

TASMANIA

**HOUSING LAND SUPPLY (HUNTINGFIELD)
ORDER 2020**

STATUTORY RULES 2020, No.

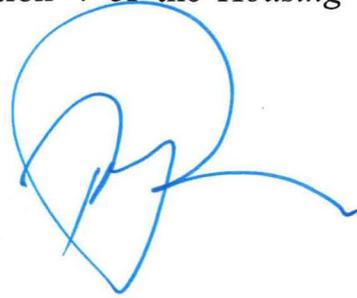
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**HOUSING LAND SUPPLY (HUNTINGFIELD)
ORDER 2020**

I make the following order under section 4 of the *Housing Land Supply Act 2018*.

Dated 26/2/2020



Minister for Planning

1. Short title

This order may be cited as the *Housing Land Supply (Huntingfield) Order 2020*.

2. Commencement

This order takes effect on the day on which its making is notified in the *Gazette*.

3. Interpretation

In this order –

Act means the *Housing Land Supply Act 2018*;

applicable area means the area of land declared by clause 4 to be housing supply land;

General Residential Zone area means the area of land –

- (a) that is shown, in the plan in Schedule 2 to this order, as the

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general residential zone on the map included in that plan; and

- (b) that is bounded by the co-ordinates as shown in that plan;

Inner Residential Zone area means the area of land –

- (a) that is shown, in the plan in Schedule 3 to this order, as the inner residential zone on the map included in that plan; and

- (b) that is bounded by the co-ordinates as shown in that plan;

Local Business Zone area means the area of land –

- (a) that is shown, in the plan in Schedule 4 to this order, as the local business zone on the map included in that plan; and

- (b) that is bounded by the co-ordinates as shown in that plan;

Open Space Zone area means the area of land –

- (a) that is shown, in the plan in Schedule 5 to this order, as the open space zone on the map included in that plan; and

- (b) that is bounded by the co-ordinates as shown in that plan;

the SPPs has the same meaning as in the Act.

4. Declaration of housing supply land

For the purposes of section 4(1) of the Act, the area of land –

- (a) situated at the area known as 1287 Channel Highway, Huntingfield; and
- (b) comprised in the certificates of title CT 172715/1, CT172716/1, CT134371/1 and CT 131270/2; and
- (c) shown bounded by a heavy black line in the plan set out, by way of illustration only, in Schedule 1 to this order –

is declared to be housing supply land.

5. Declaration of intended zones

For the purposes of section 4(2) of the Act –

- (a) the intended zone in relation to the General Residential Zone area is declared to be the General Residential Zone, within the meaning of the applicable planning scheme as in force from time to time; and
- (b) the intended zone in relation to the Inner Residential Zone area is declared to be the Inner Residential Zone, within the meaning of the applicable planning scheme as in force from time to time; and

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- (c) the intended zone in relation to the Local Business Zone area is declared to be the Local Business Zone, within the meaning of the applicable planning scheme as in force from time to time; and
- (d) the intended zone in relation to the Open Space Zone area is declared to be the Open Space Zone, within the meaning of the applicable planning scheme as in force from time to time.

6. Modifications of planning requirements in relation to General Residential Zone area

- (1) Clauses 10.4, 10.5 and 10.6 of the *Kingborough Interim Planning Scheme 2015*, as in force immediately before this order commences, do not apply in relation to the General Residential Zone area.
- (2) Clause 8.4 of the SPPs, modified –
 - (a) by removing any footnotes to the clause; and
 - (b) so that clause 8.4.7 consists of the clause set out in Part 1 of Schedule 6 to this order –

applies in relation to the General Residential Zone area.

- (3) Clause 8.5 of the SPPs, modified –
 - (a) by removing any footnotes to the clause; and

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-
- (b) so that clause 8.5.1 A4 and P4 consist, respectively, of the provisions A4 and P4 set out in Part 2 of Schedule 6 to this order –

applies in relation to the General Residential Zone area.

- (4) Clause 8.6 of the SPPs, modified –

- (a) by removing any footnotes to the clause; and

- (b) so that clause 8.6.1 consists of the clause set out in Part 3 of Schedule 6 to this order –

applies in relation to the General Residential Zone area.

7. Modifications of planning requirements in relation to Inner Residential Zone area

- (1) Clauses 11.4, 11.5 and 11.6 of the *Kingborough Interim Planning Scheme 2015*, as in force immediately before this order commences, do not apply in relation to the Inner Residential Zone area.
- (2) Clause 3.0 of the SPPs, modified so that Table 3.1 consists of the table set out in Part 1 of Schedule 7 to this order, applies in relation to the Inner Residential Zone area.
- (3) Clause 9.4 of the SPPs, modified –

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- (a) by removing any footnotes to the clause;
and
- (b) so that clauses 9.4.2, 9.4.3 and 9.4.7
consist of the clauses, with the
corresponding numbering, set out in Part
2 of Schedule 7 to this order –

applies in relation to the Inner Residential Zone
area.

- (4) Clause 9.5 of the SPPs, modified –

- (a) by removing any footnotes to the clause;
and
- (b) so that clause 9.5.1 consists of the clause
set out in Part 3 of Schedule 7 to this
order –

applies in relation to the Inner Residential Zone
area.

