

Appendix A: Planning Scheme Summary and Comparison – Rural Land Use

	Campaspe	Greater Shepparton	Moira
Strategic basis	<p>In terms of employment, agricultural production is the largest industry in the Shire.</p> <p>Agriculture (in a variety of forms) will remain the economic driving force of the Shire.</p> <p>The Shire of Campaspe lies within one of Australia's most productive and developed agricultural regions. High quality agricultural land is a finite resource.</p> <p>Farm consolidation is fundamental to the long term viability of the agricultural base of the Shire.</p> <p>The fragmentation of existing farms is inconsistent with the trend towards the consolidation of larger and more viable agricultural parcels. Fragmentation leads to rural living where the expectations of the rural living dweller are quite different to the expectations of the farmer.</p> <p>Adequate land has been allocated throughout the Shire to accommodate rural living demand. Uncontrolled rural living opportunities means that high quality agricultural land is taken out of production.</p> <p>One way to encourage farm consolidation is to allow for the excision of existing houses from farms.</p>	<p>Municipality makes a significant contribution to Victoria's agricultural productivity.</p> <p>Economy based on irrigated and dry land agriculture and in the value-adding manufacturing and processing of agricultural produce. The region is often described as the "food bowl" of Australia providing 25% of horticultural produce in the state.</p> <p>Expansion and amalgamation of primary producers.</p> <p>Availability and management of water is one of the highest priorities. Intergenerational equity.</p> <p>Focus on strengthening the agricultural economy.</p> <p>Economic performance of Shepparton is largely dependant on the rural section and associated value adding industries.</p> <p>City's agricultural sector is a major contributor to the economic wealth of Victoria and Australia.</p> <p>Protection of productive agricultural land and securing of water are of paramount importance.</p> <p>Farm holdings are becoming larger. Rural house lot excisions pose a threat to the long term viability of the agricultural sector by reducing the size of farms and causing friction between land uses.</p> <p>Land within rural zones should not be used for non rural activities that can be accommodated in towns. Some tourism development is appropriate in rural areas.</p> <p>Organic produce is a key opportunity.</p> <p>Rural residential development which relies on irrigation water should be avoided.</p> <p>Demand for low density and rural living environments should be tempered by greater concern to protect natural features, the productive capacity of soils, areas of native vegetation, provide services efficiently and reduce dependence on fossil fuels to access facilities.</p> <p>Demand for low density residential development and rural living opportunities should be satisfied by planned supply.</p> <p>New residential development should include 'buffers' to protect the amenity of residents and also protect the continued agricultural operations on adjoining land.</p>	<p>Towns are supported by a diverse agricultural base heavily reliant on irrigation farming for the production and processing of a range of agricultural products.</p> <p>The Shire is located within the broader Shepparton Irrigation Region in the heart of the Goulburn and Murray Valleys, which is one of the most important dairy and fruit production areas in Australia.</p> <p>Local producers and processors play a significant role in the food industry of the local, regional, state and national economy.</p> <p>Peaches, pears, viticulture crops, tomatoes and vegetables are recognised as key elements for the long-term prosperity in the irrigation region;</p> <p>The dairy industry is also a major contributor to the economy of the Shire and the broader region.</p> <p>The tourism industry is a growing contributor to the Shire's economy.</p> <p>Consolidate rural lifestyle areas around townships</p> <p>Protection of the agricultural land resource from inappropriate use, development and subdivision;</p> <p>Viable agricultural land use is the most important economic asset to the community of Moira.</p> <p>The economic strength of the Moira Shire lies in intensive irrigated agricultural production and associated food processing industries.</p>

