



HOBART
CITY COUNCIL



St George's Church

BATTERY POINT PLANNING SCHEME 1979

This Planning Scheme was approved in accordance with Section 732 of the Local Government Act 1962 and came into effect on the 5th day of June 1979.

This consolidated edition incorporates all approved amendments up until the 28th March 2012. Any amendments after this date will be inserted inside the front cover in loose leaf format. It is intended that a consolidated version of the scheme, incorporating any amendments approved since production of the previous printed version, will be printed every 6 months.

AMENDMENTS TO BATTERY POINT PLANNING SCHEME 1979

SERIES	NO.	AMENDMENT	PROV. APPROVED/ CERTIFIED	FINAL APPROVAL	COMMENCE- MENT/ OPERATIVE DATE
A		1.8 Definitions 'Development' & 'Specified Period' 3.2 Use Classes Table 1 Rezoning - Public Road to Suburban Shopping (cnr Sandy Bay Road & King St)	29/05/1980	27/10/1980	
B	1	Use Class 7, 'Specialist Service'	12/07/1982	8/08/1986	
B	2	Rezoning - Mixed Use to Public Road	12/07/1982	8/08/1986	
C		1.8 Definitions - Development 2: Building	7/01/1983	17/11/1983	
D		1.8 Definitions - Development 2: Building	17/11/1983	28/06/1985	
E		Clause 13.5(a)	11/02/1988	19/08/1988	
F		1.8 Definitions - Sign: Clause 4.2 - Signs	1/08/1989	3/11/1989	
G		Rezoning - Slipyards to Residential	17/05/1991	18/09/1991	
H		Clause 13.5(a)	20/09/1991	1/11/1991	
I	1	Rezoning - Slipyards to Public Open Space Res.	29/07/1992	2/10/1992	
J	1	Rezoning - Residential to Public Open Space Res. Slipyards to Public Open Space Res.	9/10/1992	20/11/1992	
K	1	Definition of Residential Business (a) in Part 3	19/07/1994	31/01/1995	
K	2	Addition of "car hire premises" to activities listed in Use Class 8 "General Service"	19/07/1994	31/01/1995	
SP	1	State Coastal Policy Considerations		18/02/1997	10/10/1996
97	2	Inclusion of Telecommunications Infrastructure Schedule	23/12/1997	18/03/1998	18/03/1998
97	1	Addition of sub-clauses 1.7.1 & 1.7.2 under Clause 1.7 'Permission Required'.	4/02/1998		4/05/1998
s13/1/98		Implementation of State Policy on Water Quality Management			26/10/98
1/99	1-102	These amendments resulted from the approval of the Sullivans Cove Planning Scheme 1997; references to outdated legislation and administrative references.			7/5/99
SP-2		Addition of Application of State Policy on the Protection of Agricultural Land 1998.			28/4/99
2/99	1	Rezoning part of property located at 82 Sandy Bay Road from Zone 1 Residential to Public Open Space Reservation.			10/4/2000
2/99	2	Rezoning part of property located at 82 Sandy Bay Road from Public Open Space Reservation to Zone 1 Residential.			10/4/2000
2/99	3	Rezoning part of property located at 82 Sandy Bay Road from Public Road Reservation to Zone 1 Residential.			10/4/2000
1/2001	1	Amendment of 'Contents' – deletion of "BUILDING ZONE 3"			26/11/2001
1/2001	2	Clause 1.6 amended by deletion of "Zone 3: Suburban Shopping"			26/11/2001
1/2001	3	<ul style="list-style-type: none"> • Deletion of sub-clause 3.1 b) & renumbering 3.1 c) to 3.1 b) • Column headed "Suburban Shopping" deleted from TABLE 1 – Section 3 			26/11/2001
1/2001	4	Section 6 deleted			26/11/2001
1/2001	5	<ul style="list-style-type: none"> • Section 12 amended by: • Deletion of "Building" in "Zone 3" (Section 6.2)" from Clause 12.2 a) 			26/11/2001

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SERIES	NO.	AMENDMENT	PROV. APPROVED/ CERTIFIED	FINAL APPROVAL	COMMENCE- MENT/ OPERATIVE DATE
		<ul style="list-style-type: none"> • Deletion of Clause A.2 d) from "Siting Code" • Deletion of Clause C.2 e) from "Traffic Code" • Deletion of "4 Russell Crescent" from "List B" of sub-clause E.3 b) of the "LISTED BUILDING CODE". 			
1/2001	6	Addition of sub-clause 13.4 c) (iii)			26/11/2001
1/2001	7	'Plan' amended by excision of an area to the east of Sandy Bay Road			26/11/2001
2/2001	1	Addition of sub-clause 3 vi) to PART B 'Telecommunications Infrastructure Schedule'			26/11/2001
2/2001	2	Amendments to wording of sub-clauses 3 iv) & 3 v)			26/11/2001
3/2001	1	Amendments to wording of clauses 1.5, 1.8, 2.3, 3.6, 4.1, 4.2, 5.6, 5.7, 5.9, 7.2, 8.2, 9.2, 10.2, 11.3, 11.5, 13.1, 13.4, and the section of the scheme titled "Codes". The majority of these amendments involved the changing the word "code" to the word "schedule".			19/11/2002
3/2001	2	Omission of Section 12.			19/11/2002
3/2001	3	Omission of clause 13.3..			19/11/2002
3/2001	4	Omission of definition "Notification" from clause 1.8.			19/11/2002
3/2001	5	Amendment to wording of sub-clause 3.3c)			19/11/2002
3/2001	6	Amendment to wording of sub-clause 13.7a)			19/11/2002
3/2001	7	Amendment to wording of sub-clause 13.4a)			19/11/2002
3/2001	8	Omission of Part A3 "Application of State Policy on the Protection of Agricultural Land 1998".			19/11/2002
3/2001	9	Amendment to wording of clause 7.2			19/11/2002
3/2001	10	Amendment to wording of definition of "Existing Floor Area" in clause 1.8.			19/11/2002
3/2001	11	Insertion of clause 1.7A "Exemptions"			19/11/2002
3/2001	12	Amendment to wording of sub-clause B.2a) (ii)			19/11/2002
3/2001	13	Amendment to wording of clause D.1			19/11/2002
3/2001	14	Amendment to wording of clause D.2			19/11/2002
3/2001	15	Amendment to wording of sub-clause D.2.3.1			19/11/2002
3/2001	16	Amendments to "B. APPEARANCE CODE"			19/11/2002
1/2002	1	Amendment to wording of sub-clause 13.4a)			19/11/2002
1/2002	2	Amendment to wording of sub-clause 13.4a) – second last paragraph			19/11/2002
1/2002	3	Amendment to wording of sub-clause 13.4a)			19/11/2002
1/2003	1	Rezoning of land at northern end of Stowell Ave from 'Public Road' Reservation to 'Zone 1 Residential'			7/10/2003
2/2003	1	Delete existing definition of 'Floor Area' and replace with new			25/02/2004
2/2002	1	Delete 'Listed Building Schedule' and replace with 'Heritage Schedule'.			23/3/2004
2/2002	2	Delete definition of 'Listed Building in Clause 1.8			23/3/2004
2/2002	3	Amendment to wording of clause 4.1 e)			23/3/2004
2/2002	4	Amendment to wording of clause 4.2.2 i)			23/3/2004
2/2002	5	Amendment to wording of clause 4.2.2 v)			23/3/2004
2/2002	6	Amendment to wording of clause 10.2 b)			23/3/2004
2/2002	7	Amendment to wording of clause 10.2 c)			23/3/2004
2/2002	8	Amendment to wording of Schedule contents			23/3/2004
2/2002	9	Amendment to wording of clause D.2.1 iii)			23/3/2004
2/2004		Insertion of Crime Prevention goal in section 2.3			16/3/2005
1/2005	1	Amendment to definition of 'Use Class 2: Residential Business'.			30/6/2005
1/2005	2	Amendment to definition of 'Use Class 6: Hotel Industry'.			30/6/2005
1/2006	1	Amendment to 'Section 3', Table 1.			28/06/2007
1/2006	2	Amendment to section 3 by the addition of 3.8 after sub section 3.7: Conditions relating to uses in the Slipyards Zone.			28/06/2007
1/2006	3	Amendment to Section 8			28/06/2007
1/2006	4	Amendment to G, Slipyards Schedule			28/06/2007

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1/2006	5	Amendment to Slipyards Building Schedule			28/06/2007
1/2007		Amendment to Clause 13.7, insert provisions related to 16-18 Margaret Street.			10/07/2008
1/2010		Amendment to insert a new Schedule J - 'Storm Surge and Flood Prone Land Schedule'.			10/6/2010
2/2010		Amendment to clarify street addresses of some heritage listed places.			17/11/2010
1/2011		Amendment to insert Schedule K – Significant Trees Schedule			28/03/2012

PART A

STATE POLICY CONSIDERATIONS

A.1 IMPLEMENTATION OF STATE COASTAL POLICY

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

A.2 IMPLEMENTATION OF THE STATE POLICY ON WATER QUALITY MANAGEMENT

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

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

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

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

For the purpose of this clause,

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

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

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

PART B

TELECOMMUNICATIONS INFRASTRUCTURE SCHEDULE

B.1 Telecommunications Infrastructure Schedule

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

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

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1. INTRODUCTION

1.1 The 'Planning Scheme'

This planning scheme may be cited as the 'City of Hobart Battery Point Planning Scheme 1979' herein called the 'Planning Scheme', and shall come into operation on the day to be specified by the Commissioner for Town and Country Planning which day is herein after called the 'specified date'. The 'Planning Scheme' consists of:

- a) the 'Plan', which is the map titled Battery Point Planning Scheme 1979 sealed by the Commissioner for Town and Country Planning, and
- b) the 'Scheme', which is this document.

1.2 Responsible Authority

The responsible authority empowered to implement and enforce the 'Planning Scheme' is the Hobart City Council herein called the 'Council'.

1.3 Delegation

The 'Council' may delegate its authority to its officers with respect to any part of this 'Scheme' in accordance with the Local Government Act 1993 and Section 6 of the 'Act'.

1.4 The 'District'

The 'Planning Scheme' shall apply to the whole of the land bounded by a heavy black line on the 'Plan', herein called the 'District'. The 'District' is divided into 'reservations' and 'zones'.

1.5 'Reservations'

- a) The 'reservations' are those areas shown on the 'Plan' reserved for the following public purposes:

Public Way: roads, lanes, footpaths and steps for public right of way

Public Open Space: parks, gardens, playgrounds and the like for the enjoyment of the public

- b) Any 'development' carried out on a 'reservation' shall conform with a Street and Open Space Improvement 'schedule'.

1.6 'Zones'

The 'zones' are those areas shown on the 'Plan' principally allocated for the following purposes:

- Zone 1: Residential
- Zone 2: Village Centre
- Zone 4: Mixed Use
- Zone 5: Slipyards, and
- Zone 6: Private Open Space

1.7 Permission Required

1.7.1 No persons shall carry out any 'development' on a 'reservation' or in a 'zone' without first applying for permission in accordance with Sections 13.1 and 13.2 and obtaining a written 'permit' issued in accordance with Section 13.5. (This provision shall not apply to 'development' carried out by the 'Council' on a 'reservation')

1.7.2 Any use or development of land accreted, whether naturally or unnaturally, from the sea to which a zone does not apply requires a permit under s.57 of the Land Use Planning and Approvals Act 1993. Subject to s.20(10) this provision shall apply also to structures and use developments of the type referred to in s.7(c) and s.7(d) of that Act.

1.7A Exemptions

Notwithstanding clause 1.7 planning approval shall not be required for the following development:

- (i) side and rear boundary fences (not being on a street frontage) provided that they are of timber construction and less than 2.1 metres in height if behind the building line and 1 metre in height if in front of the building line; and
- (ii) pergolas, garden arches, trellises, and frames for vines and climbing plants, and similar structures, if the frame is covered, apart from the vegetation, only by trellis work, wire netting, or similar open work

1.8 Definitions

Words included in inverted commas in the 'Scheme' shall have the following meanings:

- Act: Land Use Planning and Approvals Act 1993.
- Advisory Committee: the Battery Point Advisory Committee as defined in Section 13.4
- Application: a document in writing which complies with the requirements of Section 13.1 and 13.2.

Attic:	a room or rooms wholly contained within a roof so that the uppermost part of any dormer windows are equal to or less than the height of the ridge of the roof in which they are contained.
Basement:	a room or rooms with a ceiling which is less than 1.0m above the mean level of the natural ground surface.
Building:	see 'Development'.
Change of Use:	see 'Development'.
Conversion:	as defined in Section 5.2
Council:	Hobart City Council.
Demolition:	see 'Development'.
Development:	any activity relating to 'land' in the 'District' within one or more of the four following types: <ol style="list-style-type: none"> 1. Change of Use - making of any change in the use of 'land', including a material change in the way in which 'land' is used for an existing activity. 2. Building - the carrying out of building, engineering, mining or other operations in, on, over or under the 'land' including the sandblasting of masonry walls, the removal of coatings on masonry walls by whatever method, the painting of previously unpainted brick or stone buildings, the cladding of buildings and the display of signs to be read from off the site. 3. Demolition - the demolition or partial demolition of any building or other works on the 'land'. 4. Subdivision - the legal division of a 'lot' creating estates or interests giving separate rights of occupation, but not including stratum subdivision.
District:	As defined in Section 1.4.
Dwelling:	Any building or portion of a building used, intended or designed for use as a self-contained residence, with kitchen, bathroom and toilet facilities used solely by the occupants of the dwelling.

