



# Kingborough

## THE KINGBOROUGH INTERIM PLANNING SCHEME 2015

### Fact Sheet No. 3

## What is a Zone?

A Municipality is divided up into zones of land within which there are generally common uses and existing or desired patterns of development. Zones are the primary mechanism for ensuring that landuse patterns are compatible and to guide the type of development to appropriate areas across the Municipality. Each parcel of land is allocated a zone and these zones are displayed on the Zone Maps which form part of the Kingborough Interim Planning Scheme 2015.

Under the Interim Planning Schemes for Tasmania, there are twenty four zones available to be allocated to properties. Of these zones, twenty one have been utilised within Kingborough. Each zone used in the planning scheme is identified using a standard set of colours throughout the State as follows:

10.0 General Residential		22.0 Central Business	
11.0 Inner Residential		23.0 Commercial	
12.0 Low Density Residential		24.0 Light Industrial	
13.0 Rural Living		25.0 General Industrial	
14.0 Environmental Living		26.0 Rural Resource	
15.0 Urban Mixed Use		27.0 Significant Agriculture	
16.0 Village		28.0 Utilities	
17.0 Community Purpose		29.0 Environmental Management	
18.0 Recreation		30.0 Major Tourism	
19.0 Open Space		31.0 Port and Marine	
20.0 Local Business		32.0 Particular Purpose	
21.0 General Business			

## What does a Zone do?

A Zone is the primary tool for controlling and guiding development on land to specific zoned areas within the Municipality. The zone provides a set of use and development standards to which an application must demonstrate compliance in order for a use or development to receive planning approval. The Zones available under the Interim Planning Scheme have been applied within the Kingborough Municipality to reflect the existing land use and settlement patterns.

The use standards for each Zone provide guidance on the operation of uses within a Zone and deal with the impacts of a use on other uses within the Zone. The development standards are associated with the physical outcomes for the development of land, for example, what a development looks like, suitability of the site, density and size, position of development in relation to adjoining development, amenity impacts, works on land, vegetation clearance and subdivision.

Part D of the Kingborough Interim Planning Scheme 2015 sets out the intent of each zone and includes a set of planning provisions that controls development on the zoned land. Each Zone has a chapter that includes a zone purpose statement that clearly identifies what the particular zone seeks to achieve.

There may be Local Area Objectives or Desired Future Character Statements included that provide for specific objectives, outcomes or desired future character statements for individual localities that reflect existing character, local area plans, structure plans, master plans, or development plans for example.

A Use Table is provided for each Zone that specifies the permissible uses allowable within each zone. These uses are defined within Table 8.2 – Part B of the Kingborough Interim Planning Scheme 2015. As outlined more fully in Fact Sheet No. 2 – *How do I know if I need to apply for a planning permit?*, the Use Table classifies the use classes into either ‘No Permit Required’, ‘Permitted’ or ‘Discretionary’. These use classes may have a further qualification that identifies a more specific use within the use class that is permissible. Any use class that is not listed in this Table is prohibited within the relevant Zone.

An example of a use table within a zone chapter is as follows:

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Natural and cultural values management	
Passive recreation	
Sports and recreation	Only if provided by the Council or an agency.
Utilities	Only if minor utilities.
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Sports and recreation	Except if No Permit Required.
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Business and professional services	Only if office for a community-based organisation

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.

The Zone chapter also includes a set of planning provisions relevant to both 'use' of land and 'development' of land. These standards are applicable to the type of development that is expected to be found within the area of zoned land and are in place to guide development appropriately.

The use and development standards are separated into Acceptable Solutions and Performance Criteria. The Acceptable Solution provides an 'acceptable' and a more definitive/measurable standard that an application is easily able to demonstrate compliance against and is therefore readily approved. The Performance Criteria allows for more judgement on a case by case basis and is accordingly able to be approved at Council's discretion, where compliance is demonstrated. An application must comply with either an Acceptable Solution or Performance Criteria for each clause relevant to the application in order for the use/development not to be prohibited.

It is important to note that if a Code or Specific Area Plan also applies to the land, the provisions contained within the Code or Specific Area Plan override the Zone provisions, where there is conflict between the standards.

#### ***Further Enquiries:***

This Fact Sheet provides a general guide on the functions of the Zone chapter within the Kingborough Interim Planning Scheme 2015. Please contact Council's Customer Service Team on 62 11 8200 if you require any further assistance or clarification.