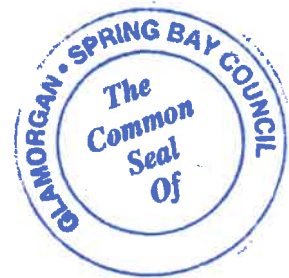


Draft Amendment AM 2021/01
Glamorgan Spring Bay Interim Planning Scheme 2015
Instrument of Certification

The proposed amendment is to:

- a. insert Particular Purpose Zone 8 – Tempus Village (Attachment 1); and
- b. rezone part of 'Kelvedon', 12371 Tasman Highway, Swansea (as shown by lots 50 and 100 on the proposed plan of subdivision and comprised in CT volume 177646 folio 1, CT volume 240461 folio 1 and CT volume 102376 folio 1) from Significant Agriculture to Particular Purpose Zone 8 - Tempus Village (Attachment 2);
- c. Incorporate the document Tempus Integrated Impact Assessment 19 August 2020 into the scheme (Attachment 3);

The Glamorgan Spring Bay Council resolved at its meeting of 23 February 2021 that draft amendment 2009 of Glamorgan Spring Bay Interim Planning Scheme 2015 meets the requirements specified in section 32 of the former provisions of the Land Use Planning and Approvals Act 1993.



The common seal of Glamorgan Spring Bay Council

is affixed below pursuant to the Council resolution

of 23 February 2021 in the presence of:

..... Mayor (~~23~~ February 2021)

General Manager (~~23~~ February 2021)

Particular Purpose Zone 8 – Tempus Village

GSB-P8.1 Zone Purpose

The purpose of the Particular Purpose Zone – Tempus Village is:

- GSB-P8.1.1 To provide for the use and development of integrated aged care facilities within the Tempus Village.
- GSB-P8.1.2 To provide for incidental rural and agricultural use that does not adversely impact on residential amenity within the Tempus Village.
- GSB-P8.1.3 To manage impacts on the scenic, environmental and landscape values of the rural character of the area, surrounding the Tempus Village.
- GSB-P8.1.4 To avoid land use conflict with adjacent land in other zonings, by providing adequate buffer areas.

GSB-P8.2 Local Area Objectives

This clause is not used in this particular purpose zone.

GSB-P8.3 Definition of Terms

GSB-P8.3.1 In this particular purpose zone, unless the contrary intention appears:

Term	Definition
independent living unit	means one, two- or three-bedroom accommodation in a detached or semi-detached building, in a village environment, for older people who are actively independent and able to care for themselves
residential aged care facility	means use of land for accommodation and personal or nursing care for the aged. It includes recreational, health or laundry facilities and services for residents of the facility.

GSB-P8.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Community Meeting and	If for a theatre or community hall primarily intended to serve

Attachment 1 - insert Particular Purpose Zone 8 – Tempus Village

Entertainment	residents within the zone.
Residential	If for home-based business, residential aged-care facility, retirement village & related staff accommodation.
Resource Development	If for agricultural use.
Vehicle Parking	If for residents of the complex.
Discretionary	
Sports and Recreation	If primarily intended to serve residents within the zone
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

GSB-P8.5 Use Standards

GSB-P8.5.1 Discretionary uses

Objective:	That Discretionary uses: (a) complement the residential aged-care facility and retirement village use of the zone. (b) do not cause conflict or interfere with uses in the adjacent lands.
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 Discretionary uses must: <ul style="list-style-type: none"> (a) complement residential aged-care and retirement village related uses in the zone by providing supporting or related services; (b) be primarily intended to serve residents within the zone; (c) not compromise the operational efficiency of the zone; (d) not be the dominant use within the zone; and (e) not cause conflict with use of adjacent land in the Rural and Agriculture Zones.

