

D Overlays and council development restrictions

This appendix details the types of development restrictions found in local government land use plans (often known as planning schemes), taken from a small sample of councils in each jurisdiction. This shows the wide range of restrictions which must be followed by developers.

Table D.1 Overlays, zones and other land use controls in local council planning schemes

<i>Name of restriction</i>	<i>Examples</i>	<i>Details and comments</i>
NSW		
Zones		
Overlays	Tree protection Contaminated land Hazardous or offensive development Complying development	Conditions of complying development certificate; minimum setbacks identified in schedule
Development control plan	General information relating to development Complying development in residential, business and employment zones Development in certain zones Certain types of development Specific sites Appendixes	Applies to all developments eg business; town houses; apartments; light industry; open spaces eg parking, signage, landscape, sewerage, heritage eg The Hills Private Hospital; Castle Hill Town Centre Road Widening eg Designing Safer Communities - Safer by Design Guidelines; Waste Management Plan

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Table D.1 (continued)

<i>Name of restriction</i>	<i>Examples</i>	<i>Details and comments</i>
NSW (continued)		
Other	Heritage and conservation Environmental and hazard control Flood referral areas Airport surrounds Area identified by location alone Urban form Design excellence Environmental design Heights Floor space ratios Car parking Affordable land	
Ordinances		This is another name for a planning scheme
Victoria		
State Planning Policy Framework	Metropolitan development Settlement Environment	Protection of catchments, waterways and groundwater Floodplain management Salinity Air quality Noise abatement Soil contamination etc
Local planning policies	Housing Economic Development Infrastructure Particular uses and development Residential land use policy A sustainable environment policy Recreation, open space and networks policy Urban development policy Employment policy Retailing policy Transport and movement policy Rural land use policy Eynesbury Station Policy Stores and Outbuildings Policy	

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Table D.1 (continued)

<i>Name of restriction</i>	<i>Examples</i>	<i>Details and comments</i>
Victoria (continued)		
Zones		
Overlays	Environment and Landscape Overlays Heritage and Built Form Overlays Land Management Overlays Other Overlays	
Particular provisions	Public open space contribution and subdivision Easements, restrictions and reserves Specific sites and exclusions Satellite dish Advertising signs Car parking Loading and unloading of vehicles Earth resource exploration and development Extractive industry and extractive industry interest areas Uses with adverse amenity potential Home occupation Service station Car wash Motor vehicle, boat or caravan sales etc	
General provisions for use and development of land	Land used for more than one use Land used in conjunction with another use Subdivision of land in more than one zone	
Queensland		
Overlays	Infrastructure overlay Vegetation management area Flood plain management area Acid sulfate soils area Bushfire hazard area Steep slopes area Wetland and waterway area Greenbank military training buffer area	

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Table D.1 (continued)

<i>Name of restriction</i>	<i>Examples</i>	<i>Details and comments</i>
Queensland (continued)		
Districts	Heritage places area Powerline infrastructure area Extractive industry area Noise affected area Building height management area	Some overlays are divided into districts, eg in Logan
Sub-districts		Some districts are divided into sub-districts, eg in Logan
Codes		
Localities	Centres locality Non-urban and conservation locality Investigation locality Transport locality	Localities are 'super-zones'
Zones, area classifications or domains		
Sub-areas		Some zones are divided into sub-areas
Precincts		Some sub-areas are divided into precincts
Area specific assessment criteria		eg Specific assessment criteria for Meadowbrook zone and sub-areas (Logan)
Western Australia		
Statements of Planning Policy	Residential Planning Codes Peel Harvey Coastal Plain Catchment Policy State Industrial Buffer Policy Poultry Farms Policy Jandakot Groundwater Protection Policy State Planning Framework Policy	These are WAPC policies
Zones		
Precincts		Sub-zones. Do not exist in every local council area
Additional, restricted, special or non-conforming uses		eg Cockburn, Lot X: Masonry production: environmental and other detailed requirements specified
Development standards and requirements		Design codes, sewerage, environmental conditions etc
Special control areas		
Reserves		

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Table D.1 (continued)

<i>Name of restriction</i>	<i>Examples</i>	<i>Details and comments</i>
Western Australia (continued)		
Heritage protection		
South Australia		
Zones		Sub-zones
Policy areas		Mt Barker; general and specific eg centres and shops
Objectives		Also there are objectives within zones and policy areas eg Mt Barker; Development should be located at least 10 metres from the banks of any watercourse.
Principles of development control		Also there are principles of development control within zones
Tasmania		
Implementation of state policy	Coastal and water management	There are only three State Planning Policies
Zones		
Use categories	eg Funeral Parlour, Car Park, Licensed Establishment - which zones they are permitted, restricted or prohibited	Sub-sub-zones
Standards for development and use	Wastewater	
	Flood	
	Bush fire hazard	
Other area specific controls	Cultural heritage	
	Riverside, wetland and shoreline areas	
	Parking	
	Roads and development	
	Dwelling units	
	Orielton Lagoon special area	
	Residential special areas	
Development plans		On the area of land identified development shall be in accordance with a development plan approved by council
Special areas	Landscape protection Carlton Beach	
Overall objectives	Prohibition of dwellings eg To ensure growth is coordinated with services	

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Table D.1 (continued)

<i>Name of restriction</i>	<i>Examples</i>	<i>Details and comments</i>
Tasmania (continued)		
Area specific objectives	eg To prevent further residential development in coastal areas except in established nodes	
Activity specific objectives	eg Transport: to protect Arthur Highway... as a major tourist road (views, access points, corridor for future upgrades)	
ACT		
Zones		
Precinct codes		Sub-zones
Exempt, assessable, prohibited etc		Same as Tas 'use categories' — says what you can build where
Overlays	eg Future Urban Areas	
Neighbourhood plans		More community involvement. Includes future vision; objectives and strategies for implementation
Master plans		Area specific development, eg ANU exchange
The Canberra Spatial Plan		Land release and planning to achieve certain goals, eg infill
Northern Territory		
Zones		
Permitted, Discretionary and Prohibited Development		
Specific Use Zones		
Heritage		
Performance criteria	General Performance Criteria	Development restrictions such as height, setback
	Residential Development Performance Criteria	
	Commercial Use and Development Performance Criteria	
	Industrial Use and Development Performance Criteria	
	Non Urban Use and Development Performance Criteria	
Area Plans	Darwin City Waterfront Planning Principles and Area Plan	Rules and objectives for development on the waterfront

Source: Local council planning schemes. NSW sample: Albury LEP 2000, Sydney LEP 2005, Baulkham Hills LEP 2005, Baulkham Hills DCP 2010. Vic sample: Melton, Frankston. Qld sample: Logan, Scenic Rim, Ipswich. WA sample: Cockburn, South Perth; town planning scheme and planning strategy. SA sample: Mt Barker, Marion. Tas sample: Sorell Planning Scheme 1993, Hobart Battery Point Planning Scheme 1979. ACT and NT have one planning scheme applicable to the territory.