

3.4

URBAN LOCALITY

A. RESIDENTIAL ZONE

Residential Zone

TABLE 5A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
<p>Annexed unit:</p>	<p>Self assessable: All except if code assessable as follows.</p> <p>Code assessable: If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code;</p> <p>or</p> <p>(ii) in the SMOA on SMOA map 2A to 2C;</p> <p>or</p> <p>(iii) on a Cultural Heritage Site shown on SMOA map 2F.</p>	<p>Applicable Codes:</p> <p><i>For self assessable development:</i></p> <p>§ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (d), (e) and (g).</p> <p><i>For assessable development:</i></p> <p>§ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and</p> <p>§ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (d), (e) and (g);</p> <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2A to 2C inclusive:</p> <p>§ Natural Features and Resources Overlay Code – Elements (a) to (f) inclusive</p> <p>(ii) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p>
<p>Bed and breakfast:</p>	<p>Self assessable: All except if code assessable as follows.</p> <p>Code assessable: If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code;</p> <p>or</p> <p>(ii) in the SMOA on SMOA map 2B and 2C;</p> <p>or</p> <p>(iii) on a Cultural Heritage Site shown on SMOA map 2F.</p>	<p>Applicable Codes:</p> <p><i>For self assessable development:</i></p> <p>§ Bed and Breakfast and Small Scale Tourist Facility Code.</p> <p><i>For assessable development:</i></p> <p>§ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and</p> <p>§ Bed and Breakfast and Small Scale Tourist Facility Code;</p> <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(ii) If in a SMOA on SMOA map 2B or 2C:</p> <p>§ Natural Features and Resources Overlay Code – Elements (b) to (f)</p>
<p>Caravan park:</p> <p>NOTE: Caravan park is an inconsistent use (refer SO2 in 3.4.2)</p>	<p>Code assessable: All circumstances</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code;</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(ii) If in a SMOA on SMOA map 2A to 2C inclusive:</p> <p>§ Natural Features and Resources Overlay Code – Elements (a) to (f) inclusive</p> <p>(iii) If in a SMOA on SMOA map 2E:</p> <p>§ Community Facility Overlay</p>

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TABLE 5A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
Caretakers residence:	Code assessable: All circumstances	<u>Applicable Codes:</u> § Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and § Dwelling House, Annexed Unit and Caretakers Residence Code - Elements (a), (b), (e), (f) and (g); AND (i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2B or 2C: § Natural Features and Resources Overlay Code – Elements (b) to (f)
Dwelling house: NOTE: <i>More than 2 Dwelling houses (or a Dwelling house and Caretakers residence) on the site is an inconsistent use (refer SO2 in 3.4.2)</i>	Self assessable: All except if code assessable as follows. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) for more than 1 <i>Dwelling house</i> (or a <i>Dwelling house</i> and a <i>Caretakers residence</i>) on a site; or (iii) in a SMOA on SMOA map 2B; or (iv) on a Cultural Heritage Site shown on SMOA map 2F.	<u>Applicable Codes:</u> <i>For self assessable development:</i> § Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (g) and (h). <i>For assessable development:</i> § Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and § Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (g) and (h); AND <i>For assessable development:</i> (i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2A to 2C inclusive: § Natural Features and Resources Overlay Code – Elements (a) to (f) inclusive
Estate office:	Code assessable: All circumstances	<u>Applicable Code:</u> § Urban Locality Code
Home-based business:	Code assessable: All circumstances	<u>Applicable Codes:</u> § Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and § Home-based Business Code; AND (i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2B or 2C: § Natural Features and Resources Overlay Code – Elements (b) to (f)

