

## Part D

# Zones

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### 12.0 Low Density Residential Zone

#### 12.1 Zone Purpose

##### 12.1.1 Zone Purpose Statements

- 12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.
- 12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.
- 12.1.1.3 To avoid land use conflict with adjacent Rural Resource or Significant Agricultural zoned land by providing for adequate buffer areas.
- 12.1.1.4 To provide for existing low density residential areas that usually do not have reticulated services and have limited further subdivision potential.

##### 12.1.2 Local Area Objectives

Local Area Objectives	Implementation Strategy
KINGSTON	
(a) Areas within Kingston that are zoned Low Density Residential are to be developed so that both visual landscape and natural environmental values are protected.	(a) Existing larger lot sizes are to be retained in order that there is sufficient land to accommodate substantial vegetation on site and provide for the desired landscape and natural amenity.
TAROONA	
(a) The relative low residential density of Tarooma will be maintained and any significant change to higher densities is to be avoided.  (b) Areas within Tarooma that are zoned Low Density Residential are to be developed so that both visual landscape and natural environmental values are protected.	(a) Infill development should only be encouraged on sites convenient to urban facilities and services.  (b) Existing larger lot sizes are to be retained in order that there is sufficient land to accommodate substantial vegetation on site and provide for the desired landscape and natural amenity with only minimal expansion of the existing urban footprint permitted.

KINGSTON BEACH	
(a) Areas within Kingston Beach that are zoned Low Density Residential are to be developed so that both visual landscape and natural environmental values are protected.	(a) Existing larger lot sizes are to be retained in order that there is sufficient land to accommodate substantial vegetation on site and provide for the desired landscape and natural amenity.

BLACKMANS BAY	
(a) Areas within Blackmans Bay that are zoned Low Density Residential are to be developed so that both visual landscape and natural environmental values are protected.	(a) Existing larger lot sizes are to be retained in order that there is sufficient land to accommodate substantial vegetation on site and provide for the desired landscape and natural amenity.

MARGATE	
(a) Other than those areas that are in close proximity to the town's commercial centre, Margate should be maintained as a residential community with a relatively lower housing density.	(a) Future residential development is to be directed towards suitable new areas, rather than encouraging the infill of existing suburban areas at higher densities, except where this infill is in close proximity to the town's commercial centre.
(b) Margate is zoned Low Density Residential in order to reflect existing settlement patterns and to retain existing coastal and/or visual landscape and natural environmental values.	(b) Existing larger lot sizes are to be retained in order that to reflect existing settlement patterns and in some cases to retain coastal/landscape amenity.
(c) Local residential roads, junctions and verges should be designed and provided for in a manner that facilitates the free flow of traffic and encourages bicycle and pedestrian access.	(c) Both new and existing roads should be designed to meet this objective, as well as there being a particular need to extend Dayspring Drive so that it extends north and connects on to the Channel Highway.

BONNET HILL	
(a) Bonnet Hill is to be maintained as a small outlying residential area within a bushland setting.	(a) The application of development standards should where possible retain native vegetation and protect local residential amenity.

CONINGHAM AND LOWER SNUG	
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(a) Coningham and Lower Snug should be maintained as rural or coastal settlements within natural settings.	(a) Future development should occur at a lower density in order to protect spatial separation and the area's native vegetation.
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SNUG	
(a) Snug will be maintained as a small rural town with low density housing.	(a) The further residential expansion of Snug is to be contained to a few minor subdivisional developments.
KETTERING	
(a) Kettering's natural values should be protected - including water views, foreshore access and vegetated visual surrounds.	(a) Future development will strive to protect water quality, native vegetation, views and public access.
WOODBRIDGE	
(a) Woodbridge is to be maintained as a low-density residential village, with dwellings constructed to sensitively fit in to the rural landscape.	(a) Future development is constrained by the lack or limitations of reticulated services and larger lots will be required with relatively large setbacks and gardens.
MIDDLETON	
(a) Middleton is to be further developed to provide a broader range of services and facilities for the Lower Channel rural community.	(a) Proactive planning is required to identify the opportunities for improved and appropriate public infrastructure, community services and commercial development within Middleton.
ALONNAH	
(a) Alonnah is to be maintained as a relatively small residential village with future buildings designed to suit the low-key character of Bruny Island.	(a) Future development should be designed (in relation to scale, materials and architectural styles) to support the more holiday-based or rural Bruny Island lifestyle.
ADVENTURE BAY	

(a) Adventure Bay is to be maintained as a relatively small residential and holiday village with future buildings designed to suit the low-key character of Bruny Island.	(a) Future development should be designed (in relation to scale, materials and architectural styles) to support the more holiday-based or rural Bruny Island lifestyle.
DENNES POINT	
(a) Dennes Point is to be maintained as a small seaside settlement for residents, shack owners and visitors using short-term holiday accommodation in and around the village precinct.	(a) Future developments and buildings in Dennes Point are to be designed to reflect the existing lowkey character of the location.

### 12.1.3 Desired Future Character Statements

Desired Future Character Statements	Implementation Strategy
KINGSTON	
(a) The existing neighbourhood character that is associated with the area's landscape and environmental values should be protected.	(a) The visual amenity of hillsides and skylines is retained by providing for larger lots that are able to retain sufficient native vegetation. In some cases these areas also provide a buffer or transition between more closely settled urban areas and other areas with high natural values.
TAROONA	
(a) Tarooma is to continue to be a seaside suburb mainly containing single detached dwellings with established landscaped gardens.  (b) The existing neighbourhood character that is associated with the area's landscape and environmental values should be protected.	(a) Multi-unit housing is to be discouraged other than in the vicinity of the Tarooma shopping centre.  (b) The visual amenity of hillsides and skylines is retained by providing for larger lots that are able to retain sufficient native vegetation. Native vegetation is to be protected along the coastline and alongside gullies and watercourses. In some cases these areas also provide a buffer or transition between more closely settled urban areas and other areas with high natural values.