GSB-P8.5.2 Amenity

Objective:	That non-residential uses do not detrimentally affect the scenic and landscape values of the area, and the residential amenity of nearby residential properties.
Acceptable Solutions	Performance Criteria
A1 Non-residential uses and utilities (other than minor utilities) must not be visible from a public road or from residential development on adjoining lots in different ownership.	P1 The use is of a scale and intensity consistent with the character of the area, and does not cause unreasonable loss of residential amenity, having regard to: <ul style="list-style-type: none"> (a) the Zone Purpose; (b) the topography of the site; (c) visual impacts caused by the apparent scale, bulk or form of buildings when viewed from an adjoining property and public places; and (d) the need to protect streetscape and landscape values.

GSB-P8.6 Development Standards for Buildings and Works

GSB-P8.6.1 Site Coverage and Development Area

Objective:	That the site coverage is compatible with the retirement village and residential aged care use of the site, and the protection and management of the scenic, landscape and rural use values of the surrounding area.
Acceptable Solutions	Performance Criteria
A1 The location of buildings and works must: <ul style="list-style-type: none"> (a) be consistent with the layout and associated use indicated in Figure GSB-8.1 and Figure GSB-8.2; and (b) site coverage must be not more than 30%; 	P1 The location of buildings and works must have regard to: <ul style="list-style-type: none"> (a) The Zone Purpose; (b) The topography of the site; (c) the height, bulk and form of existing and proposed buildings; (d) any required bushfire protection measures; and (e) the retention of vegetation.

GSB-P8.6.2 Building Height

Objective:	That building height does not result in an unreasonable impact on residential amenity or on the scenic and landscape values of the surrounding area.	
Acceptable Solutions		Performance Criteria
A1 (a) For buildings shown in Figure GSB-8.2, building height must be not more than: (i) 8.5m for a residential use; (ii) 10m otherwise. (b) For buildings not shown in Figure GSB-7.2, there is no acceptable solution.		P1 Building height must be compatible with the scenic, environmental and landscape values of the area, having regard to: (a) the height, bulk and form of proposed buildings; (b) the height, bulk and form of existing buildings; (c) the topography of the site; (d) the visual impact of the buildings when viewed from roads and public places; (e) the landscape values of the surrounding area; and (f) if for a non-residential use, the height is reasonably necessary for that use.

GSB-P8.6.3 Setback

Objective:	That the siting of buildings: (a) minimises potential conflict with use on adjoining sites; (b) protects the scenic landscape values of the Tasman Highway scenic corridor.	
Acceptable Solutions		Performance Criteria
A1 Building must have a setback from a frontage not less than: (i) 100m for residential buildings; (ii) 20m for non-residential buildings.		P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; (d) any buffers created by natural or other features; (e) any existing or proposed screening; and

Attachment 1 - insert Particular Purpose Zone 8 – Tempus Village

	(f) the impact on views from the Tasman Highway.
A2 Buildings must have a setback from all boundaries other than a frontage of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.	P2 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features
A3 Buildings for sensitive use must be separated from an Agriculture or Rural Zone a distance of: (a) not less than 200m; (b) if the setback of an existing building is within 200m, not less than the existing building.	P3 Buildings for a sensitive use must be sited so as to not conflict or interfere with uses in the Agriculture Zone or Rural Zone, having regard to: (a) the size, shape and topography of the site; (b) the separation of any existing buildings for sensitive uses on adjoining properties; (c) the existing and potential use of adjoining properties; (d) any proposed attenuation measures; and (e) any buffers created by natural or other features.

GSB-P8.6.4 Landscape protection and exterior finishes

Objective:	That the landscape values of the site and surrounding area are protected or managed to minimise adverse impacts.
Acceptable Solutions	Performance Criteria
A1 Exterior building finishes must have a light reflectance value not more than 40%, in dark natural tones of grey, green or brown.	P1 Exterior building finishes must not cause an unreasonable loss of amenity to occupiers of adjoining properties or detract from the landscape values of the site or surrounding area, having regard to: (a) the appearance of the building when viewed from roads or public places in the surrounding area;

