

**22.02**

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C6

**RURAL**

**22.02-1**

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**Rural Land**

This policy applies to all land in the Farming Zone.

**Policy Basis**

Agriculture is the most significant industry in the shire. This industry is reliant on a land resource which needs to be sustainably managed and protected from conversion to non-soil based use and development.

While rural areas in Yarriambiack Shire predominantly support broadacre agriculture, opportunities and requirements exist for the establishment of Rural Dependent Enterprises in these areas. These enterprises may include such uses and development as fertiliser processing facilities, transport depots and storage facilities. It is important that scope is available to facilitate the establishment of these enterprises through appropriate small lot subdivision.

**Objectives**

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 ensure that the subdivision of land for the establishment of Rural Dependent Enterprises does not diminish the viability of the remaining rural holding.

To prevent the unsustainable use of agricultural land which results in the loss of the quantity or quality of natural resources and limits the realisation of its full productive potential.

To limit the subdivision of land that will be incompatible with the utilisation of the land for sustainable resource use.

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.

**Policies**

It is policy that in considering an application for use or development (including subdivision) in rural areas, the responsible authority will implement the following policies:

- The retention of the resource of agricultural land in productive units will be preferred and the fragmentation of land will be strongly discouraged.
- Use and development of agricultural land will ensure the long term sustainable management of the natural resources and environment that support the agricultural use of land, together with the productive potential of the agricultural land.
- The capability and suitability of agricultural land will be considered in the assessment of use and development proposals. The use and development of agricultural land will make the optimum use of the productive potential of the land.
- Use and development, including subdivision, which is in support of sustainable agriculture and improved land management will be strongly supported.
- 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 is not another suitable site for the proposed use and overwhelming public benefit is demonstrated.

- Use and development which alienates agricultural resources, is sensitive to off-site effects of agricultural practices, lessens the capacity of essential infrastructure or in any other way may prejudice agricultural resources and agricultural production will be strongly discouraged, unless the proposal provides overwhelming benefits to the region.
- Sustainable agricultural industries which incorporate best management practice will be strongly supported.
- Intensive agricultural industries will be located and managed having regard to soil and water quality, the adequacy of infrastructure services and the location of sensitive use and development.
- Adoption of Whole Farm Planning with reference to approved catchment salinity and Landcare plans, and other resource management strategies is encouraged.
- Where buildings or works are essential they will be sited so as to avoid or minimise loss of good quality agricultural land.

It is policy that in considering an application to subdivide land to create a small lot for a dwelling:

- Dwellings excised under the provisions of Clause 35.07-3 will be in habitable condition and comply with the Building Code of Australia to this extent.
- Creation of a separate lot for a habitable dwelling will take place in a manner which ensures that the dwelling does not have the potential to restrict agricultural production on adjacent land. It should be ensured that adequate distance is maintained within the excised lot around the dwelling to reasonably limit likely impacts (if any) of adjacent agricultural activity. The permit may require the planting of vegetation within the excised lot to reduce any potential impacts.
- Subdivision that is likely to lead to such a concentration of lots as to change the general use and character of the rural area will be discouraged unless it can be shown that the clustering of lots will not limit the productive use and development of the larger lots in the subdivision or that of surrounding land.
- Subdivision within water supply catchment areas will be strongly discouraged in order to protect water quantity and quality.

It is policy that in considering applications to subdivide land to create a small lot for Rural Dependent Enterprise:

- Any application to provide a lot for a Rural Dependent Enterprise will be accompanied by a farm plan which demonstrates that the subdivision will not adversely affect the viability of the remaining rural holding.
- Subdivision that is likely to lead to such a concentration of lots as to change the general use and character of the rural area and which is not consistent with the purposes of the zone will be discouraged.
- Subdivision of a size greater than that required to undertake the operations of the Rural Dependent Enterprise and to provide necessary buffer areas will be discouraged.

**22.02-2**  
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### **Road Construction and Access in the Rural Zones**

This policy applies to the requirement for adequate road construction and access to service new development in Rural zones.

### **Policy Basis**

New development in rural areas will strain the existing road infrastructure. It is essential that adequate standards of road infrastructure are provided and costs are not unnecessarily imposed on the community due to sub-standard road infrastructure.

### **Objectives**

That the improvement and upgrading of roads and infrastructure is commensurate with the expected impacts of proposed uses and developments.

That proposed uses and developments do not restrict existing road access.

That all new uses and developments are provided with two way access and that access is safe and efficient.