KINGSTON BEACH	
(a) The existing neighbourhood character that is associated with the area's landscape and environmental values should be protected.	(a) The visual amenity of hillsides and skylines is retained by providing for larger lots that are able to retain sufficient native vegetation. In some cases these areas also provide a buffer or transition between more closely settled urban areas and other areas with high natural values.
BLACKMANS BAY	
(a) The existing neighbourhood character that is associated with the area's landscape and environmental values should be protected.	(a) The visual amenity of hillsides and skylines is retained by providing for larger lots that are able to retain sufficient native vegetation. In some cases these areas also provide a buffer or transition between more closely settled urban areas and other areas with high natural values.
MARGATE	
(a) There should be a mix of housing choice within Margate, while still retaining the residential amenity afforded by off-street parking, ample gardens and street setbacks.  (b) The existing neighbourhood character that is associated with the area's settlement pattern, landscape and environmental values should be protected.	(a) Multi-unit housing and aged care facilities should be limited to suitable areas closer to the town's main commercial area, with good access provided to local services.  (b) The larger lots within this zone enable the existing local character of the area to be retained. Some coastal areas are serviced, but this zone will enable the protection of existing coastal, landscape and environmental values.
BONNET HILL	
(a) The existing bushland character of the Bonnett Hill area should be retained in order to protect significant environmental and landscape values.	(a) New development proposals are to consider and minimise potential impacts on existing native vegetation and views.
CONINGHAM AND LOWER SNUG	

(a) Coningham and Lower Snug have environmental, road access and servicing limitations that will constrain further residential development.	(a) Further significant subdivision of land will be discouraged in order to protect coastal values, road safety and local amenity.
SNUG	
(a) The rural and coastal character of Snug is to be maintained and should primarily contain single detached dwellings.	(a) Infill development and multi-unit housing is to be restricted within Snug and other future developments should respect the existing streetscapes and larger lot sizes.
KETTERING	
(a) Kettering is to remain a relatively small, low-density coastal village.	(a) Future development is constrained by the absence of reticulated water and sewer and future suburban type development is to be avoided.
WOODBRIDGE	
(a) New residential development within Woodbridge should suit its existing rural setting and complement surrounding development.	(a) While further infill development is desirable, this should be designed to meet local needs and be sensitive to Woodbridge's existing landscape and heritage values.
MIDDLETON	
(a) Middleton is to remain a low-density village with predominantly single homes around a village core that includes both commercial and community services.	(a) Future development is to be sensitive to the existing landscape and heritage values of the local area.
ALONNAH	
(a) Future development within Alonnah should maintain residential amenity and encourage more permanent high quality accommodation.	(a) Residential amenity is to be maintained through sensitive and contemporary building design, larger lots and vegetated screening.

ADVENTURE BAY	
(a) Future development within Adventure Bay should enhance residential amenity and encourage a higher quality of accommodation.	(a) Residential amenity is to be enhanced through sensitive and contemporary building design, larger lots and vegetated screening.
DENNES POINT	
(a) Future development within Dennes Point should maintain residential amenity and encourage high quality accommodation.	(a) Residential amenity is to be maintained through sensitive and contemporary building design, larger lots and vegetated screening.

## 12.2 Use Table

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Educational and occasional care	Only if for home-based child care in accordance with a licence under the <i>Child Care Act 2001</i>
Natural and cultural values management	
Passive recreation	
Residential	Only if a single dwelling or home-based business.
Utilities	Only if for minor utilities
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Residential	Except if no permit required Only if located in Area C
Visitor accommodation	
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Community meeting and entertainment	Only if church, art and craft centre or public hall

Domestic animal breeding, boarding or training	
Educational and occasional care	Except if No Permit Required Only if day respite facility
Emergency services	
Residential	Only if a retirement village and located in Areas A and/or B
Sports and recreation	
Utilities	Except if no permit required
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 12.3 Use Standards

### 12.3.1 Non-Residential Use

Objective:	
To ensure that non-residential use does not unreasonably impact residential amenity.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Hours of operation must be within:</p> <p>(a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;</p> <p>(b) 9.00 am to 12.00 noon Saturdays;</p> <p>(c) nil Sundays and Public Holidays;</p> <p>except for office and administrative tasks or visitor accommodation.</p>	<p><b>P1</b></p> <p>Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</p>
<p><b>A2</b></p> <p>Noise emissions measured at the boundary of the site must not exceed the following:</p> <p>(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;</p>	<p><b>P2</b></p> <p>Noise emissions measured at the boundary of the site must not cause environmental harm.</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 to 8.00 am;</p> <p>(c) 65dB(A) (LAmax) at any time.</p>	
<p><b>A3</b></p> <p>External lighting must comply with all of the following:</p> <p>(a) be turned off between 6:00 pm and 8:00 am, except for security lighting;</p> <p>(b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.</p>	<p><b>P3</b></p> <p>External lighting must not adversely affect existing or future residential amenity, having regard to all of the following:</p> <p>(a) level of illumination and duration of lighting;</p> <p>(b) distance to habitable rooms in an adjacent dwelling.</p>
<p><b>A4</b></p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:</p> <p>(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;</p> <p>(b) 9.00 am to 12 noon Saturdays;</p> <p>(c) nil on Sundays and Public Holidays.</p>	<p><b>P4</b></p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) 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>

### 12.3.2 Visitor Accommodation

Objective:	
To ensure visitor accommodation is of a scale that accords with the residential character and use of the area.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Visitor accommodation must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) is accommodated in existing buildings;</li> <li>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</li> <li>(c) has a floor area of no more than 160m<sup>2</sup>.</li> </ul>	<p><b>P1</b></p> <p>Visitor accommodation must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) not adversely impact residential amenity and privacy of adjoining properties;</li> <li>(b) provide for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</li> <li>(c) be of an intensity that respects the character of use of the area;</li> <li>(d) not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of private rights of way.</li> </ul>

## 12.4 Development Standards for Buildings and Works

### 12.4.1 Non-dwelling development

Objective:	
To ensure that all non-dwelling development is sympathetic to the form and scale of residential development and does not significantly affect the amenity of nearby residential properties.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Non-dwelling development must comply with the following acceptable solutions as if it were a dwelling:</p> <ul style="list-style-type: none"> <li>(a) 12.4.2 A1 and A3;</li> <li>(b) 12.4.3 A1 (a) and (b);</li> <li>(c) 12.4.7 A1.</li> </ul>	<p><b>P1</b></p> <p>Non-dwelling development must comply with the related performance criteria as if it were a dwelling.</p>