	<p>(b) any screening vegetation; and</p> <p>(c) the nature of the exterior finishes.</p>
<p>A2</p> <p>Buildings and works must:</p> <p>(a) be an alteration or extension to an existing building providing it is not more than the existing building height; and</p> <p>(b) not include cut and fill greater than 1m; and</p> <p>(c) be not less than 10m in elevation below a skyline or ridgeline.</p>	<p>P2</p> <p>Buildings and works must be located to minimize impacts on landscape values, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size and shape of the site;</p> <p>(c) the proposed building height, size and bulk;</p> <p>(d) any constraints imposed by existing development;</p> <p>(e) visual impact when viewed from roads and public places;</p> <p>(f) any vegetation removal required for the construction of the proposal or as a result of a Bushfire Hazard Management Plan; and</p> <p>(g) any existing or proposed screening vegetation.</p> <p>P2.1</p> <p>If the building and works are less than 10m in elevation below a skyline or ridgeline, there are no other suitable building areas.</p>

GSB-P8.6.5 Private Open Space for Independent Living Units

Objective:	<p>That Independent Living Units provide:</p> <p>(a) for outdoor recreation and the operational needs of the residents;</p> <p>(b) opportunities for the planting of gardens and landscaping; and</p> <p>(c) private open space that is conveniently located and has access to sunlight.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Independent Living Units must have private open space that:</p> <p>(a) is in one location and is:</p> <p>(i) not less than 60m²;</p> <p>(ii) not less than 3.6m horizontal dimension;</p> <p>(iii) not greater than 1 in 10 slope; and</p> <p>(iv) is located immediately adjacent to a living area of the Independent Living Unit.</p>	<p>P1</p> <p>An Independent Living Unit must have private open space that includes an area capable of serving as an extension of the Independent Living Unit for outdoor relaxation, dining and entertaining, and is:</p> <p>(a) conveniently located in relation to a living area of the Independent Living Unit;</p> <p>(b) orientated to take advantage of sunlight; and</p> <p>(c) capable of providing for operational needs such as clothes drying and storage.</p>

<p>A2</p> <p>50% of the private open space of an Independent Living Unit determined according to A1 or P1 of this clause must receive not less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June.</p>	<p>P2</p> <p>The private open space of an Independent Living Unit determined according to A1 or P1 of this clause must be designed and sited to not cause an unreasonable loss of amenity by overshadowing from another Independent Living Unit.</p>
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GSB-P8.6.6 Sunlight and Overshadowing for Independent Living Units

Objective:	To provide the opportunity for sunlight to enter habitable rooms (other than bedrooms) of Independent Living Units.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>An Independent Living Unit must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north.</p>		<p>P1</p> <p>An Independent Living Unit must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).</p>
<p>A2</p> <p>An Independent Living Unit that is to the north of a window of a habitable room (other than a bedroom) of another dwelling which window faces between 30 degrees west of north and 30 degrees east of north, must not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p>		<p>P2</p> <p>An Independent Living Unit must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling that faces between 30 degrees west of north and 30 degrees east of north.</p>

GSB-P8.6.7 Privacy for Independent Living Units

Objective:	To reduce the potential for loss of privacy for Independent Living Units.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the Independent Dwelling Unit) that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing an adjoining Independent Living Unit, unless the balcony, deck, roof terrace, parking space, or carport is</p>		<p>P1</p> <p>A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the Independent Living Unit) that has a finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of an adjoining Independent Living Unit or its private open space.</p>

<p>at least 6 m:</p> <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other Independent Living Unit ; or (ii) from a balcony, deck, roof terrace or the private open space, of the other Independent Living Unit. 	
<p>A2</p> <p>A window or glazed door, to a habitable room, of an Independent Living Unit, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> (a) the window or glazed door: <ul style="list-style-type: none"> (i) is to be at least 6 m from a window or glazed door, to a habitable room, of an adjoining Independent Living Unit; and (ii) is to be at least 6 m from the private open space of an adjoining Independent Living Unit. (b) the window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of an adjoining Independent Living Unit; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%. 	<p>P2</p> <p>A window or glazed door, to a habitable room of an Independent Living Unit, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> (a) a window or glazed door, to a habitable room of another Independent Living Unit; and (b) the private open space of another Independent Living Unit.
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that Independent Living Unit) must be separated from a window, or glazed door, to a habitable room of an Independent Living Unit by a horizontal distance of at least:</p> <ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7m in height; or 	<p>P3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that Independent Living Unit) must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of an adjoining Independent Living Unit.</p>

