
Model Standards

for Use and Development to Assist in Implementing the

State Coastal Policy

Purpose

The State Coastal Policy is structured as a set of objectives and outcomes for the coastal area of Tasmania. The Policy will be implemented through planning schemes and other instruments that manage and control use or development in the coastal area. The Model Standards provide an example for planning authorities of the types of provisions that need to be addressed to incorporate the State Coastal Policy in planning schemes.

The standards cover both use and development activities.

Planning authorities may modify these Model Standards, or develop their own to meet their specific circumstances together with the objectives and outcomes of the Policy. It is recommended that the standards are referred to when reviewing existing planning schemes and preparing new ones. These Standards are intended to serve as a guide to Councils and are not for the purpose of determining appeals against development applications. The Model Standards will be considered by the RPDC in its assessment of amendments to existing schemes and its assessment of new draft schemes.

Background

The legislation under which the State Coastal Policy was developed (the *State Policies and Projects Act*) clearly outlines that the primary mechanism for implementing State policies is via provisions in planning schemes that are developed under the *Land Use Planning and Approvals Act 1993* (LUPAA).

All planning authorities need to ensure that each of the planning schemes for which they are responsible, have provisions that seek to achieve the outcomes identified in a State policy.

Currently planning authorities employ various levels of provisions in their planning schemes that are directed at achieving the outcomes of the State Coastal Policy. In some schemes this is a generic clause requiring compliance with the Policy, whilst others have made more substantial changes.

To assist planning authorities that need to make amendments to their planning schemes to achieve these outcomes, a number of standards have been prepared. These are included in this paper. The standards have been developed with the objective that use and development in coastal areas occurs in a sustainable manner by maintaining, enhancing and restoring the natural, cultural, social and economic assets and values of Tasmania's coast. Most of these standards have a wider application than just coastal areas.

These standards would normally be included in various planning scheme provisions dealing with zones, or in schedules applying to the coastal area as defined in the planning scheme.

The standards are based on the best reference information available at the time of preparation. If more detailed or up-to-date information is available, this information should be substituted in the standard. For example, if more detailed geological or topographical mapping is available that can more accurately define the "storm surge hazard area" in the Sea Level Rise and Storm Surge standards, this mapping should be referred to rather than that which currently forms the basis of the setbacks in Table 1.

These standards have been prepared in accordance with the approach outlined for the structure and content of Tasmania's planning schemes contained in Planning Directive No. 1.

Therefore, if an acceptable solution¹ is complied with, the particular standard is deemed to be met. If an acceptable solution for an applicable standard is not complied with, the application must be assessed against the performance criteria² and determined in accordance with s.57 of LUPAA, unless the use or development is exempt, permitted or prohibited by any other provision of the planning scheme.

To be approved an application for use or development to which such standards apply, must demonstrate to the satisfaction of the planning authority that either the acceptable solutions or the performance criteria for all the applicable standards will be complied with, along with other standards and requirements of the planning scheme.

Contents

The following standards are set out in the order outlined in the framework for schedules in the Template Guide that has been produced to assist in the use of Planning Directive No. 1:

Water Quality

Coastal Management

Coastal processes

¹ An acceptable and measurable way of meeting a performance criterion.

² An outcome to be achieved in meeting the objective for the particular issue, usually requiring judgement to determine if it has been met.

Sea level rise and storm surge

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Cultural Heritage

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Water Quality

Defined Terms

Wetlands - means depressions in the landscape or areas of poor drainage that hold water derived from ground water and surface water runoff and support plants adapted to partial or full inundation.

Waterways - means natural depressions, consisting of a defined channel with a bed and banks that carry perennial or intermittent flows of surface water for all or part of the year.