	Campaspe	Greater Shepparton	Moira
Strategic Objectives	<p>To promote appropriate land use and development on agricultural land.</p> <p>To identify areas for agricultural expansion.</p> <p>To identify areas for rural living opportunities.</p> <p>To identify areas for intensive animal industries.</p> <p>To encourage traditional and emerging agricultural activities that: are ecologically sustainable; incorporate best management principles; introduce diversity and productivity improvements; and will assist in the development of value-adding enterprises.</p>	<p>To provide land for rural residential purposes without impacting on the long term growth potential of urban centres or productive agricultural land, subject to a supply and demand analysis.</p> <p>To protect the productive agricultural land base.</p> <p>To protect the valuable regional resource of irrigated land.</p> <p>To minimize conflicts at the urban fringe/agricultural land interface.</p>	<p>To restrict housing opportunities in rural areas other than in identified areas on the town fringes;</p> <p>To protect the use of agricultural land for agricultural purposes and ensure that housing in rural areas minimize the impact on the environmental and economic sustainability of the Shire's agricultural resources;</p> <p>To ensure that agriculture continues to provide a significant economic base for the Shire;</p> <p>To promote development which protects the long-term viability of agricultural land;</p> <p>To identify appropriate rural lifestyle opportunities in rural areas.</p>
Strategies	<p>Require a planning permit for new dwellings on land less than 40Ha in the rural areas.</p> <p>Promote farm consolidation by using legal agreements to ensure that the price of rural land is not distorted by the potential for further dwellings and further subdivision of consolidated land.</p> <p>Restrict the subdivision of agricultural land.</p> <p>Restrict rural living and low-density residential development to areas identified as appropriate.</p> <p>Restrict new dwelling opportunities on high quality agriculture land especially where lot sizes are less than the minimum subdivision size specified.</p> <p>Adopt minimum subdivision sizes to reflect the trend to larger farming units;</p> <p>Limit non-agricultural use and development in all rural areas especially on Main Roads;</p> <p>Restructure old and inappropriate subdivisions on rural land.</p> <p>Restrict industrial use on rural land except if there is a clear link between the agricultural production and the industrial output.</p>	<p>Discourage the fragmentation of productive agricultural land.</p> <p>Discourage housing on old and inappropriate lots where amenity may be negatively impacted by farming activities, or where housing may inhibit rural activities.</p> <p>Encourage consolidation of rural land holdings to increase the viability & sustainability of agriculture</p> <p>Discourage small lot subdivision, including subdivision for house excisions in rural areas.</p> <p>Support the growth and expansion of primary industries in irrigated and dry land farming.</p> <p>Support food related industries and value adding opportunities.</p> <p>Provide for new opportunities for emerging farming practices.</p> <p>Encourage the preparation and certification of Whole Farm Plans to show sites for ancillary agricultural buildings and works, such as sheds and freight areas.</p> <p>Support an efficient water supply and distribution system throughout the rural areas in accordance with the Regional Catchment Strategy.</p> <p>Prevent inappropriate non-agricultural uses on rural land.</p> <p>Discourage rural residential development which relies on irrigation water supply.</p> <p>Provide for rural residential development in planned areas.</p>	<p>Avoid inappropriate encroachment of residential / rural residential development onto rural industrial areas.</p> <p>Ensure housing in rural areas is primarily for the purposes of housing persons actively engaged in agricultural pursuits.</p> <p>Require the consideration of housing in rural areas to include any potential impact on the ability to effectively farm surrounding lots due to potential urban rural conflicts including dust, chemical drift, machinery noise, irrigation channel management and domestic animal and weed management.</p> <p>Recognise the intensity of horticulture in the Cobram district with use of a minimum lot size of 12ha;</p> <p>Support irrigated farming practices through the use of a minimum lot size of 20 hectares;</p> <p>Support broad acre, non irrigated farming by use of a minimum lot size of 40 Ha;</p> <p>Protect agricultural land from non-farming uses, particularly rural residential development and small lot subdivision;</p> <p>To minimize the potential for land use conflict in rural areas by restricting housing to those areas that are required for the farming operation on the land;</p> <p>Discourage dwellings on lots smaller than the minimum lot size in the Farming Zone unless they are required for the agricultural use of the land;</p>

Appendix B

VCAT Review

VCAT Cases reviewed (Note VCAT Cases are available online for review via the Australasian Legal Information Institute – web links are noted below)

P571887/2001 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2002/878.html?query=P51887/2001>

P142/2003 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2002/1191.html?query=P142/2003>

P316/2004 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2004/1225.html?query=P316/2004>

P1225/2004 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2004/1225.html?query=1225/2004>

P3558/2204 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2005/2065.html?query=P3558/2204>

P1169/2005 - Web link not available.

P1632/2005 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2005/2794.html?query=P1632/2005>

P1266/2006

& P1272/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2006/2098.html?query=P1266/2006>

Mildura Cases:

P1979/2005 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2005/1979.html?query=1979/2005>

P1980/2005 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2005/2700.html?query=P1980/2005>

P1981/2005 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2005/1981.html?query=1981/2005%20mildura>

P2794/2005 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2005/2794.html?query=2794/2005>

P2306/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2007/1244.html?query=P2306/2006>

P2473/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2007/1244.html?query=P2473/2006>

P2474/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2007/1244.html?query=P2474/2006>

P2475/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2007/1244.html?query=P2475/2006>

P2476/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2007/1244.html?query=P2476/2006>

P2478/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2007/1244.html?query=P2478/2006>

P2608/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2007/1244.html?query=P2608/2006>

P2619/2006 - <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2007/1244.html?query=P2619/2006>