

22.02 RURAL ACTIVITY ZONE POLICY

19/09/2013
C51

This policy applies to all land within a Rural Activity Zone.

22.02-1 Policy basis

19/09/2013
C51

Clause 21.05 of the MSS supports the application of the Rural Activity Zone to promote rural based tourism in an area east of Cobram and to areas east and west of Yarrawonga. The zone will build on existing tourism activities and take advantage of the natural attributes of the region including the Murray River and the agricultural landscape and produce.

This policy provides direction on how discretion will be exercised in terms of land use, dwellings and subdivision in the Rural Activity Zone.

22.02-2 Objectives

19/09/2013
C51

To ensure that land is retained in parcels suitable for agriculture.

To avoid the proliferation of housing on small lots.

To encourage tourism uses directly related to primary production.

To encourage tourism uses that will not introduce conflict with agriculture.

To ensure that the siting of dwellings and other developments does not detract from the rural landscape and avoids environmental risks.

To prevent ribbon development along major highways and access roads to towns.

To avoid compromising efficiency gains from modernisation of irrigation infrastructure.

To protect environmental values.

22.02-3 Policy

19/09/2013
C51

Land use

It is policy to:

- Encourage the following uses in the Rural Activity Zone:
 - Agriculture;
 - Tourist and recreational activities;
 - Accommodation associated with tourist or recreational activities including Group accommodation, Backpackers' lodge, Camping and caravan park (including cabins) and Motel; and
 - Restaurant (but only in association with a tourist / recreational activity).
- Discourage the following uses in the Rural Activity Zone:
 - Convenience shop;
 - Equestrian supplies;
 - Motor racing track;
 - Hotel;
 - Landscape gardening supplies;

- Store, Tavern and similar uses;
- Intensive animal husbandry, Cattle feedlot;
- Residential hotel; and
- Service station.

Subdivision

It is policy to:

- Discourage small lot subdivisions (other than those that promote farm consolidation) so as to avoid rural residential outcomes and non-agricultural neighbours.

Dwellings

It is policy to:

- Discourage dwellings not associated with or required for the agricultural or tourism use of the land.
- Require a landowner to enter into an agreement under section 173 of the Act when considering a permit application for the construction of a dwelling to prevent the further subdivision of the lot containing the dwelling.

22.02-4

19/09/2013
C51

Decision guidelines

When considering an application, and in addition to the decision guidelines in the Rural Activity Zone, the responsible authority will consider the following matters:

- The purpose statements outlined in the Schedule to the zone and the objectives of this policy.
- Whether proposals are:
 - Of modest scale, that is relevant to the land size, surrounding uses and the ability to blend with the landscape.
 - Subservient to the landscape so as not to detract from the quality of the landscape.
 - Capable of net gain environmental outcomes.
 - Self-sufficient in the provision of relevant infrastructure and associated development costs.

When considering an application for a dwelling, and in addition to the decision guidelines in the Rural Activity Zone and those above, the responsible authority will consider the following matters:

- The relationship between the proposed dwelling and the agricultural activity on the land.
- Evidence, including an Integrated Land Management Plan or similar addressing the relationship between agricultural activities on the land and the proposed dwelling.
- The agricultural productive capacity or the agricultural potential of the land.
- The nature of the existing agricultural activity on the land and any new proposed agricultural activity at the land.
- The nature of the agricultural activities on the land and whether they require permanent and continuous care, supervision or security.

- The proposed siting of the dwelling and whether it minimises impacts on agricultural operations.
- The lot size, context and physical characteristics of the land.
- Whether the dwelling will result in a rural living or rural residential outcome in the area.
- Whether a condition is required that the landowner enter into an agreement under Sections 173 of the Act.