Use Standards

Objective: To maintain and improve the quality of ground, surface and coastal waters.	
Performance Criteria	Acceptable Solution
Pedestrian and vehicle access and outdoor recreation activities must be managed to avoid, remedy or mitigate erosion or pollution, leaching of acidic soils, disturbance of sediments or an increase in nutrient levels or turbidity in receiving waters.	Pedestrian and vehicle access, and outdoor recreation activities are on sealed surfaces or areas drained to approved stormwater systems or do not cause erosion of soils or dunes.
Marine and industrial activities and use of slipways, wharves, jetties, boat ramps and marinas must be managed to avoid, remedy or mitigate adverse effects on water quality including adverse affects from contaminants, wastes, oil and grease, and liquid and solid wastes from boats.	Solid and liquid wastes, spillages and other contaminants from boats, marine and industrial activities and use of slipways, wharves, jetties and boat ramps are drained to a sump and collected, treated and/ or disposed of to an approved waste disposal site or sewer.

Development Standards

Objective: To maintain and improve the quality of ground, surface and coastal waters.	
Performance Criteria	Acceptable Solution
Wastewater and stormwater from development must be collected and disposed of without causing erosion or pollution of ground, surface or coastal waters sufficient to meet the objectives of the <i>State Policy on Water Quality Management 1997</i> .	(a) Wastewater from buildings is piped to a reticulated or on-site Council approved treatment system; and (b) roofs, hard surfaces and development sites are drained to a reticulated stormwater system, and/or in accordance with an approved storm-water management plan.
Works in wetlands and waterways must avoid, remedy or mitigate any adverse effects on water quality.	Works in wetlands and waterways are carried out in accordance with the <i>Wetlands and Waterways Works Manual DPIWE 2003</i> .

Coastal Management

Defined Terms

Coastal dependent use – means a use that needs to be on the coast in order for it to adequately and appropriately fulfil its function.

Natural coastal processes - means the action of non-managed forces on the shoreline and near-shore seabed and includes the effect of storm activity, erosion and deposition, movement of dunes, long shore drift, inundation and the like.

Use Standards

Objective: To enable natural coastal processes to continue.	
Performance Criteria	Acceptable Solution
Activities must be managed to avoid, remedy or mitigate any adverse effects on natural coastal processes.	Activities are located on existing sealed surfaces, boardwalks, wharfs, piers, jetties or other marine structures.

Development Standards

Objective: To enable natural coastal processes to continue.	
Performance Criteria	Acceptable Solution
<p>Development, including reclamation, sand mining, sand extraction and dredging, in, on, over, or under coastal waters and within 30m landward of:</p> <ul style="list-style-type: none"> (i) high water mark; or (ii) the top of any coastal cliff or bluff; or (iii) a coastal dune system <p>(a) must only be for the purpose of:</p> <ul style="list-style-type: none"> (i) protecting natural coastal processes or natural and cultural values from the effects of human related activities; or (ii) an existing or coastal dependent use that cannot be located elsewhere; or (iii) residential infill development between existing residences; or (iv) the development provides an overriding community benefit and a suitable alternative site is not available; <p>and</p>	<p>Development is at least 30 metres inland from:</p> <ul style="list-style-type: none"> (i) high water mark; and (ii) the top of any coastal cliff or bluff; and (iii) a coastal dune system.

<p>(b) Must be designed, sited and managed to avoid, remedy or mitigate any adverse effects on:</p> <ul style="list-style-type: none"> (i) any coastal dune system, cliff or bluff; (ii) wind, water movement and wave behaviour; (iii) natural cycles of deposition and erosion; (iv) natural processes of near shore sediment transport; (v) fluctuations in the location and disposition of dunes, river mouths, sandbars and beaches; and (vi) the integrity or safety of structures or facilities associated with the development; and <p>(c) Must be designed, sited and managed to avoid or minimise the need for ongoing maintenance including dredging.</p>	
<p><i>Note:</i> <i>Demonstration of compliance with the performance criteria for this standard is likely to require submission of a report, by a suitably qualified person, which provides, where relevant:</i></p> <ul style="list-style-type: none"> (a) <i>data on seabed characteristics and the expected impacts and means of mitigation;</i> (b) <i>proposed methods of removing excavated material or undertaking reclamation works, including methods and location of disposal;</i> (c) <i>a plan of management for the disposal of extracted material which adequately explains the processes and procedures to be followed in extraction, transporting and disposing of all extracted materials obtained;</i> (d) <i>details of proposed dredging, including timing and excavated material disposal and measures to mitigate any impacts;</i> (e) <i>treatment of land/water interface including design of batters if reclamation is to occur; and</i> (f) <i>an assessment of the risk of acidic soils and means of mitigation.</i> 	