(d) 12.4.2 A4	
<p><b>A2</b></p> <p>Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to a dwelling:</p> <p>(a) 12.4.2 A2;</p> <p>(b) 12.4.5 A1.</p>	<p><b>P2</b></p> <p>Non-residential garages and carports must comply with the related performance criteria as if they were ancillary to a dwelling.</p>
<p><b>A3</b></p> <p>Outdoor storage areas must comply with all of the following:</p> <p>(a) be located behind the building line;</p> <p>(b) all goods and materials stored must be screened from public view;</p> <p>(c) not encroach upon car parking areas, driveways or landscaped areas.</p>	<p><b>P3</b></p> <p>Outdoor storage areas must satisfy all of the following:</p> <p>(a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;</p> <p>(b) not encroach upon car parking areas, driveways or landscaped areas.</p>

#### 12.4.2 Setbacks and building envelope

Objective:	
<p>To control the siting and scale of dwellings to:</p> <p>(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and</p> <p>(b) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and</p> <p>(c) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p> <p>(d) maintain the neighbourhood character and natural landscape.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:</p>	<p><b>P1</b></p> <p>A dwelling must:</p> <p>(a) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site; and</p>

<p>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.</p>	<p>(b) have regard to streetscape qualities or assist the integration of new development into the streetscape.</p>
<p><b>A2</b></p> <p>A garage or carport must have a setback from a frontage of at least:</p> <p>(a) 5.5 m, or alternatively 1m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</p>	<p><b>P2</b></p> <p>The setback of a garage or carport from a frontage must:</p> <p>(a) provide separation from the frontage that complements or enhances the existing streetscape, taking into account the specific constraints and topography of the site; and</p> <p>(b) allow for passive surveillance between the dwelling and the street.</p>
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</li> <li>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</li> <li>(iii) overshadowing of an adjoining vacant lot; or</li> </ul>

<p>(a) be contained within a building envelope (refer to diagrams 12.4.2A, 12.4.2B, 12.4.2C and 12.4.2D) determined by:</p> <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</li> </ul> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</li> </ul>	<ul style="list-style-type: none"> <li>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</li> <li>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</li> </ul>
<p><b>A4</b></p> <p>No trees of high conservation value will be impacted.</p>	<p><b>P4</b></p> <p>Buildings and works are designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value.</p>

Diagram 12.4.2A. Building envelope as required by 12.4.2 A3(a).

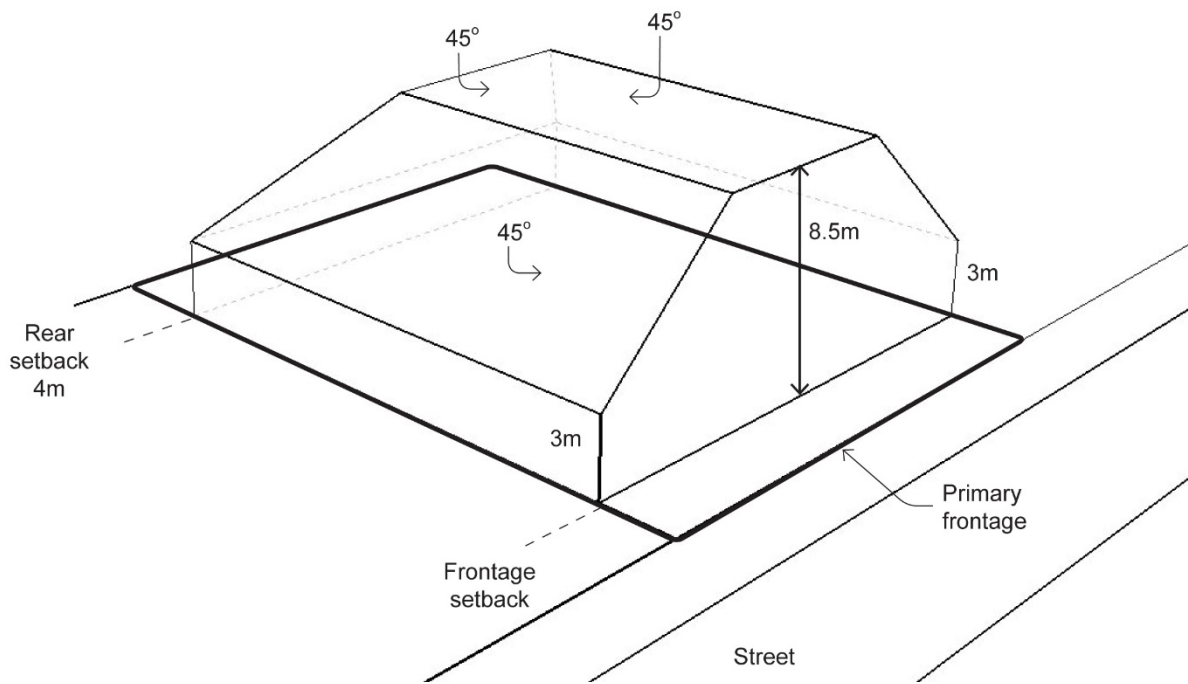


Diagram 12.4.2B. Building envelope for sloping sites as required by 12.4.2 A3(a).

