

3.3

RURAL RESIDENTIAL LOCALITY

3.3 Rural Residential Locality

3.3.1 Tables of Assessment Categories and Assessment Criteria

TABLE 4A - Material Change of Use¹		
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) DEVELOPMENT FOR DEFINED USES AND USE CLASSES:		
(a) Rural Use Classes		
<i>Animal keeping:</i>	<p>Self assessable:</p> <p>If:</p> <ul style="list-style-type: none"> (i) for poultry keeping; <p>or</p> <ul style="list-style-type: none"> (ii) for an aviary; <p>or</p> <ul style="list-style-type: none"> (iii) for the keeping of: <ul style="list-style-type: none"> (1) 3 or less loud birds, (2) 2 or less dogs, or (3) 6 or less cats. <p>Code assessable:</p> <ul style="list-style-type: none"> (i) If nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; <p>or</p> <ul style="list-style-type: none"> (ii) All circumstances except if self assessable or impact assessable. <p>Impact assessable:</p> <p>If:</p> <ul style="list-style-type: none"> (i) for a kennel, cattery and/or animal pound/refuge or holding facility; <p>or</p> <ul style="list-style-type: none"> (ii) for the keeping of more than: <ul style="list-style-type: none"> (1) 3 loud birds, (2) 2 dogs, or (3) 6 cats. 	<p><u>Applicable Codes:</u></p> <p><i>For self assessable development:</i></p> <ul style="list-style-type: none"> ▪ Animal Keeping and Intensive Animal Husbandry Code – Element (b), (d) and (f). <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; and ▪ Animal Keeping and Intensive Animal Husbandry Code; <p>AND</p> <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code

¹ Uses proposed on State lands must be consistent with the purpose for which the land was allocated under the *Land Act, 1994*. Consult with Department of Natural Resources and Mines.

TABLE 4A - Material Change of Use¹

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(a) Rural Use Classes continued:		
<p>Farming:</p> <p><i>NOTE:</i> Farming for animal husbandry for pigs is an inconsistent use (refer SO2 in 3.3.2)</p>	<p>Self assessable:</p> <p>If for:</p> <p>(i) Farming except if involving:</p> <p>(1) on-farm processing,</p> <p>(2) a roadside stall, or</p> <p>(3) irrigation services;</p> <p>or</p> <p>(ii) animal husbandry if not exceeding an animal density of:</p> <p>(1) 1/ha for free ranged livestock excluding pigs,</p> <p>(2) 2/ha for goats, or</p> <p>(3) 2/ha for stabled hoofed animals.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code;</p> <p>or</p> <p>(ii) involving on-farm processing or roadside stall;</p> <p>or</p> <p>(iii) in all other circumstances except if self assessable or impact assessable.</p> <p>Impact assessable:</p> <p>If for:</p> <p>(i) Farming for animal husbandry for the keeping of more than:</p> <p>(1) 10 emus/ha,</p> <p>(2) for hoofed animals:</p> <p>a. 1/ha free ranged, and</p> <p>b. 2/ha for stabling of animals, or</p> <p>(3) 35 poultry;</p> <p>or</p> <p>(ii) agriculture involving irrigation services.</p>	<p>Applicable Codes:</p> <p><i>For self assessable development:</i></p> <ul style="list-style-type: none"> ▪ Farming Code. <p><i>For assessable development:</i></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; and ▪ Farming Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code
<p>Intensive animal husbandry:</p> <p><i>NOTE:</i> Uses for: - a zoo - a dairy - feedlotting - a piggery - a poultry farm - aquaculture or emu farming are inconsistent uses (refer SO2 of 3.3.2)</p>	<p>Code assessable:</p> <p>All except if impact assessable as follows.</p> <p>Impact assessable:</p> <p>If for:</p> <p>(1) aquarium,</p> <p>(2) aviary, or</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; and ▪ Animal Keeping and Intensive Animal Husbandry Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code
<p>Other defined Rural uses not listed above:</p>	<p>Impact assessable:</p> <p>All circumstances</p>	