(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	
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GSB-P8.6.8 Waste Storage for Independent Living Units

Objective:	To provide for the storage of garbage and recycling bins for all Independent Living Units.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>An Independent Living Unit must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per Unit and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each Independent Living Unit, excluding the area in front of the main entrance of an Independent Living Unit.</p>	<p>P1</p> <p>Provision must be made for storage, for waste and recycling bins, that is:</p> <p>(a) capable of storing the number of bins required for the Independent Living Units; and</p> <p>(b) screened from the frontage of the site and from individual Independent Living Units; and</p> <p>(c) if the storage area is a communal storage area, separated from Independent Living Units on the site to minimise impacts caused by odours and noise.</p>

GSB-P8.6.9 Staging

Objective:	<p>(a) To achieve the purpose of the zone; and</p> <p>(b) To ensure the timely provision of the required services and infrastructure to facilitate aged care related uses.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Development of the Independent Living Units identified in Stage 2 shall only be permitted on completion of the communal facilities identified in Stage 1A in Figure GSB-8.3 and Stage 1B in Figure GSB-8.4</p>	<p>P1</p> <p>No performance criteria.</p>

GSB-P7.7 Development Standards for Subdivision

GSB-P8.7.1 Subdivision

Objective:	<ul style="list-style-type: none"> (a) To achieve the purpose of the zone; and (b) To ensure that subdivision only occurs when necessary to facilitate aged care related uses.
Acceptable Solutions	Performance Criteria
A1 Subdivision is for the purpose of providing lots for utilities, or to meet Commonwealth licencing or approval requirements for aged care facilities.	P1 Each lot must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lot; and (b) the existing buildings and the location of intended buildings; and (c) the accessibility for vehicles providing for supplies, waste removal and emergency services; and (d) must be reasonably necessary to facilitate the continuation of an existing aged care related use or the development of an approved aged care related use; and (e) must not contain only a dwelling or dwellings.

GSB-P8.8 Tables

This sub-clause is not used in this particular purpose zone.