Existing Buildings:	a building approved, erected or constructed before the time application is made.
Existing Floor Area:	a building's 'floor area' existing at the time an application is made.
Existing Use:	the 'use' of 'land' for the purpose for which it was legally used immediately before the 'specified date', other than any 'use' for any purpose for which only a temporary permit has been granted.
Extension:	as defined in Section 5.2
Floor Area:	means the total actual area of each floor of the building (including mezzanines) measured at its greatest point of internal dimension from external walls but excluding lift shafts and stairwells, rooms or areas set aside for the accommodation of mechanical and electrical plant, open balconies or verandahs, and (excepting where a development includes car parking which is additional to that car parking which is required pursuant to this Scheme or which is approved as ancillary to that development) areas for the parking, garaging, loading, unloading and circulation of motor vehicles.
Ground Floor:	a floor which is not more than 1.2m above the mean level of natural ground level and below all parts of which there is no other 'storey' or 'dwelling'.
High Water Mark:	any point on the foreshore open to the ebb and flow of the tide having a reduced level of 0.610m above the State Datum.
Infill:	as defined in Section 5.2
Land:	includes any structures in, on, over or under the land.
Lot:	a parcel of land in one title only, including a site as defined in Section 75 D of the Conveyancing and Law of Property Act, 1884, but the 'Council' may in its discretion accept as a 'lot' 'land' in more than one title.

Lot Area: the area of the 'lot' measured horizontally excluding any narrow extensions of the 'lot' which are used primarily for access.

Nearby Lots: 'lots' no more than 12 metres apart at their closest points.

Permit: a development permit issued under Section 13.5 (b).

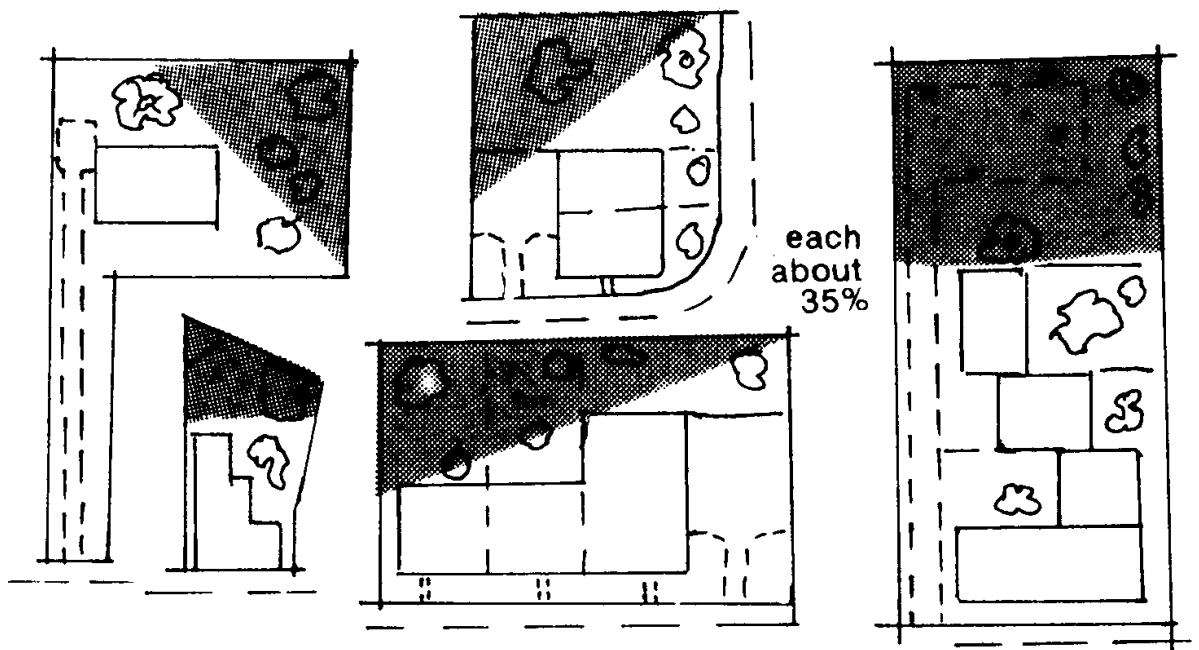
Plan: as defined in Section 1.1 (a).

Planning Scheme: as defined in Section 1.1

Plot Ratio: the ratio of the gross total of 'floor area' of all buildings on a 'lot' to the 'lot area'.

Private Garden: an unroofed area of at least 20 square metres adjacent to and directly accessible from a 'dwelling', defined by fences or other structures for the private use of the occupants of the 'dwelling' and contained on their title in the case of a stratum title, and not used for vehicle passage or parking.

Rear Area: 'land' contained between two or more boundaries defined by the 'Council' as side or rear boundaries of a 'lot' and a line drawn beyond all habitable buildings on the 'lot' in a position to the satisfaction of the 'Council'. See illustration overleaf.



Renovation:	as defined in Section 5.2
Reservation:	as defined in Section 1.5
Scheme:	as defined in Section 1.1 (b).
Sign:	means any graphic pictorial or written display intended to be visible from a street or other public place and includes lighting intended to identify to announce or advertise the presence of a business or other activity or use.
Specified Date:	as defined in Section 1.1
Specified Period:	a period of 14 days or such further period not exceeding 14 days as the ‘Council’ may allow during which written representations may be made concerning an ‘application’ for ‘development’ where the ‘application’ is subject to the provisions of Section 57(5) of the ‘Act’.”
Storey:	for the purpose of this scheme storey excludes ‘attic’ or ‘basement’.
Subdivision:	see ‘Development’
Tenor:	means the intent, goals and objectives as expressed in the ‘Scheme’
Use:	the purpose of which ‘land’ within the ‘District’ is used.
Use Class:	one of the ten Use Classes defined in Section 3.2.
Vacant Development:	as defined in Section 5.2
Zone:	as defined in Section 1.6

2. INTENT

2.1 Principles

The Planning Scheme is intended to set standards for development in the District in the interests of conservation safety and convenience.

The options for development are now more divergent than at any time previously. Over the past 150 years, the District's character has developed in a consistent way. The streets were laid out, piecemeal, when almost all movement was on foot. Land was successively re-subdivided into narrow lots to minimise walking distances. Its topography and inaccessibility led to almost exclusively residential use. The residences were all single and attached houses, each with its own backyard. They were built compactly at the street frontage to maximise the open space behind.

Hitherto, there has been very little redevelopment. Most of the nineteenth-century houses remain. Those houses built since have followed the same use patterns (permanent residence) and the same form (house and garden). The District's historic character has lasted precisely because it is still being used in the same way: it can continue to perform the same functions, and its townscape and its future amenity both depend upon these functions being protected.

2.2 Intent

Accordingly, in residential zones it is the intention of the 'Planning Scheme' to allow the traditional process of gradual residential evolution and intensification to continue, without allowing new forms of development to become dominant. It encourages the continued use of the existing buildings through renovation, additions and conversion to self-contained flats, and it encourages the retention of existing houses where new ones are built on available land. Demolition is to be controlled. Redevelopment is to be at the present overall density, and in the form of single or attached houses. The spread of commercial activities, and the construction of blocks of apartments, is to be prevented. Uses which would not be compatible with the maintenance of a predominately residential character are to be restricted to non-residential zones. At the same time, it is the intent of the 'Scheme' that the physical character of non-residential zones is maintained and improved. Accordingly, only those uses which can be accommodated within the existing physical framework will be encouraged.

2.3 Goals

a) Residential Amenity

To give the residential amenity the first priority in the development of residential zones.

b) Forms of Development

To ensure that all future development is consistent with the forms and uses historically established in the District, and is subservient to the preservation of historic townscape and architectural elements.

c) Public Places

To restrict the generation of vehicular traffic in residential zones, and to improve the pedestrian environment in the streets, parks and foreshores.

d) Administration

To define the procedures of development control in the District as they affect the 'Council', applicants and residents; to enforce effective and equitable standards; and to ensure that discretionary approvals and conditions are consistent yet flexible.

e) Participation

To keep the 'Council' and interested persons mutually informed as to developments and intentions, thus facilitating; the refinement of the schedule; the ability of the public to contribute to the solving of urban problems; the adoption of amendments as required; and the continuing review of the Scheme.

f) Non-Residential Development

To allow uses serving other localities and visitors to locate in specific areas where residential amenity and character is not adversely affected.

g) Crime Prevention

To require all use or development to:

- (i) reduce opportunities for crime to occur;
- (ii) provide safe, well designed and maintained buildings, facilities and public spaces;
- (iii) minimise the potential for vandalism and anti-social behaviour; and
- (iv) promote safety on neighbouring public and private land.

3. USE STANDARDS

3.1 'Change of Use'

In considering an application for change of use, the 'Council' shall have regard to the following intentions of the zoning:

- a) In the residential zone, to ensure that private residential use is given first priority, whilst providing for uses which serve local residents or ensure the retention of existing buildings incapable or unsuited to residential usage.
- b) In the slipyards zone to provide for the continued use of the historic slipyards and an adequate amount of public open space and access to the waterfront.

3.2 'Use Classes'

For the purpose of the 'Scheme' 'uses' of 'land' and buildings are classed as follows:

Use class 1a: Private Residence - permanent occupancy of one or more 'dwellings' including buildings commonly know as row, semi-detached, terrace, flats and units but excluding 'Use Class 4' (Multiple Accommodation) and 'Use Class 5' (Visitor Accommodation).

Use class 1b: Home Occupation - means a person's full or part time occupation which is confined to not more than one room or 20% of the floor area within the place of residence and the conduct of which:

- a) does not affect the appearance of the dwelling or the amenity of the area in any way, and
- b) does not entail the employment on the premises of any persons who does not reside there, and

- c) does not involve the display of any goods visible to the public from any highway for retail sale, and
- d) otherwise conforms with the requirements for a 'Residential Business' contained in Section 3.7.

Use Class 2:

Residential Business - a person's full time or part time business, the conduct of which conforms with Section 3.7 and which is confined to one of the following spaces on the 'lot' where the person lives:

- (a) Three bedrooms providing five bed spaces, dining room and a bathroom for paying visitors, all of which occupies not more than 25% of the floor area of the dwelling.
- b) indoor play space of less than 30 square metres for children and facilities for family day care which are licensed or registered in accordance with the State Government Outcome Standards - Home Based and Family Day Care under the Child Welfare Act 1960;
- c) consulting and/or treatment room or rooms with a combined area of less than 30 square metres,
- d) a garden for horticulture (including greenhouses)
- e) kitchen area of less than 30 square metres,
- f) laboratory area of less than 30 square metres,
- g) office area of less than 30 square metres,
- h) storage, display and/or selling room or rooms with a combined area of less than 30 square metres,
- i) studio, instruction and/or practice room(s) with a combined area of less than 30 square metres,
- j) workshops and/or craftrooms with a combined area of less than 30 square metres.

providing that the 'Council' may in its discretion accept as a Residential Business an activity which occupies a larger area or more than one of the above spaces.

- Use Class 3: Local Service - activities which primarily serve those who live or work in the vicinity and which generate little vehicular traffic, including but not necessarily limited to corner shops, facilities for children and meeting places for community groups.
- Use Class 4: Multiple Accommodation - the letting in more than one tenancy of a 'dwelling', or the letting of rooms or other non-self-contained accommodation with the use of common facilities (with or without meals, room service or the like) including bed-sitting rooms, rooming house, boarding house, hostel and the like, but excluding 'Use Class 1' (Private Residence), 'Use Class 5' (Visitor Accommodation) and accommodation provided in 'Use Class 2' (Residential Business).
- Use Class 5: Visitor Accommodation - accommodation whether or not self-contained, primarily intended for short-term occupancy including motel, guest house, holiday units and the like, but excluding 'Use Class 6' (Hotel Industry) and accommodation provided in 'Use Class 2' (Residential Business).
- Use Class 6: Hotel Industry - any activity on premises licensed under the Liquor Licensing Act 1990, and amended, excluding motels (Use Class 5), licensed restaurants (Use Class 7) and 'Use Class 10' (Recreation).
- Use Class 7: Specialist Service - activities serving a limited or local market which generate moderate traffic and which would normally be located in a shopping centre, including but not necessarily limited to agent's offices, antiques shops, art and/or craft shops, banks, betting agencies, beauty salons, bicycle shops, bookshops, butchers, cakeshops, churches, coffee shops, consulting rooms, clothing shops, delicatessens, dressmakers, eating places, florists, gift-shops, greengrocers, grocers, hairdressers, jewellers, libraries, museums, newsagents, offices of professional practitioners or teachers, and of community or cultural groups, photographers, seafood shops, shoe repair workshops and stationers but excludes any premises with restricted access to the general public (including minors).

- Use Class 8: General Service - activities serving a dispersed market or passing trade which would normally be located in major commercial centres or on main roads, including but not necessarily limited to cinemas, laundries (including self-service laundries), motor vehicle dealers, offices (other than those in other use classes), car hire premises, service stations, showrooms, shops (other than those in other use classes), supermarkets, takeaway food services and theatres.
- Use Class 9: Light Industry - manufacturing processing, scientific and storage activities which in the opinion of the 'Council', by virtue of their size, traffic generation and environmental impact, may be located in the vicinity of residential areas.
- Use Class 10: Recreation - leisure activities conducted by approved organisations.

3.3 Permissible 'Uses'

Subject to the provisions of the 'Scheme', 'development' in a 'zone':

- a) may be carried out for 'uses' indicated in that 'zone' by the letter "p" in Table 1.
- b) shall not be carried out for 'uses' indicated in that 'zone' by the letter "d" in Table 1 unless the 'Council' in its discretion gives permission for that 'use' under Section 3.4;
- c) shall not be carried out for any other 'use' except those approved by the 'Council' in its discretion under Section 3.5.

