

Part D

Zones

19.0 Open Space Zone

19.1 Zone Purpose

19.1.1 Zone Purpose Statements

19.1.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.

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

19.1.2 Local Area Objectives

Local Area Objectives	Implementation Strategy
There are no Local Area Objectives for this Zone.	

19.1.3 Desired Future Character Statements

Desired Future Character Statements	Implementation Strategy
There are no Desired Future Character Statements for this Zone.	

19.2 Use Table

No Permit Required	
Use Class	Qualification
Passive recreation	
Natural and cultural values management	
Utilities	Only if minor utilities and underground.
Permitted	
Use Class	Qualification

Discretionary	
Use Class	Qualification
Community meeting and entertainment	
Domestic animal breeding, boarding or training	Only if for training animals
Emergency services	
Food services	
General retail and hire	
Pleasure boat facility	
Sports and recreation	
Visitor accommodation	Only if camping and caravan park or overnight camping area.
Utilities	Except if No Permit Required.
Vehicle parking	
Prohibited	
Use Class	Qualification
All other uses	

19.3 Use Standards

19.3.1 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
A1 Hours of operation of a use within 50 m of a residential zone must be within:	P1 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

(a) 8.00 am to 6.00 pm Mondays to Saturdays inclusive;	movements, noise or other emissions that are unreasonable in their timing, duration or extent.
(b) 10.00 am to 4.00 pm Sundays and Public Holidays;	
except for office and administrative tasks.	

19.3.2 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>A1</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 8.00 am to 6.00 pm;</p> <p>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm and 8.00 am;</p> <p>(c) 65dB(A) (LAm_{ax}) 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 Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</p> <p>Noise levels are to be averaged over a 15 minute time interval.</p>	<p>P1</p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.</p>
<p>A2</p> <p>External amplified loud speakers or music must not be used within 50 m of a residential zone.</p>	<p>P2</p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.</p>

19.3.3 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
<p>A1</p> <p>External lighting within 50 m of a residential zone must comply with all of the following:</p> <ul style="list-style-type: none"> (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone. 	<p>P1</p> <p>External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) level of illumination and duration of lighting; (b) distance to habitable rooms in an adjacent dwellings.

19.3.4 Commercial Vehicle Movements

Objective:	
To ensure that commercial vehicle movements not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Commercial 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> <ul style="list-style-type: none"> (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) Nil Sundays and Public Holidays. 	<p>P1</p> <p>Commercial 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> <ul style="list-style-type: none"> (a) the time and duration of commercial vehicle movements; (b) the number and frequency of commercial vehicle movements; (c) the size of commercial vehicles involved;

	<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>
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19.3.5 Discretionary Use

Objective:	
To ensure land within the zone is used primarily for purposes consistent with Zone Purpose.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</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>

19.4 Development Standards for Buildings and Works

19.4.1 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>A1</p> <p>Building height must be no more than:</p> <p>6.5 m.</p>	<p>P1</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) be compatible with the scale of nearby buildings;</p>

	(c) not unreasonably overshadow adjacent public space.
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19.4.2 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>A1</p> <p>Building setback from frontage must be no less than:</p> <p style="padding-left: 40px;">5 m.</p>	<p>P1</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>A2</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>P2</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>

19.4.3 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>A1</p> <p>Landscaping along the frontage of a site must be provided to a depth of no less than 2 m.</p>	<p>P1</p> <p>Landscaping must be provided to satisfy all of the following:</p> <ul style="list-style-type: none"> (a) enhance the appearance of the development; (b) provide a range of plant height and forms to create diversity, interest and amenity; (c) not create concealed entrapment spaces; (d) be consistent with any Desired Future Character Statements provided for the area.
<p>A2</p> <p>Along a boundary with a residential zone landscaping must be provided for a depth no less than 2 m.</p>	<p>P2</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>

19.4.4 Fencing

<p>Objective:</p>	
<p>To ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Fencing must comply with all of the following:</p> <ul style="list-style-type: none"> (a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (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>P1</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> <ul style="list-style-type: none"> (a) the height of the fence; (b) the degree of transparency of the fence; (c) the location and extent of the fence; (d) the design of the fence;

	<ul style="list-style-type: none"> (e) the fence materials and construction; (f) the nature of the use; (g) the characteristics of the site, the streetscape and the locality, including fences; (h) any Desired Future Character Statements provided for the area.
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19.4.5 Environmental Values

Objective:	
To ensure that the design and location of buildings and works avoid and minimises adverse environmental impacts.	
Acceptable Solutions	Performance Criteria
A1 No environmental values will be adversely impacted.	P1 Buildings and works are designed and located to: <ul style="list-style-type: none"> (a) avoid, minimise and mitigate environmental impact arising from future use and development; and (b) all impacts on trees of high conservation value are offset.

19.5 Development Standards for Subdivision

19.5.1 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
A1 Subdivision is for the purpose of providing lots for public open space, a riparian or littoral reserve or utilities.	P1 Subdivision is for the purpose of providing a lot for an allowable use.
A2	P2

<p>The frontage for each lot must be no less than 15 m.</p>	<p>The frontage of each lot must be capable of adequately serving the intended purpose.</p>
<p>A3</p> <p>No Acceptable Solution.</p>	<p>P3</p> <p>The arrangement of ways and public open space within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate; (b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate; (c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate; (d) convenient access to local shops, community facilities, public open space and public transport routes is provided; (e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate; (f) provides for a legible movement network; (g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority; (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, November 2021.

	<ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) the width of the way; (ii) the length of the way; (iii) landscaping within the way; (iv) lighting; (v) provision of opportunities for 'loitering'; (vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).
<p>A4</p> <p>Services capable of adequately serving the intended purpose must be connected to each lot.</p>	<p>P4</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"> (a) being self sufficient for potable water adequate for the intended purpose; (b) accommodating an wastewater management system adequate for the intended purpose; (c) accommodating an on-site stormwater management system adequate for the intended purpose, <p>as the case may be.</p>
<p>A5</p> <p>No trees of high conservation value will be impacted.</p>	<p>P5</p> <p>The design of each lot must minimise, mitigate and offset impacts on trees of high conservation value.</p>