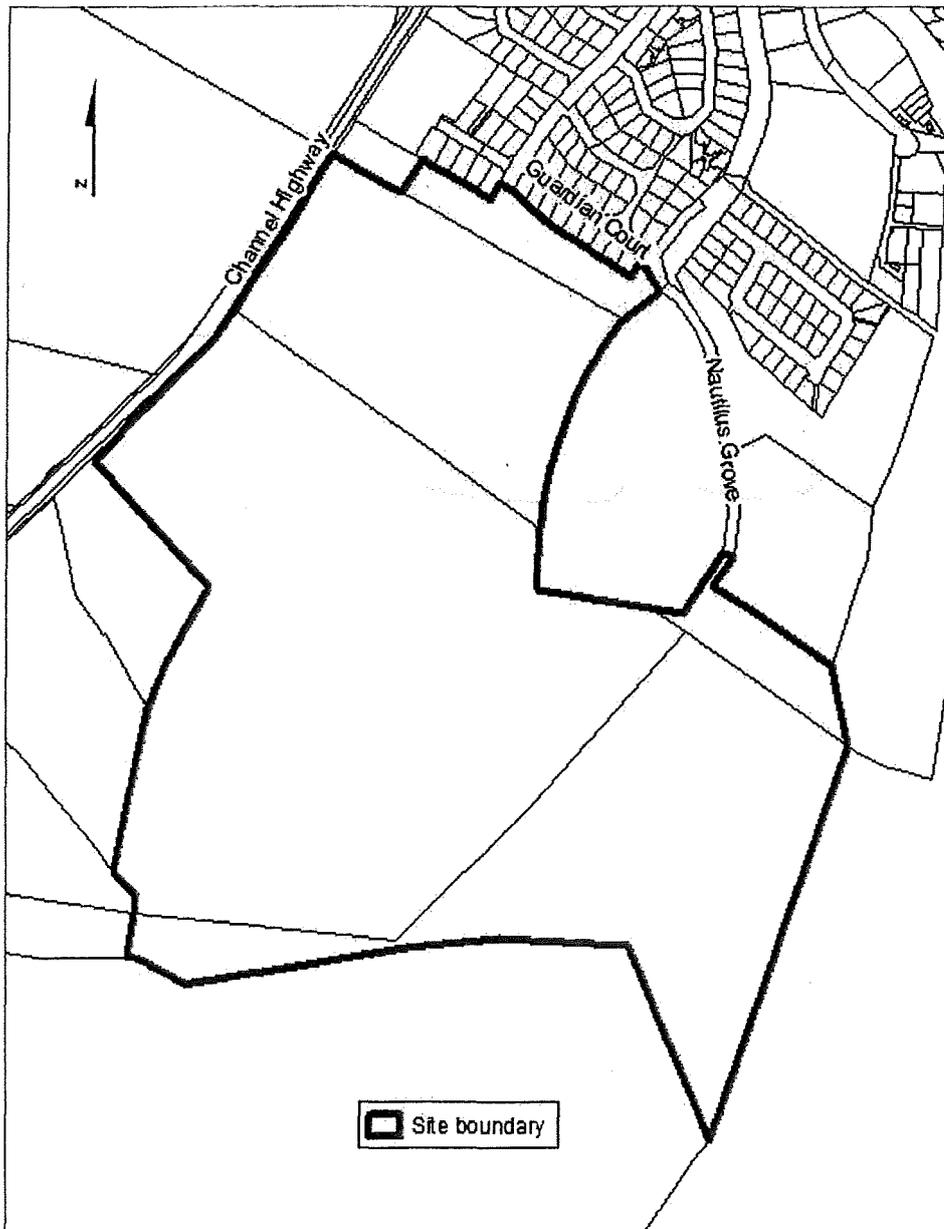
- (5) Clause 9.6 of the SPPs, modified so that clause
9.6.1 consists of the clause set out in Part 4 of
Schedule 7 to this order, applies in relation to the
Inner Residential Zone area.

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SCHEDULE 1 – HOUSING SUPPLY LAND AREA

Clause 4

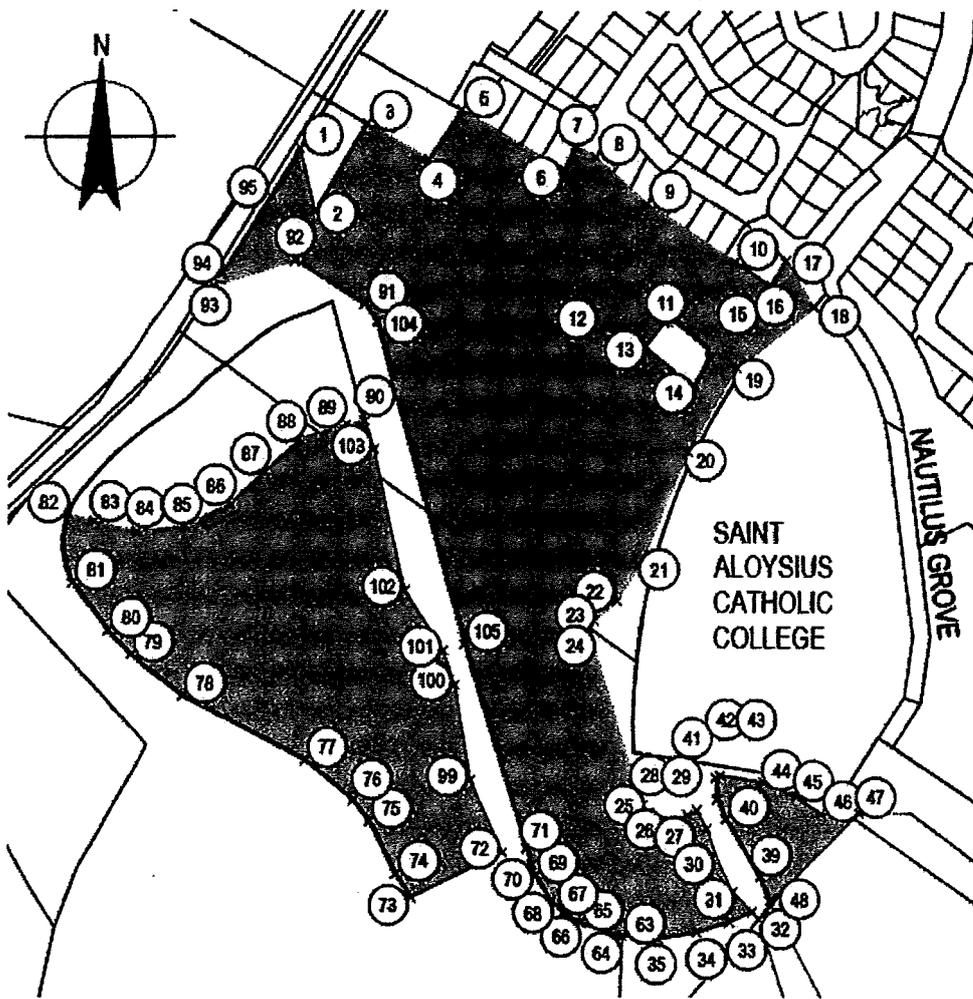


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sch. 2

**SCHEDULE 2 – GENERAL RESIDENTIAL ZONE
AREA**

Clause 3



LEGEND:

GENERAL RESIDENTIAL ZONE



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GENERAL RESIDENTIAL ZONE CO-ORDINATES		
POINT	EASTING	NORTHING
1	523020.168	5239810.090
2	523033.288	5239755.971
3	523078.798	5239830.855
4	523132.251	5239800.689
5	523159.302	5239842.740
6	523248.513	5239792.397
7	523258.543	5239812.080
8	523276.357	5239803.004
9	523320.932	5239762.890
10	523397.128	5239713.241
11	523346.357	5239662.157
12	523336.625	5239661.195
13	523320.167	5239640.623
14	523361.609	5239606.935
15	523375.298	5239630.656
16	523428.293	5239692.955
17	523441.116	5239714.376
18	523466.154	5239674.801
19	523398.140	5239622.280
20	523357.399	5239550.211
21	523316.386	5239453.310
22	523296.671	5239422.689
23	523276.507	5239405.515
24	523273.263	5239394.294
25	523319.266	5239246.881
26	523325.149	5239240.590
27	523343.885	5239234.025
28	523357.835	5239237.922
29	523365.956	5239242.273
30	523374.457	5239226.407