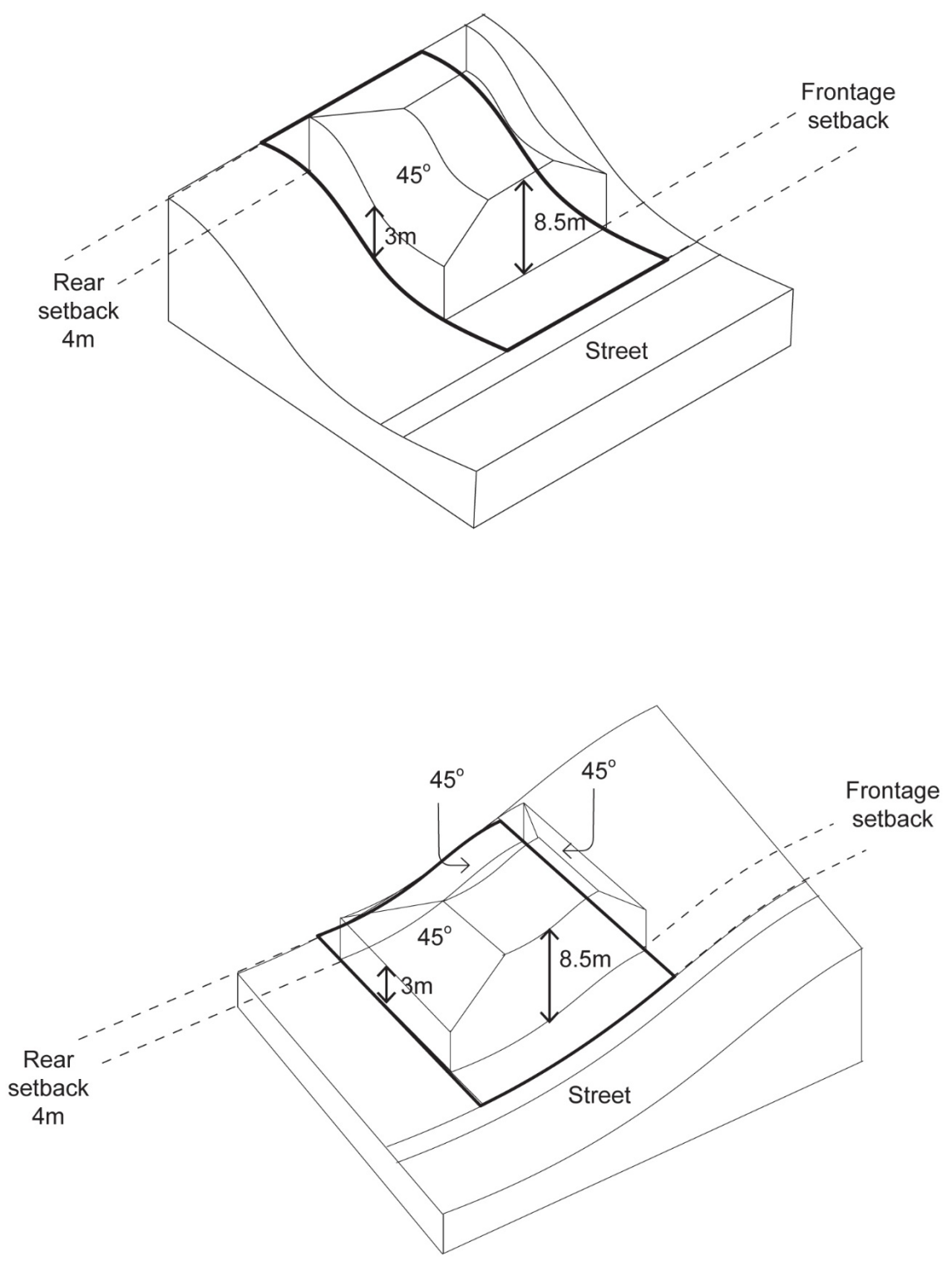


Diagram 12.4.2C. Building envelope for corner lots as required by 12.4.2 A3(a)

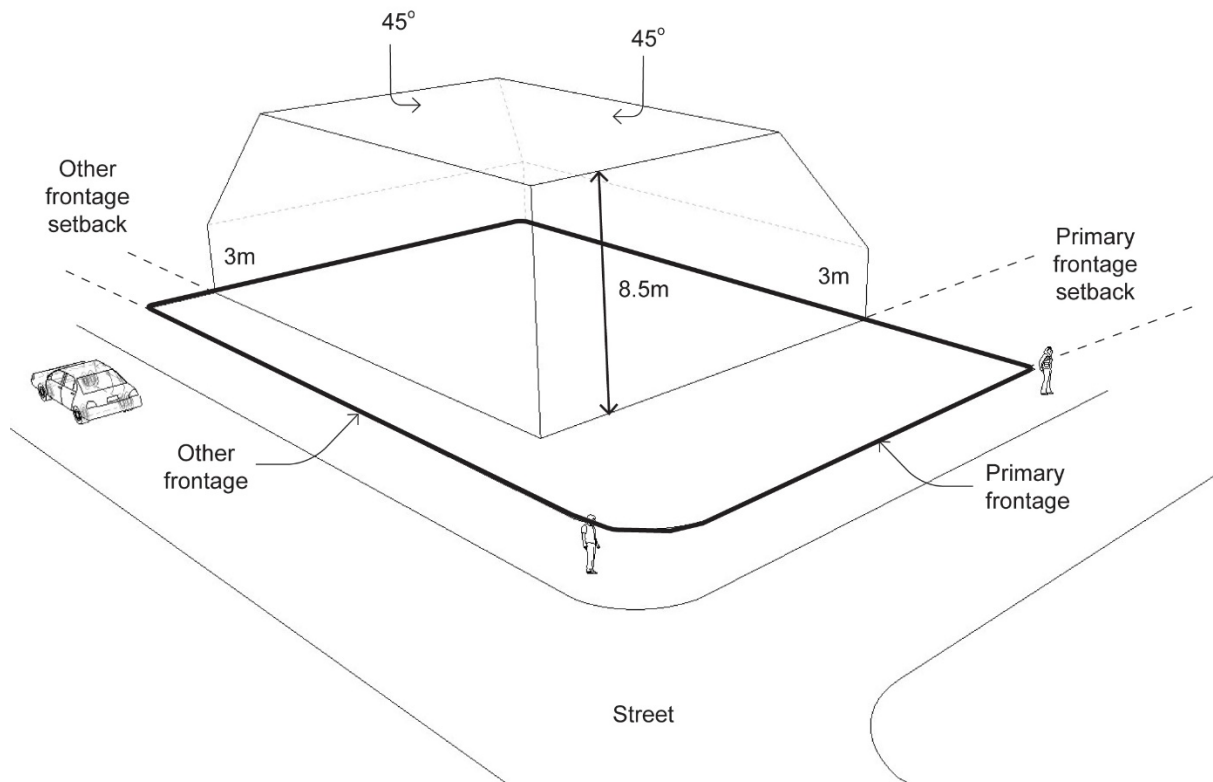
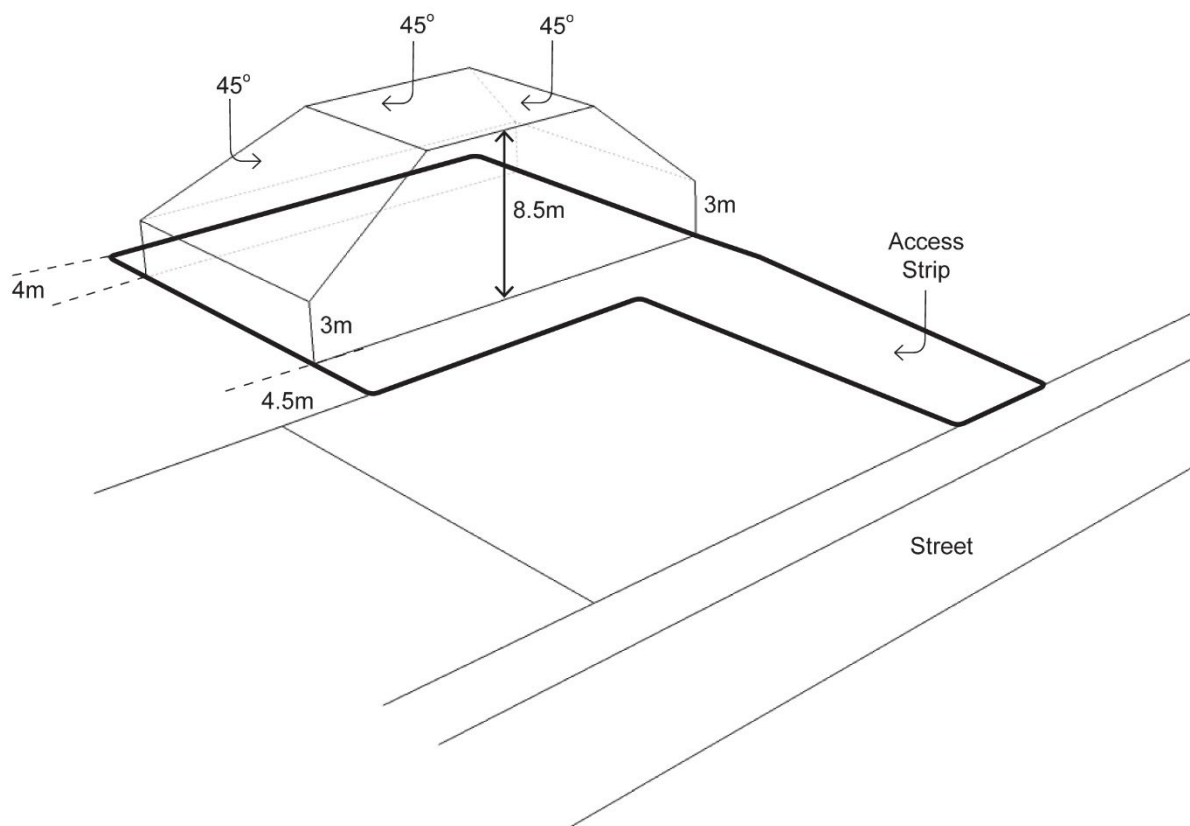


