

## 18.0 Recreation Zone

### 18.1 Zone Purpose

#### 18.1.1 Zone Purpose Statements

18.1.1.1 To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.

18.1.1.2 To encourage open space networks that are linked through the provision of walking and cycle trails.

#### 18.1.2 Local Area Objectives

| Local Area Objectives   | Implementation Strategy  |
|---|--|
| KINGBOROUGH SPORTS CENTRE PRECINCT  |  |
| (a) The Sports Centre Precinct will be utilised for a wide range of public sporting and community based activities. | (a) Future development within the Sports Centre Precinct (being the property owned by Kingborough Council) will be consistent with the master plan for the site as adopted by Kingborough Council. |

#### 18.1.3 Desired Future Character Statements

| Desired Future Character Statements  | Implementation Strategy  |
|--|--|
| KINGBOROUGH SPORTS CENTRE PRECINCT   |  |
| (a) This Precinct will provide a wide range of high quality facilities and associated infrastructure that best meet the sporting and community needs of the Kingborough community. | (a) Existing facilities will be upgraded as necessary and new facilities provided to satisfy increased demand or emerging interests. |

### 18.2 Use Table

| No Permit Required                     |   |
|--|---|
| Use Class                              | Qualification                                 |
| Natural and cultural values management |   |
| Passive recreation                     |   |
| Sports and recreation                  | Only if provided by the Council or an agency. |

|  |   |
|--|---|
| Utilities                                      | Only if minor utilities.                            |
| <b>Permitted</b>                               |   |
| <b>Use Class</b>                               | <b>Qualification</b>                                |
| Sports and recreation                          | Except if No Permit Required.                       |
| <b>Discretionary</b>                           |   |
| <b>Use Class</b>                               | <b>Qualification</b>                                |
| Business and professional services             | Only if office for a community-based organisation   |
| Community meeting and entertainment            |   |
| Domestic animal breeding, boarding or training | Only if for animal training                         |
| Educational and occasional care                | Only if employment training centre                  |
| Emergency services                             |   |
| Food services                                  |   |
| General retail and hire                        |   |
| Pleasure boat facility                         |   |
| Tourist operation                              |   |
| Utilities                                      | Except if No Permit Required.                       |
| Vehicle parking                                |   |
| Visitor accommodation                          | Only at 1393 Channel Highway, Margate (CT 150926/1) |
| <b>Prohibited</b>                              |   |
| <b>Use Class</b>                               | <b>Qualification</b>                                |
| All other uses                                 |   |

## 18.3 Use Standards

### 18.3.1 Hours of Operation

| Objective:  |   |
|---|---|
| To ensure that hours of operation near a residential zone do not result in unreasonable adverse impact on residential amenity.  |   |
| Acceptable Solutions  | Performance Criteria  |
| <p><b>A1</b></p> <p>Hours of operation of a use within 50 m of a residential zone must be within:</p> <p>(a) 7.00 am to 8.00 pm Mondays to Fridays inclusive;</p> <p>(b) 8.00 am to 6.00 pm Saturdays;</p> <p>(c) 10.00 am to 5.00 pm Sundays and Public Holidays;</p> <p>except for office and administrative tasks.</p> | <p><b>P1</b></p> <p>Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</p> |

### 18.3.2 Noise

| Objective:  |   |
|---|---|
| To ensure that noise emissions near a residential zone do not result in unreasonable adverse impact on residential amenity.   |   |
| Acceptable Solutions  | Performance Criteria  |
| <p><b>A1</b></p> <p>Noise emissions measured at the boundary of a residential zone must not exceed the following:</p> <p>(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;</p> <p>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm and 7.00 am;</p> <p>(c) 65dB(A) (LAm<sub>ax</sub>) at any time.</p> <p>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, second edition, July 2008, issued by the Director of</p> | <p><b>P1</b></p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.</p> |

|   |  |
|---|--|
| Environmental Management, including adjustment of noise levels for tonality and impulsiveness.<br><br>Noise levels are to be averaged over a 15 minute time interval. |  |
| <b>A2</b><br>External amplified loud speakers or music must not be used within 50 m of a residential zone.  | <b>P2</b><br>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone. |