GSB-P8.9 Figures

Figure GSB-8.1 Tempus Master Plan

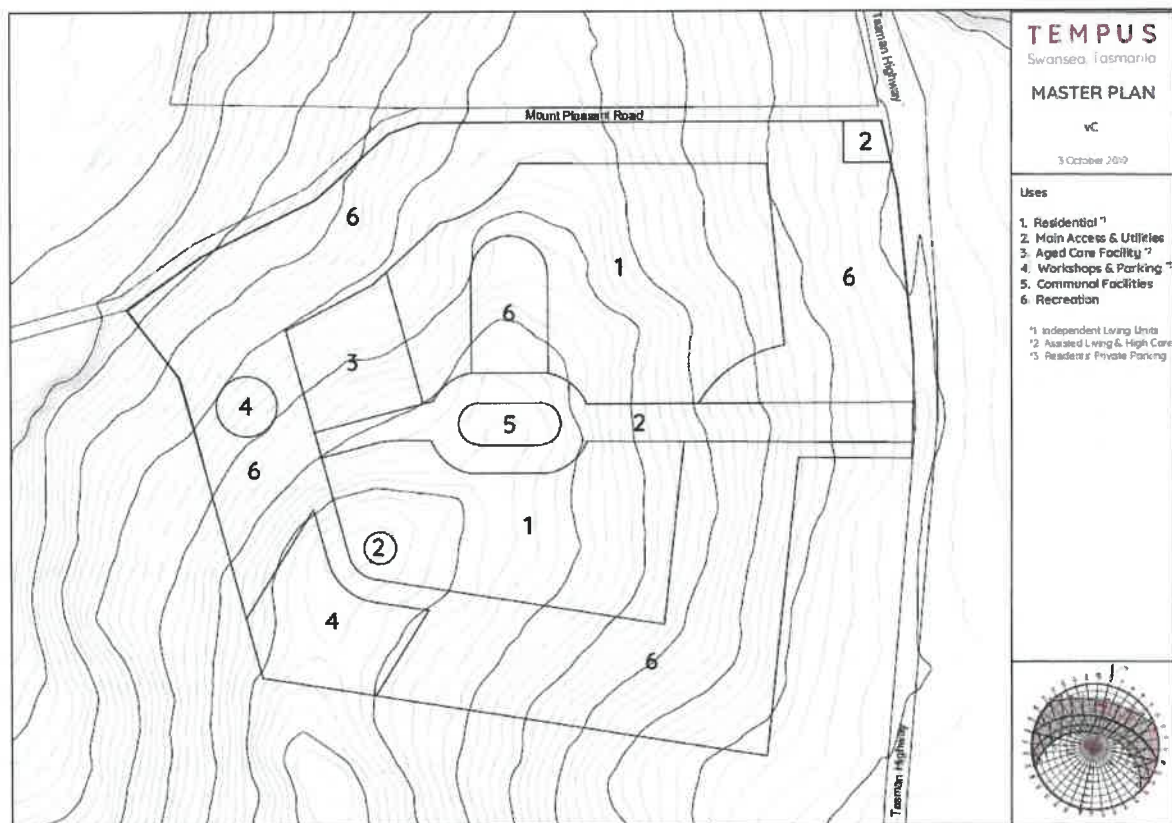


Figure GSB-8.2 Tempus Site Plan