Diagram 12.4.2D. Building envelope for internal lots as required by 12.4.2 A3(a)





### 12.4.3 Site coverage and private open space

Objective:	
To provide:	
<ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents; and</li> <li>(b) opportunities for the planting of gardens and landscaping; and</li> <li>(c) private open space that is integrated with the living areas of the dwelling; and</li> <li>(d) private open space that has access to sunlight; and</li> <li>(e) for development that is compatible with the existing built and natural environment of the area.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 25% (excluding eaves up to 0.6m); and</li> <li>(b) a site area of which at least 25% of the site area is free from impervious surfaces;</li> <li>(c) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling.</li> </ul>	<p><b>P1</b></p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> <li>(i) outdoor recreational space consistent with the projected requirements of the occupants; and</li> <li>(ii) operational needs, such as clothes drying and storage; and</li> </ul> </li> <li>(b) have reasonable space for the planting of gardens and landscaping.</li> <li>(c) not be out of character with the pattern of development in the surrounding area; and</li> <li>(d) not result in an unreasonable loss of natural or landscape values.</li> </ul>
<p><b>A2</b></p> <p>A dwelling must have an area of private open space that:</p> <ul style="list-style-type: none"> <li>(a) is in one location and is at least: <ul style="list-style-type: none"> <li>(i) 24 m<sup>2</sup>; or</li> </ul> </li> </ul>	<p><b>P2</b></p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> <li>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:</li> </ul>

<ul style="list-style-type: none"> <li>(ii) 12 m<sup>2</sup>, if the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</li> <li>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</li> <li>(e) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</li> <li>(f) has a gradient not steeper than 1 in 10; and</li> <li>(g) is not used for vehicle access or parking.</li> </ul>	<ul style="list-style-type: none"> <li>(i) conveniently located in relation to a living area of the dwelling; and</li> <li>(ii) orientated to take advantage of sunlight.</li> </ul>
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#### 12.4.4 Sunlight and overshadowing

Objective:	
To provide:	
<ul style="list-style-type: none"> <li>(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings;</li> <li>(b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</li> </ul>	
Acceptable Solutions	Performance Criteria
<b>A1</b>	<b>P1</b>

<p>A dwelling must have at least one habitable room (other than a bedroom) window that faces between 30 degrees west of north and 30 degrees east of north (see diagram 12.4.4A).</p>	<p>A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p><b>A2</b></p> <p>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see diagram 12.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see diagram 12.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>	<p><b>P2</b></p> <p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see diagram 12.4.4A).</p>
<p><b>A3</b></p> <p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of 12.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see diagram 12.4.4C):</p>	<p><b>P3</b></p> <p>A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of 12.4.3.</p>

<ul style="list-style-type: none"><li>(i) at a distance of 3 m from the northern edge of the private open space; and</li><li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li></ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"><li>(i) an outbuilding with a building height no more than 2.4 m; or</li><li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li></ul>	
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Diagram 12.4.4A. Orientation of a window of a habitable room as specified in 12.4.4 A1, A2 and P2.

