E. PARKS & OPEN SPACE ZONE

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

Parks and Open Space Zone

TABLE 9A - Material Change of Use[1]		
Column 1 **Defined Use**	**Column 2** **Assessment Category**	**Column 3** **Assessment Criteria**
(1) DEVELOPMENT FOR DEFINED USES AND USE CLASSES:		
(a) Rural Use Classes		
All defined Rural uses: ***NOTE:*** *All defined Rural uses except for:* *- Animal keeping (aviary)* *- Farming (animal husbandry for stables)* *- Intensive animal husbandry (stables, zoo, aquarium or aviary),* *are inconsistent uses (refer SO2 in 3.4.2)*	**Code assessable:** All except if impact assessable as follows. **Impact assessable:** If for: (i) *Animal keeping* (aviary); or (ii) *Farming* (animal husbandry for stables); or (iii) *Intensive animal husbandry* for a stable, zoo, aquarium or aviary.	<u>*Applicable Codes:*</u> § Urban Locality Code; **AND** (i) For Animal Keeping or Intensive Animal Husbandry: § Animal Keeping and Intensive Animal Husbandry Code (ii) For Farming: § Farming and Intensive Agriculture Code (iii) For Forestry Business: § Forestry Business Code; **AND** (iv) If in a SMOA on SMOA map 2C: § Natural Features and Resources Overlay Code – Element (e) (v) If in the IHS footprint SMOA on SMOA map 2E(i): § Community Facility Overlay Code (vi) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code

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[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 9A - Material Change of Use[1]		
Column 1 **Defined Use**	**Column 2** **Assessment Category**	**Column 3** **Assessment Criteria**
(b) Residential Use Classes		
All defined Residential uses: *NOTE:* *All defined Residential uses except for a:* *- 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* *AND the above specific uses are not* **within the 200 metre buffer around General industry or the 400 metre buffer around High Impact Industry sites identified on SMOA Map 2D(i)** *are inconsistent uses (refer SO2 in 3.4.2)*	**Code assessable:** All except if impact assessable as follows. **Impact assessable:** If for: (i) an *Accommodation building* (motel, guest house or student accommodation) on a showground, racecourse or golf club listed in Schedule 5, Division 2; or (ii) a *Caravan park* on a showground or racecourse listed in Schedule 5, Division 2.	*Applicable Codes:* § Urban Locality Code; **AND** (i) For Multiple Dwelling Unit, Accommodation Building or Retirement Village: § Multiple Dwelling Unit, Accommodation Building and Retirement Village Code (ii) For Dwelling House, Relatives Unit or Caretakers Residence: § Dwelling House, Relatives Unit and Caretakers Residence Code (iii) For Bed and Breakfast: § Bed and Breakfast and Small Scale Tourist Facility Code (iv) For Home-based Business: § Home-based Business Code **AND** (i) If in a SMOA on SMOA map 2C: § Natural Features and Resources Overlay Code – Element (e) (ii) If in the IHS footprint SMOA on SMOA map 2E(i): § Community Facility Overlay Code (iii) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code

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TABLE 9A - Material Change of Use[1]		
Column 1 Defined Use	**Column 2** Assessment Category	**Column 3** Assessment Criteria
(c) Commercial Use Classes		
All defined Commercial uses: ***NOTE:*** *Commercial uses for a:* *- Brothel* *- Car park* *- Funeral parlour* *- Garden Centre* *- Hotel* *- Medical centre* *- Office* *- Produce store* *- Retail warehouse* *- Sales or hire premises* *- Shop (over 50sqm in gross floor area)* *- Vet clinic* *are inconsistent uses (refer SO2 in 3.4.2)*	**Code assessable:** All except if impact assessable as follows. **Impact assessable:** If for a: 　(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*.	*Applicable Codes:* §　Urban Locality Code; **AND** (i)　For Small-scale Tourist Facility: §　Bed and Breakfast and Small Sclae Tourist Facility; **AND** (i)　If in a SMOA on SMOA map 2C: §　Natural Features and Resources Overlay Code – Element (e) (ii)　If in the IHS footprint SMOA on SMOA map 2E(i): §　Community Facility Overlay Code (iii)　If in a SMOA on SMOA map 2F: §　Cultural Features Overlay Code
(d) Industrial Use Classes		
All defined Industry uses: ***NOTE:*** *All defined Industrial uses are inconsistent uses (refer SO2 in 3.4.2)*	**Code assessable:** All circumstances	*Applicable Codes:* §　Urban Locality Code; **AND** (i)　For Service Station or Car Washing Station: §　Service Station and Car Washing Station (ii)　For Extractive Industry or Borrow Pit: §　Extractive Industry and Borrow Pit Code; **AND** (i)　If in a SMOA on SMOA map 2C: §　Natural Features and Resources Overlay Code – Element (e) (ii)　If in the IHS footprint SMOA on SMOA map 2E(i): §　Community Facility Overlay Code (iii)　If in a SMOA on SMOA map 2F: §　Cultural Features Overlay Code
(e) Community Use Classes		
Local utility:	**Exempt:** All except if assessable as follows. **Code assessable:** If: (i)　in a SMOA shown on SMOA map 2C or 2F; or (ii)　for a community service on land in the IHS footprint for the airport shown on SMOA map 2E(i); or (iii)　comprising a building or structure in the SMOA to the airport shown on SMOA map 2E(i) if: 　　(1)　in the IHS footprint and higher than RL485m AHD; or 　　(2)　in the ATOS footprint and penetrating the ATOS.	Nil *Applicable Codes:* §　Urban Locality Code; **AND** (i)　If in a SMOA on SMOA map 2F: §　Cultural Features Overlay Code (ii)　If in a SMOA on SMOA map 2C: §　Natural Features and Resources Overlay Code – Element (e) (iii)　If in SMOA on SMOA map 2E(i): §　Community Facility Overlay Code

