3.5
VILLAGE LOCALITY

3.5 Village Locality

3.5.1 Tables of Assessment Categories and Assessment Criteria

TABLE 10A - 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:
 	
1. In the Centre preferred land use area, *uses for:*
 	
- Farming (for animal husbandry for pigs)
 	
- Animal keeping
 	
- Forestry business
 	
- Intensive animal husbandry
 	
- Farming involving irrigation services
 	
are inconsistent uses (refer SO2 in 3.5.2).
 	
2. In the Village A preferred land use area, *uses for:*
 	
- Animal keeping (except for an aviary)
- Farming (animal husbandry for pigs)
- Farming involving irrigation services
- Intensive animal husbandry (except for stables)
- Forestry business
 	
are inconsistent uses (refer SO2 in 3.5.2).
 	
3. In the Village B preferred land use area, *uses for:*
 	
- Intensive animal husbandry (except for stables)
- Animal keeping (except for an aviary)
 	
are inconsistent uses (refer SO2 in 3.5.2).
	Self assessable:
	
	If:
	
	(i) in the Centre or Village A preferred land use area for *Farming* (excluding animal husbandry for pigs);
	
	or
	
	in the Village B preferred land use area for *Farming*.
	
	Code assessable:
	
	If:
	
	(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Code;
	
	or
	
	(ii) for:
	
	     (1) *Animal keeping*,
	
	     (2) *Forestry business*,
	
	     (3) *Farming* involving irrigation services,
	
	     (4) *Intensive animal husbandry*, or
	
	     (5) *Rural service industry*;
	
	or
	
	(iii) in the Centre or Village A preferred land use area for *Farming* for animal husbandry for pigs.
		Applicable Codes:
		
		For self assessable development:
		
		§ Farming Code.
		
		For assessable development:
		
		§ Village Locality Code;
		
		AND
		
		(i) For Farming:
		
		§ Farming Code
		
		(ii) For Animal Keeping or Intensive Animal Husbandry:
		
		§ Animal Keeping and Intensive Animal Husbandry Code
		
		(iii) For Forestry Business:
		
		§ Forestry Business Code;
		
		AND
		
		For assessable development:
		
		(i) If in a SMOA on SMOA map 2B to 2D(i):
		
		§ Natural Features and Resources Overlay Code – Elements (b) to (e) and (g)
		
		(ii) If in the ATOS footprint SMOA on SMOA map 2E(i) or in a SMOA on SMOA map 2E:
		
		§ Community Facility Overlay Code
		
		(iii) 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.

TABLE 10A - 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:
 	
1. In the Centre and Village A preferred land use area, uses for:
 	
- more than 2 Dwelling houses (or a Dwelling house and Caretakers residence) on a lot
- a Multiple dwelling unit (for more than two dwelling units)
 	
are inconsistent uses (refer SO2 in 3.5.2).
 	
2. In the Village B preferred land use area, uses for:
 	
- more than 1 Dwelling house on a lot
- an Accommodation building
 	
- a Retirement village
- a Multiple dwelling unit
 	
are inconsistent uses (refer SO2 in 3.5.2).
 	
3. In the Village zone, an Estate office is an inconsistent use (refer SO2 in 3.5.2).
	Exempt:
	
	If for a *Home-based business* not involving an increase in gross floor area calculated from the commencement day.
	
	Self assessable:
	
	If for a:
	
	(i) *Bed and breakfast* if not involving an increase in gross floor area calculated from the commencement day;
	
	or
	
	(ii) *Dwelling house* except in the Village B preferred land use area.
	
	Code assessable:
	
	If:
	
	(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes;
	
	or
	
	(ii) for a:
	
	    (1) *Caretakers residence*,
	    (2) *Estate office*,
	    (3) *Multiple dwelling unit*, or
	    (4) *Relatives unit*;
	
	or
	
	(iii) in the Village B preferred land use area for a:
	
	    (1) *Accommodation building*,
	    (2) *Bed and breakfast* if involving an increase in gross floor area calculated from the commencement day,
	    (3) *Dwelling house* or more than one Dwelling house (or a Dwelling house and a Caretakers residence) on a lot,
	    (4) *Home-based business* if involving an increase in gross floor area calculated from the commencement day, or
	    (5) *Retirement village*;
	
	or
	
	(iv) in the Village A or Centre preferred land use area for more than one *Dwelling house* (or a Dwelling house and a Caretakers residence) on a lot.
	