TABLE 1 PERMITTED AND DISCRETIONARY ‘USES’ IN EACH ‘ZONE’

Use Classes	Residential	Village Centre	Mixed Use	Slipyards	Private Open Space
	ZONE 1	ZONE 2	ZONE 4	ZONE 5 #	ZONE 6
1a. ‘Private Residence’	P	P	d	d	
1b. ‘Home Occupation’	P	P	d	d	
2. ‘Residential Business’	d	P	d	d	
3. ‘Local Service’	d	P	P	d	
4. ‘Multiple Accommodation’	d*				
5. ‘Visitor Accommodation’			d		
6. ‘Hotel Industry’			d		
7. ‘Specialist Service’		D	d	d	
8. ‘General Service’			d		
9. ‘Light Industry’			P	P	
10. ‘Recreation’				d	P

*Where no new buildings are proposed or likely to become necessary provided that no more than six persons are accommodated at any one time.

Subject to the provisions of Section 3.8

3.4 Discretionary ‘Uses’

Before determining an ‘application’ made under Section 3.3 (b) for a discretionary ‘use’ the ‘Council’ shall consider:

- a) representations made during the ‘specified period’
- b) the intentions of the ‘zone’ as expressed in Section 3.1 and the ‘tenor’ of the ‘Scheme’ and
- c) the matters (a) to (e) in Section 3.6

3.5 ‘Existing Buildings’, and ‘Existing Uses’

For the purposes of Section 3.3(c) the ‘Council’ may:

- a) permit an ‘existing building’ to be used for any ‘use’ in ‘Use Classes 1 to 10’ if in its opinion all the following apply:
 - (i) continued beneficial use of the building is not feasible within the permitted or discretionary ‘uses’ for the ‘zone’
 - (ii) the building contributes to the skyline or appearance or character of the area or is of historical or architectural interest.
 - (iii) no substantial alterations or additions to the building are required or likely to become necessary which obscure or damage it, and
 - (iv) no nuisance or detrimental effect is likely to be caused to ‘nearby lots’.
- b) permit the alteration or expansion of an ‘existing use’ if in its opinion:
 - (i) the ‘development’ is desirable to maintain or improve an ‘existing use’, and
 - (ii) no nuisance or detrimental effect will be caused to ‘nearby lots’, and
 - (iii) the ‘development’ is in accordance with the ‘tenor’ of the scheme.

- c) notwithstanding Section 3.5 (a), permit an ‘existing building’ to be used for a non-retail activity in ‘Use Class 7’ if:
- (i) the building is in Battery Square, Hampden Road (between Sandy Bay Road and Arthur’s Circus), King Street (between Sandy Bay Road and Princes Street), or Knopwood Street, and
 - (ii) in its opinion the use will not impair the residential amenity of the vicinity and its unlikely to expand or attract other non-residential uses to the vicinity.
- d) permit the ‘change of use’ or any ‘existing use’ in ‘Use Class 7’ to another ‘use’ within that Class if:
- (i) the building is located in Hampden Road between Sandy Bay Road and Arthur’s Circus and
 - (ii) the ‘change of use’ does not constitute an increase in the area of the building used, or an intensification of the ‘use’ of the building, and
 - (iii) the ‘change of use’ will have no greater detrimental effect than the ‘existing use’ upon the amenity of the vicinity.

3.6 Conditions on ‘Use’

In issuing a ‘permit’ for any ‘development’ under Sections 3.3 (a), 3.3 (b) or 3.3 (c) the ‘Council’ may impose conditions in respect of any of the following matters:

- a) intensity of any activity associated with the ‘use’,
- b) frequency of operation of any activity associated with a ‘use’,
- c) hours of operation,
- d) traffic generated or likely to be generated,
- e) environmental impact of any activity associated with a ‘use’.

In doing so, it shall consider any representations made during the ‘specified period’ concerning these matters. Conditions imposed under this Section shall not be inconsistent with any relevant ‘schedule’ or with the ‘tenor’ of the ‘Scheme’.

3.7 Special Conditions Relating to ‘Use Class 2’
(Residential Business)

A ‘residential business’:

- a) shall comply with the definition in Section 3.2,
- b) shall not be conducted without the approval of the ‘Council’ on a ‘lot’ where there is already a ‘residential business’.
- c) shall not entail the employment on the premises at any one time or more than one person who does not reside there,
- d) shall not in its operation detrimentally affect the residential amenity of the ‘dwelling’, ‘nearby lots’ or the vicinity by noise, vibration, dust, grit, smoke, fumes, smell, bright lights, harmful emissions, electrical interference, traffic generation or unsightly appearance, and
- e) shall not affect the appearance of the building in any way other than by the display of a sign less than 0.2 square metres in area mounted flat against the principal building on the ‘lot’ or the fence, and shall not entail the display of any other advertising visible from a public place.

3.8 Conditions relating to uses in the Slipyards Zone

3.8.1 A ‘Private Residence’ must be for a caretaker’s house that is essential to a use satisfying the conditions set out under 3.8.2 and 3.8.3,

3.8.2 ‘Light Industry’: -

- a) must be for boat building or slipyard activity;
- b) if it is for an activity directly related to boat building or slipyard activity, it is discretionary, or
- c) it shall be considered as a use under Section 3.3c.

3.8.3 A ‘Local Service’ or ‘Specialist Service’ must: -

- a) be essential to maintain the economic viability of a slipyard on the site and that would otherwise close, without an activity from that class of use being introduced; and
- b) relate to the slipyards use, including one that interprets the history of the slipyards and promotes their continued operation. Uses that may be considered to satisfy this provision include, but are not limited to:

sales and display of chandlery, boats and marine equipment, restaurant, café, kiosk, and museum; and

- c) not duplicate another 'Local Service' or 'Specialist Service' in the Zone unless that service is providing goods and services to boat owners required for the operation of their vessels.

4. **BUILDING IN ALL ZONES**

4.1 Conditions on 'Building'

In issuing a permit for any 'building', the 'Council' may impose conditions in respect of any of the following:

- a) Siting -
 - Open Space
 - Orientation
 - Layout
- b) Appearance -
 - Facade
 - Profile
 - Existing buildings
- c) Traffic -
 - Parking
 - Access
- d) Signs
- e) Effects on 'places listed in Table E.1'

In doing so, it shall have regard to any representations made during the 'specified period' concerning these matters and any conditions imposed shall not be inconsistent with any relevant 'schedule' or with the 'tenor' of the 'scheme'.

4.2 Signs in Zone 1, Zone 2 and Zone 5

4.2.1 No sign intended to be read from off the site shall be displayed unless:

- a) the 'Council' grants permission for that sign, and
- b) the sign complies with any requirements, guidelines or conditions imposed by the 'Council' under any schedule.

4.2.2 The following signs are exempt from requiring planning permission:

- i) one only non-illuminated sign less than 0.2 m² in area and placed on a building or site which is a land-use permitted 'P' under Table 3.1 of the Scheme, where the sign relates directly to that land-use and where the building or site is not included within the Heritage Schedule to this Scheme:

- ii) one only real estate sign and associated bunting provided it is in a position only for the duration of the sale or letting of property on the market;
- iii) Building Site Signs providing:
 - the information on the signs refers to the work being undertaken on the land and/or the personnel or firms undertaking that work.
- iv) one only non-illuminated sign indicating the current price of fuels available on the site of a Service Station providing:
 - the sign does not encroach onto a footpath, road or other public reserve;
- the sign has a limit of two sides and a maximum area of 2 m² per side.
- v) Name Plates identifying occupants of a property used for professional offices, attached flush to the wall provided:
 - the plates are not placed on a building listed in the Heritage Schedule to the Scheme;
 - in all cases do not exceed five (5) in number (any additional plates after five will require approval) and whose dimensions do not exceed 450mm in width 250mm in depth.

5. BUILDING IN ZONE 1 AND ZONE 2

5.1 General Requirements

In considering any ‘application’ for ‘building’ in ‘Zone 1’ and ‘Zone 2’, the ‘Council’ shall have regard to the need to:

- a) maintain and improve the existing housing stock,
- b) ensure the survival of the existing form and pattern of buildings in the area,
- c) ensure that, wherever possible, all new dwellings have a ground floor and private garden,
- d) fully protect the residential amenity of the area, and to allow only gradual change which is in keeping with the character of the area,
- e) protect the historic, aesthetic and townscape quality of the area and to retain the diversity of building styles.

5.2 ‘Building’ Operations

For the purpose of the ‘Scheme’, ‘building’ in ‘Zone 1’ and ‘Zone 2’ is classed as follows:

‘renovation’	any ‘building’ work involving no increase in the ‘floor area’ or the number of ‘dwellings’ on the ‘lot’,
‘extension’	an increase in the ‘floor area’ without an increase in the number of ‘dwellings’ on the ‘lot’,
‘conversion’	an increase in the number of ‘dwellings’ on the ‘lot’ without an increase in ‘floor area’ of more than 10%, excluding ‘vacant development’,
‘infill’	an increase in the number of ‘dwellings’ on the ‘lot’ with an increase in ‘floor area’ of more than 10%, excluding ‘vacant development’, or
‘vacant development’	any work carried out on a vacant ‘lot; or one cleared (or to be cleared) substantially of buildings.

5.3 Permissible 'Building'

Without limitation to the 'Council's' power to impose further conditions under Section 4 and other Sections, all 'building' within 'Zone 1' and 'Zone 2' shall conform with Sections 5.4 to 5.9 inclusive.

5.4 Minimum 'Lot Area' Existing at the 'Specified Date' Permissible for 'Building'

100 square metres unless otherwise approved by the 'Council'.

5.5 Maximum Permissible Density

- a) In the case of 'renovation' and 'conversion':
 - no maximum
- b) In the case of 'extension' and "infill":
 - a 'plot ratio' of 45% or the 'existing floor area' plus 10% or an extension of 15m² whichever is greater, provided that all other requirements of the Scheme are met.
- c) In the case of 'vacant development':
 - a 'plot ratio' of 35% except that:
 - (i) where the 'lot area' is less than 300 square metres that 'Council' may permit such higher 'plot ratio' as is needed for one 'dwelling' provided that the 'floor area' does not exceed the maximum permitted for a 'lot area' of 300m² and
 - (ii) where the 'lot' was vacant on 1st March 1977 such 'plot ratio' not exceeding 45% as the 'Council' may permit.

5.6 Height and Form

- a) A building shall not contain more than two 'storeys' at any point, and less if required under any schedule.

- b) At least 40% of the 'floor area' of each 'dwelling' shall be provided on a 'ground floor' unless:
- (i) the slope of the land on which the 'dwelling' stands is greater than 1:5, or
 - (ii) the greater part of the 'dwelling' is contained within an 'existing building'.

5.7 Setbacks of any part of any building from boundaries of a 'Lot'

- a) At corners of streets:
at least 2 metres triangulation
- b) From Sandy Bay Road:
at least 5 metres
- c) From other street frontages:
as required under any schedule on siting
- d) From boundaries determined by the 'Council' as side boundaries or rear boundaries:
as required under Section 5.8 or any schedule on siting
- e) From Sandy Bay Rivulet:
at least 10 metres
- f) From 'High Water Mark'
at least 15 metres.

5.8 Open Space Requirements

- a) The 'rear area' shall comprise a minimum of 35% of the 'lot area', or the area formed by a 12 metre setback from the rear boundary (as determined by the 'Council') whichever is the lesser, or in the case of 'renovation', 'conversion' and 'extension', such smaller area as the 'Council' may approve.
- b) in the case of 'vacant development', each 'dwelling' shall have a 'private garden'.

5.9 Vehicle Parking Spaces

As required under any traffic schedule.

7. BUILDING IN ZONE 4

7.1 General Requirements

In considering ‘applications’ for ‘building’ in ‘Zone 4’ the ‘Council’ shall have regard to the need to:

- a) ensure that all future ‘development’ is compatible with the character and scale of the historic buildings in the area, with the traffic capacity of streets in the zone, and with the long term residential integrity of Battery Point.

7.2 Permissible Building

The ‘Council’ may impose conditions as it deems necessary under Section 4 and other sections, and all ‘development’ shall conform with any schedules for ‘Zone 4’.

8. USE AND BUILDING IN ZONE 5

8.1 General Requirements

In considering ‘applications’ for ‘ a change of use’ and ‘building’ in ‘Zone 5’ the ‘Council shall have regard to the need to: -

- a) provide for the continuation of slipyard activities that are strategically reliant on their location adjacent to the River Derwent . Industries that are not reliant on the strategic characteristics of the zone shall not locate in this zone;
- b) ensure that the traditional industrial activity of slipyard and related activities such as small to medium scale boat building, repair and maintenance is encouraged and is economically viable;
- c) facilitate the modernisation of the maritime industries commensurate with the objectives of conserving the heritage significance of the place and preserving the established character of the area;
- d) afford a level of protection of the amenity of nearby residential areas from particulate and gaseous emissions, noise, traffic, parking and like impacts, consistent with the nature of the incumbent activities;
- e) assist the viability of the slipyards by permitting appropriate related commercial activities provided they are linked to the slipyards operation and they remain only until such time as the slipyards are discontinued;
- f) allow public access to the foreshore to be accommodated within the constraints of protecting public safety and providing an adequate level of security for property;
- g) Retain where possible those existing structures and slipyards which are of historic or visual importance

8.2 Permissible Building

The ‘Council’ may impose such conditions as it deems necessary under Section 4 and all ‘development’ shall conform with any schedules for ‘Zone 5’.

9. BUILDING IN ZONE 6

9.1 General Requirements

In considering ‘applications’ for ‘building’ in ‘Zone 6’ the ‘Council’ shall have regard to the need to allow requirements of regional leisure groups to be met without adversely affecting the residential amenity of nearby houses, and houses on access routes to the zone.

