

8.10 Residential 4 Zone - Rules

Rule 8.10.1 Permitted Activities

The following activities are permitted activities provided that they comply with the conditions in Rule 8.10.2 of the Residential 4 Zone:

- (i) Residential Activity at a density of not less than 200 m² of site area per residential unit provided that a single residential unit may be erected on an existing site of any size.
- (ii) Commercial Residential Activity at a density of not less than 200 m² of site area per unit.
- (iii) Recreational Activities provided that associated structures do not exceed 25 m² in floor area.
- (iv) Accessory buildings for permitted activities excluding structures for recreational activities in excess of 25 m². *[Amended by Variation 6: 18/10/00]*
- (iv) Signs permitted in this zone are specified in the Signs Section.
- (v) Scheduled Activities as listed in Rule 8.10.7 subject to compliance with relevant provisions of Rules 8.10.2 and 8.10.7. *[Inserted by Consent Order 16/08/02]*

Rule 8.10.2 Conditions Attaching to Permitted Activities

- (i) **Minimum Yards**
 - (a) **Front Sites**
 - (i) Front Yard 3 m
 - (ii) All Other Yards 1 m
 - (b) **Rear Sites**
 - (i) All Yards 1 m
- (ii) **Height Plane Angle**
72° (1 to 3 yard to height ratio).
- (iii) **Maximum Height**
9 m.
- (iv) **Maximum Site Coverage**
60% of site area.
- (v) **Minimum Amenity Open Space**
Every residential unit shall provide at ground level an area of 35 m² of amenity open space that is capable of containing a 4.5 m diameter circle. For residential units not at ground level (ie multi-storeyed apartments and flats) Rule 8.6.2 shall apply. *[Amended by Variation 12: 7/5/03]*
- (vi) **Separation Distances**
Development containing more than one residential unit that does not share a common wall shall be separated by a distance of no less than 2 m.

(vii) **Minimum Car Parking**

On-site car parking shall comply with the performance standards in Section 20 (Transportation) and shall be provided for on the following basis:

(a) **Residential Activity**

- (i) 1 car park per residential unit up to and including 150 m² gross floor area (excluding garaging areas).
- (ii) 2 car parks per residential unit greater than 150 m² gross floor area (excluding garaging areas).
- (iii) 1 visitor car park per 5 residential units.
- (iv) 2 additional car parks for a residential unit where staff provide for between 13 and 18 residents inclusive. *[Amended by Variation 6: 18/10/00]*

(b) **Commercial Residential Activity**

- (i) Unit type construction, for example motels:
 - (a) 1 car park per unit for 1 to 10 units, thereafter 1 car park per 2 units.
- (ii) Guest room type construction, for example hotels:
 - (a) 1 car park per 3 guest rooms to 60 guest rooms, thereafter 1 car park per 5 guest rooms.
 - (b) 1 coach car park per 50 guest rooms.
 - (c) Staff requirement of 1 car park per 20 guest rooms.

(c) **Recreational Activity**

- (i) 1 car park per 750 m² of site area.

(viii) **Loading and Access**

- (a) For the following activities there are no loading requirements. Access requirements shall comply with the performance standards in Section 20 (Transportation):

- (i) Residential Activity.
- (ii) Recreational Activity.
- (iii) Commercial Residential Activity:

- (a) Unit type construction, for example motels, with gross floor area not greater than 50 m².
- (b) Guest room type construction, for example hotels, with gross floor area not greater than 250 m².

- (b) For the following activities, loading and access shall comply with the performance standards in Section 20 (Transportation):

- (i) Commercial Residential Activity:

- (a) Unit type construction, for example motels, with gross floor area greater than 50 m².
- (b) Guest room type construction, for example hotels, with gross floor area greater than 250 m².

Loading shall be provided for on the following basis:

Minimum Size: 8 m long x 3.5 m wide x 3.8 m high

Manoeuvre Area: To accommodate an 8 metre rigid truck as shown in Appendix 20D.

(ix) **Signs**

Refer to the Signs Section.

(x) **Noise, Glare, Lighting and Electrical Interference**

Refer to the performance standards of the Environmental Issues Section.

(xi) **Minimum Site**

(a) **Minimum Area**

(i) Front Site 200 m²

(ii) Rear Site 200 m² excluding the access leg *[Amended by Plan Change 10, 18/1/11]*

(b) **Minimum Frontage**

(i) Front Site 3.5 m

(ii) Rear Site where access serves up to 3 residential units 3.5 m

(iii) Rear Site where access serves 4 or more residential units 6.0 m

(xii) **Commercial Residential Activities**

The activity shall not contain:

(a) Any facility that requires a liquor licence.

(b) Any restaurant.

(xiii) **Home Occupation**

The area within any building used for home occupation(s) is limited to 50 m².

