

THE KINGBOROUGH INTERIM PLANNING SCHEME 2015

Fact Sheet No. 9

Rural Living Zone

Purpose of the Rural Living Zone

The Rural Living zone mainly applies to larger lots or 'hobby farm' type residential areas that occur on the fringe of larger settlements. No reticulated services are available and there are no significant tracts of native vegetation. The zone provides for residential options in rural areas, with the emphasis on residential amenity rather than farming activities. It is generally applied to land, outside or adjacent to the main settlements, that is essentially rural in character, is not readily accessible to services such as water, sewer and/or stormwater, has limited environmental values and reflects the existing, larger lot settlement pattern. Some activities, other than residential, can occur in this zone, but these uses must be compatible with the rural residential amenity.

The main purposes of the zone are:

- ❖ To provide for residential use or development on large lots in a rural setting where services are limited.
- ❖ To provide for compatible use and development that does not adversely impact on residential amenity.
- ❖ To provide for agricultural uses that do not adversely impact on residential amenity.
- ❖ To avoid land use conflict with adjacent Rural Resource or Significant Agriculture zoned land by providing for adequate buffer areas.
- ❖ To provide for use and development that respects the natural landscape.

There are no local area objectives and desired future character statements contained within the Scheme that are relevant to the Rural Living zone.

Allowable uses in the Rural Living Zone

The types of activities that can occur are controlled through the Table of Uses section that sets out a range of uses that are allowable and any further qualification if required. The Use Classes are defined in Part B - 8.0 of the Scheme. The allowable uses for the Rural Living zone are as follows:

No Permit Required	
Use Class	Qualification
Educational and occasional care	Only if for home-based child care in accordance with a licence under the Child Care Act 2001
Natural and cultural values management	
Passive recreation	
Residential	Only if single dwelling or home-based business
Utilities	Only if minor utilities
Permitted	
Use Class	Qualification
Resource development	Only if for agricultural use
Visitor accommodation	
Discretionary	
Use Class	Qualification
Bulky goods	Only if garden and landscape supplies
Business and professional services	Only if a veterinary surgery
Community meeting and entertainment	Only if church, art and craft centre or public hall
Domestic animal breeding, boarding or training	
Educational and occasional care	Except if no permit required

	Only if day respite facility
Emergency services	
General retail and hire	Only if roadside stall
Resource development	Except if permitted
Resource processing	Only if winery or similar
Sports and recreation	
Utilities	Except if no permit required
Prohibited	
Use Class	Qualification
All other uses	

Although the use table sets out the 'status' of a use as 'No Permit Required' or 'Permitted', it is important to note that a use deemed as 'No Permit Required' may require a permit where a performance criterion is relied upon, including Code provisions and the requirement for a planning permit under a Code, for example. Similarly, a 'Permitted' application may be deemed as Discretionary where it relies upon a performance criterion of the Scheme. This status is usually able to be interpreted by the applicant, however, there are incidences where the determination may be required by planning staff upon initial assessment of the application.

There are standards set out for the zone that are used to guide development within the zone. These include standards relating to both use and development, for example, non-residential use, visitor accommodation, residential building and works, non-dwelling building and works and subdivision. In particular, the standards provide guidance on matters relevant to the Rural Living zone and generally as follows (indicative of *Acceptable Solution* only – variation may be allowable under a *Performance Criteria*):

Minimum lot size	Rural Living Zone Area A – 2.5 ha Rural Living Zone Area B – 5 ha
Minimum lot frontage	40 metres (except internal lot)
Front setbacks	20 metres
Side setbacks	10 metres
Rear setbacks	10 metres
Height	8.5 metres
Site coverage	Combined gross floor area of buildings must be no more than 375 sqm

For a full set of standards for the Rural Living Zone, please refer to chapter 13.0 of the Kingborough Interim Planning Scheme 2015. The zone provisions specify the *acceptable solutions* and *performance criteria* for each issue. The status of an application as 'No Permit Required', 'Permitted' or 'Discretionary' will further depend upon whether an application relies upon a *performance criteria* and it's general compliance with any relevant standards contained in the Scheme.

It is important to note that a number of Codes are contained within the Scheme which can also apply to use and/or development in addition to the zone standards, which may be relevant to your property. For further information on the Code application and where it applies, please refer to Fact Sheet No. 4 – *What is a Code?* These standards apply in conjunction with the zone provisions and prevail where there is any conflict.

If your property is located within an area defined by a Specific Area Plan, you should also refer to the standards contained within the relevant Specific Area Plan at the end of the Scheme. These standards apply in conjunction with the zone and code standards, however, prevail over both zone and code provisions where there is any conflict.