9.2 Permissible Building

The ‘Council’ may impose such conditions as it deems necessary under Section 4 and all ‘development’ shall conform with any schedules for ‘Zone 6’.

10. DEMOLITION

10.1 General Requirements

In considering ‘applications’ for ‘demolition’ in all ‘zones’ the ‘Council’ shall have regard to the need to preserve and maintain the existing townscape and historic architectural features of the ‘District’.

10.2 Application Required

- a) any ‘application’ involving ‘demolition’ shall include such details of any intended ‘development’ that the ‘Council’ may require;
- b) any ‘application’ for ‘demolition’ of a building or structure which is included in Table E.1 or which in the opinion of the ‘Council’ contributes to the streetscape or skyline or character of the area, shall be referred to the ‘Advisory Committee’.

c) Refusal of ‘Demolition’

An ‘application’ for ‘demolition’ may be refused if in the opinion of the ‘Council’ the building or structure contributes to the skyline or appearance or character of the area or is of architectural or historic interest and the building is capable of continued beneficial use; or if the building or structure is included in Table E.1.

d) Conditions on ‘Demolition’

In issuing a ‘permit’ for any ‘development’, the ‘Council’ may impose conditions in respect of the retention, maintenance, reinstatement and/or repositioning of any object which contributes to the skyline or appearance of the area or is of architectural or historical interest. In doing so, it shall consider any representations made during the ‘specified period’ concerning these matters. Conditions imposed under this section shall not be inconsistent with any relevant schedule or with the ‘tenor’ of the ‘Scheme’.

11. SUBDIVISION

11.1 General Requirements

In considering ‘applications’ for ‘subdivision’, the ‘Council’ shall have regard to the need to:

- a) allow the process of serial subdivisions to continue,
- b) maintain the generally small scale of development,
- c) ensure that under-utilised land is used for appropriate purposes without adversely affecting the existing building stock and streetscape.

11.2 Permissible ‘Subdivision’

- a) Except as provided in Section 11.2 b), any ‘subdivision’ shall comply with the requirements of the Local Government (Building and Miscellaneous Provisions) Act 1993;
- b) The ‘Council’ may in its discretion approve a ‘subdivision’ which conforms with Section 11.3 and 11.4 and the ‘tenor’ of the ‘Scheme’.

11.3 Minimum ‘Lot Area’ and Dimensions Created by ‘Subdivision’

250 square metres, and such dimensions as in the opinion of the ‘Council’ are appropriate for its proposed ‘use’, or as required under any schedule.

11.4 ‘Subdivision’ of a ‘Lot’ Containing One or More Buildings in ‘Zone 1’, ‘Zone 2’ and ‘Zone 5’

Any proposed ‘lot’ already containing one or more buildings shall conform to the following standards:

- a) Maximum density:
 - a ‘plot ratio’ of 50%
- b) Setbacks of any part of a building from proposed ‘lot’ boundaries at corners of streets:
 - at least 2 metres triangulation.
- c) Setbacks from other street frontages:
 - as required by the ‘Council’ under Section 11.5

- d) Setbacks from boundaries determined by the 'Council' as side boundaries or rear boundaries:

as required by the 'Council' under Section 11.5

- e) Minimum 'rear area'

No minimum.

11.5 Conditions on 'Subdivision'

In exercising its discretion in respect of any 'subdivision' under Section 11.2 (b) the 'Council' shall take into consideration and may impose conditions in respect of any of the following:

Shape of 'lots'

Size of 'lots'

Effects of future 'development' of 'lots' on 'nearby lots'.

In doing so, it shall consider any representations made during the 'specified period' concerning the above matters. Conditions imposed under this Section shall not be inconsistent with any relevant schedule or with the 'tenor' of the 'Scheme'.

12. CODES

This section has been omitted by Amendment 3/2001 – 2.

13. ADMINISTRATION

13.1 'Application' for 'Permits'

Any person applying for permission to carry out any 'development' shall, before commencing the 'development' lodge with the 'Council' an 'application' in writing which contains sufficient details to enable the 'Council' to ensure compliance with the 'Scheme' and to assess those aspects on which conditions may be imposed. In the case of an 'application' for 'infill' or 'vacant development' in 'Zone 1' or 'Zone 2' such details shall include, inter alia, the following:

- a) Plans drawn to scale of at least 1:250 to show:

The dimensions and contours of the land and adjoining streets and a datum from which the level at any point may be measured, established by a public authority, the 'Council' or the applicant and marked so as to be available for inspection at any future time;

The present and proposed use of the 'land' including footpaths, driveways and vehicle parking areas, the position of all present and proposed trees and shrubs over 2 metres in height, and the use of all 'nearby lots' including outlines of the buildings on each 'lot' and the approximate positions of all windows facing the 'lot(s)';

along each boundary of the 'lot(s)', elevations of the present and proposed buildings and approximate elevations of profiles of buildings on 'nearby lots'.

- b) plans drawn to a scale of at least 1:100 to show:

the dimensions of all rooms and areas in each proposed building on the 'lot(s)', and

- c) any details specified in a schedule in respect of form of 'application'.

13.2 'Applications' for More than One Type of 'Development'

In considering a proposal for 'development' the 'Council' may:

- a) accept an 'application' for 'change of use', 'building', 'demolition' or 'subdivision' separately and in any order, in which case approval for any one 'development' type does not imply approval for any other 'development' types;
- b) deal with an 'application' for 'change of use', 'building', 'demolition' and 'subdivision' (or any combination) as one 'application', in which case refusal of one 'development' type constitutes refusal of the whole 'application'.

Clause 13.3 omitted by Amendment 3/2001 -3

13.4 The Battery Point Advisory Committee

- a) The 'Council' shall establish an honorary committee to be known as the 'Battery Point Advisory Committee' for the purpose of examining and making recommendations on matters referred to it by the 'Council'. The 'Advisory Committee' shall in making its recommendation on any matter, have regard to the provisions of Section 2 of the 'Scheme'.

The members of the 'Battery Point Advisory Committee' shall be appointed for a term of two (2) years with one half of the members retiring annually and shall comprise:

- the Lord Mayor or his/her nominee,
- One Nominee of the Battery Point Sullivans Cove Community Association,
- One Nominee of an organization representing business interests operating within the 'District' where the Council is satisfied that an organisation has been established representing those interests,
- One Nominee of the Battery Point Slipways owners/operators
- One Nominee being a resident of that part of the 'District' south of Quayle Street.
- One Nominee of the National Trust of Australia (Tasmania), and

- two persons with expertise in town planning or architecture or landscape planning or urban history or related fields, one of whom shall be a resident of the 'District'.
 - Each of the residents' associations shall be duly constituted in conformity with the Registered Bodies Schedule.
- b) Four members of the 'Advisory Committee' shall constitute a quorum and the Committee shall establish its own rules of procedure including arrangements for deputies in the absence of any member.
- c) The 'Council' shall refer to the 'Advisory Committee':
 - (i) 'applications' for any 'development' which involves material changes to the facade of an 'existing building';
 - (ii) 'application's which are the subject of written representations made during the 'specified period' from occupiers of 'nearby lots'; and
 - (iii) 'permitted and discretionary applications' on land within Precinct 28 of the City of Hobart Planning Scheme 1982 that abuts land within Zone 1 - Residential of the Battery Point Planning Scheme 1979.
- d) Where the 'Council' considers that further information should be considered in relation to any proposal for 'development', it may:
 - (i) seek the advice of and/or refer the person proposing the development to the 'Advisory Committee', or
 - (ii) refer the matter to groups or individuals with expertise or knowledge relevant to a consideration of the matter.
- e) The 'Council' may specify the period within which the comments of the 'Advisory Committee' or other body to which matters are referred are to be made available.

13.5 Determination of 'Applications'

- a) Where an 'application' is advertised or 'notified' it shall not be determined by the 'Council' prior to the expiry of the 'specified period'.

- b) The 'Council' shall examine any 'application' and shall:
- (i) if the 'development' complies with all provisions of the 'Scheme' including any variation under Section 13.7 issue a 'permit' specifying the standards and conditions which apply to the 'development' or
 - (ii) in all other cases:

issues a refusal of the 'application', stating the grounds of the refusal.
- c) In giving its permission to any 'development' on a 'reservation', the 'Council' shall have regard to the ultimate purposes intended for the 'reservation' and may attach such conditions as it deems appropriate, including conditions requiring free of compensation the removal, or alteration of buildings or works, reinstatement of the land, and the removal of waste materials or refuse, at the time when the land is required for the purpose of the 'reservation'.
- d) A 'permit' issued under this Section shall be for 'development' only as specified in the 'permit', and no significant modifications may be made for any purpose without consent of the 'Council'.

13.6 'Permit' to Lapse After Two Years

Any 'permit' issued under this 'planning scheme' shall lapse after a period of two (2) years from the date of issue unless the 'development' for which the 'permit' was issued has been substantially commenced within that period.

13.7 Variation of Requirements

- (a) In considering any 'application' which does not comply with the 'Scheme' the 'Council' may in its discretion vary any provision of the 'Scheme' but so as to maintain conformity with the 'tenor' of the 'Scheme'.
- (b) For the land at 16-18 Margaret Street, Sandy Bay the use and development approved by permit PLN-06- 01220-01 is permitted.

SCHEDULES

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A. SITING SCHEDULE

A.1 General Requirements

In considering the siting and layout of buildings, shall be had regard to the need to:

- (a) generally maintain the present graded transition from public to private spaces, characterised by small front gardens, facades filling the frontage and oriented towards the street, and back yards with adequate privacy;
- (b) protect the present neighbourly character of the street as a community place associated with the houses that contain it.

A.2 Conditions

All developments shall be consistent with the above requirements and with the ‘tenor’ of the ‘Scheme’ and unless the ‘Council’ otherwise approves, the following conditions shall be met:

- (a) Open Space
 - (i) The layout of the ‘rear area’ and any ‘private gardens’ shall be such that sunlight, privacy and access make the area(s) suitable for the enjoyment of the occupant;
 - (ii) any space directly between a ‘dwelling’ and the street shall be clearly defined for the sole use of the occupant(s) of that ‘dwelling’. Where open space other than a driveway, is shared by the occupants of more than one dwelling, it shall be behind the ‘dwelling’, and landscaped to an approved plan;

- (b) Orientation

In the case of ‘infill’ and ‘vacant development’, ‘dwellings’ with an elevation directly towards the street shall:

- (i) face the street;
- (ii) be close to the street, except where the prevailing setbacks on the same side of that part of the street are substantial, in which case the setback shall conform to the general building line;

(iii) where reasonable and practicable, substantially occupy the width of the frontage of the 'lot', except where the prevailing setbacks from side boundaries on the same side of that part of the street are substantial, not so as to exclude a driveway or car parking at the side of the building.

(c) Layout

- (i) The location and fenestration of living rooms, and the location of lighting, shall not unreasonably diminish the privacy of neighbouring backyards through noise, overlooking, overhearing, illumination and the like;
- (ii) backyards on 'nearby lots' shall not be unreasonably deprived of sunlight.

B. APPEARANCE SCHEDULE

B.1 General Requirements

Where streetscape is an important component of the amenity and value of an area, the detailing of buildings and their visible curtilage shall be in conformity with the characteristic uses and forms of the area, in particular:

- (a) the factors of aesthetic historical, architectural and townscape value and significance, style, design, arrangement, texture, material and colour shall be taken into account;
- (b) unnecessary impairment to the visual characteristics of existing buildings or their neighbours shall be avoided;
- (c) the built form shall be consistent with neighbouring properties in terms of the residential values it expresses, that is, compact, neighbourly inner-urban residences in the form of individually identifiable houses with their own private gardens;
- (d) within the above limits, individual expression shall be allowed rather than requiring conformity with particular styles or fashions.

B.2 Condition

All development shall be consistent with the above requirements and with the ‘tenor’ of the ‘Scheme’ and unless the ‘Council otherwise approves, the following conditions shall be met:

- (a) Facade
 - (i) attached ‘dwellings’ facing a street shall be individually identifiable; specifically, all ‘dwellings’ on the frontage shall have direct, private pedestrian access to a front door visible from the street. Where a number of ‘dwellings’ on one lot face the street, they should be designed in such a way as to reduce the apparent horizontal scale of the building. (This Section does not apply to ‘renovation’, ‘conversion’ and ‘extension’.);

- (ii) where front fences are a characteristic feature of the area each 'dwelling' facing a street shall have a front fence of traditional height and construction, typically a painted timber or brick fence less than one (1) metre in height on the main frontage, rising in height with greater setback of the house.
- (b) Profile
 - (i) In the case of 'vacant development', roofs shall be compatible with those in the vicinity;
 - (ii) 'Attics' shall be wholly contained within the roof, in 'existing buildings' dormers shall be of an appropriate design;
 - (iii) Notwithstanding Section 5.6 (a) the maximum height shall be one (1) storey where most houses on the same side of the street in the immediate vicinity are of one storey;
 - (iv) Insofar as it complies with other requirements, the configuration of the building shall be such that in height and bulk, it is similar to the buildings near it.
- (c) Conversion or Extensions to Existing Buildings
 - (i) alterations visible from the street shall be kept to a minimum, and shall be in the style of the existing buildings as far as possible;
 - (ii) irreversible changes visible from the street shall be kept to a minimum; specifically to be avoided are the removal of building elements based on earlier crafts and the painting of unpainted stone and brick.
- (d) In the Residential Zone south of Quayle Street existing roofs may be replaced with alternative roofing material on street front buildings where the Council is of the opinion that the proposed new roof cladding is architecturally and/or historically more appropriate than the roofing to be replaced (for example a Georgian building might in certain instances be more appropriately roofed in slate or some other form of historically and architecturally authentic material.)