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31	523396.577	5239172.028
32	523393.952	5239145.870
33	523413.453	5239155.014
34	523365.782	5239136.775
35	523332.767	5239131.457
39	523420.159	5239185.245
40	523390.895	5239234.707
41	523383.588	5239251.721
42	523382.419	5239270.084
43	523386.059	5239272.483
44	523423.157	5239266.667
45	523451.812	5239254.875
46	523472.638	5239239.857
47	523506.524	5239239.857
48	523429.142	5239164.489
63	523301.559	5239133.954
64	523294.965	5239134.503
65	523265.508	5239145.401
66	523256.318	5239150.595
67	523250.755	5239154.311
68	523239.506	5239164.532
69	523226.049	5239186.405
70	523222.706	5239195.119
71	523218.120	5239209.160
72	523197.570	5239205.988
73	523119.597	5239166.914
74	523106.543	5239187.119
75	523082.976	5239232.726
76	523070.099	5239250.708
77	523026.716	5239285.124
78	522919.910	5239340.405
79	522875.299	5239375.894

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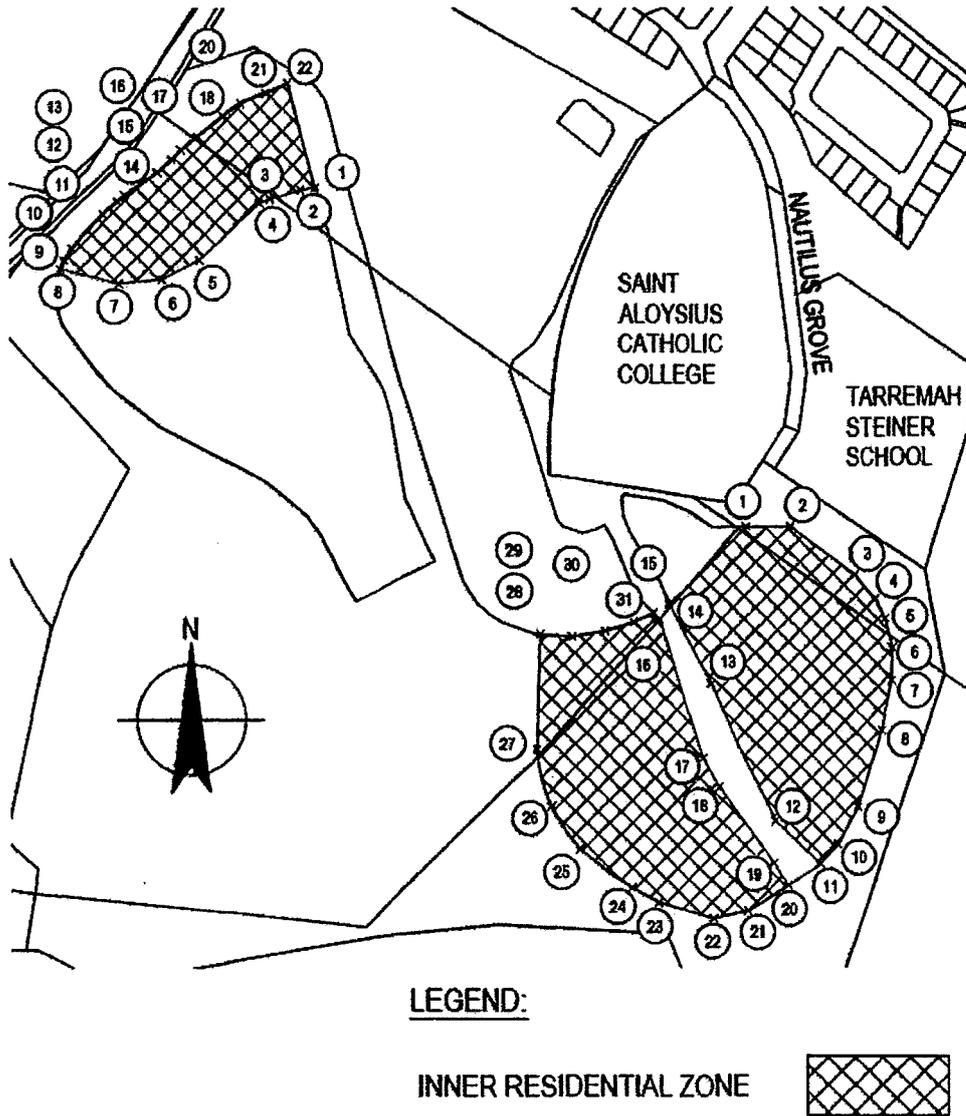
80	522856.187	5239396.892
81	522825.907	5239438.024
82	522821.799	5239496.481
83	522843.688	5239490.932
84	522880.200	5239481.677
85	522922.686	5239485.910
86	522960.195	5239504.807
87	522990.719	5239532.519
88	523021.244	5239560.231
89	523062.791	5239573.192
90	523078.569	5239576.181
91	523077.414	5239676.722
92	523016.295	5239713.915
93	522945.920	5239692.477
94	522952.276	5239702.548
95	522995.012	5239769.435
99	523169.717	5239268.115
100	523155.846	5239349.708
101	523146.505	5239379.547
102	523113.647	5239430.844
103	523086.224	5239552.191
104	523088.493	5239661.716
105	523164.184	5239384.862

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SCHEDULE 3 – INNER RESIDENTIAL ZONE AREA

Clause 3



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INNER RESIDENTIAL ZONE CO-ORDINATES - AREA 1		
POINT	EASTING	NORTHING
1	523078.569	5239576.181
2	523062.791	5239573.192
3	523032.046	5239564.267
4	523021.244	5239560.231
5	522960.195	5239504.807
6	522922.686	5239485.910
7	522880.200	5239481.677
8	522821.799	5239496.481
9	522825.564	5239504.803
10	522833.580	5239516.716
11	522864.395	5239550.352
12	522878.897	5239562.977
13	522886.603	5239568.661
14	522918.355	5239591.556
15	522932.620	5239604.210
16	522941.381	5239613.523
17	522957.884	5239626.375
18	522983.797	5239646.556
20	523001.328	5239658.736
21	523026.879	5239668.704
22	523048.800	5239678.874