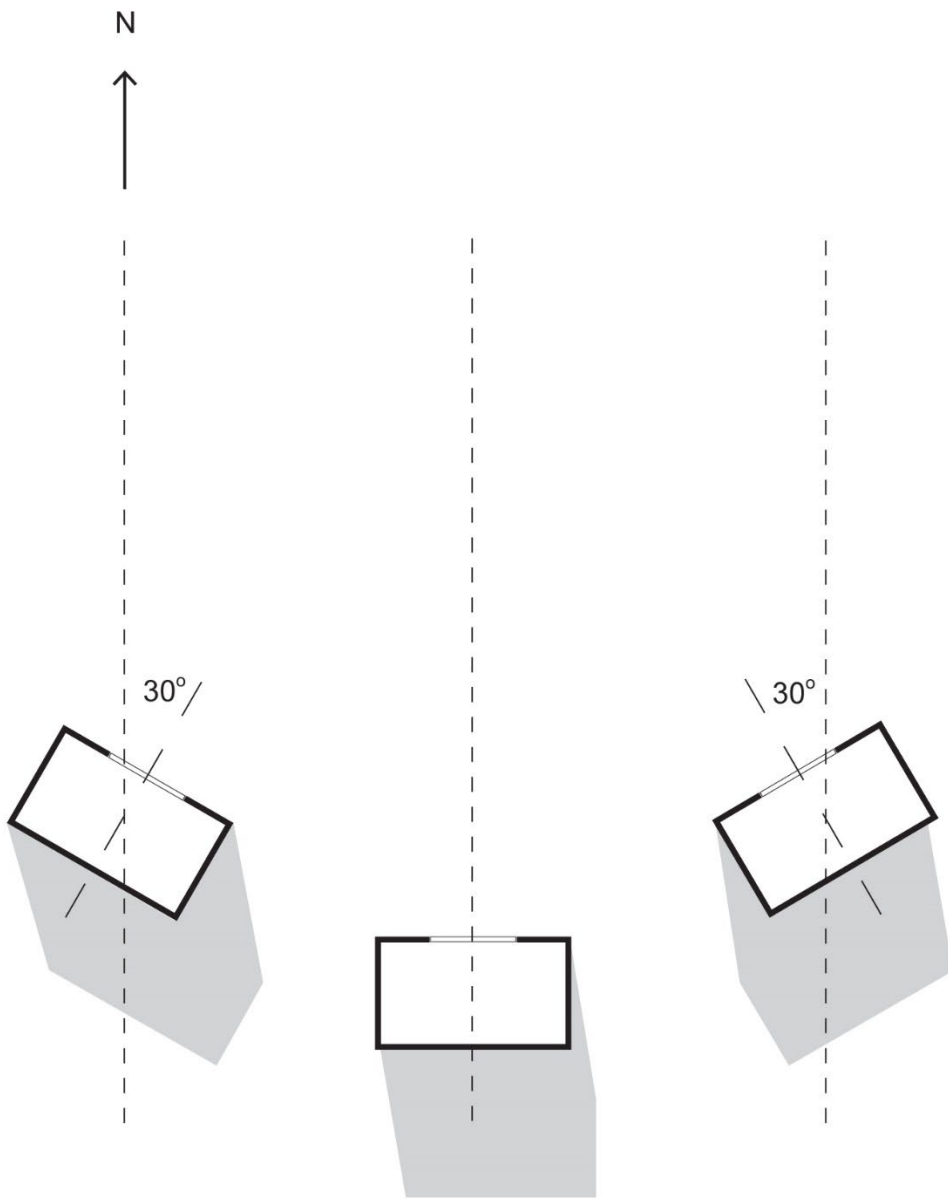


Diagram 12.4.4B. Separation from a north-facing window of a habitable room, of another dwelling on the same site, as required by 12.4.4 A2(a).

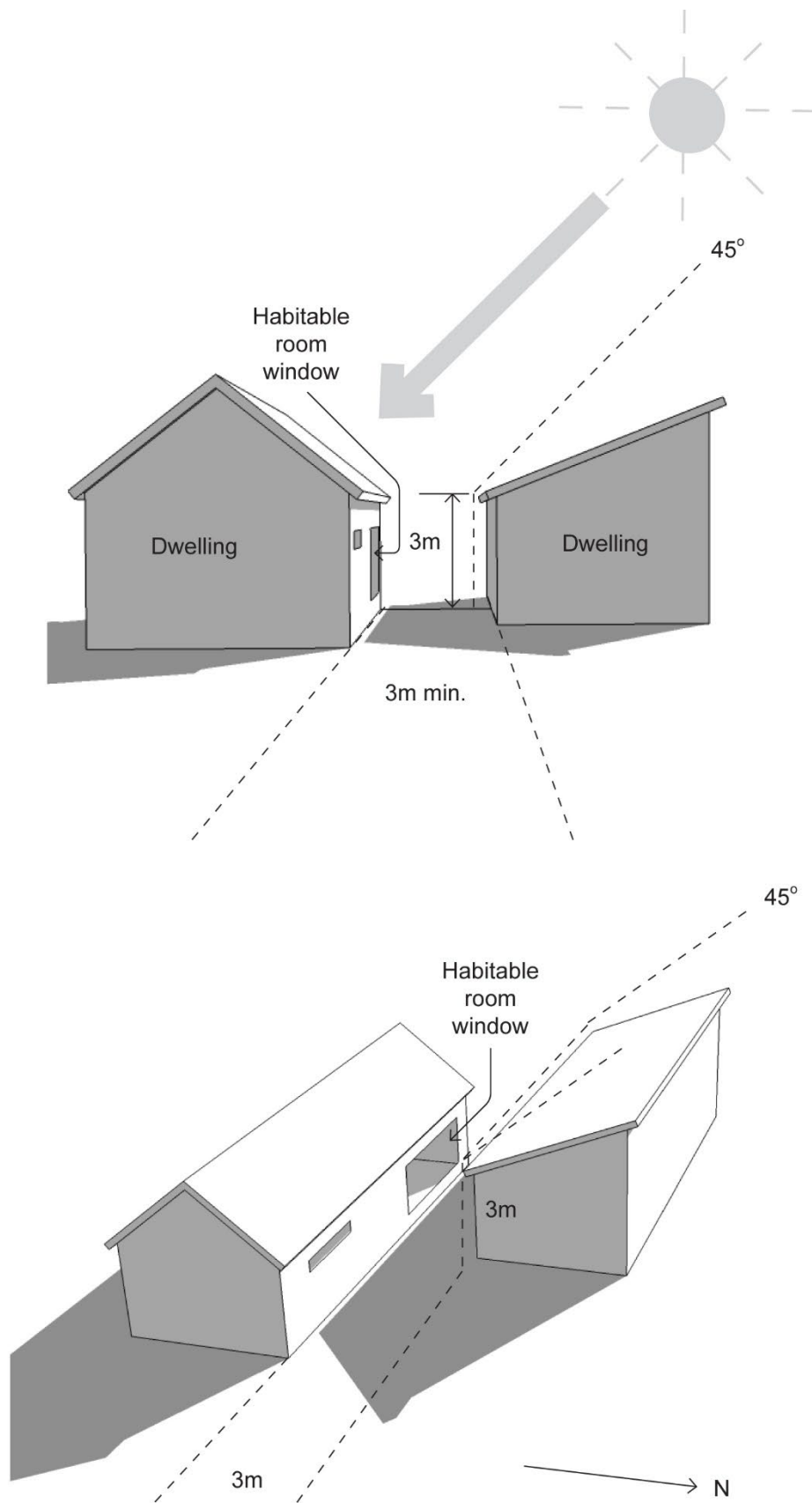
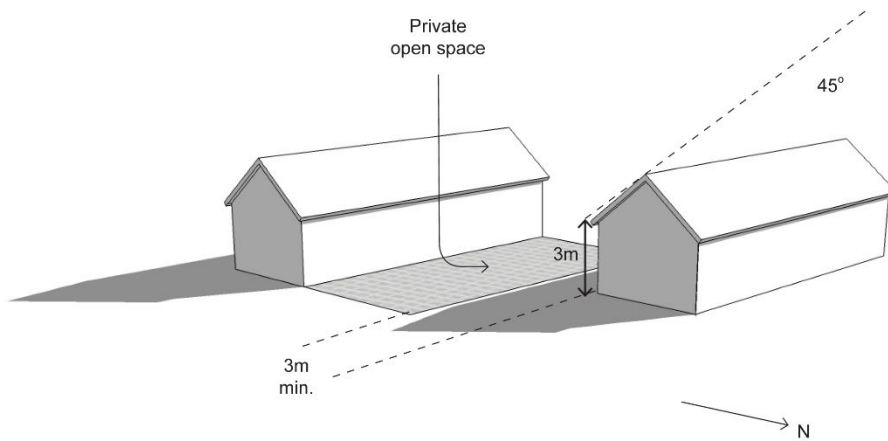
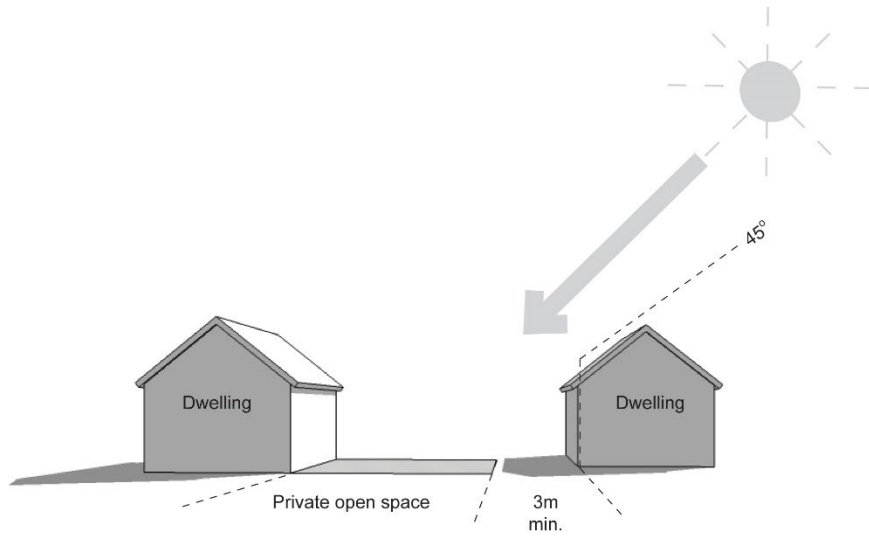


