

D. PARKS & OPEN SPACE ZONE

3.4.1 – D - Parks and Open Space Zone - Tables of Assessment Categories and Assessment Criteria

Parks and Open Space Zone

TABLE 8A - 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 except for:</i></p> <ul style="list-style-type: none"> - Animal keeping (aviary) - Farming (animal husbandry for stables) - Intensive animal husbandry (stables, zoo, aquarium or aviary) <p><i>are inconsistent uses (refer SO2 in 3.4.2)</i></p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If for:</p> <p>(i) <i>Animal keeping</i> (aviary);</p> <p>or</p> <p>(ii) <i>Farming</i> (animal husbandry for stables);</p> <p>or</p> <p>(iii) <i>Intensive animal husbandry</i> for a stable, zoo, aquarium or aviary.</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p>(i) For Animal Keeping or Intensive Animal Husbandry:</p> <ul style="list-style-type: none"> ▪ Animal Keeping and Intensive Animal Husbandry Code <p>(ii) For Farming:</p> <ul style="list-style-type: none"> ▪ Farming Code <p>(iii) For Forestry Business:</p> <ul style="list-style-type: none"> ▪ Forestry Business Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2B or 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) or (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(b) Residential Use Classes		
<p><i>All defined Residential uses:</i></p> <p>NOTE: <i>All defined Residential uses except if for a:</i></p> <ul style="list-style-type: none"> - Accommodation buildings for a motel, guest house or student accommodation located on a showground, racecourse or golf club listed in Schedule 5, Division 2 - Bed and breakfast - Caravan park located on a showground or racecourse listed in Schedule 5, Division 2 - Caretakers residence - Home-based business <p><i>are inconsistent uses (refer SO2 in 3.4.2)</i></p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If for:</p> <p>(i) an <i>Accommodation building</i> (motel, guest house or student accommodation) on a showground, racecourse or golf club listed in Schedule 5, Division 2;</p> <p>or</p> <p>(ii) a <i>Caravan park</i> on a showground or racecourse listed in Schedule 5, Division 2.</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p>(i) For Multiple Dwelling Unit or Accommodation Building:</p> <ul style="list-style-type: none"> ▪ Multiple Dwelling Unit and Accommodation Building Code <p>(ii) For Dwelling House, Annexed Unit or Caretakers Residence:</p> <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code <p>(iii) For Bed and Breakfast:</p> <ul style="list-style-type: none"> ▪ Bed and Breakfast and Small Scale Tourist Facility Code <p>(iv) For Home-based Business:</p> <ul style="list-style-type: none"> ▪ Home-based Business Code <p>AND</p> <p>(i) If in a SMOA on SMOA map 2B or 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) or (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code

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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TABLE 8A - Material Change of Use¹