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INNER RESIDENTIAL ZONE CO-ORDINATES - AREA 2		
POINT	EASTING	NORTHING
1	523506.524	5239239.857
2	523551.386	5239240.189
3	523615.353	5239192.457
4	523635.824	5239169.224
5	523646.269	5239149.058
6	523653.759	5239119.516
7	523652.821	5239087.508
8	523642.204	5239038.371
9	523618.401	5238962.872
10	523598.024	5238925.175
11	523579.898	5238906.113
12	523535.032	5238948.776
13	523471.069	5239085.382
14	523429.142	5239164.489
15	523413.453	5239155.014
16	523419.838	5239148.577
17	523462.362	5239011.722
18	523478.412	5238982.422
19	523533.292	5238906.521
20	523547.253	5238884.549

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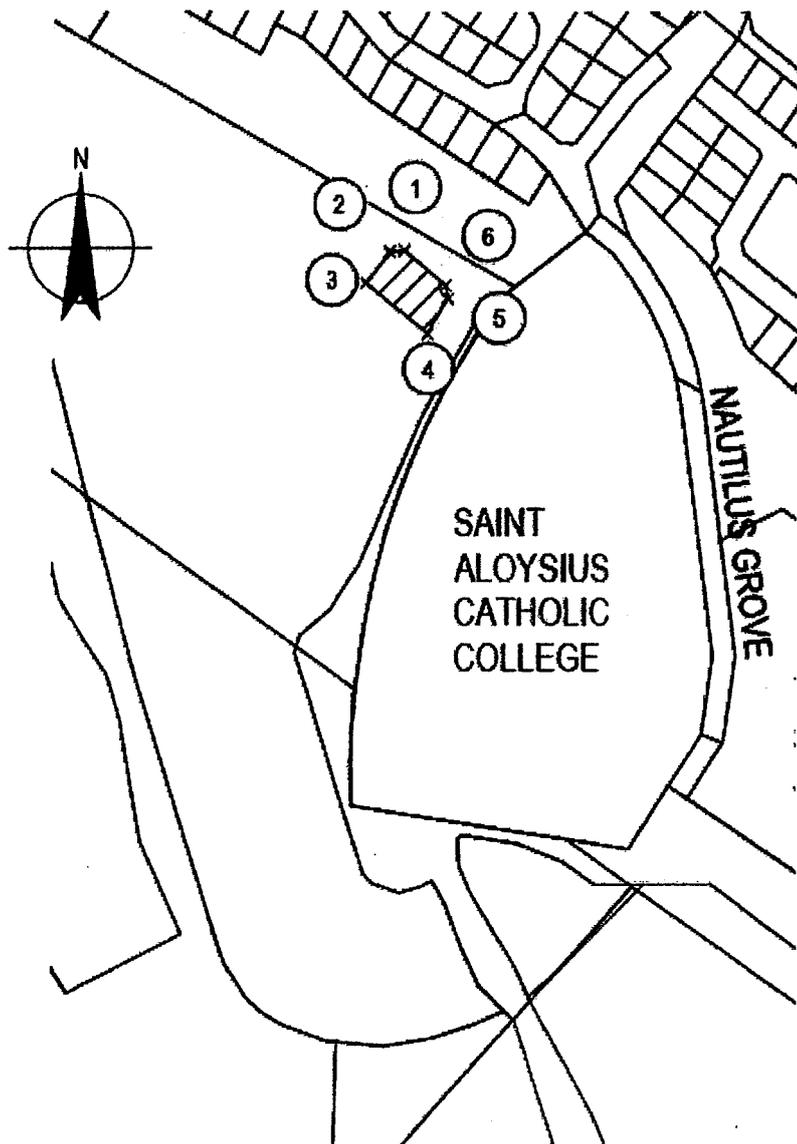
21	523506.482	5238859.172
22	523472.225	5238852.262
23	523417.047	5238867.921
24	523390.386	5238882.722
25	523340.044	5238920.674
26	523312.108	5238963.256
27	523297.575	5239020.160
28	523301.571	5239134.269
29	523332.767	5239131.457
30	523365.782	5239136.775
31	523393.952	5239145.870

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SCHEDULE 4 – LOCAL BUSINESS ZONE AREA

Clause 3



LEGEND:

LOCAL BUSINESS ZONE



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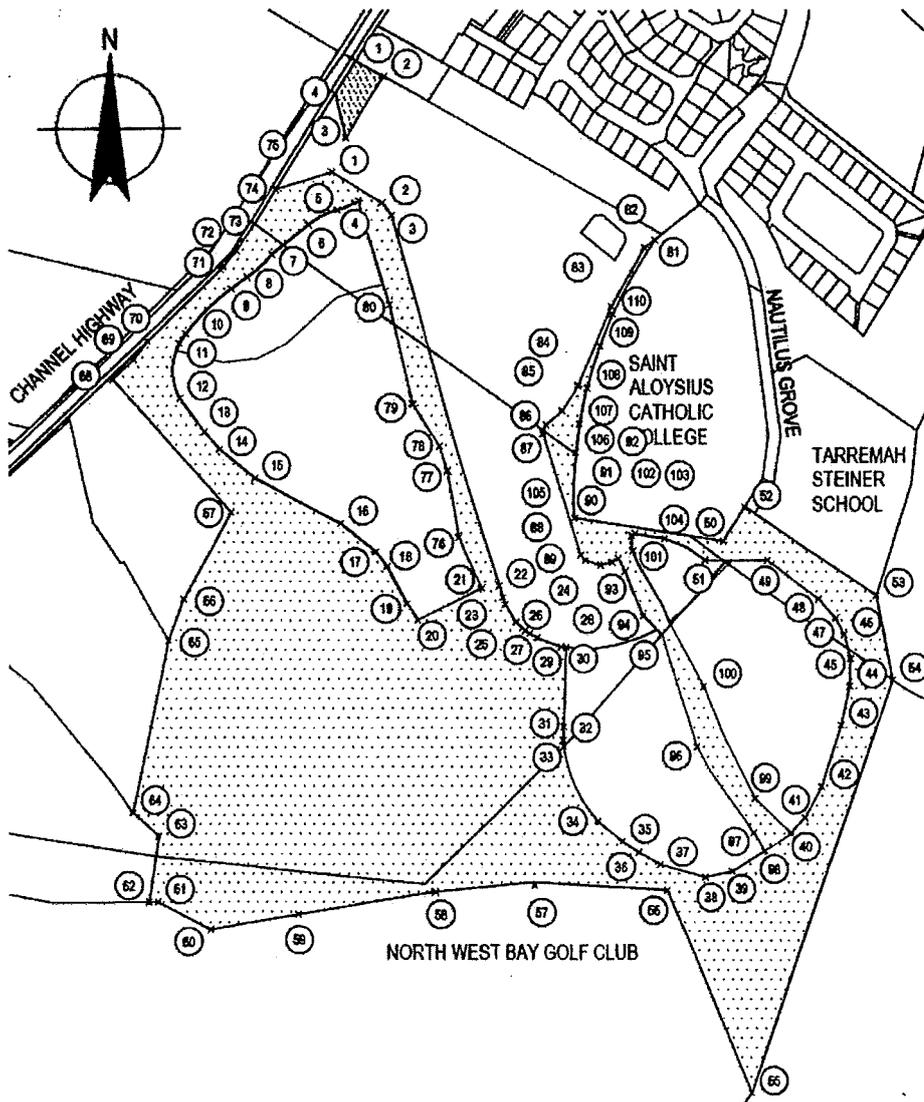
LOCAL BUSINESS ZONE CO-ORDINATES		
POINT	EASTING	NORTHING
1	523346.357	5239662.157
2	523336.616	5239661.186
3	523320.146	5239640.602
4	523361.763	5239606.810
5	523375.298	5239630.656
6	523373.778	5239639.112

