

6.2.11 Major Tourism Zone Code



6.2.11.1 Application

This code applies to development:

- (1) within the Major Tourism Zone as identified on the zone maps contained in **Schedule 2 Mapping**; and
- (2) identified as requiring assessment against the Major Tourism Zone Code by the tables of assessment in **Part 5 Tables of Assessment**.

6.2.11.2 Purpose and Overall Outcomes

(1) The purpose of the Major Tourism Zone is to provide for:

(a) a variety of activities, facilities and places that:

- (i) are for or support tourism; and
- (ii) are large-scale and integrated; and
- (iii) are in coastal, environmental, rural or urban areas; and

(b) permanent accommodation for employees, if required for the activities, facilities and places stated in paragraph (a) and appropriate for the area.

Editor's Note - In accordance with section 6 of the Regulation, the purpose statement has been changed and took effect on the commencement date.

(2) The purpose of the Major Tourism Zone Code will be achieved through the following overall outcomes:

(a) **Development:**

- (i) supports Kooralbyn's role and function as a major tourist destination in the region;
- (ii) facilitates an integrated tourist facility with a vibrant atmosphere that offers a diverse range of tourism uses, recreation choices and amenities;
- (iii) supports *tourism and recreation activities* having an outdoor sport and recreation focus and uses reliant on the landscape setting and natural values of the locality; and
- (iv) integrates well with surrounding land uses, particularly where the site adjoins *residential activities* or land in a *residential zone*;

(b) **Land uses:**

- (i) predominantly includes tourism activities;
- (ii) include a range of complimentary uses such as commercial, community services, educational, infrastructure, recreational and limited rural activities, where they support the needs of tourists and visitors;
- (iii) include *Shops and Shopping centres* for the retailing of tourism products only and excludes the retailing of domestic goods including *convenience retail, department stores, discount department stores, full-line supermarkets and supermarkets*;
- (iv) do not include *residential activities* except where the use involves a *Caretaker's accommodation*;
- (v) include *Outdoor sport and recreation*, where not involving a rifle or shooting range;
- (vi) are limited to:

(A) the uses listed as a consistent use in column 1 of **Table 6.2.11.2.1 Consistent Uses and Potentially Consistent Uses in the Major Tourism Zone**; or

- (B) the uses listed as potentially consistent uses in column 2 of **Table 6.2.11.2.1 Consistent Uses and Potentially Consistent Uses in the Major Tourism Zone** where further assessment has determined that the use is appropriate in the zone having regard to such matters as its location, impact, scale and intensity, built form and consistency with the character of the zone.
- (vii) where not listed in **Table 6.2.11.2.1 Consistent Uses and Potentially Consistent Uses in the Major Tourism Zone** are inconsistent uses and are not intended to occur in the zone;
- (c) **Character:**
- (i) involves large-scale integrated tourism facilities with a vibrant atmosphere, well-designed buildings and that offers many recreational choices and amenities;
 - (ii) consists of development that is up to medium-rise and is of low to medium intensity where it does not adversely detract from the amenity of nearby land in a *residential zone*;
 - (iii) involves development that complements the landscape setting and natural values of the locality;
 - (iv) involves development that is integrated and easily accessible;
 - (v) involves landscaping that enhances the appearance of buildings and structures;
- (d) **Built form:**
- (i) includes medium scale development and low to medium-rise development;
 - (ii) enhances the streetscape character through:
 - (A) locating and designing buildings to address the street and public spaces; and
 - (B) designing attractive building facades that complement surrounding development;
 - (iii) is designed to provide a safe and comfortable pedestrian experience through:
 - (A) designing development that supports the efficient movement of people within the development and to streets, public spaces and neighbouring uses;
 - (B) incorporating design elements that provide opportunities for casual surveillance of streets and public spaces;
 - (iv) is designed to ensure outdoor storage, utility, service and loading areas are hidden from public view to maintain the amenity of the street and public spaces, and land located in a residential zone;
 - (v) provides landscaping where buildings are set back from the street or a public space;
 - (vi) is designed and located not to detract from the amenity of:
 - (A) a residential activity on an adjoining premises; and
 - (B) adjacent land in a *residential zone*;
- (e) **Lot design:**
- (i) supports the tourism activities and other complimentary uses envisaged in the zone.

Table 6.2.11.2.1 - Consistent Uses and Potentially Consistent Uses in the Major Tourism Zone

Column 1 Consistent Uses	Column 2 Potentially Consistent Uses
Tourism Activities	
<i>Environment facility</i> <i>Nature-based tourism</i> <i>Short-term accommodation</i> <i>Tourist attraction</i> <i>Tourist park (where not exceeding 25 tourist accommodation sites)</i>	<i>Resort complex</i> <i>Tourist park*</i>
Commercial Activities	
<i>Bar</i> <i>Food and drink outlet</i> <i>Function facility</i> <i>Hotel</i> <i>Market</i> <i>Nightclub entertainment facility</i>	

