

35.08 RURAL ACTIVITY ZONE

29/08/2017
VC139

Shown on the planning scheme map as **RAZ** with a number (if shown).

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for the use of land for agriculture.

To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.

To ensure that use and development does not adversely affect surrounding land uses.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

To protect and enhance natural resources and the biodiversity of the area.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

35.08-1 Table of uses

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Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, Racing dog training, Rice growing and Timber production)	
Animal keeping (other than Animal boarding)	Must be no more than 5 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Cattle feedlot	Must meet the requirements of Clause 52.26. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.08-2.
Home occupation Informal outdoor recreation Minor utility installation	
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.

Use	Condition
Racing dog training	Must be no more than 5 animals.
Railway	
Rural industry (other than Abattoir and Sawmill)	<p>Must not have a gross floor area more than 200 square metres.</p> <p>Must not be within 100 metres of a dwelling in separate ownership.</p> <p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</p> <p>The land must be at least the following distances from land (not a road) which is in a residential zone and Rural Living Zone:</p> <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 52.10. ▪ 30 metres, for a purpose not listed in the table to Clause 52.10.
Rural store	<p>Must be used in conjunction with Agriculture.</p> <p>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</p> <p>Must be the only Rural store on the lot.</p>
Timber production	<p>Must meet the requirements of Clause 52.18.</p> <p>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</p> <p>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</p> <p>The plantation must not be within 100 metres of:</p> <ul style="list-style-type: none"> ▪ Any dwelling in separate ownership. ▪ Any land zoned for residential, commercial or industrial use. ▪ Any site specified on a permit which is in force which permits a dwelling to be constructed. <p>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</p>
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01,

Section 2 - Permit required

Use	Condition
Abattoir	
Animal boarding	
Backpackers' lodge	
Broiler farm	Must meet the requirements of Clause 52.31.
Camping and caravan park	
Cattle feedlot - if the Section 1 condition is not met	<p>Must meet the requirements of Clause 52.26.</p> <p>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995.</p>

Use	Condition
Convenience shop	The site must not have direct access to a rural freeway.
Dependent person's unit - if the Section 1 condition is not met Dwelling (other than Bed and breakfast)	Must meet the requirements of Clause 35.08-2.
Freeway service centre	Must meet the requirements of Clause 52.30.
Group accommodation Hotel Host farm Intensive animal husbandry (other than Broiler farm and Cattle feedlot) Landscape gardening supplies Leisure and recreation (other than Informal outdoor recreation) Market Manufacturing sales Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub)	
Racing dog keeping – if the Section 1 condition to Animal keeping is not met Racing dog training – if the Section 1 condition is not met	Must meet the requirements of Clause 52.40.
Restaurant Residential hotel Rice growing Sawmill	
Service station	The site must not have direct access to a rural freeway.
Trade supplies Tavern	
Timber production - if the Section 1 condition is not met	Must meet the requirements of Clause 52.18.
Utility installation (other than Minor utility installation and Telecommunications facility) Warehouse (other than Rural store) Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Backpackers' lodge, Bed and breakfast, Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel) Amusement parlour Brothel

Use

Child care centre

Cinema based entertainment facility

Industry (other than Rural industry)

Nightclub

Office

Retail premises (other than Market, Convenience shop, Equestrian supplies, Hotel, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant, Tavern and Trade Supplies)

Transport terminal

35.08-2

19/01/2006
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Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person's unit.

35.08-3

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Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision and one lot must be at least the area specified for the land in a schedule to this zone.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone. At least one lot must be at least the area specified for the land in a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

35.08-4

05/09/2013
VC103

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.08-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
 - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in a schedule to this zone or, if no setback is specified, 50 metres.
 - The setback from any other road or boundary specified in a schedule to this zone.
 - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
 - 100 metres from a waterway, wetlands or designated flood plain.

35.08-5 Decision guidelines

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Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use and development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues

- Whether the use or development will support and enhance agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

35.08-6

Advertising signs

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Advertising sign requirements are at Clause 52.05. This zone is in Category 3.

Notes:

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.