

## **26.0 Rural Resource Zone**

### **26.1 Zone Purpose**

#### **26.1.1 Zone Purpose Statements**

- 26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
- 26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.
- 26.1.1.3 To provide for non-agricultural use or development, such as recreation, conservation, tourism and retailing, where it supports existing agriculture, aquaculture, forestry, mining and other primary industries.
- 26.1.1.4 To allow for residential and other uses not necessary to support agriculture, aquaculture and other primary industries provided that such uses do not:
  - (a) fetter existing or potential rural resource use and development on other land;
  - (b) add to the need to provide services or infrastructure or to upgrade existing infrastructure;
  - (c) contribute to the incremental loss of productive rural resources.
- 26.1.1.5 To provide for protection of rural land so future resource development opportunities are not lost.
- 26.1.1.6 To ensure development respects and protects the natural and landscape values on the land.

### 26.1.2 Local Area Objectives

Local Area Objectives	Implementation Strategy
MARGATE	
(a) Land immediately south of Margate which is to the east and west of the Channel Highway is earmarked for future residential development.	(a) The Rural Resource Zone is being utilised here as a holding zone that enables existing uses to continue up until that time that this land can be more intensively developed. This will in turn depend on such factors as sufficient wastewater treatment capacity and justifying an extension of the urban growth boundary for Margate.

### 26.1.3 Desired Future Character Statements

Desired Future Character Statements	Implementation Strategy
MARGATE	
(a) Future development of this land south of Margate that is zoned Rural Resource should not adversely compromise its longer term potential for a more intensive urban use.	(a) The land should continue to be used for rural purposes until circumstances change that enable its more intensive development, which is anticipated to primarily be for residential purposes.

### 26.2 Use Table

No Permit Required	
Use Class	Qualification
Any permitted use	Only if replacing an existing use on the site and there is no associated development requiring a permit
Natural and cultural values management	
Passive recreation	
Resource development	Only if agriculture, bee keeping, crop production, forest operations in accordance with a Forest Practices Plan, horse stud or tree farming and plantation forestry in accordance with a Forest Practices Plan.

Utilities	Only if minor utilities
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Educational and occasional care	Only if for home-based child care in accordance with a licence under the <i>Child Care Act 2001</i>
Residential	Only if home-based business or an extension or replacement of an existing dwelling
Resource development	Except where No Permit Required or Discretionary
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Bulky goods sales	Only if rural suppliers, garden and landscape suppliers or timber yard
Community meeting and entertainment	Only if by the Council, an agency or a community organisation.
Crematoria and cemeteries	
Domestic Animal breeding, boarding and training	
Educational and occasional care	Only if related to rural resource use. Except if Permitted.
Emergency services	
Extractive Industry	
Food Services	Only if for the serving of agricultural produce primarily from the region.
General retail and hire	Only if for the sale of agricultural produce primarily from the property or for the hire of rural equipment.
Manufacturing and processing	Only if manufacturing of rural equipment or processing rural products.
Motor racing facility	
Pleasure boat facility	

Research and development	
Residential	Only if single dwelling
Resource development	Only if intensive animal husbandry
Resource processing	
Recycling and waste disposal	
Service industry	Only if primarily for vehicles and machinery used for resource development uses.
Sports and recreation	Only if firing range, golf course or driving range; outdoor recreation facility; race course and sports ground
Storage	Only if contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot or woodyard
Tourist operation	
Transport depot and distribution	Only if for transport and distribution of rural equipment and products.
Visitor accommodation	Only if backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, overnight camping area or seasonal workers accommodation.
Utilities	Except if No Permit Required.
<b>Prohibited</b>	
<b>Use Class</b>	<b>Qualification</b>
All other uses	

## 26.3 Use Standards

### 26.3.1 Sensitive Use (including residential use)

Objective:	
To ensure sensitive use does not unreasonably convert agricultural land or conflict with or fetter non-sensitive use.	
Acceptable Solutions	Performance Criteria
<b>A1</b>	<b>P1</b>

