fingal	3635 Esk Main Road	Ormley	2867898	

Tasmanian Planning Scheme – State Planning Provisions

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRE-C6.1.35	557	Fingal	3837 Esk Main Road	Rostrevor	2867812	
BRE-C6.1.36	558	Fingal	Mathinna Road	Malahide	1995732	
BRE-C6.1.37	582	Goulds Country	317 Lottah Road	Council Chambers (former c1900)		
BRE-C6.1.38	584	Goulds Country	20 Church Hill Road	School House (former c1890)	6805643	
BRE-C6.1.39	585	Goulds Country	320 Lottah Road	St Gabriel's Anglican Church	6805635	
BRE-C6.1.40	587	Goulds Country	165 Lottah Road	Union Church and Cemetery	6805467	
BRE-C6.1.41	Not applicable	Goulds Country	316 Lottah Road	House Former Post Office / Bakery	1902460	
BRE-C6.1.42	5912	Mangana	26 Elizabeth Street	Mangana Catholic Church	6413463	
BRE-C6.1.43	5914	Mangana	13 Henry Street	Mangana School (Former)	1973015	
BRE-C6.1.44	5913	Mangana	25 Elizabeth Street	Mining Shop and Residence	6413885	
BRE-C6.1.45	5908	Mathinna	104 High Street	General Store & Post Office	6415020	
BRE-C6.1.46	7957	Mathinna	4 Dunn Street	St Georges Anglican Church	6414634	
BRE-C6.1.47	8347	Mathinna	King Street	Mathinna Catholic Church	6415784	
BRE-C6.1.48	Not applicable	Mathinna		Mt Victoria Rock Shelters		14km NNW of town
BRE-C6.1.49	Not applicable	Mathinna		Evercreec h Forest Reserve		11km NE of town

Tasmanian Planning Scheme – State Planning Provisions

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRE-C6.1.50	588	Pyengana	250 St Columba Falls Road	Pyengana Hotel	6806275	
BRE-C6.1.51	Not applicable	Scamander		Shelly Point		2km NW of town
BRE-C6.1.52	Not applicable	St Helens Point		Chimney Lagoon		
BRE-C6.1.53	Not applicable	St Helens Point		Jocks Lagoon – Ramsar Wetland		
BRE-C6.1.54	590	St Helens	291 Binalong Bay Road	Black Swan Inn	1788987	
BRE-C6.1.55	597	St Helens	12-14 Tasman Highway	Fairlea Homestead	7510935	
BRE-C6.1.56	593	St Helens	44 Cecilia Street	Former Post Office	7484845	
BRE-C6.1.57	598	St Helens	2 Tasman Highway	Queechy Homestead	7731332	
BRE-C6.1.58	594	St Helens	58 Cecilia Street	St Paul's Anglican Church	6793742	
BRE-C6.1.59	595	St Helens	60 Cecilia Street	Shop / Gallery	2838245	
BRE-C6.1.60	Not applicable	St Helens	Tully Street	Church of England Cemetery	6800754	
BRE-C6.1.61	602	St Marys	6870 Esk Main Road	Cullenswood Estate	6408349	
BRE-C6.1.62	602	St Marys	6870 Esk Main Road	Christ Church and Cemetery	6408349	
BRE-C6.1.63	5905	St Marys	4529 Esk Main Road	Tullochgorum Railway Station	6413260	
BRE-C6.1.64	605	St Marys	365 Harefield Road	Harefield	2697227	
BRE-C6.1.65	604	St Marys	6332 Esk Main Road	Killymoon	6413156	
BRE-C6.1.66	606	St Marys	52 Main Street	Bakery	6403978	
BRE-C6.1.67	607	St Marys	50 Main Street	Bakery Residence	6403951	

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register / PID	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRE-C6.1.68	613	St Marys	Main Street	Railway Station	2554912	
BRE-C6.1.69	10740	St Marys	Main Street	Rail yard tank, platform, ramp	2554912	
BRE-C6.1.70	612	St Marys	48 Main Street	St Marys Hotel	6403943	
BRE-C6.1.71	5906	St Marys	58-76 Gray Road	Slab Slaughter House	6402924	
BRE-C6.1.72	610	St Marys	38 Main Street	Valley Trading Company	6403898	
BRE-C6.1.73	616	Weidborough	12 Main Road	Weidborough Hotel	3048341	
BRE-C6.1.74	615	Weidborough	Lot 10 Main Road	Cottages (Bakker)	6801044	

#### BRE-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
This table is not used in this Local Provisions Schedule			

#### BRE-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			

#### BRE-Table C6.4 Places or Precincts of Archaeological Potential

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

		<b>Name of Precinct</b>		
This table is not used in this Local Provisions Schedule				

**BRE-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
BRE-C6.5.1	Binalong Bay	Crown Land at Binalong Gulch	N/A Crown Land	<ul style="list-style-type: none"> <li>- Blue swift parrot breeding area</li> <li>- Tea trees act as filter from storm water</li> <li>- Final stand of gums on foreshore</li> </ul>	Melaleuca ericifolia Eucalyptus globulus	Tea Tree & Blue Gums	
BRE-C6.5.2	St Helen	Cameron Street	N/A Road reserve	Avenue thought to have been planted by children during the 1930's	Eucalyptus ficifolia Quercus robur	Flowering Gums Oak Tree	10
BRE-C6.5.3	Scamander	Scamander Avenue	N/A Road reserve	Main Avenue though Scamander	Eucalyptus ficifolia	Flowering Gums	23
BRE-C6.5.4	Goulds Country	St Gabriels Anglican Church / 320 Lottah Road	229707/1	Planted in memory of Gordon & Norman Steel, killed in WW1. Sons of Percival Steel	Cypress	Pine Trees	2
BRE-C6.5.5	St Helens	Beauty Bay	N/A Crown land	Prime example of unpruned species	Quercus robur	Oak Tree	1
BRE-C6.5.6	St Helens	Crown Land at Parkside Jetty	N/A Crown land	Listed with National Trust – fell over and has stub in water	Eucalyptus spp	Horizontal Gum Tree	1
BRE-C6.5.7	St Helens	Cecilia Street	N/A Road reserve	Main avenue of trees in various stages	Ulmus procera	Avenue Trees	38
BRE-C6.5.8	St Helens	Tully Street	N/A Road	Long continuous	Ulmus procera	Avenue Trees	63