Diagram 12.4.4C. Separation from the private open space of another dwelling on the same site as required by 12.4.4 A3 (a).



#### 12.4.5 Width of openings for garages and carports

Objective:	
To reduce the potential for garage or carport openings to dominate the primary frontage.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage not exceeding 6m or half the width of the frontage (whichever is the lesser).</p>	<p><b>P1</b></p> <p>A garage or carport must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p>

#### 12.4.6 Privacy

Objective:	
To provide reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary;</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space or carport has a setback of at least 4m from the rear boundary;</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</p>	<p><b>P1</b></p> <p>A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1 m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <p>(a) a dwelling on an adjoining lot or its private open space; or</p> <p>(b) another dwelling on the same site or its private open space; or</p> <p>(c) an adjoining vacant residential lot.</p>



<ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, or the other dwelling on the same site.</li> </ul>	
<p><b>A2</b></p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary;</li> <li>(ii) is to have a setback of at least 4 m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site;</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> </ul>	<p><b>P2</b></p> <p>A window or glazed door, to a habitable room of a dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> <li>(a) a window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling; and</li> <li>(c) an adjoining vacant residential lot.</li> </ul>

<p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p>	
<p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p>	<p><b>P3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>

#### 12.4.7 Frontage fences

<p>Objective:</p>	
<p>To control the height and transparency of frontage fences to:</p> <p>(a) allow the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(b) provide reasonably consistent height and transparency.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p><b>A1</b></p> <p>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2 m if the fence is solid; or</p>	<p><b>P1</b></p> <p>A fence (including a free-standing wall) within 4.5 m of a frontage must allow for mutual passive surveillance between the road and the dwelling (particularly on primary frontages), and maintain or enhance the streetscape.</p>

(b) 1.5 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	
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#### 12.4.8 Waste storage for multiple dwellings

Objective:	
To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area between the dwelling and the frontage; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5 m from a frontage; and</p> <p>(ii) is at least 5.5 m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.</p>	<p><b>P1</b></p> <p>A multiple dwelling development must provide storage, for waste and recycling bins, that is:</p> <p>(a) capable of storing the number of bins required for the site; and</p> <p>(b) screened from the frontage and dwellings; and</p> <p>(c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</p>

#### 12.4.9 Residential density for multiple dwellings

Objective:	
To provide for densities for multiple dwellings that are compatible with the existing built and natural environment of the area and do not exceed the capacity of infrastructure services.	
Acceptable Solutions	Performance Criteria
<b>A1</b>	<b>P1</b>

<p>Multiple dwellings must have a site area per dwelling of not less than 1000m<sup>2</sup>.</p>	<p>Multiple dwellings may only have a site area per dwelling of less than 1000m<sup>2</sup> if the number of dwellings:</p> <ul style="list-style-type: none"> <li>(a) is not out of character with the pattern of development in the surrounding area; and</li> <li>(b) does not result in an unreasonable loss of natural or landscape values; and</li> <li>(c) does not exceed the capacity of the current or intended infrastructure services in the area.</li> </ul>
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## 12.5 Development Standards for Subdivision