### 18.3.3 External Lighting

|   |  |
|---|--|
| Objective:  |  |
| To ensure that external lighting does not have unreasonable impact on residential amenity on land within a residential zone.  |  |
| Acceptable Solutions  | Performance Criteria   |
| <b>A1</b><br>External lighting, other than flood lighting of sport and recreation facilities, within 50 m of a residential zone must comply with all of the following:<br><br>(a) be turned off between 9:00 pm and 6:00 am, except for security lighting;<br><br>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone. | <b>P1</b><br>External lighting, other than flood lighting of sport and recreation facilities, within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas <sup>R1</sup> , having regard to all of the following:<br><br>(a) level of illumination and duration of lighting;<br><br>(b) distance to habitable rooms in an adjacent dwelling. |

18.3.3.R1 Obtrusive light defined under AS 4282-1997-1.4.7 means: ...spill light which, because of quantitative, directional or spectral attributes in a given context, gives rise to annoyance, discomfort, distraction or a reduction in the ability to see essential information, eg. Signal lights.

### 18.3.4 Commercial and Patron Vehicle Movements

|   |                      |
|---|----------------------|
| Objective:  |                      |
| To ensure that commercial and patron vehicle movements not have unreasonable impact on residential amenity on land within a residential zone. |                      |
| Acceptable Solutions  | Performance Criteria |
| <b>A1</b>   | <b>P1</b>            |

|  |  |
|--|--|
| <p>Commercial and patron vehicle movements, (including loading and unloading and garbage removal), to or from a site within 50 m of a residential zone must be within the hours of:</p> <p>(a) 7.00 am to 9.00 pm Mondays to Fridays inclusive;</p> <p>(b) 8.00 am to 7.00 pm Saturdays;</p> <p>(c) 10.00 am to 6.00 pm Sundays and Public Holidays.</p> | <p>Commercial and patron vehicle movements, (including loading and unloading and garbage removal), to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</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) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road;</p> <p>(g) the potential for conflicts with other traffic.</p> |
|--|--|

### 18.3.5 Discretionary Use

|   |  |
|---|--|
| Objective:  |  |
| To ensure land within the zone is used primarily for purposes consistent with Zone Purpose. |  |
| Acceptable Solutions  | Performance Criteria   |
| <p><b>A1</b></p> <p>No Acceptable Solution</p>  | <p><b>P1</b></p> <p>Discretionary use must complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support Permitted use or No Permit Required use.</p> |

## 18.4 Development Standards for Buildings and Works

### 18.4.1 Building Height

| Objective:  |  |
|---|--|
| To ensure that building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone. |  |
| Acceptable Solutions  | Performance Criteria   |
| <p><b>A1</b></p> <p>Building height must be no more than:</p> <p style="padding-left: 40px;">10 m.</p>  | <p><b>P1</b></p> <p>Building height must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) not unreasonably overshadow adjacent public space;</p> <p>(c) be compatible with the scale of nearby buildings;</p> |
| <p><b>A2</b></p> <p>Building height within 10 m of a residential zone must be no more than 8.5 m.</p>   | <p><b>P2</b></p> <p>Building height within 10 m of a residential zone must be compatible with the building height of existing buildings on adjoining lots in the residential zone.</p>   |