Tasmanian Planning Scheme – State Planning Provisions

			reserve	avenue of trees on both sides of road			
BRE-C6.5.9	St Marys	Main Street	N/A Road reserve	Main avenue of trees in two stages of life	Tillias and Quercus	Avenue Trees	44
BRE-C6.5.10	St Helens	Memorial Park	148070/1	Planted to commemorate WW1 battles	Phoenix spp	Palm Trees	2
BRE-C6.5.11	St Helens	Medea Park	31647/2	- One of three large magnolias - Covenant on title protecting tree from removal or lopping	Magnolia grandiflora	Magnolia	1
BRE-C6.5.12	St Helens	18-24 Cecilia St	56991/1	One of three large magnolias	Magnolia grandiflora	Magnolia	1
BRE-C6.5.13	St Helens	Catholic Church	222710/1	Best example of species	Quercus robur	Oak Tree	1
BRE-C6.5.14	St Helens	Tully Street Cemetery	N/A Road reserve	Good example of species – oddity	Araucaria bidwillii	Bunya Pine Tree	1
BRE-C6.5.15	Falmouth	Enstone Park	168326/1	Believed to be largest walnut tree in southern hemisphere	Juglans spp	Walnut Tree	1

**BRE-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				

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

Tasmanian Planning Scheme – State Planning Provisions

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
BRE-C8.2.1	Tasman Highway – Great Eastern Drive Scenic Protection Area. - Extends from Orford in the Glamorgan Spring Bay municipal to St Helens along the Tasman Highway.	A diverse, ever-changing mix of landscapes either side of the Great Eastern Drive including coastline views, agricultural landscapes, bushland and other reserves	(a) To maintain native vegetation as the dominant landscape element when viewed from public roads and places; (b) To maintain skylines free of visible development; and (c) To reduce the visual contrast between buildings and works and the natural landscape.
BRE- C8.2.2	Esk Main Road - Running east-west from near Falmouth to further the western boundary of Break O' Day via St Marys and Fingal	A rural and bush landscape, which changes as road users shift from the coastal to and inland setting.	(a) To maintain native vegetation as the dominant landscape element when viewed from public roads and places; (b) To maintain skylines free of visible development; and (c) To reduce the visual contrast between buildings and works and the natural landscape.
BRE-C8.2.3	Elephant Pass Road - Extends north south from St Marys to the Tasman Highway near Chain of Lagoons	A diverse mix of landscapes including bushland and rocky hills.	(a) To maintain native vegetation as the dominant landscape element when viewed from public roads and places; (b) To maintain skylines free of visible development; and (c) To reduce the visual contrast between buildings and works and the natural landscape.
BRE-C8.2.4	Eddystone Point Road - In the north east linking Ansons Bay Road, running from Eddystone Point via the Gardens Road running north south which links into Binalong Bay Road and stops at St Helens	An ever-changing mix of landscapes that range from coastline views and bushland.	(a) To maintain native vegetation as the dominant landscape element when viewed from public roads and places; (b) To maintain skylines free of visible development; and (c) To reduce the visual contrast between buildings and works and the natural landscape.
BRE-C8.2.5	Mathinna - Running north-south from Mathinna through Fingal	A predominately vast rural landscape with an undulating ridgeline.	(a) To maintain native vegetation as the dominant landscape element when viewed from public roads and places;

Tasmanian Planning Scheme – State Planning Provisions

			<p>(b) To maintain skylines free of visible development; and</p> <p>(c) To reduce the visual contrast between buildings and works and the natural landscape.</p>
BRE-C8.2.6	St Columbia Falls Road - East-west from Pyengana to St Columba Falls.	A diverse landscape that extends from a cleared rural landscape in the east to forestry and vegetation in the west.	<p>(a) To maintain native vegetation as the dominant landscape element when viewed from public roads and places;</p> <p>(b) To maintain skylines free of visible development; and</p> <p>(c) To reduce the visual contrast between buildings and works and the natural landscape.</p>

**BRE-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)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
Ansons Bay	1	1.8	2.5	2.2
Beaumaris	1	1.8	2.5	2.2
Binalong Bay	1	1.8	2.5	2.2
Douglas River	0.9	1.8	2.5	2.2
Falmouth	1	1.8	2.5	2.2
Four Mile Creek	0.9	1.8	2.5	2.2
Scamander	1	1.8	2.5	2.2
Seymour	1	1.8	2.5	2.2
St Helens	1	1.8	2.5	2.2
Stieglitz	1	1.8	2.5	2.2
The Gardens	1	1.8	2.5	2.2
Upper Scamander	1	1.8	2.5	2.2
All other localities	1	1.8	2.5	2.2

## **BRE-Applied, Adopted or Incorporated Documents**

This clause is not used in this Local Provisions Schedule.