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 - Hotel - Office - Produce store - Sales or hire premises - Shop (over 50sqm in gross floor area) are inconsistent uses (refer SO2 in 3.4.2)</p>	<p>Code assessable: All except if impact assessable as follows</p> <p>Impact assessable: If for a:</p> <table border="0"> <tr> <td style="padding-right: 20px;">(1)</td> <td>Major tourist facility,</td> </tr> <tr> <td>(2)</td> <td>Market,</td> </tr> <tr> <td>(3)</td> <td>Restaurant and/or Take-away food store,</td> </tr> <tr> <td>(4)</td> <td>Shop (under 50 sqm in gross floor area), or</td> </tr> <tr> <td>(5)</td> <td>Small-scale tourist facility.</td> </tr> </table>	(1)	Major tourist facility,	(2)	Market,	(3)	Restaurant and/or Take-away food store,	(4)	Shop (under 50 sqm in gross floor area), or	(5)	Small-scale tourist facility.	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2B or 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) or (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(1)	Major tourist facility,											
(2)	Market,											
(3)	Restaurant and/or Take-away food store,											
(4)	Shop (under 50 sqm in gross floor area), or											
(5)	Small-scale tourist facility.											
(d) Industrial Use Classes												
<p><i>All defined Industry uses:</i></p> <p>NOTE: All defined Industrial uses are inconsistent uses (refer SO2 in 3.4.2)</p>	<p>Code assessable: All circumstances</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2B or 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) or (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code 										
(e) Community Use Classes												
<p><i>Local utility:</i></p>	<p>Exempt: All except if assessable as follows.</p> <hr/> <p>Code assessable: If in a SMOA on SMOA map 2B or 2C</p>	<p>Nil</p> <hr/> <p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA map 2B or 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) or (e) 										
<p><i>Other defined Community uses not listed above:</i></p> <p>NOTE: Major utility is an inconsistent use unless: - for a Telecommunications facility, or - it fulfils the circumstances for self assessment. (Refer SO2 in 3.4.2)</p>	<p>Self assessable: 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;</p> <p>or</p> <p>(ii) by a public sector entity in an existing building on land in the following circumstances:</p> <table border="0"> <tr> <td style="padding-right: 20px;">(1)</td> <td>for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day;</td> </tr> <tr> <td>(2)</td> <td>not involving a Cultural Heritage Site shown on SMOA map 2F; or</td> </tr> <tr> <td>(3)</td> <td>not involving flood lighting.</td> </tr> </table> <p>Code assessable: 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>	(1)	for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day;	(2)	not involving a Cultural Heritage Site shown on SMOA map 2F; or	(3)	not involving flood lighting.	<p>Applicable Codes: <i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p>(i) For Telecommunications Facility:</p> <ul style="list-style-type: none"> ▪ Telecommunications Facilities Code <p>(ii) For Child Care Centre:</p> <ul style="list-style-type: none"> ▪ Child Care Centres Code; <p>AND <i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA map 2B or 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) or (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code 				
(1)	for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day;											
(2)	not involving a Cultural Heritage Site shown on SMOA map 2F; or											
(3)	not involving flood lighting.											

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TABLE 8A - 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) involving floodlighting, or (4) in a Cultural Heritage Site shown on SMOA map 2F. <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 Codes; <p>or</p> <ul style="list-style-type: none"> (ii) on Council controlled land and not meeting the circumstances for self assessment above; <p>or</p> <ul style="list-style-type: none"> (iii) on a premises listed in Schedule 5, Division 2 for: <ul style="list-style-type: none"> (1) <i>Indoor entertainment,</i> (2) <i>Indoor sports facility, or</i> (3) <i>Outdoor recreation.</i> <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></p> <ul style="list-style-type: none"> ▪ Urban Locality Code; <p>AND</p> <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA map 2B or 2C: <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) or (e) (ii) If in a SMOA on SMOA map 2F: <ul style="list-style-type: none"> ▪ Cultural Features 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 8B – 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: 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 fence or wall forward of the building line and less than 50% transparent and over:</p> <p>(1) 1.8 metres in height abutting trafficable roads, or</p> <p>(2) 2 metres in height along other boundaries;</p> <p>or</p> <p>(ii) a retain wall over 2 metres in height;</p> <p>or</p> <p>(iii) the displacement of more than 50 cubic metres of material;</p> <p>or</p> <p>(iv) in a SMOA on SMOA map 2B or 2C;</p> <p>or</p> <p>(v) a Cultural Heritage Site shown on SMOA map 2F, except for building work internal to an existing building.</p>	<p>Applicable Codes:</p> <p><i>For assessable development:</i></p> <p>(i) For fences and walls:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Element (c)(v) <p>(ii) For displacement of material:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Elements (d) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA map 2B or 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) and (e) <p>(ii) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>Placement of an advertisement device:</p>	<p>Code assessable:</p> <p>All circumstances</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Element (c)(vi), (d) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
<p>Excavation and/or filling that materially affects premises:</p> <p>NOTE: 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 <i>Telecommunications facility (medium impact)</i>;</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 SMOA on SMOA map 2C.</p>	<p>Applicable Codes:</p> <p>(i) For Telecommunications Facility:</p> <ul style="list-style-type: none"> ▪ Telecommunications Facilities Code. <p>(ii) For Earthworks:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Element (g) <p>(iii) If in a SMOA on SMOA map 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (e) <p>(iv) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code
<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) & (g)</p>
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<p>Reconfiguring a lot:</p>	<p>Code assessable:</p> <p>All circumstances</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Urban Locality Code - Elements (b), (d), (f) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA map 2F:</p> <ul style="list-style-type: none"> ▪ Cultural Features Overlay Code <p>(ii) If in a SMOA on SMOA map 2B or 2C:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b) or (e)
(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>