Column 1 Consistent Uses	Column 2 Potentially Consistent Uses
<i>Shop</i> (where involving the retail of tourism products only) <i>Shopping centre</i> (where involving the retail of tourism products only) <i>Theatre</i>	
Community Services Activities	
<i>Club</i> <i>Community use</i> <i>Educational establishment</i> <i>Emergency services</i>	
Industrial Activities	
<i>Winery</i>	
Infrastructure Activities	
<i>Air service</i> (not involving an airstrip or helipad) <i>Major electricity infrastructure</i> (where proposed as underground infrastructure) <i>Substation</i> <i>Telecommunications facility</i> <i>Utility installation</i> (if involving a <i>minor utility installation</i>)	<i>Air service</i> * <i>Major electricity infrastructure</i> *
Recreational Activities	
<i>Indoor sport and recreation</i> <i>Outdoor sport and recreation</i> (where not involving a rifle or shooting range) <i>Park</i>	
Residential Activities	
<i>Caretaker's accommodation</i>	
Rural Activities	
<i>Animal husbandry</i> <i>Animal keeping</i> (where low impact and small scale) <i>Cropping</i>	

* other than as specified in column 1

6.2.11.3 Assessment Benchmarks

Table 6.2.11.3.1—Accepted and Assessable Development

Performance Outcomes	Acceptable Outcomes																				
Setbacks																					
PO1 Building setbacks: (1) assist in the protection of amenity of adjacent land; (2) allow for access around the building; (3) accommodate landscaping to soften the impact of the built form; (4) contribute to the streetscape character; and (5) allow for on-site parking. <i>Note - Where setbacks are required in this code or other codes, the higher numerical standard prevails.</i>	AO1 Building setbacks are as follows: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Setback</th> <th colspan="2">Minimum Distances Measured in Metres (m)</th> </tr> </thead> <tbody> <tr> <td colspan="3">Front</td> </tr> <tr> <td>Street frontage</td> <td colspan="2">6m</td> </tr> <tr> <td colspan="3">Side and Rear</td> </tr> <tr> <td rowspan="2">Side and rear boundary</td> <td>Building Height</td> <td>Setback</td> </tr> <tr> <td>Up to 7.5m</td> <td>2.0m</td> </tr> <tr> <td></td> <td>For that part exceeding 7.5m</td> <td>5.0m plus an extra 0.5m is added for every 3m in height or part thereof over</td> </tr> </tbody> </table>	Setback	Minimum Distances Measured in Metres (m)		Front			Street frontage	6m		Side and Rear			Side and rear boundary	Building Height	Setback	Up to 7.5m	2.0m		For that part exceeding 7.5m	5.0m plus an extra 0.5m is added for every 3m in height or part thereof over
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Performance Outcomes	Acceptable Outcomes		
	<table border="1"> <tr> <td></td> <td>10.5m</td> </tr> </table> <p><i>Note - Where setbacks are required in this code or other codes, the higher numerical standard prevails.</i></p>		10.5m
	10.5m		
Height			
PO2 Development is of a height that: (1) is of low to medium rise; and (2) does not impact on the amenity of adjacent <i>residential activities</i> or land included in a residential zone.	A02 Building height for development (excluding <i>infrastructure activities</i>) does not exceed 4 storeys with a maximum height of 18m.		

Table 6.2.11.3.2 — Assessable Development

Performance Outcomes	Acceptable Outcomes
Built Form and Urban Design	
PO1 Development: (1) is integrated and provides for a mix of tourism, recreational and supporting uses; and (2) incorporates urban design elements and landscaping that creates attractive buildings and recreational spaces.	A01 No Acceptable Outcome is prescribed.
PO2 Development presents an attractive and active frontage to all streets and public spaces, and enhances the character of the zone through: (1) ensuring buildings address the street and public spaces; (2) ensuring buildings are visually interesting through articulation and variation to the external appearance; (3) providing opportunities for casual surveillance; and (4) clearly defined building entrances.	A02.1 Buildings are designed to address the street and public spaces.
	A02.2 The unarticulated length of any external wall along a street frontage or where buildings front a public space does not exceed 10m.
	A02.3 Buildings achieve visual interest and articulation through a combination of the following: (1) variation in the horizontal plane through the use of recesses, columns or blades; (2) variation in parapet design or roof form; (3) variation in colour, patterns, textures or building materials; and (4) canopies, awnings or projections.
	A02.4 Windows and balconies located above ground floor overlook the street and public spaces to provide opportunities for casual surveillance.
	A02.5 Building entrances are clearly visible from the street.
PO3 Development complements the natural land form and natural landscape features of the site such as waterways and vegetated areas.	A03 No Acceptable Outcome is prescribed.

Performance Outcomes	Acceptable Outcomes
PO4 Pedestrian access to and within a development is clearly defined and safe, and separated from vehicular access.	A04 No Acceptable Outcome is prescribed.
Amenity	
PO5 Outdoor storage, utility, service and loading areas are screened so they are not visible from: (1) the street and public spaces; and (2) adjacent land in a residential zone.	A05 No Acceptable Outcome is prescribed.
PO6 Development affords privacy to adjoining land in a <i>residential zone</i> .	A06 Where adjoining land in a <i>residential zone</i> , development screens or obscures any window 1.8m above ground level that has a direct view of land in a residential zone.
Land Use	
PO7 Retail uses including <i>Shops</i> and <i>Shopping centres</i> involve the retailing of tourism products only and excludes the retailing of domestic goods including <i>convenience retail, department stores, discount department stores, full-line supermarkets</i> and <i>supermarkets</i> .	A07 No Acceptable Outcome is prescribed.
Reconfiguration of a Lot	
PO8 Reconfiguring a lot creates lots of an appropriate size, dimension and configuration to accommodate land uses consistent with the purpose and overall outcomes of the zone.	A08 Reconfiguring a lot complies with the standards in Table 9.4.6.3.2 - Minimum Lot Size and Design .