	Impact assessable:
	
	If:
	
	(i) in the Centre or Village A preferred land use area for a:
	
	    (1) *Accommodation building*,
	    (2) *Bed and breakfast* if involving an increase in gross floor area calculated from the commencement day,
	    (3) *Home-based business* if involving an increase in gross floor area calculated from the commencement day, or
	    (4) *Retirement village*;
	
	or
	
	(ii) for a *Caravan park*.
		<u>*Applicable Codes:*</u>
		
		For self assessable development:
		
		(i) For Bed and Breakfast:
		
		§ Bed and Breakfast and Small Scale Tourist Facility Code
		
		(ii) For Dwelling House:
		
		§ Dwelling House, Relatives Unit and Caretakers Residence Code - Elements (a), (e), (g) and (h).
		
		For assessable development:
		
		§ Village Locality Code;
		
		AND
		
		(i) For Dwelling House:
		
		§ Dwelling House, Relatives Unit and Caretakers Residence Code – Elements (a), (e), (g) and (h)
		
		(ii) For Caretakers Residence:
		
		§ Dwelling House, Relatives Unit and Caretakers Residence Code – Elements (a), (e), (f) and (g)
		
		(iii) For Relatives unit:
		
		§ Dwelling House, Relatives Unit and Caretakers Residence Code – Elements (a), (d), (e) and (g)
		
		(iv) For Bed and Breakfast:
		
		§ Bed and Breakfast and Small Scale Tourist Facility Code
		
		(v) For Home-based Business:
		
		§ Home-based Business Code
		
		(vi) For Multiple Dwelling Unit, Accommodation Building or Retirement Village:
		
		§ Multiple Dwelling Unit, Accommodation Building and Retirement Village Code;
		
		AND
		
		For assessable development:
		
		(i) If in a SMOA on SMOA map 2B to 2D(i):
		
		§ Natural Features and Resources Overlay Code – Elements (b) to (e) and (g)
		
		(ii) If in the ATOS footprint SMOA on SMOA map 2E(i) or in a SMOA on SMOA map 2E:
		
		§ Community Facility Overlay Code
		
		(iii) If in a SMOA on SMOA map 2F:
		
		§ Cultural Features Overlay Code

TABLE 10A - 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:	**Exempt:** If in the Centre preferred land use area and involving: (i) a change of an existing Commercial, Community or Recreational use class to a *Garden centre, Market, Medical centre, Office, Produce store, Restaurant and/or Take-away food store, Shop (general store), Small-scale tourist facility* or *Vet clinic,* and (ii) not more than a 10% increase on existing gross floor area calculated from the commencement day. **Self assessable:** If in the Centre preferred land use area for a change of an existing Commercial, Community or Recreational use class involving more than a 10% increase on existing gross floor area calculated from the commencement day for a: (1) *Garden centre*, (2) *Medical centre*, (3) *Office*, (4) *Produce store*, (5) *Restaurant and/or Take-away food store*, (6) *Shop* (General store), or (7) *Small-scale tourist facility*. **Code assessable:** If: (i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes; or (ii) on a Cultural Heritage Site shown on SMOA map 2F; or (iii) for a: (1) *Brothel*, (2) *Funeral parlour*, or (3) *Shop* (Major shopping development); or (iv) in the Centre or Village A preferred land use area for: (1) *Market*, or (2) *Vet clinic*; or (v) in the Village A preferred land use area: (1) *Car park*, (2) *Medical centre*, (3) *Office*, (4) *Produce store*, (5) *Restaurant and/or Take-away store*, (6) *Shop* (General store), or (7) *Small scale tourist facility*; or (vi) in the Village B preferred land use area for: (1) *Medical centre*, or (2) *Shop* (other than General store).	*Applicable Codes:* *For all levels of assessment:* (i) For Small-scale Tourist Facility: § Bed and Breakfast and Small Scale Tourist Facility Code; and § Village Locality Code. (ii) For other defined Commercial uses not listed above: § Village Locality Code; **AND** *For assessable development:* (i) If in a SMOA on SMOA map 2B to 2D(i): § Natural Features and Resources Overlay Code – Elements (b) to (e) and (g) (ii) If in the ATOS footprint SMOA on SMOA map 2E(i) or in a SMOA on SMOA map 2E: § Community Facility Overlay Code (iii) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code

NOTE:

1. In the Centre preferred land use area a Shop (Major shopping development) is an inconsistent use (refer SO2 in 3.5.2).