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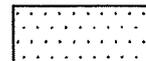
SCHEDULE 5 – OPEN SPACE ZONE AREA

Clause 3



LEGEND:

OPEN SPACE ZONE



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OPEN SPACE ZONE CO-ORDINATES - AREA 1		
POINT	EASTING	NORTHING
1	523045.161	5239849.837
2	523078.798	5239830.855
3	523033.288	5239755.971
4	523020.148	5239810.172

OPEN SPACE ZONE CO-ORDINATES - AREA 2		
POINT	EASTING	NORTHING
1	523016.295	5239713.915
2	523077.414	5239676.722
3	523088.493	5239661.716
4	523048.776	5239678.851
5	523023.169	5239667.592
6	522987.330	5239649.514
7	522941.278	5239613.442
8	522910.537	5239585.787
9	522890.119	5239571.238
10	522833.580	5239516.716
11	522825.564	5239504.803
12	522825.907	5239438.024
13	522856.187	5239396.892
14	522875.299	5239375.894
15	522919.910	5239340.405
16	523026.716	5239285.124
17	523070.099	5239250.708
18	523082.976	5239232.726
19	523106.543	5239187.119

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20	523119.597	5239166.914
21	523197.570	5239205.988
22	523218.120	5239209.160
23	523222.706	5239195.119
24	523226.049	5239186.405
25	523239.506	5239164.532
26	523250.755	5239154.311
27	523256.318	5239150.595
28	523265.508	5239145.401
29	523294.965	5239134.503
30	523301.559	5239133.954
31	523298.090	5239036.383
32	523297.575	5239020.160
33	523298.079	5239012.214
34	523340.044	5238920.674
35	523370.253	5238896.187
36	523390.386	5238882.722
37	523417.047	5238867.921
38	523472.225	5238852.262
39	523506.537	5238859.227
40	523579.898	5238906.113
41	523598.024	5238925.175
42	523618.401	5238962.872
43	523642.204	5239038.371
44	523652.821	5239086.032
45	523653.759	5239119.516
46	523646.269	5239149.058
47	523635.824	5239169.224
48	523615.353	5239192.457
49	523551.386	5239240.189

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50	523495.786	5239263.323
51	523472.612	5239239.830
52	523523.020	5239304.393
53	523686.177	5239197.194
54	523706.082	5239093.381
55	523529.534	5238587.161
56	523425.423	5238836.337
57	523261.514	5238842.036
58	523140.326	5238834.267
59	522973.102	5238806.369
60	522863.128	5238787.848
61	522797.559	5238822.108
62	522786.491	5238822.051
63	522798.833	5238902.673
64	522766.844	5238931.579
65	522811.683	5239141.888
66	522830.303	5239192.232
67	522889.813	5239298.298
68	522741.920	5239461.126
69	522768.229	5239485.604
70	522785.352	5239507.746
71	522876.694	5239594.944
72	522880.444	5239598.694
73	522896.844	5239618.037
74	522919.395	5239650.724
75	522945.929	5239692.480
76	523169.717	5239268.115
77	523155.846	5239349.708
78	523146.505	5239379.547
79	523113.647	5239430.844
80	523086.224	5239552.191

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81	523411.408	5239631.718
82	523398.140	5239622.280
83	523357.399	5239550.211
84	523316.386	5239453.310
85	523296.671	5239422.689
86	523276.507	5239405.515
87	523273.263	5239394.294
88	523319.266	5239246.881
89	523325.149	5239240.590
90	523343.885	5239234.025
91	523357.924	5239237.833
92	523365.956	5239242.273
93	523374.457	5239226.407
94	523396.577	5239172.028
95	523419.457	5239148.961
96	523462.362	5239011.722
97	523533.258	5238907.052
98	523547.253	5238884.549
99	523535.032	5238948.776
100	523471.069	5239085.382
101	523383.588	5239251.721
102	523382.419	5239270.084
103	523386.059	5239272.483
104	523423.157	5239266.667
105	523311.690	5239292.243
106	523313.590	5239372.244
107	523318.246	5239406.987
108	523327.714	5239450.888
109	523343.582	5239502.386
110	523359.047	5239540.757

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**SCHEDULE 6 – MODIFIED PLANNING PROVISIONS –
GENERAL RESIDENTIAL ZONE**

Clause 6

PART 1 – MODIFIED CLAUSE 8.4.7 OF SPPS

8.4.7 Frontage fences for all dwellings

Objective:	That the height and transparency of frontage fences: (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) are reasonably consistent with that on adjoining properties.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>P1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage for a dwelling must:</p> <p>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>

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**PART 2 – MODIFIED CLAUSE 8.5.1 A4 AND P4 OF
SPPS**

<p>A4</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none">(a) 1.2m if the fence is solid; or(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	<p>P4</p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none">(a) provide for security and privacy while allowing for passive surveillance of the road; and(b) be compatible with the height and transparency of fences in the street, having regard to:<ul style="list-style-type: none">(i) the topography of the site; and(ii) traffic volumes on the adjoining road.
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PART 3 – MODIFIED CLAUSE 8.6.1 OF SPPS