C. TRAFFIC SCHEDULE

C.1 General Requirements

Regard shall be had to the need to minimise the impact of traffic arising from development.

C.2 Conditions

All development shall be consistent with the above requirement and with the 'tenor' of the 'Scheme' and unless the 'Council' otherwise approves, the following conditions shall be met:

(a) Parking

- (i) Land directly between a dwelling and the street shall not be designed or paved for the manoeuvring or parking of vehicles except to gain access to the property;
- (ii) the minimum dimension of any vehicle parking space required under this 'Scheme' unless otherwise determined or permitted by the 'Council' in any particular case shall be 5.5 metres by 2.7 metres if the space is within a building or covered or 5.0 metres by 2.5 metres if not within a building or not covered;
- (iii) where three or more parking spaces are required, on-site turning shall be provided and access ways and parking areas shall be designed, sealed, drained and landscaped in accordance with a plan to be submitted and approved by the 'Council'
- (iv) where on-site turning is required between vehicle spaces, a minimum aisle width of 7.0 metres shall be provided where a car space length of 5.0 metres is required and 6.0 metres width where a car space of 5.5 metres is required;
- (v) vehicle parking spaces shall be provided as follows:

Use Class 1 (Private Residence) :	one space per dwelling
Use Class 2 (Residential Business) :	generally no requirement, but the ‘Council’ may require provision in specific instances;
Use Class 3 (Local Service) :	as for Use Class 2
Use Class 4 (Multiple Accommodation) :	one space per bedroom
Use Class 5 (Visitor Accommodation) :	one space per bedroom
Use Class 6 (Hotel Industry) :	one space for each 20 square metres of total floor area
Use Class 7 (Specialist Service) :	in accordance with the ‘Council’s’ present requirements
Use Class 8 (General Service) :	in accordance with the ‘Council’s’ present requirements
Use Class 9 (Light Industry) :	as required by the ‘Council’
Use Class 10 (Recreation) :	as required by the ‘Council’

(vi) the ‘Council’ may relax the standards contained in (i) and (iii) above where:

- the location of an ‘existing building’ on the ‘lot’ makes the provision of vehicle parking spaces impracticable or undesirable; or
- the full provision of vehicle parking spaces would occupy a disproportionate part of the ‘lot’ otherwise used for planting;

(b) Crossings in ‘Zone 1’ and ‘Zone 2’

Each ‘lot’ shall have no more than one crossing over the footpath per frontage, unless otherwise approved by the ‘Council’ the maximum width of which shall be three metres where the ‘lot area’ is less than 600 square metres, and six metres where the ‘lot’ is larger;

- (c) for multi-unit 'development' of any 'lot' width of access available to a street shall be 3.0 metres or any such greater width as may be required for safety and traffic reasons;
- (d) for multi-unit developments access grades shall have a maximum slope of 1 in 5, provided that the first three (3) metres adjacent to the footpath shall not exceed a grade of 1 in 15;

D. SIGNS SCHEDULE

D.1 Design Considerations

Signs shall be designed having regard to the need to:

- (a) ensure a high standard of workmanship;
- (b) encourage individuality of design and to discourage Gothic and other 'Olde' lettering;
- (c) ensure that signs in general are affixed flat against the wall of the principal building.

D.2 Signs All Zones

D.2.1 General Requirements

- (i) Every sign will be considered as part of the architecture of the building on which it is to be affixed and of the streetscape; as such any new building work should properly consider the signage requirements for the occupants;
- (ii) a sign in the Zone must not either by its size or design detract from the character and heritage value of buildings both individually and collectively including those groups of buildings comprising some which may not be of particular heritage value;
- (iii) a sign to be affixed to any building included in Table E.1. must maintain or reinstate and not detract from its original architecture heritage value or character;
- (iv) every sign in the Zone should relate directly to the use of the building or site to which it is affixed or directed;
- (v) no sign should result in or lead to a clutter of signage on the site or involve unnecessary repetition of message and information;
- (vi) no signs should dominate or obscure any other signs and in particular an historic sign forming an integral part either of a building's architectural treatment of detailing, or its heritage;
- (vii) every sign in the Zone should be of a quality of materials and finishes that will be of a durability such as to ensure that the sign does not easily become unsightly as a result of normal exposure to the elements.

D.2.2 Guidelines (see graphic illustrations for location, placement and layout)

D.2.2.1 The following guidelines indicate the preferred solutions to advertising/identification signage needs in the Zone, and in particular, in respect of buildings or places of heritage value;

- (i) a single sign for each business premises which should primarily provide business identification (i.e. the name type of business rather than the range of/or individual products/services available or associated promotional message);
- (ii) any sign on the face of a building should be in a position and of a shape, size and style appropriate to the proportions of the building and the relevant elevation (see location, placement and layout illustrations);
- (iii) where illumination is required (for a business which relies primarily on after dark trade) then it should be produced from a concealed or unobtrusive source of light, ideally independent of the sign or structure supporting the sign;
- (iv) signage for a building in multiple tenancy, including one with retail arcades or the like, should be by means of a sign panel within the building, typically the foyer, linkway or similar opening, excepting for those ground floor retail tenancies which have a street frontage and might be reasonably expected to have a separate sign. Where such a panel is not possible, multiple tenants should be listed on discreet panels, or plaques, on the face of the building or elsewhere on the property (see placement and layout illustration);

- (v) a small hanging sign identifying the principal ground floor tenant of a building and meeting all the following criteria:
 - (a) it has a depth less than its width and, typically, would be of dimensions between 400mm and 550mm wide and 250mm and 300mm deep;
 - (b) it is to be affixed to the building in location 2 as shown on the location illustration and in a manner consistent with the General Requirements for the Zone overall;
 - (c) its design (including that of its support bracket) is simple and does not detract from the character of a building of heritage value and/or architectural merit, or conflict with the intrinsic visual appeal;
 - (d) where the alternatives provided under (i) - (iv) above would either result in an unacceptable degree of clutter on the particular elevations of the building and/or would obscure architectural detailing on the particular elevation to the detriment of a building's character or integrity, or the appreciation by the public of the building both in its own right and as part of the streetscape;
- (vi) where a building is setback from its property boundary and a sign located on the building would conflict with the General Requirements of this schedule then a hanging sign, which has a depth greater than its width and is affixed to a simple but well-designed post/support, would be appropriate;
- (vii) gold lettering on the window(s) to identify non-retail uses (see placement and layout illustrations);

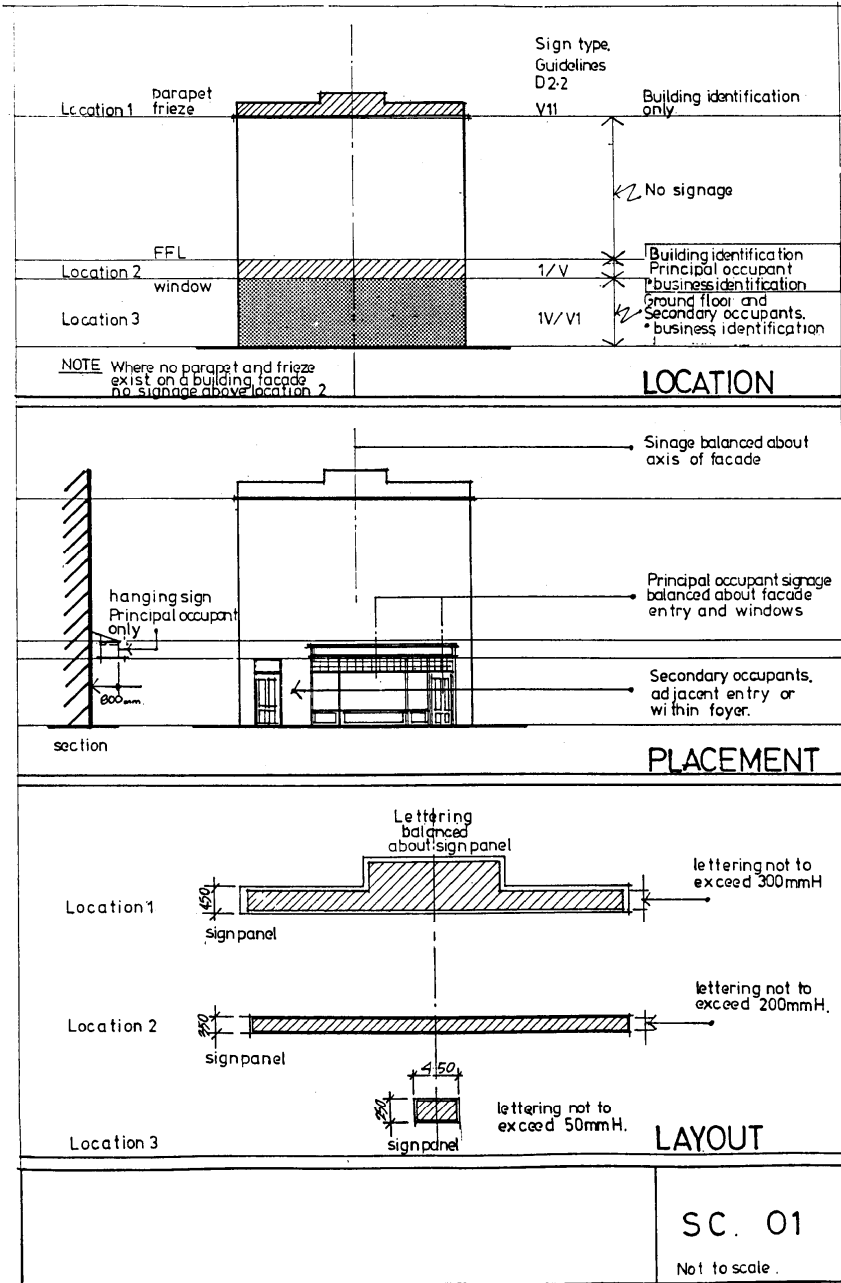
- (viii) a building identification sign should be part of the building's integral design and should reflect the traditional approach of individual lettering inscribed in a parapet arch, an upper storey frieze or coursing between the ground and first floors, typically in brass or other appropriate, modern, but sympathetic, material and finish (see also, placement and layout illustrations).
- (ix) banner signs for a temporary period not exceeding fourteen (14) days (except with the written approval of the Council that promote a festival or other special event;
- (x) property numbering in a manner that facilitates clear and easy public identification is encouraged: typically this would be in individual brass numbers of about 75 mm in height and placed on the door or adjacent to the door opening;
- (xi) name plates which do not generally exceed dimensions of 450 mm by 250 mm, with 50 mm lettering size maximum (see placement and layout illustrations).

D.2.3 Unsuitable Signs

D.2.3.1 The following types of sign are considered unsuitable in all Zones.

- (i) business signs above ground floor level including signs on or affixed to or projecting above the roof or parapet of a building;
- (ii) any internally illuminated sign including those faced with plastic or a similar material;
- (iii) flashing or intermittently illuminated signs;
- (iv) strings of light bulbs or similarly illuminated devices designed to attract attention and 'advertise' the presence of a premises;

- (v) banner signs, bunting or flags, (except as provided for in Section 4.2.1 (ii) of the Scheme and D.2.2.1 (ix) of this schedule);
- (vi) canvas or other awnings with or without associated lighting designed to identify a business premises;
- (vii) third party signs.



E. HERITAGE SCHEDULE

E.1 Purpose of Schedule

E.1.1 The purpose of this Schedule is to identify places of cultural significance and provide a framework for the control of use and development in order to conserve those buildings or other places which are of scientific, aesthetic, architectural or historic interest or otherwise of special cultural value.

E.2 Application of Schedule

E.2.1 This Schedule applies to use and development upon or adjacent to all places of cultural significance identified in Table E.1. or registered by the Tasmanian Heritage Council.

E.2.2 The Council has a discretion to refuse or permit any proposed use and development within or adjacent to a place listed in Table E.1. or registered by the Tasmanian Heritage Council.

E.2.3 Those places identified in Table E.1 or registered by the Tasmanian Heritage Council shall be conserved. Any existing building or structure identified in Table E.1 or registered by the Tasmanian Heritage Council shall be retained except where:

- (i) it clearly detracts from the cultural significance of the place; or
- (ii) there are overriding environmental, public health, or safety reasons for its removal either wholly or in part and there is no prudent or feasible alternative.

E.2.4 Any permit granted for the demolition of a place identified in Table E.1 which is also registered by the Tasmanian Heritage Council shall not be acted upon until the Tasmanian Heritage Council has granted approval for the works and any subsequent appeal has been determined.

E.2.5 In its consideration of applications for use and development Council must have regard to the definitions, conservation principles, processes and practices set down in The Burra Charter and any information submitted in accordance with clause E.4.

E.2.6 Control of use and development must be exercised to require the conservation of places of cultural significance to the maximum degree Council considers practicable.

E.2.7 Any use or development must be consistent with the ‘tenor’ of the Scheme and the following conditions shall be met:

- (i) use and development must be designed, sited, arranged, constructed or carried out so that any adverse impact upon places of cultural significance is minimised;

- (ii) use and development must be in keeping with and shall not detract from those characteristics of the place which contribute to its cultural significance.

