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C37**RURAL LAND**

This policy applies to all land in the Farming, Rural Conservation and Rural Living Zones.

Policy Basis

This policy:

- Builds on the MSS objectives in clause 21.08 relating to rural land use and agriculture and clause 21.05 relating to the provision of housing in rural areas.
- Applies the protection of agricultural land SPPF objective in Clause 17.05 to local circumstances.

Agricultural land in Hepburn is under pressure for conversion to non-soil based use and development. Land is a resource that needs to be sustainably managed. Land that is capable of producing a range of agricultural outputs needs to be protected. The responsible authority supports the maintenance and development of the agricultural industry and seeks to minimise the use of high and very high quality productive agricultural land for non-soil based uses and developments.

The protection of this land is beneficial to the local agricultural economy of Hepburn and will assist the diversification of agricultural activity. Opportunities exist for the establishment of rural development enterprises such as storage facilities and transport depots ancillary to agricultural activities. These facilities can be located on suitable smaller lots.

Residential development not associated with agricultural enterprises on rural land may lead to the unplanned fragmentation of land available for agricultural production. Servicing constraints such as on site effluent disposal and road construction will limit the amount of residential development in some areas of the municipality.

Objectives**Agricultural Uses and Development**

- To promote the long-term sustainable use of high and very high quality agricultural land and the maintenance of clusters of agricultural activity in these areas.
- To support local employment and value adding opportunities in rural areas.
- To protect the natural and physical resources upon which agricultural industries rely.
- To promote agricultural industries which are ecologically sustainable and incorporate best management practices.
- To prevent the unsustainable use of agricultural land which results in the loss of the quantity and quality of natural resources and limits the realisation of its full productive potential.
- To limit subdivision of land that will be incompatible with the utilisation of land for sustainable resource use.

Rural Amenity

- To ensure that rural amenity is not adversely affected by use or development in the rural areas.

- To ensure that the use and development of land does not conflict with adjoining and nearby agricultural uses.

Dwellings in Rural Zones

- To provide for the erection of dwellings on rural lots where associated with and required to support a productive agricultural enterprise.
- To require the upgrading of infrastructure services including access roads as a pre-requisite for new dwellings.
- To ensure that the subdivision of land which excises a lot for a dwelling is designed in a manner which does not prejudice surrounding rural production activities.

Policy

Exercising Discretion

Where a permit is required for uses and development in indicative areas of high and very high quality agricultural land identified in the Environment Framework Plan in the MSS, it is policy to:

- Ensure that proposals including housing and small lot excisions show the ongoing use of the land for productive agricultural activity is not diminished and that the development is directly related to an agricultural enterprise.
- Ensure that proposals for use and development including dwellings created under a plan of subdivision under the planning scheme show how the location, siting and proposed buildings and works will not compromise or limit the continued use of the subject land, adjoining or adjacent land.
- Require a whole farm plan or integrated land management plan when assessing subdivision of land into smaller lots that demonstrates ongoing use of the land for continued agricultural activity and production.
- Ensure that agricultural land will be protected as an economic and environmentally valuable resource. Conversion of land to non-soil based use will be strongly discouraged unless there are no alternative sites for the proposed use and overwhelming public benefit is demonstrated.
- Ensure that intensive agricultural activities will be located and managed having regard to soil and water quality, the adequacy of infrastructure services and the location of sensitive uses.

Exercising Discretion

Where a permit is required for development in the rural zones, it is policy to:

- Encourage intensive agriculture, rural industrial development and related activities to develop with suitable access to major transport routes.
- Ensure the scale, height and bulk of any development is compatible with the landscape values, cultural heritage values and the characteristics of land uses occurring in the surrounding area.
- Discourage construction of accommodation facilities other than a residential dwelling on lots adjoining or adjacent to existing intensive agricultural or rural industrial development.

- Ensure that areas of high to very high agricultural land available for agricultural production.

Exercising Discretion

Where a permit is required for a dwelling, it is policy to:

- Ensure that the scale, height and bulk of a dwelling responds positively to the landscape values, cultural heritage values and characteristics of the surrounding areas.
- Require the proposal to show suitability for on-site effluent and waste water treatment and disposal.
- Support proposals for a dwelling on a plan of subdivision created prior to the introduction of the scheme only where the land is of low agricultural value or where there will be no loss of productive land.

Exercising Discretion

Where a permit is required for subdivision, it is policy to:

- Require the proposal to show no adverse impact upon groundwater and surface water quality and quantity.
- Discourage the subdivision of lots that can result in a concentration of lots likely to change the use and character of the rural area.
- Require the proposal to show that a concentration of lots created by a proposed subdivision will not limit the productive use and development of the larger lots in the subdivision or that of the surrounding land.
- Ensure that where a lot is created for a habitable dwelling that an adequate distance is maintained within the excised lot around the dwelling so as to reasonably limit the likely impacts (if any) of adjacent agricultural activity. The permit may require the planting of vegetation within the lot to reduce any potential impacts.
- Require a whole farm plan for subdivision applications on high-very high quality agricultural land that shows ongoing use of the land for agricultural production.

Decision Guidelines

It is policy that the responsible authority consider as appropriate:

- The impact of any new land use and development against the potential for continued agricultural activity and production on the subject land or adjoining or adjacent surrounding land.
- A report submitted with the proposal showing how the new dwelling and associated outbuildings are constructed in a manner that will not be intrusive into the rural landscape.
- A whole farm plan report or integrated land management plan.
- A written report that demonstrates that the proposal is either directly related to the maintenance and development of agriculture or does not compromise continued agricultural production.
- Require a written report showing how the location, siting and proposed buildings and works will not compromise or limit the continued use of the subject land, adjoining and nearby land for productive agricultural purposes.

- Any comments by the relevant catchment management authority or relevant water authority.
- A report specifying on-site effluent and waste water capability.

Reference Documents

Draft Loddon Catchment Water Quality Strategy

Hepburn Shire Land Use Strategy: Rural Areas Review, 1999.

Hepburn Shire Land Use Strategy: Settlement Review, 1999.

Land Capability Assessment of Creswick Water Supply Catchment, 1979

North Central Catchment Management Strategy