8.6.1 Lot design

Objective:	<p>(a) Development of the site occurs in a 'whole of site' manner, that integrates with existing infrastructure and development on adjoining land and provides for a mix of housing options with the necessary infrastructure and public transport connections.</p> <p>(b) That each lot:</p> <p>(i) has an area and dimensions appropriate for use and development in the zone;</p> <p>(ii) is provided with appropriate access to a road;</p> <p>(iii) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and</p> <p>(iv) is orientated to provide solar access for future dwellings.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Subdivision of land must be in accordance with a master plan endorsed by the planning authority for the whole site described by CT172715/1, CT172716/1, CT134371/1 and CT131270/2.</p>	<p>P1</p> <p>Subdivision of land must set out how the subdivision of the whole site described by CT172715/1, CT172716/1, CT134371/1 and CT131270/2 integrates with existing infrastructure and development adjoining the whole site, having regard to:</p> <p>(a) a lot layout that provides a range of lot sizes to suit the construction of dwellings of varying size and type occurring across the whole site;</p> <p>(b) the road connections to the existing road network demonstrating a clear road hierarchy within the whole site providing for a collector road to connect the Channel Highway to Huntingfield Avenue;</p> <p>(c) the provision of public transport to the site;</p> <p>(d) any staging for the subdivision and including the construction of the collector road to connect to the Channel Highway to Huntingfield Avenue within the first stage;</p> <p>(e) the provision of open space areas for the whole site with connections to adjacent open space areas;</p> <p>(f) the pedestrian connections for the whole site and pedestrian connections to existing pedestrian ways;</p> <p>(g) the cycle connections for the whole site and cycle connections to existing cycle ways,</p> <p>(h) the provision of open space facilities within the whole site, and</p> <p>(i) stormwater management for the whole site that minimises impacts on downstream waterways,</p> <p>and must be accompanied by a master plan that has been prepared for the whole site.</p>

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<p>A2.1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 275m² and:</p> <p style="padding-left: 20px;">(i) be able to contain a minimum area of 10m x 12m with a gradient not steeper than 1 in 5, clear of:</p> <p style="padding-left: 40px;">a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p style="padding-left: 40px;">b. easements or other title restrictions that limit or restrict development;</p> <p style="padding-left: 20px;">(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p style="padding-left: 20px;">(iii) not be an internal lot;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p> <p>A2.2</p> <p>The average size of all lots within the General Residential Zone under the specific area plan must be not less than 450m², excluding any lot required for public use by the Crown, a council or a State Authority, or a lot required for the provision of utilities.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area,</p> <p>and must not be an internal lot.</p>
<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.</p>	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the width of frontage proposed, if any;</p> <p>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p>

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	<ul style="list-style-type: none"> (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area. <p>and is not less than 3.6m wide.</p>
<p>A4</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>P4</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"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the anticipated nature of vehicles likely to access the site; and (e) the ability for emergency services to access the site.
<p>A5</p> <p>Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<p>P5</p> <p>Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and orientation of the lots; (b) the topography of the site; (c) the extent of overshadowing from adjoining properties; (d) any development on the site; (e) the location of roads and access to lots; and (f) the existing pattern of subdivision in the area.

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**SCHEDULE 7 – MODIFIED PLANNING PROVISIONS –
INNER RESIDENTIAL ZONE**

Clause 7

**PART 1 – MODIFIED TABLE 3.1 OF CLAUSE 3.0 OF
SPPS**

Column 1 - Term	Column 2 - Definition
1. building line	means a line drawn parallel to a frontage along the front facade of a building or through the point of a building closest to the frontage, excluding protrusions.
2. collector road	means a non-arterial road that collects and distributes traffic in an area as well as serving abutting property.
3. full water supply	means a potable water supply, from a reticulated network, that meets the minimum flow requirement.
4. limited water supply	means a water supply service other than a full water supply service.
5. minimum flow requirement	means the minimum flow rate as defined in a price and service plan that is in effect and made in accordance with the <i>Water and Sewerage Industry Act 2008</i> .

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Column 1 - Term	Column 2 - Definition
6. potable water	means a water supply service that meets the requirements of the <i>Public Health Act 1997</i> , including any delegated legislation or guidelines.
7. protrusion	means a protrusion from a building such as awnings, steps, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services.
8. public stormwater system	means as defined in the <i>Urban Drainage Act 2013</i> .
9. regulated entity	means as defined in the <i>Water and Sewerage Industry Act 2008</i> .
10. solar energy installation	means a solar panel, evacuated tube solar collectors, or the like.
11. townhouse lot	means a lot with – <ul style="list-style-type: none"> (a) an area not greater than 199m²; and (b) a frontage width of 6.0m or less and the width of the lot does not exceed the frontage width by more than 10%.

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**PART 2 – MODIFIED CLAUSES 9.4.2, 9.4.3 AND 9.4.7
OF SPPS**

9.4.2 Setbacks and building envelope for all dwellings

Objective:	That the siting and scale of dwellings: <ul style="list-style-type: none"> (a) provides reasonably consistent separation between dwellings and their frontage within a street; (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; and (c) provides separation between dwellings on adjoining properties to allow a reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Unless within a building area on a sealed plan or located on a townhouse lot, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties 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; or (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level. 	<p>P1</p> <p>A dwelling, unless located on a townhouse lot, must have a setback from a frontage that is compatible with the streetscape having regard to any topographical constraints.</p>
<p>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 4m, or alternatively 1m behind the building line; 	<p>P2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>

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<p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	
<p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, unless located on a townhouse lot, must:</p> <p>(a) be contained within a building envelope (refer to Figures 9.1, and 9.2) determined by:</p> <p>(i) a distance equal to the frontage setback; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and</p> <p>(b) only have a setback within 1.5m of a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>P3</p> <p>The siting and scale of a dwelling, unless located on a townhouse lot, must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; and</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; and</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.</p>
<p>A4</p> <p>Dwellings located on a townhouse lot must have a building height of not more than 9.5m, and:</p> <p>(a) be built to both side boundaries; and</p> <p>(b) walls of dwellings sited on both side boundaries must:</p> <p>(i) be located immediately abutting the wall of an existing or simultaneously constructed building on the adjoining property to the same or lesser length and height; or</p>	<p>P4</p> <p>The siting and scale of a dwelling on a townhouse lot must:</p> <p>(a) maximise the solar access of its private open space and habitable rooms; and</p> <p>(b) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property; and</p>

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<p>(ii) be constructed in accordance with any approved building envelope plan shown on a plan of subdivision.</p>	<p>(iii) overshadowing of an adjoining vacant property.</p>
<p>A5 A dwelling located on a townhouse lot must only have vehicular access from the rear of the lot.</p>	<p>P5 A dwelling located on a townhouse lot must provide for vehicular access in a manner that meets the needs of the occupants, having regard to:</p> <ul style="list-style-type: none"> (a) traffic flows on the road at the front of the townhouse lot; (b) topography of the townhouse lot; (c) the location of buildings on the townhouse lot to minimise impacts on residential amenity of adjoining properties; and (d) availability of on-street car parking.