E.3 Definition of Terms in this Schedule

adjacent	in relation to proposed development means sites alongside, behind, diagonally behind or directly opposite on the other side of the road from a place listed in Table E.1.
Burra Charter	is the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance as adopted by the Australian National Committee of the International Council on Monuments and Sites (Australia ICOMOS) on 26 November 1999.
conservation	means all the processes of looking after a place so as to retain its cultural significance
conservation plan	means a Conservation Plan accepted by the Council and prepared in accordance with the guidelines provided by J. S. Kerr s "The Conservation Plan". The conservation plan includes: <ul style="list-style-type: none"> • Documentation of the cultural significance of a place and land. • Documentation of proposed measures to be undertaken to retain cultural significance. • An assessment of how proposed building or works comply with the conservation strategy proposed in the Conservation Plan and a Statement of Impact regarding the impact of the proposed building or works on the conservation of cultural significance.
cultural significance	means aesthetic, historic, scientific social or spiritual value for past, present or future generations.
place	means a site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

E.4 Submission Requirements

E.4.1 In addition to any other submission requirements, the following information may also be required for all applications, pursuant to s.54 of the Land Use Planning and Approvals Act 1993:

- (i) A Conservation Plan as defined in clause E.3;
- (ii) A statement of significance from any person or body qualified to provide advice on the conservation of places of cultural significance, setting out the cultural significance of the place;
- (iii) A statement of heritage impact from any person or body qualified to provide advice on the conservation of places of cultural significance, setting out the effect of the proposed development on the heritage values of the place or its surroundings;
- (iv) A report which outlines any overriding environmental, public health, or safety reasons for the removal of the place either wholly or in part.

TABLE E.1 - PLACES OF CULTURAL SIGNIFICANCE

This Table identifies places of cultural significance within the 'District'.

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
		ARTHUR CIRCUS ARTHUR CIRCUS	All cottages (refer Runnymede Street)
		ASHFIELD STREET ASHFIELD STREET	
3A	10	ASHFIELD STREET	
	12	ASHFIELD STREET	
		BALMORAL STREET	
	6	BALMORAL STREET	
	8	BALMORAL STREET	
	10	BALMORAL STREET	
	12	BALMORAL STREET	Located in interior of block.
13		BALMORAL STREET	
	14	BALMORAL STREET	
15		BALMORAL STREET	
	16	BALMORAL STREET	
17		BALMORAL STREET	
		BATH STREET	
	1	BATH STREET	
	5	BATH STREET	
	13	BATH STREET	
	15	BATH STREET	

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
17		BATH STREET	
19		BATH STREET	
	28	BATH STREET	
	34	BATH STREET	
	40	BATH STREET	
		BATTERY SQUARE	
	2	BATTERY SQUARE	
5		BATTERY SQUARE	
9		BATTERY SQUARE	
		CLARKE AVENUE	
	32	CLARKE AVENUE	
	34	CLARKE AVENUE	
		COLVILLE STREET	
1		COLVILLE STREET	
3		COLVILLE STREET	
5		COLVILLE STREET	
7		COLVILLE STREET	
9		COLVILLE STREET	
11		COLVILLE STREET	
21		COLVILLE STREET	Cottesloe
33		COLVILLE STREET	
	34	COLVILLE STREET	
35		COLVILLE STREET	
	36	COLVILLE STREET	
	38	COLVILLE STREET	
	40	COLVILLE STREET	
	42	COLVILLE STREET	
	44	COLVILLE STREET	
	46	COLVILLE STREET	
	50	COLVILLE STREET	
	52	COLVILLE STREET	
57		COLVILLE STREET	Gleason's Farmhouse (refer also 13 St Georges Terrace)
59		COLVILLE STREET	
	60	COLVILLE STREET	
		CRELIN STREET	
		CRELIN STREET	Billy Goat Lane
1		CRELIN STREET	
	2	CRELIN STREET	Brinktop
3		CRELIN STREET	
	4	CRELIN STREET	
		CROMWELL STREET	

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
	6	CROMWELL STREET	Cromwell Cottage
	8	CROMWELL STREET	
	12	CROMWELL STREET	
13		CROMWELL STREET	
19		CROMWELL STREET	
21		CROMWELL STREET	
25		CROMWELL STREET	
	26	CROMWELL STREET	
27		CROMWELL STREET	
	28	CROMWELL STREET	St Georges Rectory and Hall
29		CROMWELL STREET	Hanover Cottage
	30	CROMWELL STREET	St Georges Church & Schoolhouse
31		CROMWELL STREET	
33		CROMWELL STREET	
	34-36	CROMWELL STREET	Blessington Cottage
35		CROMWELL STREET	
	38	CROMWELL STREET	
39		CROMWELL STREET	
43		CROMWELL STREET	
		DE WITT STREET	
1		DE WITT STREET	
	2	DE WITT STREET	
3		DE WITT STREET	
	4	DE WITT STREET	
5		DE WITT STREET	
9		DE WITT STREET	
11		DE WITT STREET	
13		DE WITT STREET	
15		DE WITT STREET	
	16	DE WITT STREET	
17		DE WITT STREET	
19		DE WITT STREET	
21		DE WITT STREET	
23		DE WITT STREET	
25		DE WITT STREET	
27		DE WITT STREET	
29		DE WITT STREET	
	30	DE WITT STREET	
31		DE WITT STREET	
	32	DE WITT STREET	

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
33		DE WITT STREET	
	34	DE WITT STREET	
35		DE WITT STREET	Corona
	36	DE WITT STREET	
37		DE WITT STREET	Elamatta
	38	DE WITT STREET	
		DERWENT LANE	
	4	DERWENT LANE	
		FRANCIS STREET	
	6	FRANCIS STREET	
7		FRANCIS STREET	
9		FRANCIS STREET	
	10	FRANCIS STREET	
	12	FRANCIS STREET	
	16	FRANCIS STREET	
	18	FRANCIS STREET	
	20	FRANCIS STREET	
	22	FRANCIS STREET	
		HAMPDEN ROAD	
	2	HAMPDEN ROAD	
3		HAMPDEN ROAD	
5		HAMPDEN ROAD	
7		HAMPDEN ROAD	
9		HAMPDEN ROAD	
11		HAMPDEN ROAD	Rosebank
23		HAMPDEN ROAD	Cheltenham Place
25		HAMPDEN ROAD	Cheltenham Place
	30	HAMPDEN ROAD	
31		HAMPDEN ROAD	
	32	HAMPDEN ROAD	
33		HAMPDEN ROAD	
	34	HAMPDEN ROAD	
35		HAMPDEN ROAD	
	36	HAMPDEN ROAD	
37		HAMPDEN ROAD	
	38	HAMPDEN ROAD	
39		HAMPDEN ROAD	
	40	HAMPDEN ROAD	
41		HAMPDEN ROAD	
	42	HAMPDEN ROAD	

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
43		HAMPDEN ROAD	
	44	HAMPDEN ROAD	
45		HAMPDEN ROAD	
	46	HAMPDEN ROAD	
47		HAMPDEN ROAD	
	48	HAMPDEN ROAD	
	50	HAMPDEN ROAD	
	52	HAMPDEN ROAD	Community Hall
	56	HAMPDEN ROAD	
57-59		HAMPDEN ROAD	
	58	HAMPDEN ROAD	
	60	HAMPDEN ROAD	
61		HAMPDEN ROAD	
63		HAMPDEN ROAD	
	64	HAMPDEN ROAD	Fusilier Cottage
65		HAMPDEN ROAD	Pretoria
	66	HAMPDEN ROAD	
67		HAMPDEN ROAD	Mafeking
	68	HAMPDEN ROAD	Ballo
69		HAMPDEN ROAD	
	70	HAMPDEN ROAD	Invercoe, including Coach Dwelling at rear
71		HAMPDEN ROAD	
	72	HAMPDEN ROAD	Barton Cottage
73		HAMPDEN ROAD	
	74	HAMPDEN ROAD	
75		HAMPDEN ROAD	
	76	HAMPDEN ROAD	
77		HAMPDEN ROAD	
	78	HAMPDEN ROAD	
79		HAMPDEN ROAD	
	82	HAMPDEN ROAD	Hampden Dwelling (former Queen Alexandra Hospital)
	86	HAMPDEN ROAD	
	88	HAMPDEN ROAD	
95		HAMPDEN ROAD	Bristol Dwelling
97		HAMPDEN ROAD	
99		HAMPDEN ROAD	
101		HAMPDEN ROAD	
103		HAMPDEN ROAD	Narryna
105		HAMPDEN ROAD	Irwin Place

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
107		HAMPDEN ROAD	Irwin Place
109		HAMPDEN ROAD	Irwin Place
111		HAMPDEN ROAD	Irwin Place
113		HAMPDEN ROAD	
		JAMES STREET	
13		JAMES STREET	
15		JAMES STREET	
17		JAMES STREET	
19		JAMES STREET	
21		JAMES STREET	
		KELLY STREET	
1		KELLY STREET	<i>(Now part of 65-79 Salamanca Place)</i>
5		KELLY STREET	
9		KELLY STREET	
11		KELLY STREET	
	18	KELLY STREET	
19		KELLY STREET	
	20	KELLY STREET	
21		KELLY STREET	
	22	KELLY STREET	
	26	KELLY STREET	
	28	KELLY STREET	
	30	KELLY STREET	
31		KELLY STREET	
	32	KELLY STREET	
33		KELLY STREET	
	34	KELLY STREET	
35		KELLY STREET	
	36	KELLY STREET	
	38	KELLY STREET	Korunnah
39		KELLY STREET	
	40	KELLY STREET	
41		KELLY STREET	
	42	KELLY STREET	
		KING STREET	
7		KING STREET	
11		KING STREET	
	30	KING STREET	
		KNOPWOOD STREET	
5		KNOPWOOD STREET	
		MARGARET STREET	

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
	10	MARGARET STREET	
11		MARGARET STREET	Ashfield
	12	MARGARET STREET	
13		MARGARET STREET	Ashfield (Stables)
		MARIEVILLE ESPLANADE	
	16	MARIEVILLE ESPLANADE	
		MARINE TERRACE	
1		MARINE TERRACE	
	2	MARINE TERRACE	
3		MARINE TERRACE	
5		MARINE TERRACE	
7		MARINE TERRACE	
	10	MARINE TERRACE	
		McGREGOR STREET	
7		McGREGOR STREET	
	8	McGREGOR STREET	
9		McGREGOR STREET	Harbour View
	10	McGREGOR STREET	
11		McGREGOR STREET	
	12	McGREGOR STREET	
	14	McGREGOR STREET	
	18	McGREGOR STREET	
		MONA STREET	
	4	MONA STREET	
7		MONA STREET	Oscalusca
	8	MONA STREET	Tantallon Lodge
	10	MONA STREET	
11		MONA STREET	Vernon
	16	MONA STREET	Medlow
19		MONA STREET	
	22	MONA STREET	
23		MONA STREET	
	24	MONA STREET	
	26	MONA STREET	
	28	MONA STREET	
	30	MONA STREET	
	32	MONA STREET	
		MONTPELIER RETREAT	
	54	MONTPELIER RETREAT	Portsea Terrace
	56	MONTPELIER RETREAT	Portsea Terrace

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
	58	MONTPELIER RETREAT	Portsea Terrace
	60	MONTPELIER RETREAT	Portsea Terrace
	62	MONTPELIER RETREAT	Portsea Terrace
		NAPOLEON STREET	
1		NAPOLEON STREET	
	6	NAPOLEON STREET	
	8	NAPOLEON STREET	
	10	NAPOLEON STREET	
11		NAPOLEON STREET	
	12	NAPOLEON STREET	
	14	NAPOLEON STREET	
15		NAPOLEON STREET	Oakington
	16	NAPOLEON STREET	
	18-44	NAPOLEON STREET	Slipyards and conjoined houses
19		NAPOLEON STREET	
	22-24	NAPOLEON STREET	Ross Patent Slip Site (within above)
23		NAPOLEON STREET	
25		NAPOLEON STREET	
27		NAPOLEON STREET	
33		NAPOLEON STREET	Kelburn
		NEWCASTLE STREET	
13		NEWCASTLE STREET	Beaumaris (Previously known as 82 Sandy Bay Road)
		NIXON STREET	
1		NIXON STREET	
	2	NIXON STREET	
	4	NIXON STREET	
	6	NIXON STREET	
	12	NIXON STREET	
	14	NIXON STREET	
	16	NIXON STREET	
	18	NIXON STREET	
	20	NIXON STREET	
	22	NIXON STREET	
	24	NIXON STREET	
	26	NIXON STREET	
	28	NIXON STREET	
		QUAYLE STREET	
35		QUAYLE STREET	
37		QUAYLE STREET	As a group

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
39		QUAYLE STREET	As a group
41		QUAYLE STREET	As a group
43		QUAYLE STREET	As a group
45		QUAYLE STREET	As a group
47		QUAYLE STREET	As a group
49		QUAYLE STREET	As a group
51		QUAYLE STREET	As a group
53		QUAYLE STREET	As a group
55		QUAYLE STREET	As a group
57		QUAYLE STREET	As a group
		QUEEN STREET	
3		QUEEN STREET	
11		QUEEN STREET	
21		QUEEN STREET	
		RUNNYMEDE STREET	
19		RUNNYMEDE STREET	Hillcrest
23		RUNNYMEDE STREET	
25		RUNNYMEDE STREET	
	28	RUNNYMEDE STREET	(Arthur Circus)
	30	RUNNYMEDE STREET	(Arthur Circus)
	32	RUNNYMEDE STREET	(Arthur Circus)
	34	RUNNYMEDE STREET	(Arthur Circus)
	36	RUNNYMEDE STREET	(Arthur Circus)
	38	RUNNYMEDE STREET	(Arthur Circus)
	40	RUNNYMEDE STREET	(Arthur Circus)
41		RUNNYMEDE STREET	(Arthur Circus)
	42	RUNNYMEDE STREET	(Arthur Circus)
43		RUNNYMEDE STREET	(Arthur Circus)
	44	RUNNYMEDE STREET	(Arthur Circus)
45		RUNNYMEDE STREET	(Arthur Circus)
47		RUNNYMEDE STREET	(Arthur Circus)
49		RUNNYMEDE STREET	(Arthur Circus)
51		RUNNYMEDE STREET	(Arthur Circus)
53		RUNNYMEDE STREET	(Arthur Circus)
55		RUNNYMEDE STREET	(Arthur Circus)
		SALAMANCA PLACE	
65-79		SALAMANCA PLACE	<i>(That part of the address previously known as 1 Kelly Street only)</i>
		SANDY BAY ROAD	
	82	SANDY BAY ROAD	Former grounds of Beaumaris
	86	SANDY BAY ROAD	St Ive's
	102	SANDY BAY ROAD	