<p>A sensitive use is for a home based business or an extension or replacement of an existing dwelling or existing ancillary dwelling, or for home-based child care in accordance with a licence under the <i>Child Care Act 2001</i>.</p>	<p>A sensitive use must not unreasonably convert agricultural land or conflict with or fetter non-sensitive use on adjoining land having regard to all of the following:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the proposed sensitive use;</li> <li>(b) the characteristics of the existing or likely non-sensitive use on adjoining land;</li> <li>(c) setback to site boundaries and separation distance between the proposed sensitive use and existing or likely non-sensitive use on adjoining land;</li> <li>(d) any characteristics of the site and adjoining land that would buffer the proposed sensitive use from the adverse impacts on residential amenity from existing or likely non-sensitive use.</li> </ul>
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### 26.3.2 Visitor Accommodation

Objective:	
To ensure visitor accommodation is of a scale that accords with the rural character and use of the area.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Visitor accommodation must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) is accommodated in existing buildings;</li> <li>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</li> <li>(c) has a floor area of no more than 160m<sup>2</sup>.</li> </ul>	<p><b>P1</b></p> <p>Visitor accommodation must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) not adversely impact residential amenity and privacy of adjoining properties;</li> <li>(b) provide for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</li> <li>(c) be of an intensity that respects the character of use of the area;</li> <li>(d) not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of private rights of way;</li> </ul>

	<p>(e) be located on the property's poorer quality agricultural land or within the farm homestead buildings precinct;</p> <p>(f) not fetter the rural resource use of the property or adjoining land.</p>
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### 26.3.3 Discretionary Use

Objective:	
To ensure that discretionary non-agricultural uses do not unreasonably confine or restrain the agricultural use of agricultural land.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No acceptable solution.</p>	<p><b>P1</b></p> <p>A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:</p> <p>(a) the characteristics of the proposed non-agricultural use;</p> <p>(b) the characteristics of the existing or likely agricultural use;</p> <p>(c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</p> <p>(d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</p>

## 26.4 Development Standards for Buildings and Works

### 26.4.1 Building Height

Objective:	
To ensure that building height contributes positively to the rural landscape and does not result in unreasonable impact on residential amenity of land.	
Acceptable Solutions	Performance Criteria

<p><b>A1</b></p> <p>Building height must be no more than:</p> <p>8.5 m if for a residential use.</p> <p>10 m otherwise.</p>	<p><b>P1</b></p> <p>Building height must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by overlooking and loss of privacy;</p> <p>(c) if for a non-residential use, the height is necessary for that use.</p>
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#### 26.4.2 Setback

<p>Objective:</p>	
<p>To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.</p>	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p><b>A1</b></p> <p>Building setback from frontage must be no less than:</p> <p>20 m.</p>	<p><b>P1</b></p> <p>Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:</p> <p>(a) the topography of the site;</p> <p>(b) the size and shape of the site;</p> <p>(c) the prevailing setbacks of existing buildings on nearby lots;</p> <p>(d) the location of existing buildings on the site;</p> <p>(e) the proposed colours and external materials of the building;</p> <p>(f) the visual impact of the building when viewed from an adjoining road;</p> <p>(g) retention of vegetation.</p>
<p><b>A2</b></p>	<p><b>P2</b></p> <p>Building setback from side and rear boundaries must maintain the character of the surrounding</p>

