

Specific observations – Rural Zones

Zone provision	Comment
Accepted Development Classification Criteria - Farming	There is a small typographical error in this criteria, “excavation of filling” should be “excavation or filling”. This error is repeated throughout both phases of the Code.
Accepted Development Classification Criteria – Protective tree netting structure	We welcome the inclusion of such structures as “accepted” forms of development and consider the criteria to be generally appropriate. We note however that there is no deemed-to-satisfy criteria for such structures, meaning that if they do not meet accepted development criteria, they default to performance assessment. We suggest that deemed-to-satisfy criteria should be considered for these structures where they exceed “accepted” criteria.
DTS/DPF 1.1	This provision should be amended to include a wider list of envisaged uses and associated performance assessed criteria so that appropriate land uses are not inadvertently overlooked. Some land uses which are not contained within this provision but arguably should be include: wind farm, waste facility, stock slaughter works/abattoir, renewable energy facilities, workers accommodation and caretaker dwellings.
DTS/DPF 3.1 Horticulture	<p>In the Rural Zone, this provision limits a greenhouse to 250 square metres.</p> <p>In the Rural Horticulture Zone, there is no such floor area limit.</p> <p>The difference in these provisions highlights the need for councils to ensure that horticultural areas are contained within the Rural Horticulture Zone and not in the Rural Zone, particularly given that commercial greenhouse developments are usually considerably larger than 250 square metres.</p>
DTS/DPF 4.1 Rural Industry	This provision is contained within the Rural Zone only and not in any other Zone. This provision limits industry, storage, warehousing and transport distribution activities to a floor area of 250 square metres and allotments of at least 20 hectares. The floor area and minimum allotment size are both considered problematic. We suggest that the 250 square metre floor area should be increased and that some consideration be given to having separate deemed-to-satisfy and performance assessed criteria for floor areas. The 20 hectare minimum allotment size is considered too large and may “lock out” smaller primary industry developments from developing such facilities. Again, consideration needs to be given to having separate deemed-to-satisfy and performance assessed criteria for allotment sizes.
DTS/DPF 5.2 Dwellings	This provision requires that a secondary dwelling on an allotment is “located on an allotment not less than 40ha in area”. This size requirement is considered unworkable and will inhibit the implementation of secondary dwellings as envisaged by PO 5.3. Further, the term “ <i>secondary dwelling</i> ” may cause confusion. It is an undefined term and is open to interpretation. It would be preferable that this term be replaced by “ <i>a second dwelling on an allotment</i> ”.

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DTS/DPF 6.3 Shops, Tourism and Function Centres	The 100 square metre limit for tourist accommodation should be revisited as it will limit the ability for large scale tourism development, innovation in design and developments where more than one type of tourist accommodation facility is proposed. Further, the phrase “ <i>in relation to the area used for accommodation</i> ” is not entirely clear. Whilst we read it as being the total area used for guest rooms, it could be interpreted more broadly. The phrase may also lead to confusion in developments that propose more than one form of tourist accommodation – for instance, a development that contains hotel-style rooms together with detached, self-contained tourist accommodation buildings. We recommend that this provision be reviewed and amended so that it is entirely clear and does not inadvertently discourage tourism development.
PO 9.2 Renewable Energy Facilities	No assessment criteria is provided for large scale solar facilities within the Rural Zones. Given the fact that many such facilities are being developed in areas that are proposed to be zoned as Rural, appropriate assessment criteria is needed to ensure that this burgeoning industry is not inadvertently discouraged.
DTS/DPF 9.2 Renewable Energy Facilities	This provision refers to a “panel” size of 80 square metres per structure. Given that the community’s understanding of what a panel is (i.e. each individual panel), we suggest that this term be revisited to avoid confusion.
DTS/DPF 12.1 Agricultural buildings	The total floor area limit of 250 square metres and minimum allotment size of 10 hectares are considered to be unrealistic. This provision may result in acceptable, performance assessed buildings being refused. Again, creating separate deemed-to-satisfy and performance assessed criteria for agricultural buildings is considered an appropriate mechanism to “balance” the need for relatively conservative deemed-to-satisfy criteria and more facilitative performance assessed criteria.