### **Policy**

It is policy that:

In assessing the suitability of any proposed use and development of land the responsible authority will take into account:

- The need for all-weather road access and egress to the site.
- Road alignment and safety of road users.
- The condition of all infrastructure, including road surface and the likely impacts that the use and development of land will have on such infrastructure.
- The impacts on the road infrastructure that may occur due to the proposed use and development of land.
- The effect of any development on the retention and enhancement of roadside vegetation in terms of its importance as a wildlife corridor, habitat, and site for flora species.
- Development which generates significant traffic shall be encouraged to locate on roads which are already constructed.

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### **Dams**

This policy applies to the construction of dams which require a permit in the Low Density Residential Zone.

### **Policy Basis**

Water management and proper siting and design of dams is important in the Shire considering the extensive rural areas and the development of rural living and low density residential areas.

### **Objectives**

To ensure the location and size of dams minimises alterations to natural drainage and natural flows of watercourse.

To ensure the siting and construction of dams minimises the potential for dam failure, avoids leakage into groundwater and minimises risks of rising watertables.

To ensure that dams are constructed following appropriate dam construction and soil conservation techniques.

To ensure that dam size is consistent with land capability.

## Policy

It is policy that:

- The siting and design of the dam will be consistent with capability of the land.
- Construction of dams in high recharge areas and discharge areas is to be avoided. Construction of dams in high recharge area and discharge areas may be permitted if it can be demonstrated that sealing of the dam will not contribute to ground water recharge, rising watertables or saline groundwater accessions.
- Soil types on the site will be suitable for water retention and if not suitable, adequate mechanical or chemical means will be employed.
- Top soil stripped from the site will be spread on any exposed batters and exposed soils will be revegetated with perennial grasses and appropriate indigenous vegetation as soon as possible after construction.
- Wimmera Mallee Water must be given notice under s.52 of the Planning and Environment Act 1987 of any application for a permit for a dam.

### 22.02-4

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## INTENSIVE ANIMAL HUSBANDRY

This policy applies to applications for the use and development of land for intensive animal husbandry, except for cattle feedlots, piggeries or broiler farms.

### Policy Basis

Intensive animal husbandry uses represent an important local industry which can be supported by the grain growing industry. The proper siting and design of this form of use and development is needed to ensure residential amenity and environmental quality is protected.

### Objectives

To ensure intensive animal husbandry uses are suitably located.

To ensure the use and development of land for intensive animal husbandry does not impact on the environment, including groundwater and recharge areas.

To encourage quality design and appropriate siting of intensive animal husbandry developments.

## Policy

It is policy that:

The responsible authority will apply the following criteria in its assessment of applications for intensive animal husbandry. Unless suitable alternative siting, design and environmental management measures can be demonstrated there will be a presumption against granting a permit for use and development which cannot meet the stated criteria:

- That part of the site area which is developed with enclosures, yards or buildings used for the holding of animals are suitably located and fenced.
- No enclosures, yards or buildings in which animals are raised on an intensive raising system will be located within 200 metres of any river, creek, water course or pondage, within 500 metres of a dwelling on any other property, or within 30 metres of any road (whether or not such road forms the frontage).

- The site used has an area of not less than 4 hectares, and the total area for buildings, yards, or enclosures used for the enclosure of animals will not exceed 10 percent of the area of the site.
- Landscaping of the site will be undertaken so as to remove any adverse visual impact of the development on the surrounding area.
- All manure and polluted run-off water from any enclosures, yards or buildings used in conjunction with any intensive animal husbandry, or any water otherwise contaminated as a result of such use, will be treated and disposed of either within the boundaries of the site or in an alternative manner to the satisfaction of the responsible authority, or alternative authorities such as the Environment Protection Authority and Department of Natural Resources and Environment.
- Measures will be taken to the satisfaction of the responsible authority to ensure that the use and development proposed does not prejudicially affect the amenity of the locality by reason of appearance or emission of noise, smell, fumes, waste water, waste products or otherwise.
- To ensure the use and development of land for intensive animal husbandry does not impact on the environment including groundwater and recharge areas.

#### Plan of intensive animal husbandry activities

Each application will be accompanied by (in addition to any other information which the responsible authority may require) a plan at a minimum scale of 1:200 showing:

- the dimensions and locations in relation to the boundaries of all existing and proposed new buildings and works, extensions or alterations on the site;
- drainage lines through or for run-off water originating on the site through or along which water may be discharged from the site;
- the location of existing dwellings on the site and adjacent properties and the existing use of all other lands within 0.5 kilometres of the site;
- areas used or to be used for intensive animal raising, grazing or for dry sows, manure disposal and drainage disposal;
- method of waste disposal; and
- source and capacity of water supply to the site.

The boundaries of the site and of proposed buildings and works will be properly pegged on the ground to permit inspection by the responsible authority.

Consideration should be given to the issue of groundwater contamination from intensive animal industries.