Sea Level Rise and Storm Surge

Development Standards

<p>Objective: To protect people and property from sea level rise and storm surge.</p>	
Performance Criteria	Acceptable Solution
<p>Buildings or works that are located on a site which is below 3m AHD¹ or within the Storm Surge Hazard Setbacks specified in Table 1 must ensure:</p> <ul style="list-style-type: none"> (i) the potential risks are minimised by siting or structural methods that avoid damage to or loss of the buildings or works and ensure that lives are not placed at risk; and 	<p>Buildings and works are:</p> <ul style="list-style-type: none"> (a) on land above 3m AHD¹; and (b) beyond the relevant Storm Surge Hazard Setback for the type of coastline shown in Table 1.

¹ Australian Height Datum

<p>(ii) the level of hazard risk for the site or for adjoining or nearby properties or infrastructure is not increased; and</p> <p>(iii) the risk of water pollution from inundation of any materials, substances or wastes on the site is avoided or minimised; and</p> <p>(iv) the need for future engineering or remediation works is avoided or minimised and their likely costs to the community do not exceed the community benefit of the development.</p>	
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Table 1 Setbacks to protect against Rising Sea Level/Storm Surge Flooding

<i>Type of Coastline</i>	<i>Storm Surge Hazard Setback</i>
Sloping hard rock shores (low risk)	Storm surge hazard area mapped
Sandy Shores backed by bedrock (moderate risk)	Storm surge hazard area mapped + 5m
Sandy Shores backed by sandy plain to below sea level (high risk)	Storm surge hazard area mapped + 90m
Type of coastline not classified	Storm surge hazard area mapped + 50m

Note:

The "Storm surge hazard area" is mapped according to work by Sharples for DPIWE in 2005. This area is calculated for the entire Tasmanian coastline. The relevant maps will need to be incorporated into the planning scheme in accordance with the RPDC Planning Advisory Note on incorporation of documents.

The "Type of coastline" is mapped for the majority of vulnerable areas of Tasmania and indicated as a coloured line on the maps prepared by Sharples.

Coastlines have been classified as hard rock shores, sandy shores backed by bedrock and sandy shores backed by sandy plains. Where no mapping of the type of coastline has been carried out, but the storm surge areas have been mapped, a default setback of 50m applies over and above the mapped "Storm surge hazard area".

Natural Heritage

Vegetation Management

Defined Terms

Native vegetation – means terrestrial and aquatic vegetation of the type that was present on the site prior to European occupation.

Weeds - mean declared weeds identified by the *Weed Management Act 1999* and those identified by a relevant approved State, regional or local weed management plan.

Use or Development not Requiring a Permit

Clearing of *native vegetation* for the following purposes does not require a permit:

- (i) for fire hazard reduction in accordance with an abatement order under the *Local Government Act 1993* or the *Fire Service Act 1979*;
- (ii) for fire hazard reduction carried out by or on behalf of the Tasmanian Fire Service, Council or any Public Authority;
- (iii) for fire management purposes in accordance with an approved fire management plan;
- (iv) for the maintenance and repair of infrastructure, including roads, tracks, footpaths, drains, sewers, power lines, pipelines and telecommunications facilities but not including upgrading of informal vehicle or pedestrian tracks;
- (v) for the removal and destruction of *weeds* in accordance with an approved State, regional or local management plan;
- (vi) for the purpose of normal maintenance of vegetation within a garden not otherwise protected by covenant or other legislation;
- (vii) replanting with *native vegetation* in accordance with an approved Land Care, Coast Care or reserve management plan;
- (viii) where necessary to implement an existing planning permit or permit under the Resource Management and Planning System; and
- (ix) in accordance with an approval under a statutory process administered by the State or a Vegetation Management Agreement approved under State legislation.