### 18.4.2 Setback

| Objective:  |  |
|---|--|
| To ensure that building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.  |  |
| Acceptable Solutions  | Performance Criteria   |
| <p><b>A1</b></p> <p>Building setback from frontage must be no less than:</p> <p style="padding-left: 40px;">20 m, if fronting Channel Highway.</p> <p style="padding-left: 40px;">10 m, if fronting any other street.</p> | <p><b>P1</b></p> <p>Building setback from frontage must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) enhance the characteristics of the site, adjoining lots and the streetscape;</p> |

|  |   |
|--|---|
|  | <p>(c) be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape;</p> <p>(d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created;</p>  |
| <p><b>A2</b></p> <p>Building setback from a residential zone must be no less than:</p> <p>(a) 3 m;</p> <p>(b) half the height of the wall, whichever is the greater.</p> | <p><b>P2</b></p> <p>Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:</p> <p>(a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours;</p> <p>(b) overlooking and loss of privacy;</p> <p>(c) visual impact when viewed from adjoining lots,</p> <p>taking into account aspect and slope.</p> |

### 18.4.3 Design

|  |  |
|--|--|
| Objective:   |  |
| To ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.   |  |
| Acceptable Solutions   | Performance Criteria   |
| <p><b>A1</b></p> <p>Building design must comply with all of the following:</p> <p>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</p> | <p><b>P1</b></p> <p>Building design must enhance the streetscape by satisfying all of the following:</p> <p>(a) provide the main access to the building in a way that addresses the street or other public space boundary;</p> |

|  |  |
|--|--|
| <p>(b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level facade ;</p> <p>(c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the facade;</p> <p>(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</p> <p>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</p> <p>(f) provide awnings over the public footpath if existing on the site or on adjoining lots;</p> <p>(g) not include security shutters over windows or doors with a frontage to a street or public place.</p> | <p>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</p> <p>(c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</p> <p>(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;</p> <p>(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</p> <p>(f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;</p> <p>(g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</p> <p>(h) be consistent with any Desired Future Character Statements provided for the area.</p> |
| <p><b>A2</b></p> <p>Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.</p>   | <p><b>P2</b></p> <p>No Performance Criteria.</p>   |

#### 18.4.4 Passive Surveillance

|   |                      |
|---|----------------------|
| Objective:  |                      |
| To ensure that building design provides for the safety of the public. |                      |
| Acceptable Solutions  | Performance Criteria |



|  |   |
|--|---|
| <p><b>A1</b></p> <p>Buildings design must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</li> <li>(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade;</li> <li>(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade;</li> <li>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</li> <li>(e) provide external lighting to illuminate car parking areas and pathways;</li> <li>(f) provide well-lit public access at the ground floor level from any external car park.</li> </ul> | <p><b>P1</b></p> <p>Buildings design must provide for passive surveillance of public spaces by satisfying all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</li> <li>(b) locate windows to adequately overlook the street and adjoining public spaces;</li> <li>(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;</li> <li>(d) locate external lighting to illuminate any entrapment spaces around the building site;</li> <li>(e) provide external lighting to illuminate car parking areas and pathways;</li> <li>(f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;</li> <li>(g) provide for sight lines to other buildings and public spaces.</li> </ul> |
|--|---|

#### 18.4.5 Landscaping

|   |   |
|---|---|
| Objective:  |   |
| To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone. |   |
| Acceptable Solutions  | Performance Criteria  |
| <p><b>A1</b></p> <p>Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.</p>    | <p><b>P1</b></p> <p>Landscaping must be provided to satisfy all of the following:</p> |

|   |  |
|---|--|
|   | <ul style="list-style-type: none"> <li>(a) enhance the appearance of the development;</li> <li>(b) provide a range of plant height and forms to create diversity, interest and amenity;</li> <li>(c) not create concealed entrapment spaces;</li> <li>(d) be consistent with any Desired Future Character Statements provided for the area.</li> </ul> |
| <p><b>A2</b></p> <p>Along a boundary with a residential zone landscaping must be provided for a depth no less than:</p> <p style="padding-left: 40px;">2 m.</p> | <p><b>P2</b></p> <p>Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land.</p>    |

