

22 LOCAL PLANNING POLICIES

23/08/2018
C45

22.01 Rural Dwellings and Subdivision

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This policy applies to all land in the Farming Zone and Rural Conservation Zone.

22.01-1 Policy Basis

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The rural areas of the Shire provide a significant contribution to the local and regional economy through agricultural production. These areas are also highly valued for their liveability, landscapes and rural amenity.

The Farming Zone has been applied to most of the Shire's rural areas to support agricultural production and related activities. Within the Farming Zone, there is the potential to subdivide land and to use and develop the land for dwellings. The purpose of the Farming Zone states that dwellings should not adversely affect the land for agriculture. The Rural Conservation Zone has also been applied to areas where natural resources are to be enhanced and protected.

The subdivision and development of land for dwellings in farming areas can potentially restrict the ability to use the land for farming activities and can impact the ability of neighbouring farms to carry out agricultural production activities. This is often due to the different amenity expectations that residential properties have to farming properties. This can include complaints regarding pesticide spraying and late night harvesting.

It is recognised that some subdivision activities in rural areas can improve productive farming outcomes, such as through the consolidation of farm property or the divestment of farming assets from one enterprise to another. However, the subdivision of land to adjust existing title boundaries (boundary realignment) or to remove an existing dwelling from the property (a house lot excision) can pose a risk to the 'right to farm' by introducing small residential lots into farming areas.

The use and development of land for housing has the potential to permanently remove the land from agricultural activity, particularly when the residential activity does not relate to a farming enterprise.

Subdivision and the use and development of the land for dwellings is not supported where it has the ability to impact on the 'right to farm' existing rural properties or removes land from agricultural production.

22.01-2 Objectives

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- To provide for the retention of productive agricultural land for farming.
- To encourage the consolidation of agricultural land to support farming activity.
- To ensure that the subdivision of land which excises a dwelling is designed in a manner which does not prejudice surrounding rural production activities.
- To ensure the location and siting of dwellings does not compromise surrounding farming activities.
- To ensure that the excisions of dwellings and creation of lots smaller than that specified in the Schedule to the Farming Zone is consistent with the purposes of the zone.
- To limit the subdivision of land that will be incompatible with the utilisation of the land for sustainable resource use.

22.01-3 Policy

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It is policy that:

Subdivision

- When considering a permit application for any subdivision it is policy that:
 - The subdivision will enhance farm consolidation or trading of lots between farms
 - The subdivision will not adversely impact on the ability to use the land for agriculture
 - Consideration will be given to the potential for an increase in future dwellings and the impact on the ability to continue farming activity
- When considering a planning permit application to excise a lot containing a dwelling it is policy that:
 - It can be demonstrated that farming can be continued on the balance lot unhindered;
 - The dwelling is not required for the farming use of the property;
 - The dwelling is in a habitable condition;
 - The dwelling is at the front of the property and long narrow lots or battle axe lots are discouraged; and
 - The dwelling is serviced by a sealed road or a rural gravel access road.