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TABLE 5A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
Multiple dwelling unit:	<p>Code assessable:</p> <p>If:</p> <p>(i) for two dwelling units;</p> <p>or</p> <p>(ii) for 3 or more dwelling units within 400m of the edge of the Business and Commercial Zone.</p> <p>Impact assessable:</p> <p>All circumstances except if code assessable.</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code; and</p> <p>§ Multiple Dwelling Unit, Accommodation Building and Retirement Village Code;</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(ii) If in a SMOA on SMOA map 2A to 2C inclusive:</p> <p>§ Natural Features and Resources Overlay Code – Element (a) to (f) inclusive</p> <p>(iii) If in a SMOA on SMOA map 2E:</p> <p>§ Community Facility Overlay Code</p>
Retirement Village:	<p>Impact assessable:</p> <p>All circumstances</p>	
(c) Commercial Use Classes		
<p>All defined Commercial uses:</p> <p>NOTE:</p> <p>All defined Commercial uses except for a:</p> <p>- Shop (under 50sqm in gross floor area)</p> <p>- Small-scale tourist facility</p> <p>are inconsistent uses (refer SO2 in 3.4.2)</p>	<p>Code assessable:</p> <p>All except if impact assessable as follows.</p> <p>Impact assessable:</p> <p>If for a:</p> <p>(i) Shop (under 50 sqm in gross floor area);</p> <p>or</p> <p>(ii) Small-scale tourist facility.</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code;</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(ii) If in a SMOA on SMOA map 2B or 2C:</p> <p>§ Natural Features and Resources Overlay Code – Elements (b) to (f)</p> <p>(iii) If in a SMOA on SMOA map 2E:</p> <p>§ Natural Features and Resources Overlay Code</p>
(d) Industrial Use Classes		
<p>All defined Industry uses:</p> <p>NOTE:</p> <p>All defined Industrial uses are inconsistent uses (refer SO2 in 3.4.2)</p>	<p>Code assessable:</p> <p>All circumstances</p>	<p>Applicable Codes:</p> <p>(i) For Service Station or Car Washing Station:</p> <p>§ Urban Locality Code – all Elements except (b) and (c)(i); and</p> <p>§ Service Station and Car Washing Station Code;</p> <p>(ii) For Extractive Industry or Borrow Pit:</p> <p>§ Urban Locality Code – all Elements except (b) and (c)(i); and</p> <p>§ Extractive Industry and Borrow Pit Code</p> <p>(iii) For other defined Industrial Uses not listed above:</p> <p>§ Urban Locality Code;</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(ii) If in a SMOA on SMOA map 2B or 2C:</p> <p>§ Natural Features and Resources Overlay Code – Elements (b) to (f)</p>

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TABLE 5A - Material Change of Use¹		
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(f) Recreational Use Classes		
Park:	Exempt: All circumstances	Nil
Other defined Recreational uses not listed above:	<p>Self assessable: If on Council controlled land except if:</p> <ul style="list-style-type: none"> (1) for more than a 10% increase calculated from the commencement day: <ul style="list-style-type: none"> a. in gross floor area, or b. in car parking demand, (2) needing a liquor licence, (3) on land in the SMOA on SMOA map 2A to 2C, 2E or 2F, or (4) involving floodlighting. <p>Code assessable: If:</p> <ul style="list-style-type: none"> (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; <p>or</p> <ul style="list-style-type: none"> (ii) on Council controlled land and not meeting the circumstances for self assessment above. <p>Impact assessable: All other circumstances except if self assessable or code assessable above.</p>	<p>Applicable Codes: <i>For all levels of assessment:</i> § Urban Locality Code; AND <i>For assessable development:</i></p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code (ii) If in a SMOA on SMOA map 2A to 2C inclusive: § Natural Features and Resources Overlay Code – Element (a) to (f) inclusive (iii) If in a SMOA on SMOA map 2E: § Community Facility Overlay Code
(2) DEVELOPMENT FOR UNDEFINED USES²:		
All:	Impact assessable: All circumstances	

² Development for undefined uses refers to proposals that do not fall within the ambit of a defined use as set out in Schedule 7.