TABLE 4A - Material Change of Use¹		
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes:		
<p>Accommodation building:</p> <p>NOTE: <i>Accommodation building is an inconsistent use (refer SO2 in 3.3.2)</i></p>	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; and ▪ Multiple Dwelling Unit and Accommodation Building Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code
<p>Annexed unit:</p> <p>Bed and breakfast:</p> <p>Dwelling house:</p> <p>NOTE: <i>Uses for more than 1 Dwelling house (or a Dwelling house and a Caretakers residence) on a lot are an inconsistent use (refer SO2 in 3.3.2)</i></p>	<p>Self assessable: If for a <i>Dwelling house</i>.</p> <p>Code assessable:</p> <p>If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code;</p> <p>or</p> <p>(ii) for more than 1 <i>Dwelling house</i> (or a <i>Dwelling house</i> and <i>Caretakers residence</i>) on a lot;</p> <p>or</p> <p>(iii) for all other circumstances except if self assessable above.</p>	<p><u>Applicable Codes:</u></p> <p><i>For self assessable development:</i></p> <p>(i) For Dwelling House:</p> <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (g) and (h); and <p>(ii) If in a SMOA on SMOA map 2B showing bushfire areas:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b)(ii); <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) For Annexed Unit:</p> <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (d) (e) and (g). <p>(ii) For Bed and Breakfast:</p> <ul style="list-style-type: none"> ▪ Bed and Breakfast and Small Scale Tourist Facility Code. <p>(iii) For Dwelling House:</p> <ul style="list-style-type: none"> ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (g) and (h); and <p>(iv) If in a SMOA on SMOA map 2B showing bushfire areas:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b)(ii); <p>AND</p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code - Elements (a), (c)(i)O6 and S6.2, (iii) to (vi) and (g);
<p>Caretakers residence:</p>	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code - Elements (a), (c)(i)O6 and S6.2, (iii) to (vi) and (g); and ▪ Dwelling House, Annexed Unit and Caretakers Residence Code – Elements (a), (b), (e), (f) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA map 2B showing bushfire areas:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code – Element (b)(ii).

TABLE 4A - Material Change of Use¹		
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(b) Residential Use Classes continued:		
<i>Home-based business:</i>	<p>Code assessable: All circumstances.</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code – Elements (a), (c)(iii) to (vi) and (g); and ▪ Home-based Business Code.
<p><i>Multiple dwelling unit:</i></p> <p>NOTE: A Multiple dwelling unit involving more than two dwellings is an inconsistent use (refer SO2 in 3.3.2)</p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable All Circumstances. If for a <i>Multiple dwelling unit</i> involving only two dwelling units.</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; and ▪ Multiple Dwelling Unit and Accommodation Building Code. <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code
<i>Other defined Residential uses not listed above:</i>	<p>Impact assessable: All circumstances</p>	
(c) Commercial Use Classes:		
<p><i>All defined Commercial uses:</i></p> <p>NOTE: All defined Commercial uses except for a: - Office - Small-scale tourist facility - Shop (under 50sqm in gross floor area) are inconsistent uses (refer SO2 in 3.3.2)</p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If for a <i>Shop</i> (under 50sqm in gross floor area).</p>	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; <p>AND</p> <p>(i) For Small-scale Tourist Facility:</p> <ul style="list-style-type: none"> ▪ Bed and Breakfast and Small Scale Tourist Facility Code; and ▪ Rural Residential Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code
(d) Industrial Use Classes:		
<p><i>Borrow pit:</i></p> <p>NOTE: Borrow pits (large scale) are inconsistent uses (refer SO2 in 3.3.2)</p>	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If for a <i>Borrow pit (small scale)</i> within 500m of the edge of land in the:</p> <ol style="list-style-type: none"> (1) Residential Zone, or (2) Rural Residential Zone. 	<p><u>Applicable Codes:</u></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code - all Elements except (b), (c)(i) and (ii) and (d); and ▪ Extractive Industry and Borrow Pit Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code