<p>Building setback from side and rear boundaries must be no less than:</p> <p>50 m.</p>	<p>rural landscape, having regard to all of the following:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size and shape of the site;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) the proposed colours and external materials of the building;</li> <li>(e) visual impact on skylines and prominent ridgelines;</li> <li>(f) impact on native vegetation.</li> </ul>
<p><b>A3</b></p> <p>Building setback for buildings for sensitive use must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m;</li> <li>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.</li> </ul>	<p><b>P3</b></p> <p>Building setback for buildings for sensitive use (including residential use) must prevent conflict or fettering of primary industry uses on adjoining land, having regard to all of the following:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the prevailing setbacks of existing buildings on nearby lots;</li> <li>(c) the location of existing buildings on the site;</li> <li>(d) retention of vegetation;</li> <li>(e) the zoning of adjoining and immediately opposite land;</li> <li>(f) the existing use on adjoining and immediately opposite sites;</li> <li>(g) the nature, frequency and intensity of emissions produced by primary industry uses on adjoining and immediately opposite lots;</li> <li>(h) any proposed attenuation measures;</li> <li>(i) any buffers created by natural or other features.</li> </ul>
<p><b>A4</b></p> <p>Buildings and works must be setback from land zoned Environmental Management no less than:</p>	<p><b>P4</b></p> <p>Buildings and works must be setback from land zoned Environmental Management to minimise</p>

100 m.	<p>unreasonable impact from development on environmental values, having regard to all of the following:</p> <ul style="list-style-type: none"> <li>(a) the size of the site;</li> <li>(b) the potential for the spread of weeds or soil pathogens;</li> <li>(c) the potential for contamination or sedimentation from water runoff;</li> <li>(d) any alternatives for development.</li> </ul>
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### 26.4.3 Design

Objective:	
To ensure that the location and appearance of buildings and works minimises adverse impact on the rural landscape.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>The location of buildings and works must comply with any of the following:</p> <ul style="list-style-type: none"> <li>(a) be located within a building area, if provided on the title;</li> <li>(b) be an addition or alteration to an existing building;</li> <li>(c) be located in an area not require the clearing of native vegetation and not on a skyline or ridgeline.</li> </ul>	<p><b>P1</b></p> <p>The location of buildings and works must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) be located on a skyline or ridgeline only if: <ul style="list-style-type: none"> <li>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</li> <li>(ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;</li> </ul> </li> <li>(b) be consistent with any Desired Future Character Statements provided for the area;</li> </ul>

	<p>(c) be located in an area requiring the clearing of native vegetation only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.</p>
<p><b>A2</b></p> <p>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p><b>P2</b></p> <p>Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.</p>
<p><b>A3</b></p> <p>The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.</p>	<p><b>P3</b></p> <p>The depth of any fill or excavation must be kept to a minimum so that the development satisfies all of the following:</p> <p>(a) does not have significant impact on the rural landscape of the area;</p> <p>(b) does not unreasonably impact upon the privacy of adjoining properties;</p> <p>(c) does not affect land stability on the lot or adjoining areas.</p>

#### 26.4.4 Plantation Forestry

Objective:	
To ensure that plantation forestry does not significantly impact watercourses, sensitive uses and landscape values.	
Acceptable Solutions	Performance Criteria

<p><b>A1</b></p> <p>Plantation forestry, including establishment and harvesting, must comply with a certified Forest Practices Plan.</p>	<p><b>P1</b></p> <p>No Performance Criteria.</p>
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## 26.5 Development Standards for Subdivision

### 26.5.1 New Lots

Objective:	
To prevent further fragmentation and fettering of rural resource land.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A lot is for public open space, a riparian or littoral reserve, or a Utilities, Emergency services, or Community meeting and entertainment use class, by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority.</p>	<p><b>P1</b></p> <p>A lot must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) be no less than 40 ha; except for: <ul style="list-style-type: none"> <li>(i) 16 Dillons Road, Alonnah (CT 244430/1);</li> </ul> <p>where the minimum lot size is determined as the entire portion of the land in this zone;</p> </li> <li>(b) have a frontage of no less than 6 m;</li> <li>(c) not be an internal lot unless the site contains existing internal lots or creation of an internal lot is necessary to facilitate rural resource use;</li> <li>(d) be provided with safe vehicular access from a road;</li> <li>(e) provide for the sustainable commercial operation of the land by either: <ul style="list-style-type: none"> <li>(i) encompassing sufficient agricultural land and key agricultural infrastructure, as demonstrated by a whole farm management plan;</li> <li>(ii) encompassing an existing or proposed non-agricultural rural resource use;</li> </ul> </li> <li>(f) if containing a dwelling, setbacks to new boundaries satisfy clause 26.4.2;</li> </ul>

