

**22.02****RURAL DWELLINGS**03/02/2011  
C20

This policy applies to applications for dwellings in the Farming, Rural Conservation and Rural Activity Zones.

**Policy Basis**

Rural production is the main component of the Municipality's economy and ongoing agricultural production depends in part upon maintaining a mass of productive land, which excludes concentrations of residential type uses that have the potential to restrict normal agricultural practices. High quality agricultural land is a finite resource and should be protected for rural production. Such areas have been recognised in the planning scheme by inclusion in the Farming Zone. Ad-hoc housing development in the Farming Zone has the potential to compromise the ongoing agricultural viability of rural areas in the Shire and caution needs to be exercised in the consideration of such applications.

Dwellings in the Rural Conservation and Rural Activity Zone need to consider hazards present, the suitability of access and the relative isolation of the site. In some instances it may not be practical or reasonable for some parcels to be developed, due to the remoteness of the location, the associated fire risk, and inadequacy of road access and the availability of other infrastructure. Access to properties without existing Council maintained road access must be constructed at the developers cost and in accordance with Council's Road Construction Policy. In addition, the careful siting of buildings in the Rural Activity and Rural Conservation Zones needs to occur in order to protect the scenic environmental/biodiversity values of the Shire and to preserve and protect the elements that attract people to live in the rural areas of the Shire. It is the intention of this policy to ensure that development in all rural areas of the Shire will be required to avoid hazardous environments wherever possible.

**Objectives**

- To safeguard high quality agricultural land for productive purposes to ensure that new dwellings do not undermine the productive agricultural base of the municipality.
- To limit new housing development on high quality and versatile agricultural land and prevent the residential use of high quality agricultural land.
- To ensure that dwellings do not prejudice or adversely impact on rural activities carried out on the land and in the general area and to avoid potential amenity impacts between rural and agricultural activities and dwellings in rural areas.
- To ensure that the dwellings are sited so as to avoid wherever possible land designated as being of high quality agricultural land or containing environmental hazards such as flooding, inundation, erosion or fire.
- Ensure that landscape and environmental values are considered, protected and enhanced and to ensure that dwellings constructed on rural lots are compatible with the environmental characteristics of the area.
- To discourage dwellings in isolated or remote locations where there is an inadequacy of road access, an increased fire risk, or if access construction would lead to loss of environmental values.
- To encourage the consolidation of rural land holdings, particularly in the Farming Zone.
- To ensure that dwellings constructed on rural lots have the capacity to treat and retain all wastes on site and can manage domestic waste water without degrading the environment.
- To ensure that new rural dwellings do not increase the level of fire risk and that such development includes adequate fire protection measures.

**Policy**

It is policy that:

- Within the Farming Zone the dwelling should have a relationship with and is required to directly support the management and operations associated with the rural use of the land.
- Dwelling siting should not adversely impact upon high quality agricultural land.
- Applications for dwellings within the Floodway Overlay, Land Subject to Inundation Overlay and Wildfire Management Overlay are sited to avoid the hazard, or if possible, sited on that part of the land that has the least exposure to the hazard.
- Management of domestic waste water must be sited to avoid areas that are subject to inundation and flooding or where there is potential for groundwater contamination.
- The consolidation of allotments associated with applications for dwellings is to be encouraged, particularly in the Farming Zone.
- All new access roads should be fully constructed to the prescribed Council standard at the developers cost. Road construction must be in accordance with Council's Road Construction Policy and contributions towards the upgrading of public roads will need to be made in locations where the road is unmade or where the site is remote.
- Dwellings and access roads be sited and designed to minimise the impact of fire and the emergency conditions which arise from fire and avoid and minimise native vegetation removal.
- Dwellings must be provided with adequate access and water for fire fighting. Water storage tanks should be provided in close proximity to the dwelling holding a minimum of 45,000 litres of water, of which a minimum reserve of 20,000 litres is to be held at all times for fire fighting purposes. All fittings must be to CFA specifications.

### **Application Requirements**

Applications must consider the State Planning Framework as well as the Local Planning Policy Framework as well as the Regional Catchment Strategy. The following information must be submitted to the Responsible Authority accompanying an application:

A report may be required that explains how the proposed dwelling:

- Is consistent with the Municipal Strategic Statement and Local Planning Policies
- Is consistent with the purpose of the zone
- Has addressed all decision guidelines of the zone.
- Has been sited to avoid environmental hazards.

A land capability assessment may be required by the Responsible Authority indicating the ability of the site to contain and treat on site effluent and wastewater in accordance with the relevant EPA Code of Practice and Australian Standard 1547.

Dwelling proposals in the Rural Conservation Zone must explain how the proposed dwelling has been sited to avoid impacts on environmental and biodiversity values.

A site plan drawn to scale and with a north point that shows:

- Boundaries of the land derived from title or a certified plan;
- Abutting roads;
- The location of electricity or other service easements;
- Landforms and vegetation cover.
- The location of waterways and drainage lines;
- The location of existing buildings;
- Adjoining land uses;
- The distance of any buildings on adjoining land from the boundaries of the land.

### **Decision Guidelines**

All applications for a dwelling on all rural land will be assessed according to the following considerations:

- The agricultural quality of the land and the protection of high quality agricultural land.
- Within the Farming Zone whether the dwelling is necessary for the continued agricultural use of the land.
- The surrounding land uses and the potential for land use conflict.
- The existing levels of infrastructure, particularly road access.
- Site characteristics and the presence of any environmental assets or constraints.
- In the Rural Conservation Zone, the conservation values of the land and the need to protect environmental values from fragmentation.
- Environmental hazard avoidance.
- Victoria's Native Vegetation Management – A Framework for Action 2002.

#### **Policy Reference**

- Guidelines for Environmental Management Code of Practice – Onsite Waste Water Management EPA Publication 891.2 December 2008.
- North East Regional Catchment Strategy, 2004.
- North East Regional River Health Strategy, 2006.
- Planning Permit Applications in Open Potable Water Supply Catchment Areas. February 2009.
- Guidelines for the Protection of Water Quality 2001.
- Upper North East Water Quality Strategy 2001.
- Towong Shire Road Construction Policy - 2008