

C. BUSINESS AND COMMERCIAL ZONE

3.4.1 – C - Business and Commercial Zone – Tables of Assessment Categories and Assessment Criteria

Business and Commercial Zone

TABLE 7A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) DEVELOPMENT FOR DEFINED USES AND USE CLASSES:		
(a) Rural Use Classes		
<p><i>All defined Rural uses:</i></p> <p>NOTE: <i>All defined Rural uses are inconsistent uses (refer SO2 in 3.4.2)</i></p>	<p>Code assessable: All circumstances</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code;</p> <p>AND</p> <p>(i) For Animal Keeping or Intensive Animal Husbandry:</p> <p>§ Animal Keeping and Intensive Animal Husbandry Code.</p> <p>(ii) For Farming:</p> <p>§ Farming Code.</p> <p>(iii) For Forestry Business:</p> <p>§ Forestry Business 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 the IHS footprint SMOA on SMOA map 2E(i):</p> <p>§ Community Facility Overlay Code</p>
(b) Residential Use Classes		
<p>Bed and breakfast:</p> <p><i>Uses for Bed and Breakfast is an inconsistent use if within the 200 metre buffer around General industry or the 400 metre buffer around High Impact Industry sites identified on SMOA Map 2D(i)</i></p>	<p>Self assessable: If in the Frame preferred land use area except if assessable as follows.</p> <p>Code assessable: If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Code;</p> <p>or</p> <p>(ii) in the ATOS footprint SMOA to the airport shown on SMOA map 2E(i);</p> <p>or</p> <p>(iii) on a Cultural Heritage Site shown on SMOA 2F;</p> <p>or</p> <p>(iv) in the Core preferred land use area.</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 the ATOS footprint SMOA on SMOA map 2E(i):</p> <p>§ Community Facility Overlay Code</p>

¹ Uses proposed on State lands must be consistent with the purpose for which the land was allocated under the *Land Act, 1994*. Consult with Department of Natural Resources and Mines.

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Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
<p>Caravan park:</p> <p>NOTE: A Caravan park is an inconsistent use in the Core preferred land use area (refer SO2 of 3.4.2)</p> <p>Uses for a Caravan Park is an inconsistent use if within the 200 metre buffer around General industry or the 400 metre buffer around High Impact Industry sites identified on SMOA Map 2D(i)</p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If for a Caravan park in the Frame preferred land use area.</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code; and</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(ii) If in the IHS footprint SMOA on SMOA map 2E(i):</p> <p>§ Community Facility Overlay Code</p>
<p>Caretakers residence:</p>	<p>Code assessable: All circumstances</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and</p> <p>§ Dwelling House, Relatives Unit and Caretakers Residence Code – Elements (a), (b), (e), (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 IHS footprint SMOA on SMOA map 2E(i):</p> <p>§ Community Facility Overlay Code</p>
<p>Dwelling house:</p> <p>NOTE: A Dwelling house (other than for an expansion of an existing dwelling which does not exceed a 10% increase on gross floor area calculated from the commencement day) is an inconsistent use (refer SO2 in 3.4.2)</p> <p>Uses for a Dwelling House, is an inconsistent use if within the 200 metre buffer around General industry or the 400 metre buffer around High Impact Industry sites identified on SMOA Map 2D(i)</p>	<p>Code assessable: All circumstances</p>	<p>Applicable Codes:</p> <p>§ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and</p> <p>§ Dwelling House, Relatives Unit and Caretakers Residence Code – Elements (a), (b), (e), (g) and (h);</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 IHS footprint SMOA on SMOA map 2E(i):</p> <p>§ Community Facility Overlay Code</p>
<p>Home-based business:</p>	<p>Exempt: If not involving an increase in gross floor area.</p> <p>Self assessable: All circumstances except if exempt or code assessable.</p> <p>Code assessable: If nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Code.</p>	<p>Applicable Codes:</p> <p><i>For self assessable development:</i></p> <p>§ Home-based Business Code.</p> <p><i>For assessable development:</i></p> <p>§ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and</p> <p>§ Home-based Business Code.</p>
<p>Relatives unit:</p>	<p>Code assessable:</p>	<p>Applicable Codes:</p>

