

# MOORABOOL RURAL LANDUSE STRATEGY

Prepared by **Hansen Partnership & Ag-Challenge Consulting**  
for **Moorabool Shire Council**  
August 2024

## ACKNOWLEDGEMENT OF COUNTRY

Council respectfully acknowledges the Traditional Owners of the land on which Moorabool Shire sits, the Wurundjeri Woi-wurrung, Wadawurrung, and Dja Dja Wurrung peoples. We pay our respects to the Elders past, present and emerging.

This report has been prepared by Hansen Partnership with technical inputs from Ag-Challenge Consulting in collaboration with Moorabool Shire Council.



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# INTRODUCTION

The Moorabool Rural Land Use Strategy (RLUS) outlines a strategic framework and planning policy recommendations for the use, management, and development of rural land within the Shire. The work has been carried out by Hansen Partnership (Hansen and Ag-Challenge in collaboration with Moorabool Shire Council).

The report is the main project output, and is informed by the Background Review / Issues and Opportunities Paper (refer to Appendix 2).

The RLUS outlines a vision and strategic framework to inform and guide the use and development of rural land within the Shire, and to further underpin recommended changes to the Moorabool Planning Scheme.

Notably the RLUS aligns with a recent State Government strategy *Planning for Melbourne's Green Wedges and Agricultural Land Action Plan (2024)*. Background work to the Action Plan identified that the peri-urban area within 100 km of central Melbourne is home to some of Victoria's most fertile soil and productive agricultural land. This land produces enough food to meet 41 per cent of Metropolitan Melbourne's food needs, including 80 per cent of its vegetables.

The 2024 Action Plan further highlights peri-urban areas such as rural land in Moorabool Shire is facing increasing pressure from over-development, as well as landuse change which is not agricultural based, such as rural lifestyle dwellings. A critical short-term recommendation of the 2024 Action Plan is that the State Government will amend the Farming Zone (FZ) to prevent dwelling excisions that create small lots below the minimum subdivision size. This action seeks to ensure a thorough and consistent approach to protecting agricultural land from fragmentation.

## STUDY AREA

The RLUS is broadly focused on land use in the rural areas of Moorabool Shire, that have not been addressed through other recent strategic planning work.

The study area for this project is generally depicted in Figure 1 - Study Area. It captures the entire municipality, but excludes all rural townships, urban settlements, future urban growth areas, and the Public Conservation Resource Zone (PCRZ) which generally applies to National Park, State Forests and State Parks. It also excludes other areas being addressed through other strategic planning work such as the Bacchus Marsh Irrigation District Planning Study.

**NOTE:** mapped land included/excluded from the focus RLUS was defined by a Council provided GIS layers.

## RLUS STRUCTURE

The structure of the RLUS includes three main sections and a number of Appendices.

### PART ONE



#### STRATEGIC VISION

Outlines the challenges and principles, as well as and the overarching vision statement that will guide the recommendations of this paper.