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
	272	SANDY BAY ROAD	
	276	SANDY BAY ROAD	
	282	SANDY BAY ROAD	
	286	SANDY BAY ROAD	
	292	SANDY BAY ROAD	
	296	SANDY BAY ROAD	Brentwood
	300	SANDY BAY ROAD	
	306	SANDY BAY ROAD	
		SECHERON ROAD	
1		SECHERON ROAD	
11		SECHERON ROAD	St Botolph
17		SECHERON ROAD	Glencarren
		SECHERON ROAD	Wall between 19 & 21
19		SECHERON ROAD	
21		SECHERON ROAD	Secheron Dwelling
		SLOANE STREET	
1		SLOANE STREET	Former Star of Tasmania Inn (corner site)
	2	SLOANE STREET	
3		SLOANE STREET	
	6	SLOANE STREET	
7		SLOANE STREET	
	8	SLOANE STREET	
	10	SLOANE STREET	
	12	SLOANE STREET	
		SOUTH STREET	
3		SOUTH STREET	
5		SOUTH STREET	Conjoined Dwelling
7		SOUTH STREET	Conjoined Dwelling
9		SOUTH STREET	
11		SOUTH STREET	
	12	SOUTH STREET	Conjoined Dwelling
13		SOUTH STREET	
	14	SOUTH STREET	Conjoined Dwelling
15		SOUTH STREET	
	16	SOUTH STREET	
17		SOUTH STREET	
19		SOUTH STREET	Conjoined Dwelling
21		SOUTH STREET	Conjoined Dwelling
	22	SOUTH STREET	Conjoined Dwelling
	22A	SOUTH STREET	Conjoined Dwelling

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
23		SOUTH STREET	
	24	SOUTH STREET	Conjoined Dwelling
25		SOUTH STREET	Conjoined Dwelling
	26	SOUTH STREET	Conjoined Dwelling
27		SOUTH STREET	Conjoined Dwelling
	30	SOUTH STREET	
33		SOUTH STREET	Conjoined Dwelling
35		SOUTH STREET	Conjoined Dwelling
	38	SOUTH STREET	
39		SOUTH STREET	Conjoined Dwelling
41		SOUTH STREET	Conjoined Dwelling
		ST GEORGES TERRACE	
1		ST GEORGES TERRACE	
3		ST GEORGES TERRACE	
	4	ST GEORGES TERRACE	
5		ST GEORGES TERRACE	
	6	ST GEORGES TERRACE	
7		ST GEORGES TERRACE	
	8	ST GEORGES TERRACE	
9		ST GEORGES TERRACE	
	10	ST GEORGES TERRACE	
11		ST GEORGES TERRACE	
	12	ST GEORGES TERRACE	
13		ST GEORGES TERRACE	Gleason s Farm (Stables) - refer also 57 Colville Street
	16	ST GEORGES TERRACE	
17		ST GEORGES TERRACE	Located in interior of block.
19		ST GEORGES TERRACE	St David s Cottage
	20	ST GEORGES TERRACE	
21		ST GEORGES TERRACE	
	22	ST GEORGES TERRACE	
	24-26	ST GEORGES TERRACE	Lloydville
25		ST GEORGES TERRACE	
27		ST GEORGES TERRACE	Conjoined Dwelling
29		ST GEORGES TERRACE	Conjoined Dwelling
31		ST GEORGES TERRACE	Conjoined Dwelling
33		ST GEORGES TERRACE	
	34	ST GEORGES TERRACE	
35		ST GEORGES TERRACE	
	36	ST GEORGES TERRACE	
	38	ST GEORGES TERRACE	

ODD NUMBERS	EVEN NUMBERS	STREET	OTHER INFORMATION
39		ST GEORGES TERRACE	
	40	ST GEORGES TERRACE	
45		ST GEORGES TERRACE	
	46	ST GEORGES TERRACE	
	50	ST GEORGES TERRACE	
	52	ST GEORGES TERRACE	Conjoined Dwelling
	54	ST GEORGES TERRACE	Conjoined Dwelling
	56	ST GEORGES TERRACE	Conjoined Dwelling
	58	ST GEORGES TERRACE	Conjoined Dwelling
59		ST GEORGES TERRACE	
	60	ST GEORGES TERRACE	Conjoined Dwelling
61		ST GEORGES TERRACE	
	62	ST GEORGES TERRACE	Conjoined Dwelling
		STOWELL AVENUE	
	6	STOWELL AVENUE	Stowell/units 12, 15 & 16 (incl.outbuildings & garden)
		TRUMPETER STREET	
5		TRUMPETER STREET	
	10	TRUMPETER STREET	
	12	TRUMPETER STREET	
	14	TRUMPETER STREET	
	16	TRUMPETER STREET	
	18	TRUMPETER STREET	
29		TRUMPETER STREET	Shipwrights Arms Hotel (incl. cottage at rear)
		WATERLOO CRESCENT	
3		WATERLOO CRESCENT	
	8	WATERLOO CRESCENT	
11		WATERLOO CRESCENT	
	12	WATERLOO CRESCENT	
	15	WATERLOO CRESCENT	
	16	WATERLOO CRESCENT	
17		WATERLOO CRESCENT	
19		WATERLOO CRESCENT	Hariette Cottage
	30	WATERLOO CRESCENT	

F. REGISTERED BODIES SCHEDULE

F.1 General Requirements

The 'Council' shall keep a register of groups or individuals who are willing to give free advice on historical, aesthetic, design or technical matters relevant to the 'Scheme'.

The register shall for a part of this Schedule and shall state the name and address of the group or individual and the type or area of expertise or knowledge.

Where the 'Council' considers that further information should be considered on any aspect of a proposed 'development' it may seek the advice of or refer the applicant to a group or individual register under this Schedule.

F.2 Conditions

- (a) A group or individual seeking registration under this Schedule shall produce satisfactory evidence that expertise or knowledge relevant to the 'Scheme' or to some aspect of development in the 'District' is possessed by that group or individual;
- (b) in the case of a residents association seeking registration under this Schedule the association shall satisfy the 'Council' that:
 - (i) the association is open to all residents of the area it represents;
 - (ii) the association holds a public meeting at least once a year, advertised by a public notice in a registered newspaper circulating in the district;
 - (iii) a nominal membership fee is charged;
 - (iv) a president or chairman and a secretary and/or treasurer are elected at the annual public meeting by a vote of fee-paying members;
- (c) a residents association seeking registration shall lodge with the 'Council' a copy of its Constitution and of the Minutes of its Annual General Meeting or other meetings at which its office bearers are elected.

G. SLIPYARDS SCHEDULE

G.1 General Requirements

In considering the use of buildings and slipyards in the Slipyards Zone, the Council shall have regard to the need to satisfy the ‘General Requirements’ for building in the Slipyards Zone set out Section 8.1.”;

G.2 Conditions

All development shall be consistent with the above requirements and with the ‘tenor’ of the ‘Scheme’, and unless the ‘Council’ otherwise approves, the following conditions shall be met:

- (a) Retail Sales and Related Uses
 - (i) the use of the slipyards shall encourage small-scale boat building, repair and maintenance activities and ship chandlery;
 - (ii) any café, restaurant, kiosk or other similar facility must only operate within the hours of 9.00 am to 6.00pm daily;
 - (iii) the use must not exceed 25% of the total floor area occupied by the Slipyard lessee at the date of the commencement of amendment 1/2006;
 - (iv) ancillary office space must be limited to 15% of the total floor area occupied by the Slipyard lessee at the date of the commencement of amendment 1/2006.

Note: A use not satisfying conditions (a) (ii) – (iv) will only be approved where the Council is satisfied that:

- a) it is essential to maintain the economic viability of a slipyard that would otherwise cease to operate and that use relates to the primary use; and
- b) the use shall be such as not to require the erection of any buildings or structures that are not in accordance with the character of the zone.

(b) Industrial Activity

- (i) the maximum size of boats built or slipped shall be limited to 100 tonnes weight or 30 metres in length;
- (ii) noise levels shall not exceed acceptable levels laid down by the Australian Standard 1055.2 - 1997 (Appendix A, Noise Area, Category R3) for residential areas by day and night at the edge of the nearest residential zone;
- (iii) hours of operation within the slipyards, other than within a building, shall be limited to 7.00 a.m. to 9.00 p.m..

(c) Car Parking and Access

- (i) Vehicle parking spaces shall be provided as follows:

outside working area:	2 spaces per slipway
retail storage, display and sales:	1 space per 30 square metres
workshop and storage:	1 space per 100 square metres
office, galleries, museum:	1 space per 80 square metres
restaurant, café:	1 space per 5 seats
other:	as determined by the Council having regard to Schedule C - Traffic

- (ii) access ways shall be kept clear of parked cars at all times;
- (iii) access to the site shall be only as approved by the City Engineer.
- (iii) a use must not require the on street parking, loading, unloading or manoeuvring of vehicles associated with its operation.

(d) Heritage Values

To ensure that outdoor storage or display shall not detract from the heritage significance of the place or the character of the area,

- (i) no boats or accessories shall be displayed for sale in the open, except in areas defined and approved by the Council;

- (ii) there shall be no storage of other goods or materials outside of a building other than those that are used as part of outdoor slipway activity.
- (e) Unleased Open land
 - (i) the undeveloped openness and public access to the unleased parts of the Slipyards, in particular the heritage values of the former Ross Patent slip, shall be maintained and reinforced through minimal development low key structures such as interpretation and the installation of public seating.

H. SLIPYARDS BUILDING SCHEDULE

H.1 General Requirements

In considering new buildings or structures or alterations or extensions to existing buildings or structures in the Slipyards Zone, the Council shall have regard to the need to ensure:

- (a) that the traditional scale, openness and general informality of buildings, slipways and work spaces is maintained;
- (b) that the built form does not detract aesthetically from the character and appearance of the area.

H.2 Conditions

All development shall be consistent with the above requirements and with the 'tenor' of the 'Scheme', and unless the 'Council' otherwise approves, the following conditions shall be met:

- (a) Siting and Density
 - (i) The traditional disposition of buildings and their relationship to slipways and working areas shall be maintained;
 - (ii) New buildings and works shall be in keeping with the character of the area, in terms of building size and traditional forms, openness and general informality of layout, and be in accordance with a Conservation Plan that shall be submitted with any development that either extends the footprint of existing buildings or involves development in the outdoor work or other open areas of the Slipyards.
- (b) Height
 - (i) A building shall not exceed a maximum eaves height above ground floor level of six (6) metres and an overall height to the roof ridge of 7.5 metres, but building higher than 6.0 metres to eaves and 7.5 metres to ridge may be approved where it can be demonstrated that the visual impact is not significantly greater than would result from a building satisfying these limits.
- (c) Construction and Materials
 - (i) Construction type and material used shall be similar to the traditional slipyard buildings, i.e. stud-framed walling with appropriate cladding;

- (ii) Buildings shall be insulated with appropriate materials to ensure that noise and other emissions are contained to comply with relevant environmental protection legislation.

- (d) Appearance
 - (i) design should be such that the height bulk and shape is similar to traditional slipyard buildings;
 - (ii) the principal building of any leased area and any lean-to buildings must be of a gable end design and similar in pitch to traditional slipyard buildings roofs in the area, ideally between 15° and 30° and buildings of different form and roof pitch will only be approved where it can be demonstrated that the design is in keeping with those historically present on the site of the particular lease area.

- (e) Public Access
 - (i) Public access to the waterfront and to the foreshore as available at the commencement date of amendment 1/2006 must be retained, and existing approved or otherwise legally fenced areas not extended. Further restriction on public access will be approved only where it can be demonstrated that alternative satisfactory access is available in a manner that both public safety is assured and adequate security for property is provided.

- (f) Signs
 - (i) Only wall mounted signs not exceeding a total of 2m² in area are to be displayed on the front of the principal building, but Council may approve signs totalling more than 2m² in area provided they do not detract from the external appearance of the property and do not adversely affect the streetscape in the vicinity.

I. TELECOMMUNICATIONS INFRASTRUCTURE SCHEDULE

I.1 PRINCIPLES

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

I.2 USE OR DEVELOPMENT

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

I.2.1 Relationship To The Scheme

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

I.2.2 Matters For Consideration

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

I.2.3 Definitions

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

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

Low Impact Facilities

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

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

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

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

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

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

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

I.3 EXEMPTIONS

The following development is exempt from requiring a planning permit:

- i. the installation and development of *low-impact facilities*;
- ii. works involved in the inspection of land by a carrier to identify suitability for its purposes;

- iii. the installation and development of a facility granted a facility installation permit by the Australian Communication Authority;
- iv. works involved in the maintenance of telecommunication facilities;
- v. works meeting the transitional arrangements defined in Part 2 of Schedule 3 of the *Telecommunications Act 1997*; and
- vi. the connection of a telecommunications line forming part of a telecommunications network to a building, structure, caravan or mobile home.

I.4 INFORMATION REQUIRED

I.4.1 Application requirements

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

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

I.4.2 Plans To Accompany Applications

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

- (a) the boundaries and dimensions of the site or the area affected by the development;
- (b) the location of any existing buildings on the site indicating those to be retained or demolished;

- (c) location of any proposed buildings on the site, and their relationship to buildings on adjacent sites, streets and accessways;
- (d) the use of adjoining properties;
- (e) Australian Height Datum Levels;
- (f) natural drainage lines, watercourses, coastal dunes, beach systems and wetlands; and
- (g) any proposals for the rehabilitation of the land on which the development is to occur.