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Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
<p><i>Uses for a Relatives Unit is an inconsistent use if within the 200 metre buffer around General industry or the 400 metre buffer around High Impact Industry sites identified on SMOA Map 2D(i)</i></p>	<p>All circumstances</p>	<p>§ Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and</p> <p>§ Dwelling House, Relatives Unit and Caretakers Residence Code – Elements (a), (b), (d), (e) 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 IHS footprint SMOA on SMOA map 2E(i):</p> <p>§ Community Facility Overlay Code</p>
<p><i>Other defined Residential uses not listed above:</i></p>	<p>Impact assessable: All circumstances</p>	

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Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(c) Commercial Use Classes		
<p><i>All defined Commercial uses:</i></p> <p>NOTE: Commercial uses for a: - Brothel - Major shopping development in the Frame preferred land use area are inconsistent uses (refer SO2 in 3.4.2)</p>	<p>Self assessable: If in the:</p> <p>(i) Core preferred land use area for a:</p> <p>(1) <i>Market,</i> (2) <i>Office,</i> (3) <i>Restaurant and/or Take-away food store,</i> (4) <i>Retail warehouse,</i> (5) <i>Small-scale tourist facility,</i> or (6) <i>Shop (General store or Neighbourhood shopping).</i></p> <p>(ii) Frame preferred land use area and not increasing the gross floor area for an <i>Office.</i></p> <p>Code assessable: If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes;</p> <p>or</p> <p>(ii) on a Cultural Heritage Site shown on SMOA map 2F;</p> <p>or</p> <p>(iii) for a <i>Hotel, Medical centre or Vet clinic;</i></p> <p>or</p> <p>(iv) in the Frame preferred land use area for a:</p> <p>(1) <i>Car park,</i> (2) <i>Funeral parlour,</i> (3) <i>Garden centre,</i> (4) <i>Major shopping development,</i> (5) <i>Market,</i> (6) <i>Office</i> if not self assessable, (7) <i>Restaurant and/or Take-away food store,</i> (8) <i>Retail warehouse,</i> (9) <i>Sales or hire premises (cars only),</i> (10) <i>Shop (General store),</i> or (11) <i>Small-scale tourist facility;</i></p> <p>or</p> <p>(v) in the Core preferred land use area for a <i>Shop (Integrated shop).</i></p> <p>Impact assessable: If:</p> <p>(i) for a <i>Major tourist facility</i> or a <i>Produce store;</i></p> <p>or</p> <p>(ii) in the Core preferred land use area for a:</p> <p>(1) <i>Car park,</i> (2) <i>Funeral parlour,</i> (3) <i>Garden centre,</i> (4) <i>Major shopping development,</i> or (5) <i>Sales or hire premises;</i></p> <p>or</p> <p>(iii) in the Frame preferred land use area for a <i>Sales or hire premises (not for cars)</i> or <i>Shop (Neighbourhood shopping or Integrated shop).</i></p>	<p><u>Applicable Codes:</u></p> <p><i>For self assessable development:</i></p> <p>(i) For Small-scale Tourist Facility: § Bed and Breakfast and Small Scale Tourist Facility Code.</p> <p>(ii) For other defined Commercial uses not listed above: § Urban Locality Code.</p> <p><i>For assessable development:</i></p> <p>(i) For Small-scale Tourist Facility: § Urban Locality Code – Elements (a), (c)(iii) to (vi) and (g); and § Bed and Breakfast and Small Scale Tourist Facility Code.</p> <p>(ii) For other defined Commercial uses not listed above: § Urban Locality Code;</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code</p> <p>(ii) If in the IHS footprint SMOA on SMOA map 2E(i): § Community Facility Overlay Code</p>