### PART TWO



#### STRATEGIC APPROACH

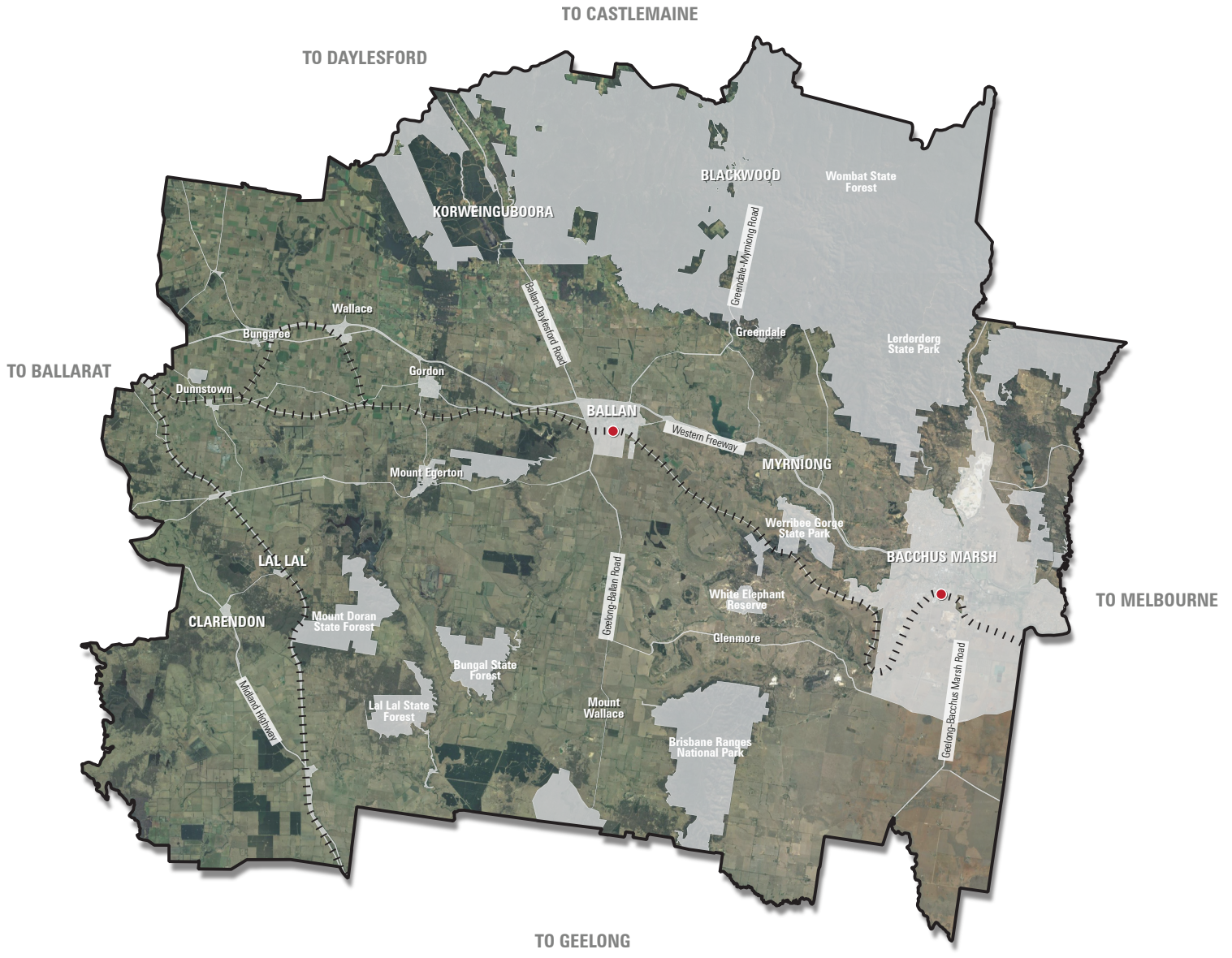
Defines the main policy areas and direction of the devised strategic framework.

### PART THREE



#### STRATEGIC DIRECTIONS

Outlines a range of recommendations for updates to planning policies, including the identification of key objectives, strategies and implementation mechanisms, across a number of rural planning themes.

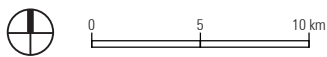


Study Area

Trainline | ● | Excluded From Study Area\*

\*The study area excludes all rural township, urban settlements, Public Conservation Resource Zone (PCRZ) land which generally applies to National Park, State Forests, and State Parks. It also excludes other areas being addressed through other strategic planning work such as the Bacchus Marsh Irrigation District Planning Study.

Figure 1. RLUS Study Area



## ROLE OF THE RLUS

The RLUS seeks to outline a strategic framework and associated policy and guidelines for decision makers, so as to ensure decisions are undertaken on the basis of a strategically justified vision for how rural land will evolve in the Shire over the coming decades.