#### 18.4.6 Outdoor Storage Areas

|  |  |
|--|--|
| Objective:   |  |
| To ensure that outdoor storage areas for non-residential use do not detract from the appearance of the site or the locality.   |  |
| Acceptable Solutions   | Performance Criteria   |
| <p><b>A1</b></p> <p>Outdoor storage areas for non-residential uses must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) be located behind the building line;</li> <li>(b) all goods and materials stored must be screened from public view;</li> <li>(c) not encroach upon car parking areas, driveways or landscaped areas.</li> </ul> | <p><b>P1</b></p> <p>Outdoor storage areas for non-residential uses must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;</li> <li>(b) not encroach upon car parking areas, driveways or landscaped areas.</li> </ul> |

#### 18.4.7 Fencing

|  |
|--|
| Objective:   |
| To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance. |

| Acceptable Solutions   | Performance Criteria   |
|--|--|
| <p><b>A1</b></p> <p>Fencing must comply with all of the following:</p> <p>(a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage;</p> <p>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m;</p> <p>(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.</p> | <p><b>P1</b></p> <p>Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:</p> <p>(a) the height of the fence;</p> <p>(b) the degree of transparency of the fence;</p> <p>(c) the location and extent of the fence;</p> <p>(d) the design of the fence;</p> <p>(e) the fence materials and construction;</p> <p>(f) the nature of the use;</p> <p>(g) the characteristics of the site, the streetscape and the locality, including fences;</p> <p>(h) any Desired Future Character Statements provided for the area.</p> |

#### 18.4.8 Environmental Values

| Objective:  |   |
|---|---|
| To ensure that the location and design of buildings and works avoids and minimises adverse environmental impacts. |   |
| Acceptable Solutions  | Performance Criteria  |
| <p><b>A1</b></p> <p>No trees of high conservation value will be impacted.</p>                                     | <p><b>P1</b></p> <p>Buildings and works are designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value.</p> |

### 18.5 Development Standards for Subdivision

#### 18.5.1 Subdivision

|            |
|------------|
| Objective: |
|------------|

|  |   |
|--|---|
| To provide for lots appropriate to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements. |   |
| Acceptable Solutions   | Performance Criteria  |
| <b>A1</b><br>Subdivision is for the purpose of providing lots for public open space, a riparian or littoral reserve or utilities.  | <b>P1</b><br>Subdivision is for the purpose of providing a lot for an allowable use.  |
| <b>A2</b><br>The frontage for each lot must be no less than 15 m.  | <b>P2</b><br>The frontage of each lot must be capable of adequately serving the intended purpose.   |
| <b>A3</b><br>No Acceptable Solution.   | <b>P3</b><br>The arrangement of ways and public open space within a subdivision must satisfy all of the following:<br><br>(a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;<br><br>(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;<br><br>(c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;<br><br>(d) convenient access to local shops, community facilities, public open space and public transport routes is provided;<br><br>(e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;<br><br>(f) provides for a legible movement network;<br><br>(g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority; |

|  |  |
|--|--|
|  | <p>(h) Public Open Space must be provided as land or cash in lieu, in accordance with the Kingborough Public Open Space Contribution Policy, Policy 6.3, May 2019.</p> <p>(i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:</p> <ul style="list-style-type: none"> <li>(i) the width of the way;</li> <li>(ii) the length of the way;</li> <li>(iii) landscaping within the way;</li> <li>(iv) lighting;</li> <li>(v) provision of opportunities for 'loitering';</li> <li>(vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).</li> </ul> |
| <p><b>A4</b></p> <p>Services capable of adequately serving the intended purpose must be connected to each lot.</p> | <p><b>P4</b></p> <p>Where reticulated services are unavailable but needed for the intended purpose, the lots must be capable of:</p> <ul style="list-style-type: none"> <li>(a) being self sufficient for potable water adequate for the intended purpose;</li> <li>(b) accommodating an wastewater management system adequate for the intended purpose;</li> <li>(c) accommodating an on-site stormwater management system adequate for the intended purpose,</li> </ul> <p>as the case may be.</p>   |
| <p><b>A5</b></p> <p>No trees of high conservation value will be impacted.</p>                                      | <p><b>P5</b></p> <p>The design of each lot minimises, mitigates and offsets impacts on trees of high conservation value.</p>   |