TABLE 4A - Material Change of Use¹		
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(d) Industrial Use Classes continued:		
<p><i>Other defined Industrial uses not listed above:</i></p> <p>NOTE: All other defined Industrial uses are inconsistent uses (refer SO2 in 3.3.2)</p>	<p>Code assessable: All circumstances</p>	<p><u>Applicable Codes:</u></p> <p>(i) For Extractive Industry:</p> <ul style="list-style-type: none"> ▪ Extractive Industry and Borrow Pit Code; and ▪ Rural Residential Locality Code – all Elements except (b), (c)(i) and (ii) and (d); <p>(ii) For Service Station or Car Washing Station:</p> <ul style="list-style-type: none"> ▪ Service Station and Car Washing Station Code; and ▪ Rural Residential Locality Code – all Elements except (b), (c)(i) and (ii); <p>(iii) For other defined Industrial uses not listed above:</p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code
(e) Community Use Classes:		
<p><i>Local utility:</i></p>	<p>Exempt: All circumstances</p>	<p>Nil</p>
<p><i>Other defined Community uses not listed above:</i></p> <p>NOTE: Major utility is an inconsistent use unless it fulfils the circumstances for self assessment specified in Column 2 (refer SO2 in 3.3.2)</p>	<p>Self assessable: If:</p> <p>(i) for the particular <i>Community use class</i> indicated for the premises listed in Schedule 5, Division 1 and for not more than a 10% increase in gross floor area calculated from the commencement day;</p> <p>or</p> <p>(ii) by a public sector entity in an existing building on land under Council's control in the following circumstances:</p> <p style="margin-left: 40px;">(1) for not more than a 10% increase in gross floor area calculated from the commencement day, or</p> <p style="margin-left: 40px;">(2) not involving flood lighting.</p> <p>Code assessable: If:</p> <p>(i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Codes;</p> <p>or</p> <p>(ii) for all other circumstances except if self assessable or impact assessable herein.</p> <p>Impact assessable: If for a <i>Child-care centre</i>.</p>	<p><u>Applicable Codes:</u></p> <p><i>For all levels of assessment:</i></p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code; <p>AND</p> <p>(i) For Telecommunications Facility:</p> <ul style="list-style-type: none"> ▪ Telecommunications Facilities Code; <p>AND</p> <p><i>For assessable development:</i></p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code

TABLE 4A - Material Change of Use¹		
Column 1 Defined Use	Column 2 Assessment Category	Column 3 Assessment Criteria
(f) Recreational Use Classes:		
Park:	Exempt: All circumstances	Nil
Other defined Recreational uses not listed above:	Self assessable: If on Council controlled land except if: (1) for more than a 10% increase calculated from the commencement day: a. in gross floor area, or b. in car parking demand, (2) needing a liquor licence, or (3) involving floodlighting. Code assessable: If: (i) nominated as self assessable but unable to comply with an Acceptable Solution for the Applicable Code; or (ii) for all other circumstances except if self assessable or impact assessable herein. Impact assessable: If for <i>Indoor sports facility</i> .	Applicable Codes: <i>For all levels of assessment:</i> ▪ Rural Residential Locality Code; AND <i>For assessable development:</i> (i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive: ▪ Natural Features and Resources Overlay Code
(2) DEVELOPMENT FOR UNDEFINED USES:²		
All:	Impact assessable: All circumstances	

² Development for undefined uses refers to proposals that do not fall within the ambit of a defined use as set out in Schedule 7.