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TABLE 9A - Material Change of Use[1]		
Column 1 **Defined Use**	**Column 2** **Assessment Category**	**Column 3** **Assessment Criteria**
(e) Community Use Classes continued:		
Other defined Community uses not listed above: ***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)*	**Self assessable:** If by a public sector entity in an existing building on land in the following circumstances: (1) for not more than a 10% increase in gross floor area or curtilage area calculated from the commencement day; (2) outside the IHS footprint for the airport shown on SMOA map 2E(i); (3) not involving a Cultural Heritage Site shown on SMOA map 2F; or (4) not involving flood lighting. **Code assessable:** If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes; or (ii) unable to satisfy the circumstances for self assessment above.	*Applicable Codes:* *For all levels of assessment:* § Urban Locality Code; **AND** (i) For Telecommunications Facility: § Telecommunications Facilities Code (ii) For Child Care Centre: § Child Care Centres Code; **AND** *For assessable development:* (i) If in a SMOA on SMOA map 2C: § Natural Features and Resources Overlay Code – Element (e) (ii) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code (iii) If in the ATOS footprint SMOA on SMOA map 2E(i): § Community Facility Overlay Code

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TABLE 9A - Material Change of Use[1]		
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:	**Self assessable:**
	If on Council controlled land except if:
	
	(1) for more than a 10% increase calculated from the commencement day:
	
	        a. in gross floor area, or
	
	        b. in car parking demand,
	
	(2) needing a liquor licence,
	
	(3) involving floodlighting,
	
	(4) in a Cultural Heritage Site shown on SMOA map 2F; or
	
	(5) on land in the ATOS footprint SMOA to the airport shown on SMOA map 2E(i).
	
	Code assessable:
	If:
	
	(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes;
	
	or
	
	(ii) on Council controlled land and not meeting the circumstances for self assessment above;
	
	or
	
	(iii) on a premises listed in Schedule 5, Division 2 for:
	
	        (1) *Indoor sports facility*, or
	
	        (2) *Outdoor recreation*.
	
	Impact assessable:
	All other circumstances except if self assessable or code assessable above.
		Applicable Codes:
		
		For all levels of assessment:
		
		§ Urban Locality Code;
		
		AND
		
		For assessable development:
		
		(i) If in a SMOA on SMOA map 2C:
		
		§ Natural Features and Resources Overlay Code – Element (e)
		
		(ii) If in a SMOA on SMOA map 2F:
		
		§ Cultural Features Overlay Code
		
		(iii) If in the ATOS footprint SMOA on SMOA map 2E(i):
		
		§ Community Facility Overlay Code

(2) DEVELOPMENT FOR UNDEFINED USES[2]:		
All:	**Impact assessable:** All circumstances	

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[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 9B – 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:		

All:
 	
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)
	Code assessable:
	
	If for:
	
	(i) a fence or wall forward of the building line and less than 50% transparent and over:
	
	    (1) 1.8 metres in height abutting trafficable roads, or
	
	    (2) 2 metres in height along other boundaries;
	
	or
	
	(ii) a retain wall over 2 metres in height;
	
	or
	
	(iii) the displacement of more than 50 cubic metres of material;
	
	or
	
	(iv) in a SMOA on SMOA map 2C;
	
	or
	
	(v) a Cultural Heritage Site shown on SMOA map 2F, except for building work internal to an existing building;
	
	or
	
	(vi) a building or structure on land in the SMOA to the airport shown on SMOA map 2E(i):
	
	    (1) in the IHS footprint and higher than RL485m AHD, or
	
	    (2) in the ATOS footprint and penetrating the ATOS.
		Applicable Codes:
		
		For assessable development:
		
		(i) For fences and walls:
		
		§ Urban Locality Code - Element (c)(v)
		
		(ii) For displacement of material:
		
		§ Urban Locality Code - Elements (d) and (g);
		
		AND
		
		(i) If in a SMOA on SMOA map 2C:
		
		§ Natural Features and Resources Overlay Code – Element (e)
		
		(ii) If in a SMOA on SMOA map 2F:
		
		§ Cultural Features Overlay Code
		
		(iii) If in a SMOA on SMOA map 2E(i):
		
		§ Community Facility Overlay Code

(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Placement of an advertisement device:	Code assessable: All circumstances	*Applicable Codes:* § Urban Locality Code - Element (c)(vi), (d) and (g); **AND** (i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code
Excavation and/or filling that materially affects premises: **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)*	Code assessable: If: (i) for a *Telecommunications facility (medium impact)*: or (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; or (iii) in a SMOA on SMOA map 2C;	*Applicable Codes:* (i) For Telecommunications Facility: § Telecommunications Facilities Code (ii) For Earthworks: § Urban Locality Code – Element (g) (iii) If in a SMOA on SMOA map 2C: § Natural Features and Resources Overlay Code – Element (e) (iv) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code
Works associated with reconfiguring a lot:	Code assessable: All circumstances	*Applicable Code:* Urban Locality Code – Elements (b), (d), (f) and (g).

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TABLE 9B – 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:		
Reconfiguring a lot:	**Code assessable:** All circumstances	*Applicable Codes:* § Urban Locality Code - Elements (b), (d), (f) and (g); **AND** (i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code (ii) If in the IHS footprint SMOA on SMOA map 2E(i): § Community Facility Overlay Code (iii) If in a SMOA on SMOA map 2C: § Natural Features and Resources Overlay Code – Element (e)
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	**Exempt:** All circumstances	Nil