

## 13.0 Urban Mixed Use Zone

### 13.1 Zone Purpose

The purpose of the Urban Mixed Use Zone is:

- 13.1.1 To provide for a mix of residential, retail, community services and commercial activities in urban locations.
- 13.1.2 To provide for a diverse range of use or development that are of a type and scale that support and do not compromise or distort the role of surrounding activity centres in the activity centre hierarchy.

### 13.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.
<b>Permitted</b>	
Bulky Goods Sales	
Business and Professional Services	
Community Meeting and Entertainment	
Food Services	
General Retail and Hire	
Hotel Industry	
Research and Development	
Residential	If: <ul style="list-style-type: none"> <li>(a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and</li> <li>(b) not listed as No Permit Required.</li> </ul>

<b>Use Class</b>	<b>Qualification</b>
Service Industry	If not for motor repairs or panel beating.
Tourist Operation	
Visitor Accommodation	If: (a) not a camping and caravan park or overnight camping area; and (b) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.
<b>Discretionary</b>	
Custodial Facility	If for a remand centre.
Educational and Occasional Care	
Emergency Services	
Hospital Services	
Manufacturing and Processing	If for alterations or extensions to existing Manufacturing and Processing.
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for food or beverage production.
Sports and Recreation	
Storage	
Transport Depot and Distribution	If for public transport facilities.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If: (a) not a camping and caravan park or overnight camping area; and (b) not listed as Permitted.
<b>Prohibited</b>	
All other uses	

### 13.3 Use Standards

13.3.1 All uses

Objective:	That uses do not cause unreasonable loss of amenity to residential zones.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 9.00pm Monday to Saturday; and</li> <li>(b) 8.00am to 9.00pm Sunday and public holidays.</li> </ul>	<p><b>P1</b></p> <p>Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>	
<p><b>A2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must:</p> <ul style="list-style-type: none"> <li>(a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and</li> <li>(b) if for security lighting, be baffled to ensure direct light does not extend into the adjoining property in those zones.</li> </ul>	<p><b>P2</b></p> <p>External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) the distance to habitable rooms of an adjacent dwelling.</li> </ul>	

<p><b>A3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 9.00pm Sunday and public holidays.</p>	<p><b>P3</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, on a site within 50m of a General Residential Zone or Inner Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</p> <p>(e) any noise mitigation measures between the vehicle movement areas and the residential area; and</p> <p>(f) potential conflicts with other traffic.</p>
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13.3.2 Discretionary uses

Objective:	That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the size and scale of the proposed use;</p> <p>(c) the function of the activity centre and the surrounding activity centres; and</p> <p>(d) the extent that the proposed use impacts on the other activity centres.</p>	

13.3.3 Retail impact

Objective:	That retail uses do not compromise or distort the activity centre hierarchy.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> The gross floor area for Bulky Goods Sales and General Retail and Hire must be not more than 300m <sup>2</sup> per tenancy.	<b>P1</b> Bulky Goods Sales and General Retail and Hire must not compromise or distort the activity centre hierarchy, having regard to:  (a) the degree to which the proposed use improves and broadens the commercial or retail choice with the area;  (b) the extent that the proposed use impacts on other activity centres of a higher order; and  (c) any relevant local area objectives contained within the relevant Local Provisions Schedule.	

### 13.4 Development Standards for Building and Works

13.4.1 Building height

Objective:	That building height: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of amenity to adjoining residential zones.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Building height must be not more than 10m.	<b>P1</b> Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:  (a) the topography of the site;  (b) the height, bulk and form of existing buildings on the site and adjacent properties;  (c) the bulk and form of proposed buildings;  (d) the apparent height when viewed from adjoining road and public places; and  (e) any overshadowing of public places.	

<p><b>A2</b></p> <p>Building height:</p> <p>(a) within 10m of a General Residential Zone must not be more than 8.5m; or</p> <p>(b) within 10m of an Inner Residential Zone must not be more than 9.5m.</p>	<p><b>P2</b></p> <p>Building height within 10m of a General Residential Zone or Inner Residential Zone, must be consistent with building height on adjoining properties and not cause an unreasonable loss of residential amenity, having regard to:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; and</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
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13.4.2 Setback

<p>Objective:</p>	<p>That building setback:</p> <p>(a) is compatible with the streetscape; and</p> <p>(b) does not cause an unreasonable loss of amenity to adjoining residential zones.</p>
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>Buildings must have a setback from a frontage of:</p> <p>(a) not less than 3m;</p> <p>(b) not less than existing buildings on the site; or</p> <p>(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.</p>	<p><b>P1</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setback of buildings on adjacent properties;</p> <p>(c) the height, bulk and form of existing and proposed buildings; and</p> <p>(d) the safety of road users.</p>
<p><b>A2</b></p> <p>Buildings must have a setback from an adjoining property within a General Residential Zone or Inner Residential Zone of not less than:</p> <p>(a) 3m; or</p> <p>(b) half the wall height of the building, whichever is the greater.</p>	<p><b>P2</b></p> <p>Buildings must be sited so there is no unreasonable loss of residential amenity to adjoining properties within a General Residential Zone or Inner Residential Zone, having regard to:</p> <p>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</p> <p>(b) overlooking and reduction of privacy; or</p> <p>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>