Development Standards

Objective: To maintain, manage and where appropriate rehabilitate and enhance native vegetation as a means of protecting ecosystems, biodiversity, land and water quantity and quality and visual values, and providing shelter, habitat and corridors for flora and fauna.	
Performance Criteria	Acceptable Solution
Any land clearing, excavation, sand removal, dredging and reclamation must avoid, remedy or mitigate adverse affects on the biological diversity, habitat, visual and ecosystem values of native vegetation.	(a) Development including bushfire hazard reduction, does not require removal of native vegetation on the site or on adjacent land; or (b) The removal or destruction of native vegetation is within a building envelope or area for bushfire protection shown on, or in accordance with any relevant conditions of an approved plan of subdivision.
Any adverse effects on nationally or State listed rare, vulnerable or endangered species or communities or related habitats must be avoided, remedied or mitigated.	Development does not impact on any threatened species listed or critical habitat determined under the <i>Threatened Species Protection Act 1995</i> or the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .

Soil sourced from off the site for landscaping, re-vegetation, rehabilitation or site works must be treated and managed to avoid the introduction and establishment of weeds and pathogens, and carried out in accordance with any Weed Management Plan where current and relevant.	<p>(a) Soil used for any landscaping, re-vegetation, rehabilitation or site works uses only soil from the site or from a sterilised source, and</p> <p>(b) Any landscaping uses only indigenous plant species or exotic species that are not declared weeds.</p>
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Note:

Demonstration of compliance with the above performance criteria may require the submission of an environmental management plan and / or rehabilitation plan

Geodiversity

Defined Term

Geodiversity – means the natural range (diversity) of geological (bedrock), geomorphological (landform) and soil features, assemblages, systems and processes. Geodiversity includes evidence for the past life, ecosystems and environments in the history of the earth as well as a range of atmospheric, hydrological and biological processes currently acting on rock, landforms and soils.

Development Standards

Objective: To conserve geological and geomorphological features with geodiversity values.	
Performance Criteria	Acceptable Solution
Adverse impacts on any geodiversity values must be avoided, remedied, mitigated or managed.	Development does not affect any site listed on the Tasmanian Geoconservation Database or protected under the <i>Nature Conservation Act 2002</i> .

Hydrological/Geological Hazard

Flooding

Development Standards

Objective: To protect people and property from flood hazard.	
Performance Criteria	Acceptable Solution
No building or works (including depositing fill) must be located on land that is flood prone unless: <p>(i) the potential risks are minimised by siting or structural methods that avoid damage to or loss of the buildings or works and</p>	Buildings and works (including depositing fill) are located outside land mapped as within a 1 in 100 year flood area.

<p>ensure that lives are not placed at risk; and</p> <p>(ii) the level of risk of hazard for the site or for adjoining or nearby properties or infrastructure is not increased; and</p> <p>(iii) the risk of water pollution from inundation of any materials, substances or wastes on the site is avoided or minimised; and</p> <p>(iv) the need for future engineering or remediation works is avoided or minimised and their likely costs to the community do not exceed the community benefit of the development.</p>	
See Note 1 below on compliance with performance criteria	

Land Stability

Defined Terms

Declared landslip area – means an area of land declared under Part 9A of the *Mineral Resources Development Act 1995* to be an A landslip area or a B landslip area.

Identified debris flow area – an area identified as a potential debris flow hazard zone on the Tasmanian Landslide Hazard Series maps produced by Mineral Resources Tasmania.

Development Standards

Objective: To minimise landslip hazard.	
Performance Criteria	Acceptable Solution
Development on steep land, a declared landslip area, or within an identified debris flow area must be protected from stability hazard and not increase the hazard on the site or other property.	Development is not on land with a slope greater than 1 in 3, within any declared landslip area, or within an identified debris flow area.
See Note 1 below on compliance with performance criteria	

NOTE 1 Compliance with Performance Criteria for Flooding and Land Stability

Demonstration of compliance with the performance criteria for Flooding and Land Stability are likely to require the submission of a report by a suitably qualified person, which provides, where relevant:

- a) an assessment of the stability of the site;
- b) an assessment of the impact that the proposed development (including all proposed buildings, roads, excavation and/or filling, access and drainage works) would have on flood and/or stability hazard on the site and elsewhere; and
- c) requirements (including, where relevant, preferred locations, construction methods and management regimes for buildings, foundations, roads, excavation and/or filling, storm and waste water drainage, landscaping and other works) which are necessary to be incorporated into the development to reduce the level of risk to life and property (whether on the site or not) to an acceptable level.