2. In the Village A preferred land use area, uses for:

- Car park
- Shop (other than where under 50sqm in gross floor area)
are inconsistent uses (refer SO2 in 3.5.2).

3. In the Village B preferred land use area, uses for:

- Medical centre
- Shop (other than General store)

are inconsistent uses (refer SO2 in 3.5.2).

4. In the Village zone, uses for a:

- Brothel
- Funeral parlour

are inconsistent uses (refer SO2 in 3.5.2).

TABLE 10A - Material Change of Use[1]		
Column 1 **Defined Use**	**Column 2** **Assessment Category**	**Column 3** **Assessment Criteria**
(c) Commercial Use Classes continued:		

	Impact assessable:
	
	If:
	
	(i) for a:
	
	        (1) *Hotel*,
	
	        (2) *Major tourist facility*,
	
	        (3) *Retail warehouse*, or
	
	        (4) *Sales or hire premises*;
	
	or
	
	(ii) in the Centre preferred land use area for a:
	
	        (1) *Car park*, or
	
	        (2) *Shop* (Neighbourhood shopping or Integrated shop);
	
	or
	
	(iii) in the Village A preferred land use area for a *Shop* (Neighbourhood shopping or Integrated shop);
	
	or
	
	(iv) in the Village B preferred land use area for a:
	
	        (1) *Car park*,
	
	        (2) *Garden centre*,
	
	        (3) *Market*,
	
	        (4) *Office*,
	
	        (5) *Produce store*,
	
	        (6) *Restaurant and/or Take-away store*,
	
	        (7) *Shop* (General store),
	
	        (8) *Small-scale tourist facility*, or
	
	        (9) *Vet clinic*.	

(d) Industrial Use Classes		

All defined Industrial uses:
 	
NOTE:
 	
Industrial uses for:
 	
- Borrow pits (outside the Village B preferred land use area)
- Extractive industry
- General industry
- High impact industry
 	
are inconsistent uses (refer SO2 of 3.5.2)
	Code assessable:
	
	If:
	
	(i) for:
	
	        (1) *Extractive Industry*,
	
	        (2) *General industry*, or
	
	        (3) *High impact industry*;
	
	or
	
	(ii) in the Centre or Village A preferred land use area for *Borrow pit*.
	
	Impact assessable:
	
	If:
	
	(i) in the Village B preferred land use area for *Borrow pit*;
	
	or
	
	(ii) for a:
	
	        (1) *Car washing station*,
	
	        (2) *Industrial retailer*,
	
	        (3) *Landscape supplies*,
	
	        (4) *Light industry*,
	
	        (5) *Service station*,
	
	        (6) *Storage premises*, or
	
	        (7) *Transport station*.
		Applicable Codes:
		
		(i) For Extractive Industry or Borrow Pit:
		
		§ Extractive Industry and Borrow Pit Code; and
		
		§ Village Locality Code
		
		(ii) For other defined Industrial uses not listed above:
		
		§ Village Locality Code;
		
		AND
		
		(i) If in a SMOA on SMOA map 2B to 2D(i):
		
		§ Natural Features and Resources Overlay Code – Elements (b) to (e) and (g)
		
		(ii) If in the ATOS footprint SMOA on SMOA map 2E(i) or in a SMOA on SMOA map 2E:
		
		§ Community Facility Overlay Code
		
		(iii) If in a SMOA on SMOA map 2F:
		
		§ Cultural Features Overlay Code

TABLE 10A - Material Change of Use[1]		
Column 1 Defined Use	**Column 2** Assessment Category	**Column 3** Assessment Criteria
(e) Community Use Classes		

All defined Community uses:
 	
NOTE:
 	
Major utility is an inconsistent use unless it fulfils the circumstances for self assessment specified in Column 2 (refer SO2 in 3.5.2)
	Exempt:
	If:
	(i) for a *Local utility*;
	or
	(ii) for the change of an existing non-residential use to a:
	     (1) *Child care centre*, or
	     (2) *Special use;*
	and not involving more than a 10% increase on existing gross floor area or curtilage area calculated from the commencement day.
	