	<ul style="list-style-type: none"> <li>(g) if containing a dwelling, other than the primary dwelling, the dwelling is surplus to rural resource requirements of the lot containing the primary dwelling;</li> <li>(h) if vacant, must: <ul style="list-style-type: none"> <li>(i) contain a building area capable of accommodating residential development satisfying clauses 26.4.2 and 26.4.3;</li> <li>(ii) not result in a significant increase in demand for public infrastructure or services;</li> </ul> </li> <li>(i) be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.</li> <li>(j) each lot must be capable of containing a building area clear of all hazards and environmental values.</li> <li>(j) each lot must be capable of containing a building area clear of all hazards and environmental values.</li> </ul>
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## 26.5.2 Reorganisation of Boundaries

Objective:	
To promote the consolidation of rural resource land and to allow for the rearrangement of existing titles, where appropriate, to provide for a better division of land.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>A lot is for public open space, a riparian or littoral reserve or utilities.</p>	<p><b>P1</b></p> <p>The reorganisation of boundaries must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) all existing lots are adjoining or separated only by a road;</li> <li>(b) no existing lot was formally a crown reserved road or other reserved land;</li> <li>(c) provide for the sustainable commercial operation of the land by either:</li> </ul>

	<ul style="list-style-type: none"> <li>(i) encompassing all or most of the agricultural land and key agricultural infrastructure (including the primary dwelling) in one lot, the 'primary agricultural lot', as demonstrated by a whole farm management plan,</li> <li>(ii) encompassing an existing or proposed non-agricultural rural resource use in one lot;</li> </ul> <p>(d) if a lot contains an existing dwelling, setbacks to new boundaries satisfy clause 26.4.2;</p> <p>(e) if containing a dwelling, other than the primary dwelling, the dwelling is surplus to rural resource requirements of the primary agricultural lot;</p> <p>(f) a new vacant lot must:</p> <ul style="list-style-type: none"> <li>(i) contain land surplus to rural resource requirements of the primary agricultural lot;</li> <li>(ii) contain a building area capable of accommodating residential development satisfying clauses 26.4.2 and 26.4.3.</li> <li>(iii) not result in a significant increase in demand for public infrastructure or services;</li> </ul> <p>(g) all new lots must comply the following:</p> <ul style="list-style-type: none"> <li>(i) be no less than 1ha in size;</li> <li>(ii) have a frontage of no less than 6m;</li> <li>(iii) be serviced by safe vehicular access arrangements;</li> </ul> <p>(h) be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.</p> <p>(i) be capable of containing a building area clear of all hazards and environmental values.</p>
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### 26.5.3 Historic Heritage Places

Objective:	
To provide for the preservation of heritage places surplus to agricultural needs of rural properties.	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>The subdivision of a lot for the purposes of excising a Local Heritage Place listed in the Heritage Code to this planning scheme or a place listed on the Tasmanian Heritage Register must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) the place no longer contributes to, or supports, the agricultural use and commercial operation of the property;</li> <li>(b) the subdivision will ensure that the heritage values of the place will be restored and maintained into the future through appropriate mechanisms on the title;</li> <li>(c) any urgent works on the heritage fabric of the place are undertaken within 12 months of the issue of title;</li> <li>(d) the heritage curtilage of the place is contained within the lot;</li> <li>(e) the loss of the land to the remainder of the property will not significantly reduce its agricultural use and commercial operation;</li> <li>(f) setback from a dwelling on the lot to new boundaries satisfy clause 26.4.2;</li> <li>(g) serviceable frontage is provided;</li> <li>(h) safe vehicular access arrangements are provided.</li> </ul>