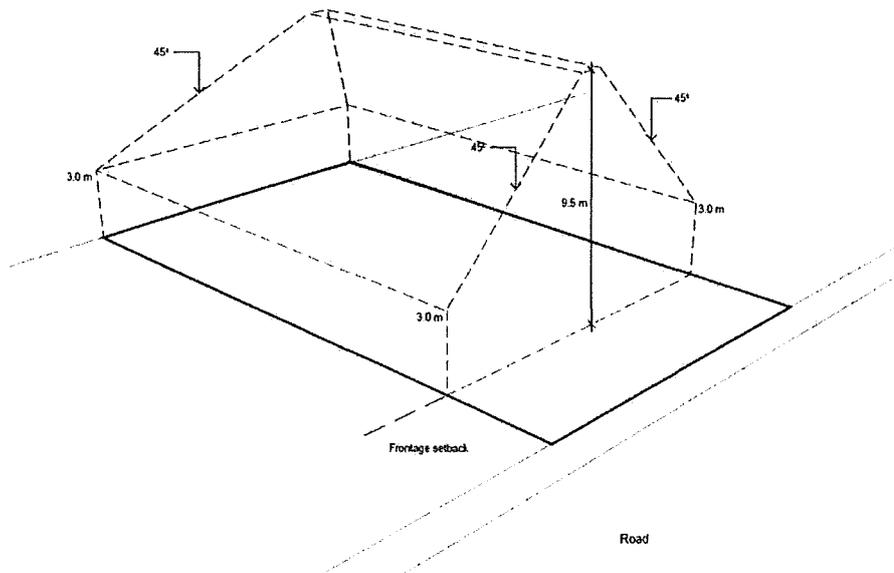


Figure 9.1 Building envelope as required by clause 9.4.2 A3(a) and clause 9.5.1 A2(a)

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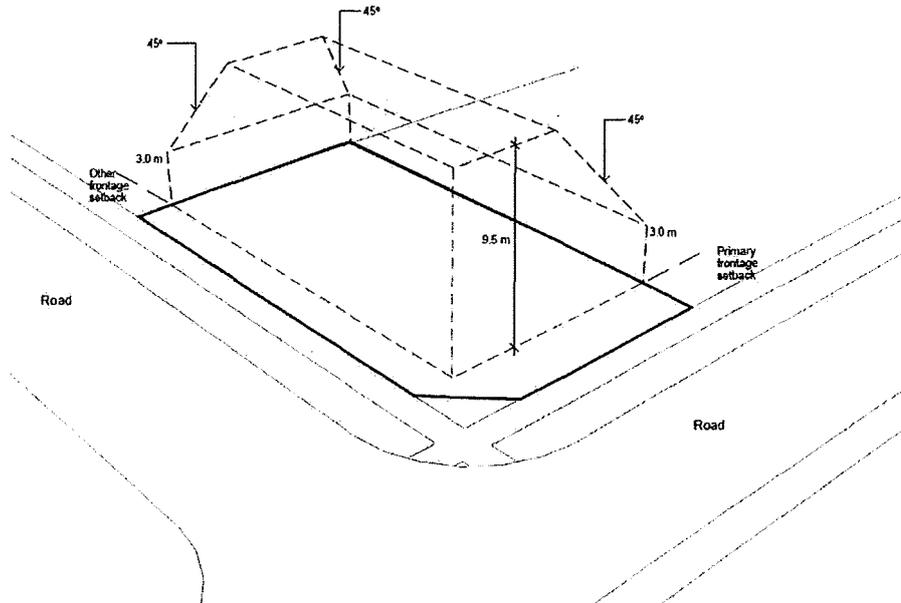


Figure 9.2 Building envelope for corner lots as required by clause 9.4.2 A3(a) and clause 9.5.1 A2(a)

9.4.3 Site coverage and private open space for all dwellings

Objective:	That dwellings are compatible with the amenity and character of the area and provide: <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage (excluding eaves up to 0.6m wide) of not more than: <ul style="list-style-type: none"> (i) 65%; or (ii) 75% if located on a townhouse lot; and (b) for multiple dwellings, a total area of private open space of not less than: <ul style="list-style-type: none"> (i) 40m²; or (ii) 30m² if located on a townhouse lot, <p style="margin-left: 40px;">that is associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the ground</p> 	<p>P1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space

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<p>level (excluding a garage, carport or entry foyer).</p>	<p>provided for this purpose within the development; and</p> <p>(ii) operational needs, such as clothes drying and storage; and</p> <p>(c) reasonable space for the planting of gardens and landscaping.</p>
<p>A2</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p style="margin-left: 20px;">(i) 24m²; or</p> <p style="margin-left: 20px;">(ii) 12m², if the dwelling:</p> <p style="margin-left: 40px;">a. has 1 or 2 bedrooms and is located on a townhouse lot; or</p> <p style="margin-left: 40px;">b. is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) is in more than one location and is not less than 24m² if a dwelling has 3 or more bedrooms and is located on a townhouse lot;</p> <p>(c) has a minimum horizontal dimension of:</p> <p style="margin-left: 20px;">(i) 4m; or</p> <p style="margin-left: 20px;">(ii) 2m, if the dwelling:</p> <p style="margin-left: 40px;">a. has 1 or 2 bedrooms and is located on a townhouse lot; or</p> <p style="margin-left: 40px;">b. is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(d) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(e) has a gradient not steeper than 1 in 10.</p>	<p>P2</p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <p>(a) conveniently located in relation to a living area of the dwelling; and</p> <p>(b) orientated to take advantage of sunlight.</p>

9.4.7 Frontage fences for all dwellings

<p>Objective:</p>	<p>That the height and transparency of frontage fences:</p> <p>(a) provides adequate privacy and security for residents;</p> <p>(b) allows the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(c) are reasonably consistent with that on adjoining properties.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>

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<p>A1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>P1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage for a dwelling must:</p> <p>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
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PART 3 – MODIFIED CLAUSE 9.5.1 OF SPPS

