

CHAPTER 5 – OVERLAY CODES

PART 12 INDUSTRIAL BUFFER OVERLAY CODE

Division 1 Applicability of the Industrial Buffer Overlay Code

1.1 This code applies to development:-

- (1) that is located¹ in “industrial buffer” shown on *Overlay Code Map 12 - Industrial Buffer*; and
- (2) referred to as “code assessable” in Tables 5.12.1 or 5.12.2 below.

Division 2 Assessment Tables for the Industrial Buffer Overlay Code

2.1 Assessment Categories for the Industrial Buffer Overlay Code

The assessment categories are identified for development in Column 2 of Tables 5.12.1 or 5.12.2, as follows:-

- (1) Table 5.12.1 - Material Change of Use and Associated Works² for uses listed in Column 1; or
- (2) Table 5.12.2 - Other Development not associated with a Material Change of Use³ listed in Column 1.

NOTE: Zones also affect assessment categories. See zone maps to determine the zone of the land. Also see Chapter 1, Part 1, Division 4, Section 4.8(3) explaining how the higher assessment category prevails.

2.2 Relevant Assessment Criteria for Development Affected by the Industrial Buffer Overlay Code

- (1) The relevant assessment criteria in the overlay code are referred to in Column 3 of Tables 5.12.1 and 5.12.2.
- (2) For development requiring code assessment, the relevant assessment criteria are applicable codes.

Table 5.12.1: Assessment Categories and Relevant Assessment Criteria for the Industrial Buffer Overlay Code - Material Change of Use and Associated Works²

COLUMN 1 Uses ⁴	COLUMN 2 Assessment category	COLUMN 3 Relevant assessment criteria - applicable code for code assessable development
All Mapped Features		
Accommodation Units Child Care Centre Community Facilities Educational Establishment Hospital Institution Office (when used as a Medical Centre) Pensioner Units Retirement Village All other Defined and Undefined Uses with an immobile population⁵	Code Assessable – if involves an increase in the number of people on site.	<ul style="list-style-type: none"> Industrial Buffer Overlay Code
All Other Defined and Undefined Uses	Exempt	

Table 5.12.2: Assessment Categories and Relevant Assessment Criteria for the Industrial Buffer Overlay – Other Development not Associated with Material Change of Use³

COLUMN 1 Type of development	COLUMN 2 Assessment category	COLUMN 3 Relevant assessment criteria - applicable code for code assessable development
All Mapped Features		
Reconfiguration of a Lot	Code Assessable - if involves an increase in the number of people living and working within the site.	<ul style="list-style-type: none"> Industrial Buffer Overlay Code
All Other Development	Exempt	

Division 3 Compliance with the Industrial Buffer Overlay Code

3.1 Assessable development that is consistent with the specific outcomes contained in Division 5, Table 5.12.3 complies with the Industrial Buffer Overlay Code.

Division 4 Overall Outcomes for the Industrial Buffer Overlay Code

4.1 The overall outcomes are the purpose of this code.

4.2 The overall outcomes sought by the Industrial Buffer Overlay Code are the following:-

- (1) Development adjacent to industrial areas is compatible with the impacts of risk/hazard and air quality (including odour and noise) associated with the present and future industrial uses within the industrial areas; and
- (2) Development has adequate separation from established industries or likely future locations of industries and activities associated with assessed risk/hazard and air quality impacts.

Division 5 Specific Outcomes for the Industrial Buffer Overlay Code

5.1 The specific outcomes and probable solutions for the Industrial Buffer Overlay Code are contained in Table 5.12.3. The elements covered by the specific outcomes are:-

- (1) Level of risk
- (2) Air emissions

Table 5.12.3: Specific Outcomes and Probable Solutions for Assessable Development

Specific Outcomes for Assessable Development	Probable Solutions
Level of Risk	
SO 1 The level of risk to public safety, property and environment from technological hazards (including fire, explosion and chemical release) is within acceptable limits.	PS 1 The use will not be subject to an unacceptable level of risk ⁶ .
Air Emissions	
SO 2 <i>Sensitive land uses</i> are not subject to adverse impacts from air emissions from adjoining industrial areas or are not located in the industry buffer areas.	PS 2 The use is not subject to harm or nuisance from air quality emissions from adjacent existing or potential industrial uses ⁷ .

¹ This overlay code does not apply if the proposed development is outside the mapped areas.

² Table 5.12.1 refers to material change of use and associated works undertaken at the same time as the material change of use. Also, see planning scheme explanatory notes giving examples that explain the type of development involved in different proposals.

³ Table 5.12.2 refers to other development including works not undertaken at the same time as the material change of use. Also, see planning scheme explanatory notes giving examples that explain the type of development involved in different proposals.

⁴ For defined uses see Chapter 7, Part 2, Use Definitions Schedule.

⁵ For example, aged care facility, child care facility, respite care centre or special needs housing.

⁶ Applications for development on land within the industrial buffer should be accompanied by a risk assessment report carried out in accordance with *Planning Scheme Policy PSP14 Hazard and Risk Assessment*.

⁷ Applications for development on land within the industrial buffer should be accompanied by an air quality assessment report carried out in accordance with *Planning Scheme Policy PSP14 Hazard and Risk Assessment*.



This page left blank intentionally

Historic Version
PineRiversPlan