TABLE 4B – Development other than material change of use

Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(1) BUILDING WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<i>All:</i>	<p>Code assessable:</p> <p>If for:</p> <p>(i) a building or structure having a building height greater than the following measured above ground level:</p> <p style="padding-left: 40px;">(1) 8.5 metres for habitable buildings or for a <i>Community use</i>, or</p> <p style="padding-left: 40px;">(1) 3.5 metres for a <i>Small-scale tourist facility, Bed and breakfast, Home-based business</i> or an outbuilding;</p> <p>or</p> <p>(ii) a fence or wall forward of the building line over 1.8m in height and less than 50% transparent;</p> <p>or</p> <p>(iii) a retaining wall over 2m in height;</p> <p>or</p> <p>(iv) a Class 10 building on premises not associated with an existing <i>Dwelling house</i>;</p> <p>or</p> <p>(v) displacement of more than 50 m³ of material.</p>	<p>Applicable Codes:</p> <p>(i) For building or structure height:</p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code – Element (c)(ii)O8. <p>(ii) For fences and walls:</p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code - Element (c)(v). <p>(iii) For a Class 10 building:</p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code - Elements (c)(i) and (ii), (d) and (g). <p>(iv) For displacement of material:</p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code - Elements (d) and (g).
(2) OPERATIONAL WORK NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
<i>Placement of an advertisement device:</i>	<p>Impact assessable:</p> <p>All circumstances</p>	
<i>Excavation and/or filling that materially affects premises:</i>	<p>Code assessable:</p> <p>If:</p> <p>(i) for a:</p> <p style="padding-left: 40px;">(1) <i>Telecommunication facility (medium impact)</i>,</p> <p style="padding-left: 40px;">(2) <i>Major utility</i>, or</p> <p style="padding-left: 40px;">(3) <i>Extractive industry</i>;</p> <p>or</p> <p>(ii) for a change in the ground level of more than 1 metre or if more than 50m² of material is filled or excavated.</p> <p>(iii) capable of storing water and/or causing the ponding of water and:</p> <p style="padding-left: 40px;">(1) the distance from any point on the edge of the full water level to any downstream property boundary (including road reserve) is less than the widest distance in any direction on the surface of the water at its maximum fill level; or</p> <p style="padding-left: 40px;">(2) the distance from any point on the edge of the full water level to any upstream property boundary (including to road reserve) is less than half the widest distance in any direction on the surface of the water at its maximum fill level</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Rural Residential Zone Code – Element (g); <p>AND</p> <p>(i) For Telecommunications Facility:</p> <ul style="list-style-type: none"> ▪ Telecommunications Facilities Code <p>(ii) For Extractive Industry:</p> <ul style="list-style-type: none"> ▪ Extractive Industry and Borrow Pit Code; <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A to 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code
<i>Works associated with reconfiguring a lot:</i>	<p>Code assessable:</p> <p>All circumstances</p>	<p>Applicable Code:</p> <ul style="list-style-type: none"> ▪ Rural Residential Locality Code – Elements (b), (d), (f) and (g).

TABLE 4B – Development other than material change of use		
Column 1 Nature of Development	Column 2 Assessment Category	Column 3 Assessment Criteria
(3) RECONFIGURING A LOT NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
Reconfiguring a lot:	<p>Code assessable: All except if impact assessable as follows.</p> <p>Impact assessable: If creating a lot:</p> <p>(i) that proposes an area:</p> <p style="padding-left: 40px;">(1) less than 3000m² or more than 6000m² in the Boat Mountain Road rural residential area;</p> <p style="padding-left: 80px;">or</p> <p style="padding-left: 40px;">(2) less than 4000m² or more than 10000m² in all other rural residential zone areas;</p> <p>or</p> <p>(ii) within 200m of land shown on SMOA map 2D;</p> <p>or</p> <p>(iii) if the compliant 2500sqm building area (with a minimum dimension of 50m) is in:</p> <p style="padding-left: 40px;">(1) the buffer area to the boundary to an <i>Intensive animal husbandry</i> premises shown on SMOA map 2D(i);</p> <p style="padding-left: 40px;">(2) the Mineral and Extractive Resources and Buffer Area as shown on SMOA map 2A;</p> <p style="padding-left: 40px;">(3) the 500 metre buffer area to a <i>Major utility</i> shown on SMOA map 2E; or</p> <p style="padding-left: 40px;">(4) the 200m buffer to land included in the Industrial Zone on the Zone maps shown on SMOA map 2D(i).</p>	<p>Applicable Codes:</p> <ul style="list-style-type: none"> ▪ Rural Residential Zone Code - Elements (b), (d), (f) and (g); <p>AND</p> <p>(i) If in a SMOA on SMOA maps 2A or 2D(i) inclusive:</p> <ul style="list-style-type: none"> ▪ Natural Features and Resources Overlay Code
(4) OTHER THAN SPECIFIED ABOVE AND NOT ASSOCIATED WITH MATERIAL CHANGE OF USE:		
All:	Exempt: All circumstances	Nil