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TABLE 5B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>All:</p> <p>NOTE: <i>A fence or wall forward of the building line and over 2 metres in height is an inconsistent development (refer SO14 of 3.4.2)</i></p>	<p>Code assessable:</p> <p>If for:</p> <p>(i) a building or structure having a:</p> <p style="padding-left: 40px;">(1) building height greater than the following measured from ground level:</p> <p style="padding-left: 80px;">a. 3.5 metres for a <i>Small-scale tourist facility, Bed and breakfast, Home-based business</i> or an outbuilding, or</p> <p style="padding-left: 80px;">b. 8.5 metres for habitable buildings or for a <i>Community use</i>; or</p> <p style="padding-left: 40px;">(2) site cover greater than the following for:</p> <p style="padding-left: 80px;">a. <i>Residential uses</i> on lots over 600sqm in area – 50%,</p> <p style="padding-left: 80px;">b. <i>Residential uses</i> on lots of 600 sqm or less – 60%,</p> <p style="padding-left: 80px;">c. <i>Industrial and Commercial uses</i> – 60%, or</p> <p style="padding-left: 80px;">d. other uses – 40%; or</p> <p style="padding-left: 40px;">(3) set back for a non-residential purpose of less than the following as measured from the property boundary:</p> <p style="padding-left: 80px;">a. 6 metres from any trafficable road, or</p> <p style="padding-left: 80px;">b. 1.5 metres to any other boundary;</p> <p>or</p> <p>(ii) a fence or wall forward of the building line and less than 50% transparent and over:</p> <p style="padding-left: 40px;">(1) 1.8 metres in height abutting trafficable roads, or</p> <p style="padding-left: 40px;">(2) 2 metres in height along other boundaries;</p> <p>or</p> <p>(iii) a retaining wall over 2 metres in height;</p> <p>or</p> <p>(iv) the displacement of more than 20 cubic metres of material;</p> <p>or</p> <p>(v) a building or structure on a Cultural Heritage Site shown on SMOA map 2F, except for building work internal to an existing building;</p> <p>or</p> <p>(vi) land in a Natural Hazard Risk Management Area for Flooding shown on SMOA map 2B.</p>	<p><u>Applicable Codes:</u></p> <p>(i) For building or structure height, site cover or set back:</p> <p>§ Urban Locality Code – Element (c)(ii) O11</p> <p>(ii) For fences and walls:</p> <p>§ Urban Locality Code - Element (c)(v)</p> <p>(iii) For displacement of material:</p> <p>§ Urban Locality Code - Elements (d) and (g);</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(ii) If in the SMOA for Natural Hazard Risk Management for Flooding on SMOA map 2B:</p> <p>§ Natural Features and Resources Overlay Code – Element (c)</p>

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TABLE 5B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>Placement of an advertisement device:</p> <p>NOTE:</p> <p>Placement of an advertisement device is an inconsistent development (refer SO15 in 3.4.2)</p>	<p>Code assessable:</p> <p>All circumstances</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code - Element (c)(vi), (d) and (g);</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p>
<p>Excavation and/or filling that materially affects premises:</p> <p>NOTE:</p> <p>Excavation and/or filling is inconsistent development if resulting in the capability to store, cause ponding to otherwise retain water (such as a dam)</p>	<p>Code assessable:</p> <p>If:</p> <p>(i) for a:</p> <p>(1) Telecommunications facility (medium impact); or</p> <p>(2) Major utility;</p> <p>or</p> <p>(ii) for a change in the ground level of more than 1 metre or if more than 50 cubic metres of material is filled or excavated.</p> <p>or</p> <p>(iii) in a Natural Hazard Risk Management Area for Flooding shown on SMOA map 2B.</p>	<p>Applicable Codes:</p> <p>(i) For Telecommunications Facility:</p> <p>§ Telecommunications Facilities Code.</p> <p>(ii) For Earthworks:</p> <p>§ Urban Locality Code - Element (g);</p> <p>AND</p> <p>(iii) If in the SMOA for Natural Hazard Risk Management for Flooding on SMOA map 2B:</p> <p>§ Natural Features and Resources Overlay Code – Element (c)</p>
<p>Works associated with reconfiguring a lot:</p>	<p>Code assessable:</p> <p>All circumstances</p>	<p>Applicable Code:</p> <p>§ Urban Locality Code – Element (b), (d), (f), (g).</p> <p>AND</p> <p>(i) If in a Natural Hazard Risk Management Area – Possible Flood Problem Area shown on SMOA map 2B:</p> <p>§ Natural Features and Resources Overlay Code – Element (c)</p>
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>Reconfiguring a lot:</p> <p>NOTE:</p> <p>Reconfiguring a lot is inconsistent development if resulting in a lot:</p> <p>1. comprising a hatchet or rear lot under:</p> <p>- 800sqm in area, or</p> <p>- 4000sqm in area in the Low Density residential preferred land use area, or</p> <p>2. under 400sqm in area.</p> <p>(Refer SO8 in 3.4.2)</p>	<p>Code assessable:</p> <p>All circumstances</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code - Elements (b), (d), (f) and (g);</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(ii) If in the SMOA for Natural Hazard Risk Management for Flooding on SMOA map 2B:</p> <p>§ Natural Features and Resources Overlay Code – Element (c)</p>
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>All:</p>	<p>Exempt:</p> <p>All circumstances</p>	<p>Nil</p>