

## Local Planning Policy 4.26 – Development in the Rural Zone

<b>Responsible Directorate</b>	Development Services
<b>Responsible Business Unit/s</b>	Statutory Planning
<b>Responsible Officer</b>	Manager Statutory Planning and Compliance
<b>Affected Business Units</b>	Strategic Planning Statutory Planning and Compliance

### Objective

- To ensure development in the Rural zone is consistent with the objectives under Local Planning Scheme No.3;
- To identify when a non-rural land use may be potentially beneficial within the rural zone;
- To identify when a non-rural land use may not be supported in the rural zone; and
- To provide assessment criteria for non-rural land uses in the rural zone including a benefits and compatibility analysis.

### Introduction

The Shire's Rural zone is intended to accommodate rural uses, promoting the objectives of the zone and intended local rural character.

Land use permissibility within the new Local Planning Scheme provides for a range of uses that may be considered in the Rural zone, some of which are rural in nature, while others are considered non-rural in nature. The associated objective of the Rural zone pertaining to non-rural uses states:

*“To provide for a limited range of non-rural land uses, only where they have demonstrated a direct benefit to the local community and are compatible with surrounding rural uses.”*

This objective is performance in nature, insofar that it does not:

- quantify or set measures for demonstrating direct benefit;
- quantify the area considered to be the local community; or
- what compatibility may consider with surrounding rural uses.

This policy aims to assist in setting out policy measures, that officers and applicants are to have regard to, in respect of non-rural uses proposed in the Rural zone.

### Policy Provisions

#### 1. General

One of the objectives of the 'Rural' zone under the Local Planning Scheme is *“To provide for a limited range of non-rural land uses, only where they have demonstrated a direct benefit to the local community and are compatible with surrounding rural uses”*.



Those uses considered rural in nature, are not subject to this objective, or this Local Planning Policy.

A rural use is considered to be a use that is relating to, or is a characteristic of, the countryside.

For development applications proposing non-rural uses in the Rural zone, this policy sets provisions in place whereby;

- Certain non-rural uses (deemed potentially beneficial) are expected to undertake a preliminary benefits analysis of the use to the local community;
- Certain non-rural land uses (deemed potential unbeneficial) are expected to undertake a detailed benefits analysis of the use to the local community;
- All non-rural land uses are expected to undertake a compatibility analysis with surrounding rural uses.

## 2. Non-rural uses deemed potentially beneficial

The following non-rural land uses are considered potentially beneficial with the Rural zone:

- Art gallery
- Bed and breakfast
- Brewery
- Caravan park (in the form of chalets, camping, and/or tiny homes)
- Cinema / theatre
- Civic use
- Club premises
- Commercial vehicle parking
- Community purpose
- Educational establishment
- Exhibition centre
- Family day care
- Garden centre
- Holiday accommodation
- Holiday house
- Hospital
- Industry - cottage
- Industry - primary production



- Industry - rural
- Market
- Motel
- Place of worship
- Reception centre
- Renewable Energy Facility
- Restaurant / Café
- Road House
- Telecommunications infrastructure
- Tourist development
- Trade supplies
- Tree farm
- Veterinary centre
- Winery
- Workforce accommodation

An application proposing one of these uses is expected to undertake a preliminary benefits analysis, in order to set out proposed benefits expected to the local community. This includes discussion of local environmental, social and economic benefits, and the intended orientation of the development to the local community. This will be used to assist in the assessment of the application against the relevant objective.

### **3. Non-rural uses deemed potentially unbeneficial**

The following non-rural land uses are considered potentially unbeneficial with the Rural zone:

- Betting agency
- Corrective institution
- Resource recovery centre
- Recreation – private
- Tavern
- Transport depot

An application proposing one of these uses is expected to undertake a detailed benefits analysis in order to set out proposed benefits expected to the local community. This is to include measurement against the following key areas:



- An appropriate definition of the local community area;
- Level of productivity represented by the development and its positive, negative or neutral impacts on the local community;
- Whether the development results in positive, negative or neutral impacts on the local community;
- Whether the development results in positive, negative or neutral impacts on elements of the natural environment and ecology within the locality of the local community;
- Whether the development is compatible with the current infrastructure levels for the local community, and if not whether the development proposes upgrades to such infrastructure;
- Whether the development delivers services and/or facilities which help further the existence of the local rural community.

This will be used to assist in the assessment of the application against the relevant objective.

## 4. All non-rural uses

When assessing all applications for non-rural use in the Rural zone, the following matters will be considered in respect of assessing compatibility or otherwise of development with surrounding rural uses:

- The proportion of the lot proposed to be used for non-rural uses and whether the majority of the land would be available to be used for rural uses alongside;
- Whether there is a rural use occurring on the site;
- Whether the proposal would adversely impact existing rural uses on the site or surrounding locality;
- Whether the proposal would impact the ability of the land to be used for rural uses in the future;
- The capability of the land to undertake productive rural uses;
- The scale of development/activities;
- Built form character;
- Any external impacts and their proposed management.
- Traffic generation and suitability of infrastructure to accommodate.

## 5. Non-rural uses that will generally not be supported

The following proposals will generally not be supported:

- Non-rural uses that do not demonstrate a benefit to the local community;
- Development that does not demonstrate compatibility with rural uses;
- Non-rural uses that prevent the site from being used for rural uses alongside;
- Non-rural uses that have the potential to impact upon the land being able to be used in the future for rural uses;



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- Non-rural uses that create adverse impacts which cannot be adequately managed.

### Relevant Policies/Council Documents

- Planning and Development Act (Local Planning Schemes) Regulations 2015
- Serpentine Jarrahdale Local Planning Scheme No. 3

Office Use Only				
<b>Relevant Delegations</b>				
<b>Council Adoption</b>	<b>Date</b>		<b>Resolution #</b>	
<b>Reviewed/Modified</b>	<b>Date</b>		<b>Resolution #</b>	
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