<p><b>A3</b></p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from a General Residential Zone or Inner Residential Zone.<sup>1</sup></p>	<p><b>P3</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a General Residential Zone or Inner Residential Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of the sensitive use; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
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13.4.3 Design

<p>Objective:</p>	<p>That building design and façades promote and maintain high levels of pedestrian interaction, amenity, and safety and are compatible with the streetscape.</p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>New buildings must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</li> <li>(b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</li> <li>(c) not include security shutters or grilles over windows or doors on a façade facing a frontage or other public places; and</li> <li>(d) provide external lighting to illuminate external vehicle parking areas and pathways.</li> </ul>	<p><b>P1</b></p> <p>New buildings must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</li> <li>(b) minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and</li> <li>(c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</li> </ul>

<sup>1</sup> An exemption for air conditioners and heat pumps applies in this zone – see Table 4.6.

<p><b>A2</b></p> <p>New buildings or alterations to an existing façade must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</li> <li>(b) excluding for Residential, if for a ground floor level façade facing a frontage:             <ul style="list-style-type: none"> <li>(i) have not less than 40% of the total surface area consisting of windows or doorways; or</li> <li>(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 40%;</li> </ul> </li> <li>(c) excluding for Residential, if for a ground floor level façade facing a frontage, must:             <ul style="list-style-type: none"> <li>(i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</li> <li>(ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on that frontage; and</li> </ul> </li> <li>(d) excluding for Residential, provide awnings over a public footpath if existing on the site or on adjoining properties.</li> </ul>	<p><b>P2</b></p> <p>New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) how the main pedestrian access to the building will address the street or other public places;</li> <li>(b) excluding for Residential, windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</li> <li>(c) excluding for Residential, providing architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</li> <li>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</li> <li>(e) excluding for Residential, the need for provision of awnings over a public footpath.</li> </ul>
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13.4.4 Fencing

Objective:	That fencing: (a) is compatible with the streetscape; and (b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>	
No Acceptable Solution. <sup>2</sup>	A fence (including a free-standing wall) within 4.5m of a frontage must be compatible with the streetscape, having regard to:  (a) the height, design, location and extent of the fence;  (b) the degree of transparency; and  (c) the proposed materials and construction.	
<b>A2</b>	<b>P2</b>	
Common boundary fences with a property in a General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must:  (a) have a height above existing ground level of not more than 2.1m; and  (b) not contain barbed wire. <sup>2</sup>	Common boundary fences with a property in a General Residential Zone or Inner Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to:  (a) the height, design, location and extent of the fence; and  (b) the proposed materials and construction.	

13.4.5 Outdoor storage areas

Objective:	That outdoor storage areas for non-residential use do not detract from the appearance of the site or surrounding area.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>	
Outdoor storage areas, excluding for Residential use or for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	Outdoor storage areas, excluding for Residential use or for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.	

<sup>2</sup> An exemption applies for fences in this zone – see Table 4.6.

13.4.6 Dwellings

Objective:	To provide adequate and useable private open space and storage for the needs of residents.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> A dwelling must have private open space that is not less than: (a) 24m <sup>2</sup> with a minimum horizontal dimension of not less than 4m; or (b) 8m <sup>2</sup> with a minimum horizontal dimension not less than 1.5m, if the dwelling is located wholly above ground floor level.	<b>P1</b> A dwelling must be provided with sufficient private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment.	
<b>A2</b> Each dwelling must be provided with a dedicated and secure storage space of no less than 6m <sup>3</sup> .	<b>P2</b> Each dwelling must be provided with adequate storage space.	

### 13.5 Development Standards for Subdivision

13.5.1 Lot design

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate access to a road.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 300m <sup>2</sup> and: (i) be able to contain a minimum area of 10m x 15m clear of: a. all setbacks required by clause 13.4.2 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 13.4.2 A1 and A2; (b) be required for public use by the Crown, a council or a State authority;	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: (a) the relevant requirements for development of buildings on the lot; (b) existing buildings and the likely location of intended buildings on the lot; (c) the topography of the site; (d) the presence of any natural hazards; and (e) the pattern of development existing on established properties in the area.	

<p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the distance between the lot or building area and the carriageway;</li> <li>(c) the nature of the road and the traffic; and</li> <li>(d) the pattern of development existing on established properties in the area.</li> </ul>

13.5.2 Services

Objective:	That the subdivision of land provides services for the future use and development of the land.	
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.</p>	<p><b>P1</b></p> <p>A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to:</p> <ul style="list-style-type: none"> <li>(a) flow rates;</li> <li>(b) the quality of potable water;</li> <li>(c) any existing or proposed infrastructure to provide the water service and its location;</li> <li>(d) the topography of the site; and</li> <li>(e) any advice from a regulated entity.</li> </ul>	
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>	
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p><b>P3</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>	