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Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(d) Industrial Use Classes		
<p><i>All defined Industry uses:</i></p> <p>NOTE: <i>Industrial uses for a:</i> - Borrow pit - Extractive industry - High impact industry <i>are inconsistent uses (refer SO2 of 3.4.2)</i></p>	<p>Code assessable: If for:</p> <p>(i) a:</p> <p>(1) <i>Borrow pit,</i> (2) <i>Extractive Industry,</i> or (3) <i>High impact industry;</i></p> <p>or</p> <p>(ii) a <i>Service station, Car washing station or a Transport station (passengers only);</i></p> <p>or</p> <p>(iii) <i>Light industry</i> if in the:</p> <p>(1) Core preferred land use area and comprising 100sqm or less of gross floor area, or (2) Frame preferred land use area and comprising 200sqm or less of gross floor area;</p> <p>or</p> <p>(iv) <i>Industrial retailer</i> in the Frame preferred land use area.</p> <p>Impact assessable: All other circumstances except if code assessable</p>	<p>Applicable Codes:</p> <p>(i) For Service Station or Car Washing Station: § Service Station and Car Washing Station Code; and § Urban Locality Code - all Elements except (b) and (c)(i).</p> <p>(ii) For Extractive Industry or Borrow Pit: § Extractive Industry and Borrow Pit Code; and § Urban Locality Code - all Elements except (b) and (c)(i).</p> <p>(iii) For other defined Industrial uses not listed above: § Urban Locality Code;</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code</p> <p>(ii) If in the IHS footprint SMOA on SMOA map 2E(i): § Community Facility Overlay Code</p>
(e) Community Use Classes		
<p><i>Local utility:</i></p>	<p>Exempt: All except if assessable as follows.</p> <hr/> <p>Code assessable: If:</p> <p>(i) for a community service on land in the IHS footprint for the airport shown on SMOA map 2E(i);</p> <p>or</p> <p>(ii) comprising a building or structure in the SMOA to the airport shown on SMOA map 2E(i) if:</p> <p>(1) in the IHS footprint and higher than RL485m AHD; or (2) in the ATOS footprint and penetrating the ATOS;</p> <p>or</p> <p>(iii) for community services on any premises listed in Schedule 5 except if related to a premises comprising a <i>Local utility</i> or <i>Special use</i>.</p>	<p>Nil</p> <hr/> <p>Applicable Codes:</p> <p>§ Urban Locality Code;</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code</p> <p>(ii) If in the IHS footprint SMOA on SMOA map 2E(i): § Community Facility Overlay Code</p>