9.5.1 Non-dwelling development

Objective:	<p>That all non-dwelling development:</p> <p>(a) is compatible with the character, siting, apparent form, scale, bulk, massing and proportion of residential development; and</p> <p>(b) does not cause an unreasonable loss of amenity on adjoining residential properties.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A building that is not a dwelling, excluding for General Retail and Hire, Food Services, garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 3m, or if the setback from the primary frontage is less than 3.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 2m, or if the setback from the primary frontage is less than 2.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties 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 properties on the same street.</p>	<p>P1</p> <p>A building that is not a dwelling, excluding for General Retail and Hire, or Food Services, must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</p>
<p>A2</p> <p>A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 9.1 and 9.2) determined by:</p> <p>(i) a distance equal to the frontage setback of 3m; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the</p>	<p>P2</p> <p>The siting and scale of a building must:</p> <p>(a) not cause an unreasonable loss of amenity having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; and</p>

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<p>side or rear boundaries to a building height of not more than 9.5m above existing ground level; and</p> <p>(b) only have a setback within 1.5m of a side or rear boundary if the building:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser).</p>	<p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and</p> <p>(b) provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area.</p>
<p>A3</p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 65% (excluding eaves up to 0.6m); and</p> <p>(b) a site area of which not less than 15% is free from impervious surfaces.</p>	<p>P3</p> <p>A building that is not a dwelling must have:</p> <p>(a) site coverage consistent with that on established properties in the area; and</p> <p>(b) a reasonable space for the planting of gardens and landscaping.</p>
<p>A4</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2m if the fence is solid; or</p> <p>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</p>	<p>P4</p> <p>A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</p> <p>(b) be compatible with the height and transparency of fences in the street, having regard to:</p> <p>(i) the topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>
<p>A5</p> <p>Outdoor storage areas, for a building that is not a dwelling including waste storage must not:</p> <p>(a) be visible from any road or public open space adjoining the site; or</p> <p>(b) encroach upon parking areas, driveways or landscaped areas.</p>	<p>P5</p> <p>Outdoor storage areas, for a building that is not a dwelling, must be located or screened to minimise their impact on views into the site from any roads or public open space adjoining the site, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the type of goods, materials or waste to be stored;</p> <p>(c) the topography of the site; and</p> <p>(d) any screening proposed.</p>

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<p>A6</p> <p>Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback not less than 10m from a property containing a sensitive use.</p>	<p>P6</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors, for a building that is not a dwelling, within 10m of the boundary of a property containing a sensitive use must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity, having regard to:</p> <ul style="list-style-type: none">(a) the characteristics and frequency of any emissions generated;(b) the nature of the proposed use;(c) the topography of the site and location of the sensitive use; and(d) any mitigation measures proposed.
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PART 4 – MODIFIED CLAUSE 9.6.1 OF SPSS

9.6.1 Lot design

Objective:	<p>(a) Development of the site occurs in a 'whole of site' manner, that integrates with existing infrastructure and development on adjoining land and provides for a mix of housing options with the necessary infrastructure and public transport connections.</p> <p>(b) That each lot:</p> <p>(i) has an area and dimensions appropriate for use and development in the zone;</p> <p>(ii) is provided with appropriate access to a road;</p> <p>(iii) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and</p> <p>(iv) is orientated to provide solar access for future dwellings.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Subdivision of land must be in accordance with a master plan endorsed by the planning authority for the whole site described by CT172715/1, CT172716/1, CT134371/1 and CT131270/2.</p>	<p>P1</p> <p>Subdivision of land must set out how the subdivision of the whole site described by CT172715/1, CT172716/1, CT134371/1 and CT131270/2 integrates with existing infrastructure and development adjoining the whole site, having regard to:</p> <p>(a) a lot layout that provides a range of lot sizes to suit the construction of dwellings of varying size and type occurring across the whole site;</p> <p>(b) the road connections to the existing road network demonstrating a clear road hierarchy within the whole site providing for a collector road to connect the Channel Highway to Huntingfield Avenue;</p> <p>(c) any staging for the subdivision and including the construction of the collector road to connect to the Channel Highway to Huntingfield Avenue within the first stage;</p> <p>(d) the provision of public transport to the site;</p> <p>(e) the provision of open space areas for the whole site with connections to adjacent open space areas;</p> <p>(f) the pedestrian connections for the whole site and pedestrian connections to existing pedestrian ways;</p> <p>(g) the cycle connections for the whole site and cycle connections to existing cycle ways,</p> <p>(h) the provision of open space facilities within the whole site, and</p> <p>(i) stormwater management for the whole site that minimises impacts on downstream waterways, and must be accompanied by a master plan that has been prepared for the whole site.</p>

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<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 130m² and:</p> <p>(i) be able to contain a minimum area of 10m x 12m, or if a townhouse lot contain a minimum area of 4m x 18m, and in all cases the minimum area has a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development;</p> <p>(ii) existing buildings are consistent with the setback required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2; and</p> <p>(iii) not be an internal lot;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p> <p>A2.2</p> <p>The average size of all lots within the Inner Residential Zone under the specific area plan must be not less than 200m², excluding any lot required for public use by the Crown, a council or a State Authority, or a lot required for the provision of Utilities.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area,</p> <p>and must not be an internal lot.</p>
<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have:</p> <p>(a) a frontage not less than 3.6m; or</p> <p>(b) if for a townhouse lot, two frontages of not less than 3.6m.</p>	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the width of frontage proposed, if any;</p>

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	<ul style="list-style-type: none"> (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area, <p>and is not less than 3.6m wide.</p>
<p>A4</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a:</p> <ul style="list-style-type: none"> (a) vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority; or (b) if for a townhouse lot, vehicular access only at the rear frontage of the lot in accordance with the requirements of the road authority. 	<p>P4</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"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic; (d) the anticipated nature of vehicles likely to access the site; and (e) the ability for emergency services to access the site.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 20 .

This order is administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the order)

This order, for the purposes of the *Housing Land Supply Act 2018*, declares –

- (a) the area of land situated at 1287 Channel Highway, Huntingfield, to be housing supply land; and
- (b) the intended zones in relation to various parts of that area of land to be the General Residential Zone, the Local Business Zone, the Inner Residential Zone and the Open Space Zone, each as referred to in the applicable planning scheme from time to time; and
- (c) that certain provisions of the *Kingborough Interim Planning Scheme 2015* do not apply in relation to that area of land; and
- (d) that certain provisions of the SPPs apply, with the modifications specified in the order, in relation to the part of that area of land in relation to which the General

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Residential Zone or the Inner Residential
Zone are declared to be the intended
zones.

