

## CHAPTER 5 – OVERLAY CODES

### PART 14 INFRASTRUCTURE FACILITIES BUFFERS OVERLAY CODE

#### Division 1 Applicability of the Infrastructure Facilities Buffers Overlay Code

##### 1.1 This code applies to development:-

- (1) that is located<sup>1</sup> in “landfill buffer”, “wastewater treatment plant buffer” or “control zone” shown on *Overlay Code Map 14 - Infrastructure Facilities Buffers*; and
- (2) referred to as “code assessable” in Tables 5.14.1 or 5.14.2 below.

#### Division 2 Assessment Tables for the Infrastructure Facilities Buffers Overlay Code

##### 2.1 Assessment Categories for the Infrastructure Facilities Buffers Overlay Code

The assessment categories are identified for development in Column 2 of Tables 5.14.1 or 5.14.2, as follows:-

- (1) Table 5.14.1 - Material Change of Use and Associated Works<sup>2</sup> for uses listed in Column 1; or
- (2) Table 5.14.2 - Other Development not associated with a Material Change of Use<sup>3</sup> 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 Infrastructure Facilities Buffers Overlay Code

- (1) The relevant assessment criteria in the overlay code are referred to in Column 3 of Tables 5.14.1 and 5.14.2.
- (2) For development requiring code assessment, the relevant assessment criteria are applicable codes.

**Table 5.14.1: Assessment Categories and Relevant Assessment Criteria for Infrastructure Facilities Buffers Overlay Code - Material Change of Use and Associated Works<sup>2</sup>**

COLUMN 1 Uses <sup>4</sup>	COLUMN 2 Assessment category	COLUMN 3 Relevant assessment criteria - applicable code for code assessable development
<b>All Mapped Features</b>		
<b>Accommodation Units</b> <b>Duplex Dwelling</b> <b>High Density Multiple Dwelling Units</b> <b>Low Density Multiple Dwelling Units</b> <b>Medium Density Multiple Dwelling Units</b> <b>Motel</b> <b>Pensioner Units</b> <b>Retirement Village</b>	<b>Code assessable</b>	<ul style="list-style-type: none"> <li>Infrastructure Facilities Buffers Overlay Code</li> </ul>
<b>All Other Defined and Undefined Uses</b>	<b>Exempt</b>	

**Table 5.14.2: Assessment Categories and Relevant Assessment Criteria for the Infrastructure Facilities Buffers Overlay – Other Development not Associated with Material Change of Use<sup>3</sup>**

COLUMN 1 Type of development	COLUMN 2 Assessment category	COLUMN 3 Relevant assessment criteria - applicable code for code assessable development
<b>All Mapped Features</b>		
<b>Reconfiguration of a Lot</b>	<b>Code Assessable</b> – if for residential purposes.	<ul style="list-style-type: none"> <li>Infrastructure Facilities Buffers Overlay Code.</li> </ul>
<b>All Other Development</b>	<b>Exempt</b>	

### **Division 3 Compliance with the Infrastructure Facilities Buffers Overlay Code**

- 3.1 Assessable development that is consistent with the specific outcomes contained in Division 5, Table 5.14.3 complies with the Infrastructure Facilities Buffers Overlay Code.**

### **Division 4 Overall Outcomes for the Infrastructure Facilities Buffers Overlay Code**

- 4.1 The overall outcomes are the purpose of this code.**
- 4.2 The overall outcome sought by the Infrastructure Facilities Buffers Overlay Code is as follows:-**
- (1) Residential development is adequately buffered from infrastructure facilities including landfill sites, wastewater treatment plants and sewage pumping stations.

### **Division 5 Specific Outcomes for the Infrastructure Facilities Buffers Overlay Code**

- 5.1 The specific outcomes and probable solutions for the Infrastructure Facilities Buffers Overlay Code are contained in Table 5.14.3. The elements covered by the specific outcomes are:-**
- (1) Landfill Buffer
    - (a) Air Pollutant Impacts
  - (2) Waste Water
    - (a) Air Pollutant Impacts
  - (3) Control Zone
    - (a) Air Pollutant Impacts

Table 5.14.3: Specific Outcomes and Probable Solutions for Assessable Development

Specific Outcomes for Assessable Development	Probable Solutions
<b>Landfill Buffer</b>	
<b>Air Pollutant Impacts</b>	
<b>SO 3</b> Residential development is separated from existing and future landfill <b>sites</b> by a distance that minimises the odour or other air pollutant impacts on the amenity of the development.	<b>PS 1.1</b> Residential development will not be subject to harm or nuisance from air emissions such as odour from current or proposed landfill cells as identified in the Dakabin Concept Plan and the James Drysdale Concept Plan <sup>5</sup> . <b>OR</b> <b>PS 1.2</b> Residential development is not located within landfill buffers (i.e. within 200m of any current or proposed landfill cells as identified in the Dakabin Concept Plan and the James Drysdale Concept Plan).
<b>Wastewater Treatment Plant Buffer</b>	
<b>Air Pollutant Impacts</b>	
<b>SO 3</b> Residential development is separated from wastewater treatment plants by a distance that minimises the odour or other air pollutant impacts on the amenity of the development.	<b>PS 2</b> Residential development is not located within the buffers surrounding wastewater treatment plants except where the use will not be subject to harm or nuisance from air emissions such as odour from existing or future wastewater treatment plants <sup>6</sup> .
<b>Control Zone</b>	
<b>Air Pollutant Impacts</b>	
<b>SO 3</b> Development is designed to minimise the odour or other air pollutant impacts from pumping stations on the amenity of the development.	<b>PS 3.1</b> Development will not be subject to harm or nuisance from air emissions such as odour from existing or future pumping station <sup>7</sup> . <b>OR</b> <b>PS 3.2</b> Development is not located within control zones (i.e. within 100m) of an existing or future sewage pump station.

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

<sup>2</sup> Table 5.14.1 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.

<sup>3</sup> Table 5.14.2 refers to other development including works not undertaken at the same time as the material change use. Also, see **planning scheme** explanatory notes giving examples that explain the type of development involved in different proposals.

<sup>4</sup> For defined uses see Chapter 7, Part 2, Use Definitions Schedule.

<sup>5</sup> Applications for development on land within the landfill buffer should be accompanied by an air quality assessment report carried out in accordance with the Hazard and Risk Assessment Planning Scheme Policy.

<sup>6</sup> Applications for development on land within the wastewater treatment plant buffer should be accompanied by an air quality assessment report carried out in accordance with *Planning Scheme Policy PSP14 Hazard and Risk Assessment*.

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