

22.0105/07/2007
C25**HOUSING AND HOUSE LOT EXCISIONS IN RURAL ZONES**

This policy applies to all land in the Farming Zone, Rural Activity Zone, Rural Conservation Zone and Rural Living Zone

Policy Basis

Land capability for rural uses varies across the Shire depending upon soil types, drainage patterns, groundwater level and quality, availability of irrigation and farm management economics. The number of dwellings that a farm can economically sustain directly follows from the property's rural land capability, the labour needs of the farming systems practiced, the intensity of farm activity and the volume of rural output.

The development of houses at a density greater than is required for rural use of the land, facilitating housing excisions to meet hardship, retirement, superannuation requirements or asset transfer, is inappropriate and contrary to sustainable farm practices.

Objectives

- Ensure that the development of dwellings and the excision of house lots are consistent with the purpose of the Zone and the utilisation of the land for sustainable use.
- Limit new house development on high quality agricultural land.
- Strongly discourage the development or subdivision of housing for non-rural purposes and ensure that dwellings excised or constructed on an excised lot do not prejudice rural production activities.
- Encourage consolidation of farm lots.

Policy

It is policy that:

1. Where an application for a dwelling is required, it must be accompanied by a report that explains how the proposed use and development:
 - Is consistent with the Municipal Strategic Statement and local planning policies.
 - Is consistent with the purpose of the relevant Zone.
 - Has addressed all decision guidelines of the relevant Clauses.
2. A report be prepared for any proposal that includes evidence that the dwelling site is capable of containing an appropriate wastewater treatment system in accordance with the Septic Tank Code of Practice, Environment Protection Authority, 2003 (as amended).

House Lot Excisions

1. An application for subdivision must be accompanied by a report that explains how the proposed subdivision:
 - Is consistent with the Municipal Strategic Statement and local planning policies.
 - Is consistent with the purpose of the relevant Zone.
 - Has addressed all decision guidelines of the relevant Clauses.
2. Lots created should have a maximum size of 2 hectares, except as otherwise required by a provision of this Planning Scheme.
3. Subdivision that is likely to lead to such a concentration of lots as to change the general use and character of a rural area, and is not consistent with the purposes of the Zone, will be strongly discouraged.

Caretaker's Houses

- An application for a caretakers house be accompanied by a report which explains how the proposed use and development:
 - Is consistent with the Municipal Strategic Statement and local planning policies.
 - Is consistent with the purpose of the relevant Zone.
 - Has addressed all decision guidelines of the relevant Clauses.
 - Who the accommodation will be used by and how it will contribute to the agricultural activity of the land.
 - What steps are to be taken to separate the accommodation from intensive agricultural activity, to address issues of noise, health (such as spray drift) and general amenity.
- A permit for a caretaker's house will be subject to an agreement under Section 173 of the Act being entered into with the owner of the dwelling requiring the following:
 - The dwelling not be excised from the parent lot.
 - The use of the dwelling ceases if the use of land for agriculture, or other approved use, ceases.