	Self assessable:
	If for the particular *Community use class* 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.
	
	Code assessable:
	If:
	(i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Codes;
	or
	(ii) for all other circumstances except if exempt or self assessable and for a:
	     (1) *Child care centre*,
	     (2) *Major utility*,
	     (3) *Special use*, or
	     (4) *Telecommunications facility (medium impact).*
		Applicable Codes:
		For all levels of assessment:
		§ Village Locality Code;
		AND
		(i) For Child-care Centre:
		§ Child Care Centres Code
		(iii) For Telecommunications Facility:
		§ Telecommunications Facilities Code;
		AND
		For assessable development:
		(i) If in a SMOA on SMOA map 2B to 2D(i):
		§ Natural Features and Resources Overlay Code – Elements (b) to (e) and (g)
		(ii) If in the ATOS footprint SMOA on SMOA map 2E(i) or in a SMOA on SMOA map 2E:
		§ Community Facility Overlay Code
		(iii) If in a SMOA on SMOA map 2F:
		§ Cultural Features Overlay Code

(f) Recreational Use Classes		

All defined Recreational uses:	**Exempt:**
	If:
	(i) for a *Park*;
	or
	(ii) for the change of an existing non-residential use to an:
	     (1) *Indoor entertainment,*
	     (2) *Indoor sports facility*, or
	     (3) *Outdoor recreation*;
	and not involving more than a 10% increase on existing gross floor area calculated from the commencement day.
	
	Code assessable:
	All other circumstances except if exempt
		Applicable Codes:
		For assessable development:
		§ Village Locality Code;
		AND
		For assessable development:
		(ii) If in a SMOA on SMOA map 2B to 2D(i):
		§ Natural Features and Resources Overlay Code – Elements (b) to (e) and (g)
		(iii) If in the ATOS footprint SMOA on SMOA map 2E(i) or in a SMOA on SMOA map 2E:
		§ Community Facility Overlay Code
		(iv) If in a SMOA on SMOA map 2F:
		§ Cultural Features 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.

TABLE 10B – 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:	**Code assessable:** If for: (i) a fence or wall forward of the building line and less than 50% transparent and over 1.8 metre in height; or (ii) a retaining wall over 2 metres in height; or (iii) a Class 10 building not associated with an existing *Dwelling house;* or (iv) the displacement of more than 50 cubic metres of material; or (v) a building or structure on a Cultural Heritage Site shown on SMOA map 2F, except for building work internal to an existing building.	*Applicable Codes:* (i) For fences and walls: § Village Locality Code - Element (c)(v) (ii) For a Class 10 building: § Village Locality Code - Elements (c), (e) and (f) (iii) For displacement of material: § Village Locality Code – Element (f); **AND** (i) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Placement of an advertisement device:	**Self assessable:** If for an on-premises sign **Code assessable:** If: (i) nominated as self assessable but unable to comply with an Acceptable Solution in the Applicable Code; or (ii) for an off-premises sign; or (iii) on a Cultural Heritage Site shown on SMOA map 2F.	*Applicable Codes:* *For all levels of assessment:* § Village Locality Code - Element (c)(vi) and (f); **AND** *For assessable development:* (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 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.	*Applicable Code:* § Village Locality Code – Element (f) **AND** (i) If in a SMOA on SMOA map 2C: § Natural Features and Resources Overlay Code – Element (e)
Works associated with reconfiguring a lot:	**Code assessable:** All circumstances	*Applicable Code:* Village Locality Code – Elements (b), (e) & (f)
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Reconfiguring a lot:	**Code assessable:** All circumstances	*Applicable Codes:* § Village Locality Code - Elements (b), (e) and (f); **AND** (i) If in a SMOA on map 2B to 2D(i): § Natural Features and Resources Overlay Code – Element (b) to (e) and (g) (ii) If in a SMOA on SMOA map 2F: § Cultural Features Overlay Code
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	**Exempt:** All circumstances	Nil