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Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(e) Community Use Classes continued:		
<i>Other defined Community uses not listed above:</i>	<p>Self assessable:</p> <p>If:</p> <p>(i) for the particular <i>Community use class</i> indicated for the premises listed in Schedule 5, Division 1 and for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day; or</p> <p>(ii) by a public sector entity in an existing building and in the following circumstances:</p> <p>(1) for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day,</p> <p>(2) outside a SMOA shown on SMOA map 2F, and</p> <p>(3) not involving flood lighting.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes;</p> <p>or</p> <p>(ii) unable to satisfy the circumstances for self assessment above.</p>	<p>Applicable Codes:</p> <p><i>For all levels of assessment:</i></p> <p>§ Urban Locality Code;</p> <p>AND</p> <p>(i) For Telecommunications Facility:</p> <p>§ Telecommunications Facilities Code</p> <p>(ii) For Child Care Centre:</p> <p>§ Child Care Centres Code;</p> <p>AND</p> <p><i>For assessable development:</i></p> <p>(iii) If in a SMOA on SMOA map 2F:</p> <p>§ Cultural Features Overlay Code</p> <p>(iv) If in the IHS footprint SMOA on SMOA map 2E(i):</p> <p>§ Community Facility Overlay Code</p>
(f) Recreational Use Classes		
Park:	Exempt: All circumstances	Nil
<i>Other defined Recreational uses not listed above:</i>	<p>Self assessable:</p> <p>If on Council controlled land except if:</p> <p>(1) for more than a 10% increase calculated from the commencement day:</p> <p>a. in gross floor area, or</p> <p>b. in car parking demand,</p> <p>(2) needing a liquor licence,</p> <p>(3) involving floodlighting,</p> <p>(4) on land in a SMOA on SMOA map 2F, or</p> <p>(5) on land in the IHS footprint SMOA to the airport shown on SMOA map 2E(i).</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes;</p> <p>or</p> <p>(ii) on Council controlled land and not meeting the circumstances for self assessment above;</p> <p>or</p> <p>(iii) involving no more than a 10% increase in gross floor area and for <i>Indoor entertainment or Indoor sports facility</i>.</p> <p>Impact assessable:</p> <p>All other circumstances except if self assessable or code assessable above.</p>	<p>Applicable Codes:</p> <p><i>For all levels of assessment:</i></p> <p>§ Urban Locality 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 the IHS footprint SMOA on SMOA map 2E(i):</p> <p>§ Community Facility Overlay Code</p>
(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 7B – 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><i>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)</p>	<p>Code assessable:</p> <p>If for:</p> <p>(i) a building or structure having a:</p> <p>(1) building height greater than the following measured from ground level:</p> <p>(a) 3.5 metres for an outbuilding, or</p> <p>(b) 8.5 metres for any other purpose; or</p> <p>(2) set back to a property boundary with the Residential zone that is less than half the height of the building;</p> <p>or</p> <p>(ii) a fence (except transparent security fencing) or wall forward of the building line over:</p> <p>(1) 1.2 metres in height abutting trafficable roads, or</p> <p>(2) 2 metres in height along side or rear boundaries;</p> <p>or</p> <p>(iii) the displacement of more than 50 cubic metres of material;</p> <p>or</p> <p>(iv) 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>(v) a building or structure on land in the SMOA to the airport shown on SMOA map 2E(i):</p> <p>(1) in the IHS footprint and higher than RL485m AHD, or</p> <p>(2) in the ATOS footprint and penetrating the ATOS.</p>	<p>Applicable Codes:</p> <p><i>For assessable development:</i></p> <p>(i) For building or structure height, or set back: § Urban Locality Code – Element (c)(ii) O11</p> <p>(ii) For fences and walls: § Urban Locality Code - Element (c)(v)</p> <p>(iii) For displacement of material: § Urban Locality Code - Elements (d) and (g);</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code</p> <p>(ii) If in SMOA on SMOA map 2E(i): § Community Facility Overlay Code</p>
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>Placement of an advertisement device:</p>	<p>Exempt:</p> <p>If for an on-premises sign.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) for an off-premises sign;</p> <p>or</p> <p>(ii) on a Cultural Heritage Site shown on SMOA map 2F.</p>	<p>Applicable Codes:</p> <p><i>For assessable development:</i></p> <p>§ Urban Locality Code - Elements (c)(vi), (d) and (g);</p> <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code.</p>
<p>Excavation and/or filling that materially affects premises:</p> <p><i>NOTE:</i> 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>Applicable Codes:</p> <p>(i) For Telecommunications Facility: § Telecommunications Facilities Code.</p> <p>(ii) For Earthworks: § Urban Locality Code – Element (g).</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 – Elements (b), (d), (f) and (g).</p>

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TABLE 7B – Development other than material change of use		
Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<i>Reconfiguring a lot:</i>	Code assessable: All circumstances	<u>Applicable Codes:</u> § Urban Locality Code – Elements (b), (d), (f) and (g); AND (i) If in the IHS footprint SMOA on SMOA map 2E(i); § Community Facility Overlay Code
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<i>All:</i>	Exempt: All circumstances	Nil