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

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

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

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

OBJECTIVES

PERFORMANCE CRITERIA

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

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

Table 1 Checklist for Environmental Impact Report by Carriers

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

Table 2 Visual Assessment Checklist

<i>Context:</i>	<ul style="list-style-type: none"> • The visual catchment of the site (and installation). • The elements that go to make up the landscape or townscape context, including slope, cover, colour, vegetation or built environment, and major features. • The physical scale of the proposed telecommunication infrastructure. • Presence of other antennas and vertical elements. • Any special landscape value of the site. • Cumulative impact of this and further antennas. • Relationship to existing vegetation and the potential intrusiveness of the installation. • Relationship to buildings/structures.
<i>Siting:</i>	<ul style="list-style-type: none"> • Height of the antenna in relation to the surrounding landform. • Topographical features and natural vegetation. • Impact on skyline or treeline. • Distance from sensitive receptors.
<i>Appearance:</i>	<ul style="list-style-type: none"> • Materials (particularly relevant for ground installations). • Colour. • Reflectivity. • Design. • Height. • Antenna type and bulk. • Plant and room. • Proposed landscape work.
<i>Plans and Photos</i>	<ul style="list-style-type: none"> • A plan is to be prepared indicating the viewshed of the antenna, the location of any key viewing points. The scale of the plan will depend on the extent of visual impact.

J STORM SURGE AND FLOOD PRONE LAND SCHEDULE

J.1 Purpose of Schedule

J.1.1 The purpose of this Schedule is to ensure that the development of flood and storm surge prone land:

- (a) limits to acceptable levels the potential effect of flooding or storm surge on the well-being, health and safety of occupants, and
- (b) limits to acceptable levels the potential damage caused by flooding and storm surge to private and public property, and
- (c) is compatible with its periodic inundation; and
- (d) maintains the natural function of a floodplain to convey and store floodwaters during a flood, and
- (e) maintains existing floodways and, where appropriate, provides opportunities for the creation of new floodways.

J.2 Application of Schedule

J.2.1 This schedule applies to flood and storm surge prone land.

J.2.2 Development that complies with the Acceptable Solution in clause J.5.1 is permitted.

J.2.3 Development that does not comply with the Acceptable Solution in clause J.5.1 but demonstrates compliance with the applicable Performance Criteria in clause J.5.1 is discretionary.

J.2.4 Development that does not demonstrate compliance with either the Acceptable Solution or the Performance Criteria in clause J.5.1 is prohibited.

J.3 Definition of Terms in this Schedule

Annual Exceedance Probability (AEP)	means the likelihood of a flood of a given size or larger occurring in any one year, usually expressed as a percentage.
Australian Height Datum [Tasmania] (AHD83)	means the vertical geodetic datum as described in Chapter 8 of the Geodetic Datum of Australia Technical Manual.
Flood	means the temporary inundation of land by expanses of water that overtop the natural or artificial banks of a watercourse, estuary or dam.
Flood Level	means the level of a flood with a 1% AEP
Floodplain	means land subject to inundation by floods.
Flood Prone Land	means land known or likely to be subject to flooding during a flood with a 1% AEP
Floodway	means those areas of flood prone land aligned with both

	naturally and artificially defined channels where significant discharge of water occurs during floods.
Storm Surge Prone Land	means land below 3m AHD83 that identifies the 1% AEP storm surge.
Storm Surge Level	3m AHD83.

J.4 Application Requirements

J.4.1 Applications for development must be accompanied by the following information, unless Council is satisfied that the information is not relevant to the assessment of the proposal:

- (a) a site plan showing lot location, contours, any change in topography of the lot proposed by the development, building footprint and minimum finished floor level (FFL) of habitable rooms; and
- (b) an Urban Waterways Assessment or a Coastal Vulnerability Report, prepared by a suitably qualified person, in accordance with joint Australian/New Zealand Standard AS/NZS 4360:1999 Risk Management, which demonstrates that any Performance Criteria can be met; and
- (c) evidence that any proposed building or works is designed and can be constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood or storm surge event.

J.5 Standards for Development within Flood or Storm Surge Prone Land

J.5.1 Development on Flood or Storm Surge Prone Land

<p>Objective: To ensure that the design and siting of all development minimises the risk to life and property from flooding and storm surge and maintains the function of the floodplain.</p>	
Performance Criteria	Acceptable Solution
<p>P1.1</p> <p>The design and siting of development must:</p> <ul style="list-style-type: none"> (a) have habitable rooms with a FFL above the storm surge or at least 300mm above the flood level where new buildings or subdivision are proposed; and (b) ensure the free flow of flood or tidal waters; and (c) avoid concentrating flood or tidal waters, or intensifying flow velocity on land up or downstream; and (d) avoid net loss of flood storage and or conveyance on land within the Floodplain; and (e) avoid damage to or loss of existing or future proposed buildings or works, and the associated potential risk to human life from potential flood/storm surge; and (f) not increase the level of risk of hazard for the site or for adjoining or nearby properties or infrastructure; and (g) avoid or minimise the risk of water pollution from inundation of any materials, substances or wastes on the site. 	<p>A1</p> <p>Development is for the purpose of:</p> <ul style="list-style-type: none"> (a) a boundary adjustment; or (b) redevelopment, alteration, or addition to an existing building within an established urban area where; <ul style="list-style-type: none"> (i) the proposed FFL of any habitable room is located at least 300mm above the flood level or above the storm surge level; or (ii) is no lower than the existing FFL of any habitable room and is constructed of flood resistant materials; and (iii) it creates no greater obstruction to the floodway than the existing building; or (c) open space, play grounds, sporting fields, and any other use which by its nature requires access or proximity to a waterway or estuary and does not include any building with habitable rooms; or (d) flood mitigation as part of a floodplain or coastal management plan approved by Council; or (e) earthworks and retaining walls less than 1m above natural ground level.

K SIGNIFICANT TREES SCHEDULE

K.1 Purpose of Schedule

K.1.1 The purpose of this schedule is to:

- a) control the lopping, pruning, removal or destruction of trees that are considered to be significant for reasons including; aesthetics, size, age, species, cultural value or contribution to the streetscape; and
- b) retain the amenity, aesthetic character and cultural value that significant trees contribute to areas of high quality and distinctive urban character.

K.2 Application of Schedule

K.2.1 This schedule applies to the lopping, pruning, removal or destruction of trees listed in Table K.1.

K.2.2 The Council has a discretion to refuse or permit the lopping, pruning, removal or destruction of any tree listed in Table K.1.

K.2.3 The requirement to obtain a permit does not apply if the removal, destruction or lopping of a tree is necessary for emergency access or emergency works by a public authority or the tree poses an immediate danger to persons or property.

K.2.4 The requirement to obtain a permit does not apply to lopping or pruning a tree to improve its health or appearance, provided its normal growth habit is not retarded.

K.2.5 In its consideration of applications for the lopping, pruning, removal or destruction of any tree listed in Table K.1 Council must have regard to the following:

- (a) the impact that the proposed tree removal, lopping or pruning would have on the character of the area or the appearance of development on the site; and
- (b) whether the removal or destruction of the tree is appropriate due to the tree being near the end of its expected life span or being in poor health; and
- (c) the proposed means of lopping, pruning, destruction or removal of vegetation; and
- (d) the need to maintain and protect the amenity value of the tree and the general area and its landscape and heritage significance; and
- (e) any hazards the tree poses to the health, welfare and safety of persons and to property; and

- (f) the impact on the appearance of any place of cultural heritage significance; and
- (g) whether the pruning or lopping will adversely affect the health, appearance or significance of the tree.

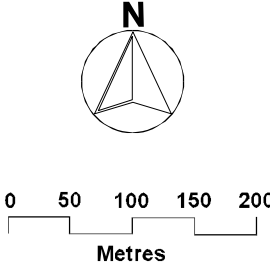
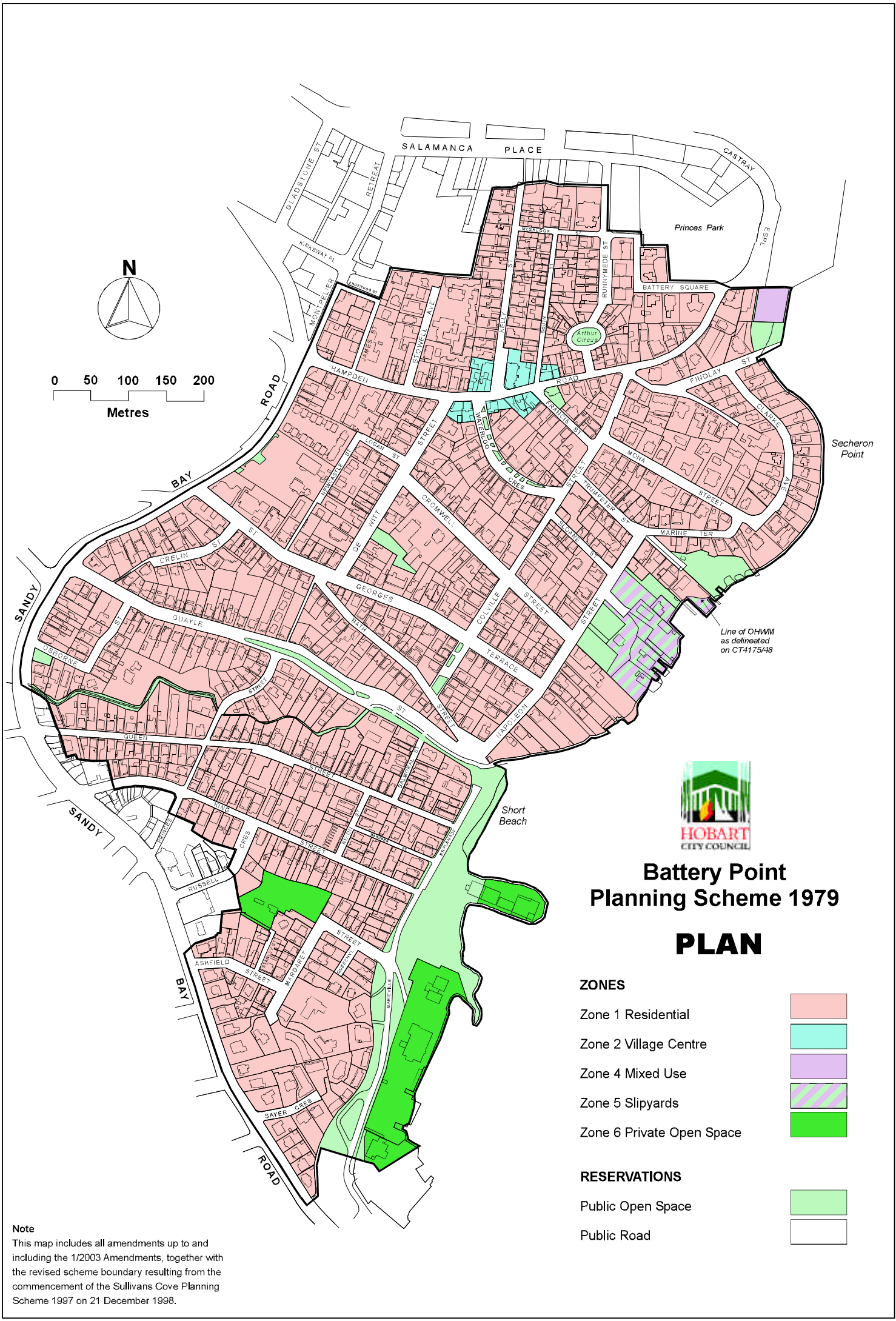
K.3 Definition of Terms in this Schedule

Destruction	means to burn, fell, ringbark, pollard, push over, rip, poison or cut the roots of a tree.
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Table K.1 Significant Trees

Street Number	Street / Property / Location	Ref No*.	Botanical name	Common name	No. of trees
	Arthur Circus	A1	<i>Aesculus hippocastanum</i>	Horse chestnut	3
30	Cromwell Street	C1	<i>Abies numidica</i>	Algerian fir	1
30	Cromwell Street	C2	<i>Abies pinsapo</i>	Spanish fir	1
80-82	Hampden Road	H1	<i>Ulmus procera</i>	English elm	1
103	Hampden Road	H2	<i>Fraxinus excelsior</i>	English ash	1
	Quayle Street (median strip)	Q1	<i>Platanus x hispanica</i>	Plane tree	23
	Quayle Street (opposite 4 Quayle Street)	Q2	<i>Eucalyptus globulus</i>	Blue gum	1
	Sandy Bay Road (road reserve adjacent to 74 Sandy Bay Road)	S1	<i>Ulmus procera</i>	English elm	3
	Sandy Bay Road (road reserve adjacent to 82 Sandy Bay Road)	S2	<i>Ulmus procera</i>	English elm	4
	Sandy Bay Road (road reserve adjacent to 82 Sandy Bay Road)	S3	<i>Cupressus torulosa</i>	Bhutan cypress	1

*Reference number in Battery Point Significant Tree Register



Battery Point Planning Scheme 1979

PLAN

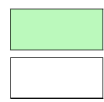
ZONES

- Zone 1 Residential
- Zone 2 Village Centre
- Zone 4 Mixed Use
- Zone 5 Slipyards
- Zone 6 Private Open Space



RESERVATIONS

- Public Open Space
- Public Road



Note
This map includes all amendments up to and including the 1/2003 Amendments, together with the revised scheme boundary resulting from the commencement of the Sullivan's Cove Planning Scheme 1997 on 21 December 1998.