### 12.5.1 Lot Design

Objective:	
<p>To provide for new lots that:</p> <ul style="list-style-type: none"> <li>(a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;</li> <li>(b) contain building areas which are suitable for residential development, located to avoid hazards and values and will not lead to land use conflict and fettering of resource development use on adjoining rural land;</li> <li>(c) are not internal lots, except if the only reasonable way to provide for desired residential density.</li> <li>(d) contain building areas which are located to avoid environmental values.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The size of each lot must be in accordance with the following, except if for public open space, a riparian or littoral reserve or utilities:</p> <p style="text-align: center;">as specified in Table 12.1.</p>	<p><b>P1</b></p> <p>No Performance Criteria.</p>
<p><b>A2</b></p> <p>The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities;</p>	<p><b>P2</b></p> <p>The design of each lot must contain a building area able to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) is reasonably capable of accommodating residential use and development;</li> </ul>

<ul style="list-style-type: none"> <li>(a) clear of the frontage, side and rear boundary setbacks;</li> <li>(b) not subject to any codes in this planning scheme;</li> <li>(c) clear of title restrictions such as easements and restrictive covenants;</li> <li>(d) has an average slope of no more than 1 in 5;</li> <li>(e) is a minimum of 20 m x 20 m in size.</li> <li>(f) No environmental values will be adversely impacted.</li> </ul>	<ul style="list-style-type: none"> <li>(b) meets any applicable standards in codes in this planning scheme;</li> <li>(c) enables future development to achieve reasonable solar access, given the slope and aspect of the land;</li> <li>(d) minimises the requirement for earth works, retaining walls, and cut &amp; dill associated with future development;</li> <li>(e) avoids, minimises and mitigates environmental impact arising from future use and development;</li> <li>(f) offsets impacts on trees of high conservation value.</li> </ul>
<p><b>A3</b></p> <p>The frontage for each lot must be no less than the following, except if for public open space, a riparian or littoral reserve or utilities and except if an internal lot:</p> <p style="text-align: center;">30m.</p>	<p><b>P3</b></p> <p>The frontage of each lot must provide opportunity for reasonable vehicular and pedestrian access and must be no less than:</p> <p style="text-align: center;">6m.</p>
<p><b>A4</b></p> <p>No lot is an internal lot <sup>[R1]</sup>.</p>	<p><b>P4</b></p> <p>An internal lot must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) access is from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;</li> <li>(b) it is not reasonably possible to provide a new road to create a standard frontage lot;</li> <li>(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;</li> <li>(d) the lot will contribute to the more efficient utilisation of living land;</li> <li>(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</li> </ul>

	<ul style="list-style-type: none"> <li>(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</li> <li>(g) passing bays are provided at appropriate distances along the access strip to service the likely future use of the lot;</li> <li>(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</li> <li>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</li> <li>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</li> </ul>
<p><b>A5</b></p> <p>Setback from a new boundary for an existing building must comply with the relevant Acceptable Solution for setback.</p>	<p><b>P5</b></p> <p>Setback from a new boundary for an existing building must satisfy the relevant Performance Criteria for setback.</p>

**Footnote**

Generally, new internal lots are not appropriate and any subdivisions in which new roads are constructed are not to include internal lots.

They should only be contemplated in existing developed areas (in order to make more efficient use of previously poorly subdivided land).

They may also be appropriate if fronting certain forms of public open space instead of a public road. Such arrangements may be designed into an area through the development of a Specific Area Plan.

**12.5.2 Roads**

Objective:	
To ensure that the arrangement of new roads within a subdivision provides for all of the following:	
<ul style="list-style-type: none"> <li>(a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>(b) the adequate accommodation of vehicular, pedestrian and cycling traffic;</li> <li>(c) the efficient ultimate subdivision of the entirety of the land and of neighbouring land.</li> </ul>	
Acceptable Solutions	Performance Criteria

<p><b>A1</b></p> <p>The subdivision includes no new road.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</li> <li>(b) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</li> <li>(c) the subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;</li> <li>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</li> <li>(e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum;</li> <li>(f) connectivity with the neighbourhood road network is maximised;</li> <li>(g) the travel distance between key destinations such as shops and services is minimised;</li> <li>(h) walking, cycling and the efficient movement of public transport is facilitated;</li> <li>(i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A;</li> <li>(j) multiple escape routes are provided if in a bushfire prone area.</li> </ul>
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### 12.5.3 Ways and Public Open Space

Objective:	
To ensure that the arrangement of ways and public open space provides for all of the following:	
<ul style="list-style-type: none"> <li>(a) the provision of safe, convenient and efficient connections for accessibility, mobility and recreational opportunities for the community;</li> <li>(b) the adequate accommodation of pedestrian and cycling traffic;</li> <li>(c) the adequate accommodation of equestrian traffic.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></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"> <li>(a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;</li> <li>(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;</li> <li>(c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;</li> <li>(d) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;</li> <li>(e) topographical and other physical conditions of the site are appropriately accommodated in the design;</li> <li>(f) the route of new ways has regard to any pedestrian &amp; cycle way or public open space plan adopted by the Planning Authority;</li> </ul>



	<p>(g) 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>(h) the route of new equestrian ways has regard to any equestrian trail plan adopted by the Planning Authority.</p>
<p><b>A2</b></p> <p>No Acceptable Solution.</p>	<p><b>P2</b></p> <p>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.</p>

#### 12.5.4 Services

Objective:	
To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot must be connected to a reticulated potable water supply where such a supply is available. <sup>R1</sup></p>	<p><b>P1</b></p> <p>No Performance Criteria.</p>
<p><b>A2</b></p> <p>Each lot must be connected to a reticulated sewerage system where available. <sup>R1</sup></p>	<p><b>P2</b></p> <p>Where a reticulated sewerage system is not available, each lot must be capable of</p>

	accommodating an on-site wastewater treatment system adequate for the future use and development of the land.
<b>A3</b> Each lot must be connected to a stormwater system able to service the building area by gravity. <sup>R2</sup>	<b>P3</b> Each lot must be capable of accommodating an on-site stormwater management system adequate for the likely future use and development of the land.
<b>A4</b> The subdivision includes no new road.	<b>P4</b> The subdivision provides for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.

12.5.4.R1 The Water and Sewer Corporation governs specific details separately to the planning scheme.

12.5.4.R2 Refer to the Stormwater Management Code for details.

**Table 12.1 Minimum Lot Size**

Low Density Residential Zone Area	Minimum Lot Size	Area defined by map overlay?
Low Density Residential Area A (all other areas)	2,500m <sup>2</sup>	No
Low Density Residential Area B	5,000m <sup>2</sup> Except for 38-42 Lynden Road, (CT 102688/1) where the minimum lot size is 2,000m <sup>2</sup>	Yes
Low Density Residential Area C	1,000m <sup>2</sup>	Yes