

## 29.0 Open Space Zone

### 29.1 Zone Purpose

The purpose of the Open Space Zone is:

- 29.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.
- 29.1.2 To provide for use and development that supports the use of the land for open space purposes or for other compatible uses.

### 29.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities and underground utilities.
<b>Permitted</b>	
No Permitted uses.	
<b>Discretionary</b>	
Community Meeting and Entertainment	
Crematoria and Cemeteries	If for a cemetery.
Emergency Services	
Food Services	
General Retail and Hire	
Pleasure Boat Facility	
Resource Development	If for: <ul style="list-style-type: none"> <li>(a) marine farming shore facility or other facility that relies upon a coastal location to fulfil its purpose; or</li> <li>(b) grazing.</li> </ul>

Use Class	Qualification
Sports and Recreation	
Tourist Operation	
Transport Depot and Distribution	If associated with wharves, water taxis, or commuter or passenger ferry terminals.
Utilities	If not listed as No Permit Required.
Vehicle Parking	
Visitor Accommodation	If for camping and caravan park or overnight camping areas.
<b>Prohibited</b>	
All other uses	

### 29.3 Use Standards

#### 29.3.1 Discretionary uses

Objective:	That a use listed as Discretionary, does not cause an unreasonable loss of amenity to adjacent sensitive uses.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Hours of operation for a use listed as Discretionary, excluding Emergency Services or Visitor Accommodation, must be within the hours of:</p> <p>(a) 8.00am to 10.00pm if within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone; or</p> <p>(b) 6.00am to midnight, otherwise.</p>	<p><b>P1</b></p> <p>Hours of operation for a use listed as Discretionary, excluding Emergency Services or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent sensitive uses having regard to:</p> <p>(a) the timing, duration or extent of vehicle movements; and</p> <p>(b) noise, lighting or other emissions.</p>	

<p><b>A2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not operate between 11.00pm and 7.00am.</p>	<p><b>P2</b></p> <p>Flood lighting of Sports and Recreation facilities within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone must not cause an unreasonable loss of amenity to the residential zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the necessity of floodlighting for the Sports and Recreation use;</li> <li>(b) the frequency of the Sports and Recreation event;</li> <li>(c) whether the event is of a special nature;</li> <li>(d) the duration of the event; and</li> <li>(e) any lighting required to set up and pack up for the event.</li> </ul>
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## 29.4 Development Standards for Buildings and Works

### 29.4.1 Building height, setback and siting

<p>Objective:</p>	<p>That building bulk, height, form and siting:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the streetscape;</li> <li>(b) does not cause unreasonable loss of amenity to adjacent properties;</li> <li>(c) respects the natural and landscape values of the site; and</li> <li>(d) minimises opportunities for crime and anti-social behaviour through setback of buildings.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building height must be not more than 10m.</p>	<p><b>P1</b></p> <p>Building height must not cause an unreasonable loss of amenity to adjacent properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the requirements of the proposed use;</li> <li>(e) sunlight to private open space and windows of habitable rooms of dwellings on adjoining properties;</li> <li>(f) the privacy of the private open space and windows of habitable rooms of dwellings on adjoining properties; and</li> <li>(g) any overshadowing of adjacent public places.</li> </ul>

<p><b>A2</b></p> <p>Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> <li>(a) not less than 5m; or</li> <li>(b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties,</li> </ul> <p>whichever is the lesser.</p>	<p><b>P2</b></p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</p> <ul style="list-style-type: none"> <li>(a) providing small variations in building alignment to break up long building façades;</li> <li>(b) providing variations in building alignment to provide a forecourt or space for public use, such as outdoor dining or landscaping;</li> <li>(c) the avoidance of concealment spaces;</li> <li>(d) the ability to achieve passive surveillance; and</li> <li>(e) the availability of lighting.</li> </ul>
<p><b>A3</b></p> <p>Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than:</p> <ul style="list-style-type: none"> <li>(a) 3m; or</li> <li>(b) half the wall height of the building,</li> </ul> <p>whichever is the greater.</p>	<p><b>P3</b></p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties in a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings;</li> <li>(b) overlooking and reduction of privacy of adjoining properties; or</li> <li>(c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</li> </ul>
<p><b>A4</b></p> <p>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone or Low Density Residential Zone<sup>1</sup>.</p>	<p><b>P4</b></p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics and frequency of any emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site; and</li> <li>(d) any mitigation measures proposed.</li> </ul>

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

29.4.2 Outdoor storage areas

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

## 29.5 Development Standards for Subdivision

29.5.1 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 lot proposed in a plan of subdivision, must: (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot, provided each lot is within the same zone.	<b>P1</b> Each lot, or 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 lots; (b) existing buildings and the 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><b>A2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding a riparian or littoral reserve or Utilities, must have a frontage not less than 15m.</p>	<p><b>P2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway suitable for its 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 length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>