**Particular Development Code**

1 **Application**

This Code will apply in assessing a reconfiguration of a lot, material change of use and/or building work on land where:

- on the day immediately prior to this planning scheme (City Plan) first commencing that land was included in a Particular Development Zone under the previous transitional planning scheme (The Town Plan), and

- the proposed reconfiguration of a lot, material change in use or building work for the purpose/s, or purpose/s with qualifications applicable to the previous Particular Development Zone description, and

- the development would have been Permitted Development within that previous Particular Development Zone.

2 **Using this Code**

In using this Code reference should also be made to Section 1.1—How to use the Codes, at the front of this Chapter.

When this Code is listed in Chapter 3 as an Applicable Code for code assessment:

- the Code is to be read as being the Purpose, Performance Criteria and Acceptable Solutions

- this Code applies despite anything to the contrary in a Local Plan.

3 **Purpose**

The purpose of this Code is to:

- recognise, as far as practical, development opportunities provided under Particular Development Zones under the transitional planning scheme (Town Plan), while mitigating impacts of building works and material change of use appropriately in the context of the planning scheme (City Plan).

4 **Performance Criteria and Acceptable Solutions**

<table>
<thead>
<tr>
<th>Performance Criteria</th>
<th>Acceptable Solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>P1</td>
<td>A1</td>
</tr>
<tr>
<td>P2</td>
<td>A2</td>
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</tbody>
</table>

**List of ‘secondary’ Codes**

When this Code is used in code assessment of a proposal involving building work, the following Codes are termed ‘secondary’ Codes and form part of this ‘primary’ Code:

- Acid Sulfate Soil
- Biodiversity
- Filling and Excavation
- Gas and Oil Pipeline
- Landscaping
- Non-discriminatory Access and Use
- Park Planning and Design
- Services, Works and Infrastructure
- Stormwater Management
- Transport, Access, Parking and Servicing
- Waste Water Management
- Waterway
- Wetland

Amended 1 January 2009
<table>
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<th>Acceptable Solutions</th>
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</table>
| P3                   | A3.1 Noise levels generated from the operation of the use comply with the requirements of the *Noise Impact Assessment Planning Scheme Policy*  
A3.2 Intrusive outdoor activities are located away from noise sensitive activities |
| P4                   | A4.1 The building setback from a boundary abutting land in a Residential Area is a minimum of 3m or half the height of the building at that point, whichever is greater  
A4.2 A 1.8m screen fence and screen landscaping are provided along boundaries of land in a Residential Area |
| P5                   | A5 No Acceptable Solution is prescribed |
| P6                   | A6 No Acceptable Solution is prescribed |
| P7                   | A7 No Acceptable Solution is prescribed |
| P8                   | A8 No Acceptable Solution is prescribed |
| P9                   | A9 No Acceptable Solution is prescribed |
| P10                  | A10 No Acceptable Solution is prescribed |
| P11                  | A11 No Acceptable Solution is prescribed |

**Where for any material change of use (excluding multi–unit dwellings in the Low Density Residential, Character Residential or Low–medium Density Residential Areas)**

<table>
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<th>Acceptable Solutions</th>
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| P12                  | A12 Building design and layout incorporates the following features:  
• opportunities for casual surveillance and sightlines (e.g. windows overlooking car parking and communal areas) |

Amended 1 July 2004
**Performance Criteria** | **Acceptable Solutions**
---|---
Note: for guidance on assessing the incorporation of crime prevention through environmental design principles refer to the *Crime Prevention Through Environmental Design (CPTED) Planning Scheme Policy* | • appropriate locations for activity generators (e.g. communal/recreation space near public pathways)
• exterior building designs which promote safety (e.g. active frontages and entrances)
• adequate definition of uses and ownership (e.g. landscaping to define private and public space)
• adequate lighting (e.g. lighting of potential entrapment locations)
• appropriate way finding mechanisms (e.g. signage)
• minimisation of predictable routes and entrapment locations (e.g. concealed spaces near public pathways)

For the purposes of the above Performance Criteria, an impact or effect is not to be taken to be undue if it is the necessary and unavoidable consequence of carrying out development for an applicable purpose/s or purpose/s with qualifications in accordance with any applicable conditions.