Figure GSB-8.3 Tempus Stage 1A Plan

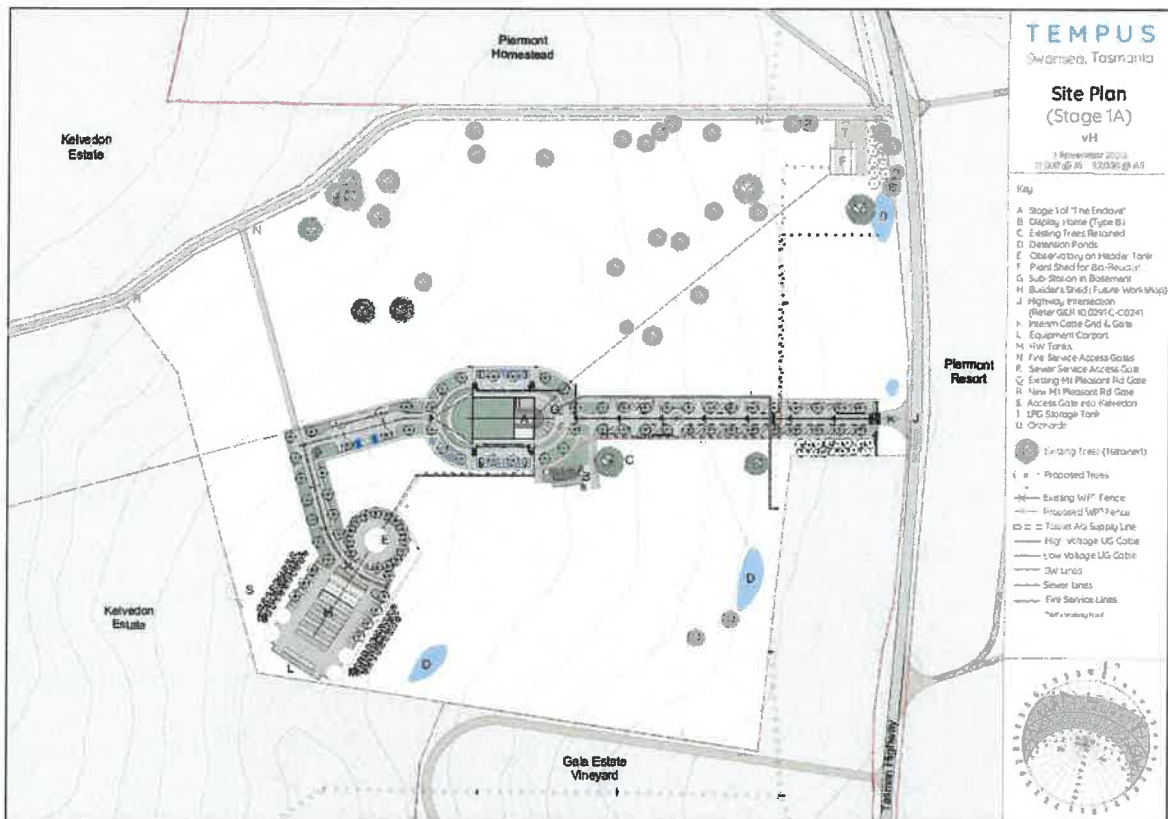
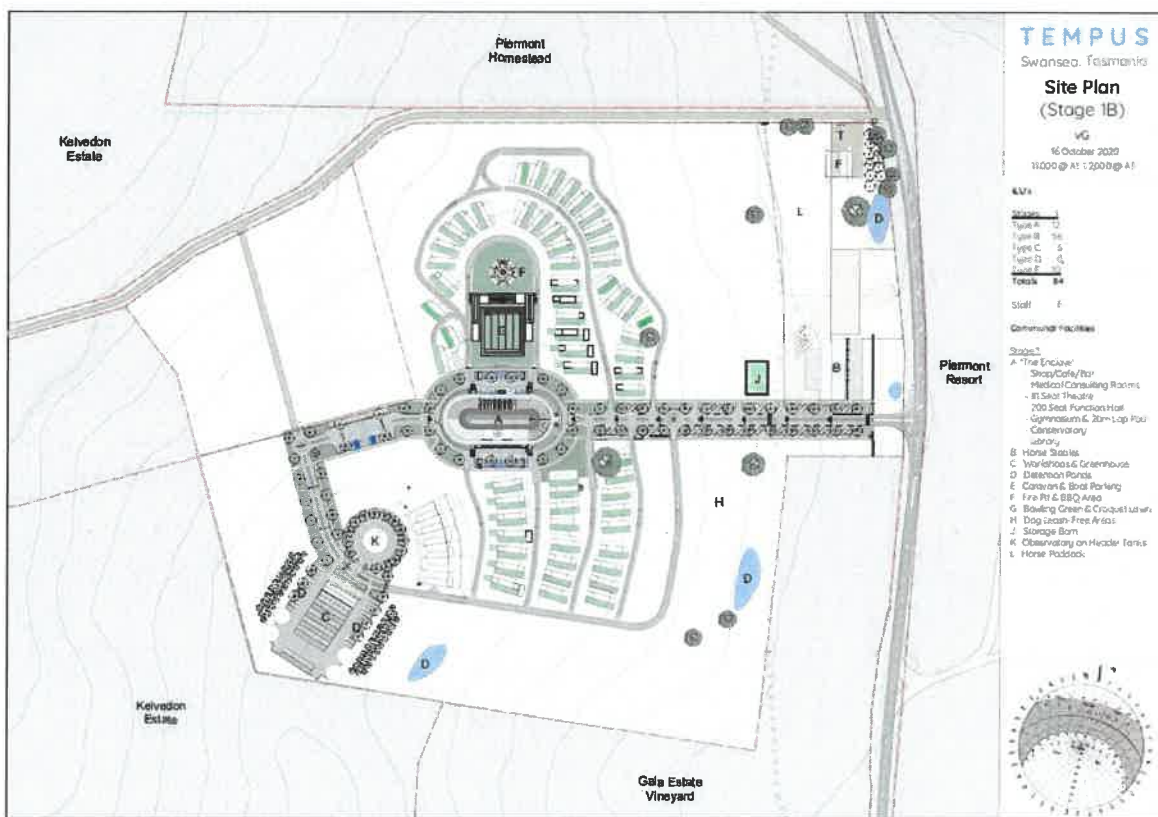