Rule 8.10.3 Controlled Activities

[Deleted by Variation 6: 18/10/00]

Rule 8.10.4 Discretionary Activities (Restricted)

The following activities are discretionary activities (restricted):

- (i) Any permitted or controlled activity which does not comply with the conditions in Rule 8.10.2 of the Residential 4 Zone, or, for scheduled activities, the relevant conditions in the Rules 8.10.2 or 8.10.7. The Council's discretion is restricted to the condition or conditions with which the activity fails to comply. *[Amended by Consent Order 16/08/02]*

Rule 8.10.5 Discretionary Activities (Unrestricted)

The following activities are discretionary activities (unrestricted):

- (i) Community Support Activity.
- (ii) Structures for recreational activities with a floor area greater than 25 m².
- (iii) Accessory buildings for discretionary activities.

Rule 8.10.6 Non-Complying Activities

- (i) Forestry Activity.
- (ii) Quarrying.
- (iii) Any activity not specifically identified as permitted, controlled or discretionary by the rules in this zone or in the rules of Sections 17 to 22 of this Plan is non-complying. This rule does not apply to activities identified as permitted, controlled or discretionary in the rules of Sections 13 to 16 of the Plan, regardless of where in the zone those activities are undertaken.

Rule 8.10.7 Scheduled Activities

8.10.7.1 Kavanagh College, on the site comprised of the following parcels:

Lot 1 DP 26196 (CT 18B/65)
Pt Sec 38 BLK XII (CT 8D/503)
Pt Secs 37 & 38 BLK XII (CT 8D/504)
Pt Sec 49 BLK XII (CT 8D/820)
Pt Sec 49 BLK XII (CT 8D/821)
Pt Sec 48 BLK XII, DP 1574 (CT 7D/247)
Pt Sec 48 BLK XII (CT 8D/819)
Pt Sec 48 BLK XII, DP 1574 (CT 209/173)
Pt Sec 48 BLK XII, DP 1574 (CT 275/182)
Lot 2 DP 2532, Pt Secs 39, 40 & 47 BLK XII (CT190/167)
Lot 4A & Pt Lot 4 DP 1401, Pt Secs 40, 41, 46 & 47 BLK XII (CT 194/260)
Pt Lot 4 DP 1401, Pt Sec 47 BLK XII (CT 218/26)
Lot 1 DP 25330 (CT 17B/764)
Lot 1 DP 2532 & Pt Sec 47 BLK XII (CT 175/293)

The following conditions shall apply to development at Kavanagh College:

- (a) Minimum Yards
 - (i) Front Yard – No front yards are required except for sites located on the south side of Rattray Street and on Elm Row where a 3.0 m front yard will apply.
 - (ii) All others yards 4.5 m
- (b) Height Plane Angle – 63° provided that this requirement will not apply to site boundaries facing the street
- (c) Maximum Height – 9m

- (d) Minimum Car Parking – No on site car parking required
- (e) Maximum Site Coverage – 60% of the total land area
- (f) Access - Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the Environmental Issues section.

8.10.7.2 St Josephs Cathedral School, on the site comprised of the following parcels:

Pt Secs 63 & 64 BLK XII, DP 703 & 1212 (CT 8D/500)
 Secs 65 & 66, Pt Secs 56, 57, 64 & 67 BLK XII, DP 1212 (CT 8D/499)
 Lot 1 DP 420, Pt Sec 67 BLK XII (CT 5C/205)
 Lot 2, DP 420, Pt Sec 67 BLK XII (CT 5C/204)
 Lot 3, DP 420, Pt Sec 67 BLK XII (CT 8D/501)
 Pt Sec 68 BLK XII (CT 5C/208)
 Pt Sec 68 BLK XII (CT 5C/206)
 Pt Sec 68 BLK XII (CT 5C/207)
 Pt Secs 67 & 68 BLK XII (CT 5C/203)
 Lot 3 DP 6762, Pt Sec 54 BLK XII (CT 8D/498)
 Lot 4 DP 6762, Pt Sec 54 BLK XII (CT 8D/497)
 Sec 55 & Pt Sec 56 & 57 BLK XII (CT 5C/13)
 Pt Sec 57 BLK XII, DP 1212 (CT 5C/202)
 Pt Sec 58 BLK XII (CT 8B/138)

The following conditions shall apply to development at St Josephs Cathedral School:

- (a) Minimum Yards
 - (i) Front Yard 3.0m
 - (ii) All Other Yards 4.5m
- (b) Height Plane Angle – 63° provided that this requirement will not apply to site boundaries facing the street
- (c) Maximum Height – 9m
- (d) Minimum Car Parking – 1 car park per 3 additional classrooms on the site
- (e) Maximum Site Coverage – 60% of the total land area
- (f) Access – Access requirements shall comply with the performance standards in Section 20 (Transportation).
- (g) Signs – Refer to the Signs Section
- (h) Noise, Glare, Lighting and Electrical Interference – Refer to the performance standards of the Environmental Issues section.

[Inserted by Consent Order 16/08/02]

