



PLANNING INFORMATION

Farming Zone New Dwellings

This information sheet has been prepared to assist people with the Colac Otway Planning Scheme as it relates to new dwellings within the Farming Zone. This information sheet should be read in conjunction with the **General Planning Application Checklist**, available to download from the Colac Otway Shire website or by contacting the Planning Team (details below).

Why do we need to protect agricultural activities?

Agriculture is one of the greatest economic contributors to the Shire, with the dairy and beef industries the most significant in terms of land use and economic contribution. To maintain viability, many farms will have to increase in size or look to more intensive, alternative enterprises.

Dairy farms account for 65% of the total contribution made by agriculture to the Colac Otway economy and, along with other forms of broadacre agriculture, will require access to affordable land for future growth and expansion. Future land use planning should enable opportunities for expansion of the medium to large farms.

Protecting our farmland from competing uses not related to agriculture is an important responsibility managed within planning schemes by State and local government.

Why do we manage housing in farming areas?

Much of the agricultural land within the region is held in multiple titles available to be sold and transferred separately. This is important as farms are businesses with a fundamental need to be able to expand and purchase additional land. The capacity to acquire land at 'true agricultural' value and therefore enable a return on the investment is fundamental to securing a future for farming.

The value of farm land in proximity to urban centres and attractive environments can be driven up by the competing market demand for lifestyle, holiday and hobby farming properties. The trigger for higher land values is directly linked to the ability to construct a house.

Managing the construction of dwellings in rural areas is important in order to protect and facilitate agricultural activities. The inappropriate location of dwellings in rural areas may compromise agricultural activity by removing land from production, as well as introducing the potential for conflicts between agricultural activities and rural residential uses. Such conflicts result in complaints about noise, dust, smells, sprays or domestic pets tormenting stock.

IT IS ALWAYS BEST TO DISCUSS YOUR PROPOSAL WITH A PLANNING OFFICER BEFORE LODGING THE APPLICATION. PLEASE CONTACT THE PLANNING TEAM TO MAKE AN APPOINTMENT.

What planning controls apply to dwellings in the Farming Zone?

The purpose of the Farming Zone (Clause 35.07) in the Colac Otway Planning Scheme is to:

- ⇒ *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 encourage the retention of productive agricultural land.*
- ⇒ *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- ⇒ *To encourage the retention of employment and population to support rural communities.*
- ⇒ *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

The Farming Zone includes mandatory infrastructure requirements for dwellings (Clause 35.07-2) and detailed decision guidelines for considering applications (Clause 35.07-6).

The State Planning Policy for Agriculture (Clause 14.01) now recognises agriculture as being the dominant land use within our Farming Zoned areas.

The Local Planning Policy for Agriculture (Clause 21.05-1) sets out clear objectives, strategies and decision guidelines relating to new dwellings within the Farming Zone.

In summary, new housing within the Farming Zone is generally only permitted where it can be reasonably demonstrated that the house is required for the agricultural activities on the land.

Additional controls may apply if overlays affect your land.

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Planning Overlays

In some cases one or more overlays will apply to land in addition to the Farming Zone. Such overlays may impose additional constraints and/or requirements for new dwellings and should always be checked.

So what should I do?

This will depend on your circumstances.

If you are looking to purchase a small property and want to build a new house you should seek out land zoned for Rural Living, Low Density Residential or Township rather than for Farming. These areas have been set aside for that purpose so that they will not conflict with the farming areas and not impact on the value of farming land.

If you are seeking to enter the farming industry, the planning controls do not restrict purchase of existing houses in farming areas. Purchasing a property with an established dwelling is an alternative to buying land and building. Strict controls apply to subdivision of existing dwellings.

If you need accommodation to assist with your farming enterprise (new or established), you may need to apply for a planning permit depending on the lot size, location, dwelling siting and if overlays affect the land. Consolidation of lot titles may be an option to consider, to meet the minimum lot size which may avoid the need for a planning permit.

It is very important to discuss your proposal with a Planning Officer at an early stage. If you are seeking to purchase a property with the intention of constructing a new dwelling, it is strongly recommended you make the purchase conditional on obtaining a planning permit.

Please be aware that dwellings on lots less than the minimum lot size within the Farming Zone are discouraged. Approval is usually only possible where the dwelling is reasonably justified in association with the agricultural activities on the land.

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What do I need to submit with my application for a new dwelling in the Farming Zone?

In addition to the information identified on the **General Planning Application Checklist**, you must provide:

- A **written statement** to explain:
 - Full details of the current and future agricultural activities on the land including how long the operation has been established, the extent of the operation (i.e. what other nearby land is in the same ownership) plans for expansion/intensification, current and proposed staffing levels and any other relevant information to support your application.
 - Details of any existing dwellings on the property and the relationship of the occupants to the farming enterprise.
 - Why permanent on-site management is required for the agricultural activities on the land.
 - How the particular dwelling site has been selected to minimise adverse impacts on the ability to farm the land and the environment.
 - How the dwelling will be supplied with all weather access, power, water and waste disposal.
 - Acknowledgement of a potential need to enter into an agreement under Section 173 of the *Planning and Environment Act 1987* to prevent excision of the dwelling (if approved) from the farming land.
- The **site plan** must include details of activities on surrounding properties, including access points, infrastructure and any significant environmental features.

Please note that additional information may be required depending on the nature of the application.

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