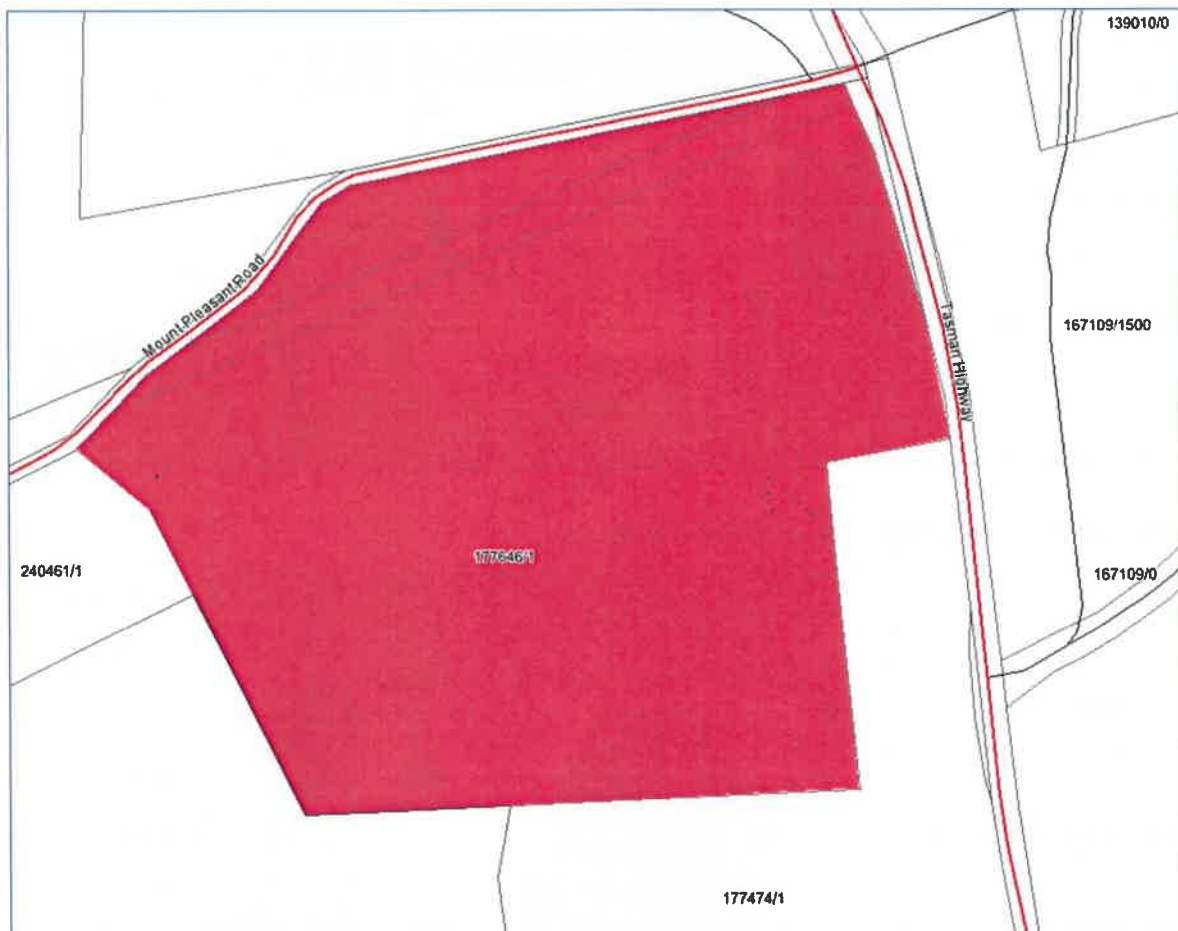
Figure GSB-8.4 Tempus Stage 1B Plan (including Stage 1A)



Proposed zone:



Particular Purpose zone



Insert the following to Appendix 1 – Referenced and Incorporated Documents

Incorporated Documents		
Document Title	Description	Date
Tempus Integrated Impact Assessment, All Stages	Report on project concept by John Lewis of Caliban Consulting Pty Ltd	9 Nov 2020