Recreation and Open Space

Public Open Space and Pedestrian Access

Development Standards

Objective: To provide, maintain and enhance public open space and public pedestrian access.	
Performance Criteria	Acceptable Solution
(a) Suitable public open space must be provided where necessary for public recreation or conservation purposes; and (b) Appropriate provision must be made to create or extend a pedestrian network or to provide access to nearby public land particularly coastal reserves and community facilities to meet current and future community needs.	A public reserve and/or public access is provided in accordance with a Council Open Space Strategy or Policy or Coastal Management Plan incorporated into the planning scheme under s.20(2)(g) of the <i>Land Use Planning and Approvals Act 1993</i> .

Public Safety and Public Amenities

Development Standards

Objective: To ensure an adequate level of public safety and public amenities.	
Performance Criteria	Acceptable Solution
Development must not adversely affect public safety or the safety of vessels and aircraft.	Development does not cause a safety hazard to people, boats or aircraft by obstructing navigation channels or routes, or obscuring or conflicting with navigation lights or facilities.
Adequate and appropriate equipment for the safety and amenity of the public must be provided in accordance with any relevant public risk assessment report.	Public amenities and safety equipment including life-saving equipment are provided where the development creates a new or additional need for such facilities.

Cultural Heritage

Aboriginal Heritage

Development Standards

Objective: To conserve Aboriginal heritage.	
Performance Criteria	Acceptable Solution
(a) Direct or indirect adverse impacts on any Aboriginal relic must be avoided, remedied or mitigated; and (b) Development of or within any site or landscape identified as having Aboriginal heritage value must be respectful of the cultural setting, in terms of siting; form; size and proportions; fenestration; colours and landscaping.	Development does not affect any site or landscape identified as having Aboriginal heritage value. Note: Where development involves clearing of native vegetation or disturbance of soil in a previously undisturbed area, an archaeological survey may be required to demonstrate compliance with this acceptable solution.

Historic Heritage

Defined Term

Adjacent – means alongside, behind or diagonally behind or directly opposite on the other side of the street.

Development Standards

Objective: To conserve historic heritage.	
Performance Criteria	Acceptable Solution
Development on or adjacent to a listed place or within a heritage area on the Tasmanian Heritage Register or listed in the planning scheme as having historic heritage value must avoid or minimise any likely adverse effects on the historic values of the listed place.	Development is not located on or adjacent to a listed place or within a heritage area on the Tasmanian Heritage Register or included in the planning scheme as having historic heritage value.

Visual Quality

Development Standards

Objective: To conserve natural landscapes and visual values.	
Performance Criteria	Acceptable Solution
<p>Development including subdivision and strata subdivision and transport infrastructure:</p> <ul style="list-style-type: none"> (a) must not create, extend, add to or result in ribbon development; and (b) must ensure that the visual impact of new roads and driveways, particularly those which are parallel to the coast or cross contours, is kept to a minimum; and <p>Buildings or structures on ridgelines, skylines, shorelines or undeveloped slopes visible from any identified tourist route, public reserve, lookout, or tourist attraction:</p> <ul style="list-style-type: none"> (a) must be respectful of the natural and man-made settings, in terms of siting; form; size and proportions; fenestration; colours and landscaping; (b) must minimise the amount of cut and fill; (c) must not result in levels of reflection from surfaces including glass and unpainted reflective metal surfaces which impact on the visual quality; and <p>must minimise clearance of screening vegetation where it is present or otherwise provide adequate screening planting.</p>	<p>Development including subdivision and strata subdivision is within residential, mixed use, industrial, business or commercial type zones and below the 70m contour and not on slopes steeper than 1 in 4; and</p> <ul style="list-style-type: none"> (a) buildings are setback more than 10m from any littoral or riparian reserve; and (b) (b)buildings within 30 m of HWM or any littoral or riparian reserve: <ul style="list-style-type: none"> (i) are single storey; (ii) have windows in a coast facing wall which do not exceed 50% of the wall area, unless using black glass; and (iii) use any material other than unpainted metal cladding on external surfaces.