The purpose of this strategy is to outline when and how discretion should be applied in the planning process when a planning permit is required in the rural areas of the Moorabool Shire. This will provide rural land owners with a greater level of certainty to continue to operate in the most productive, sustainable, and climate resilient way into the future, and seek to better manage pressures relating to land speculation and the demand for rural lifestyle development which is particularly driven by the peri-urban location and proximity of Moorabool to metropolitan Melbourne.

It is also important to recognise that the agricultural industry is undergoing significant change and is faced with substantial challenges resulting from climate change, land prices, uncertain terms of trade, food insecurity, exceptional population growth, and development pressure for rural lifestyle dwellings in peri-urban municipalities like Moorabool. These challenges and forces are often well beyond the control of the planning system.

This strategy seeks to encourage certain forms of development conducive to adapting to these significant challenges, and discourage development that may inhibit the evolution of the agricultural industry and rural economy in the Shire.

On the whole, the RLUS does not attempt to alter how farming is carried out within the Shire. In most cases, agricultural related uses within rural areas can occur 'as of right'. This means that planning cannot have any control over what can occur. This report cannot tell a farmer how they should farm their land.

The planning system can only have an influence when a planning permit is triggered for a particular use or development. In most instances this is when a use unrelated to agriculture or a dwelling on a small rural lot is proposed. In this way, rural policies and controls can seek to discourage certain use in particular locations where it may not lead to the most productive use of the land or result in poor outcomes for the rural community. In Moorabool this primarily relates to the potential proliferation of rural lifestyle dwellings which are not linked with an active and commercially viable agricultural use of land. Alternatively, where a use or development will lead to a positive outcome for a rural area, it can be encouraged.

## The planning decision-making process

Investigations and studies are undertaken to understand the economic, social, and environmental drivers of change.

### UNDERSTANDING EXISTING & FUTURE COMMUNITY NEEDS

Council, State Government, and the community prepare detailed planning strategies such as the Moorabool RLUS to define a vision and a way forward.

### STRATEGIES PREPARED

Planning rules and policies are implemented into planning schemes to regulate the use, development, and protection of land based on prepared strategies. This sets out when and where planning permits are required to use or develop land and a decision-making framework.

### PLANNING RULES & POLICIES IMPLEMENTED

A decision by Council is required on new use and development when a planning permit is triggered (such as a non-agricultural related use or a dwelling in the Farming Zone (FZ)). Decisions are made in a fair and transparent way based on, amongst other things, policies and community input. Where a permit is not triggered, no decision is required.

### PLANNING PERMIT DECISIONS MADE



**RLUS VISION**

## 1.1

**RLUS CHALLENGES**

Based on the background work undertaken as part of the Background Review + Issues and Opportunities Paper, a number of key issues for rural land within Moorabool have been identified. The RLUS has developed a series of planning policy recommendations with a view to providing a strategic planning response to such challenges.

**POPULATION GROWTH & RURAL LIFESTYLE DEMAND**

Moorabool is subject to high levels of demand for rural lifestyle development. This is defined as when people seek to develop a dwelling on rural land without undertaking a commercially focused agricultural activity or business. Rural lifestyle developments place farming land at risk, as the potential for commercial agricultural land use and development is removed, while potentially creating land use conflict. Land use conflict can occur when a new dwelling is established in a rural location, which can result in new residents raising complaints against noise, dust, light and fumes associated with surrounding farming activities to the detriment of those agricultural activities. As the new dwelling is classified as a 'sensitive use', no protections are afforded to existing farming activities under relevant EPA regulations.

Rural lifestyle dwellings also function to impose a residential land value through land speculation, which is higher than an agricultural land value, which further undermines the economic viability of farming land. The RLUS Community Survey (2020) indicated this issue is already occurring in Moorabool, where existing farmers outlined that one of the biggest disincentives to expanding farming activity was high land cost. As a result of rural lifestyle demand, the supply of natural resources such as land and water to sustain food production become scarcer.

While metropolitan Melbourne continues to grow and convert once productive farming land to housing, it's demand for food also increases. Noting that Moorabool is located outside of the Urban Growth Boundary, the strategic importance of its farming land is increased and should be protected, which is also the subject of a recent State Government strategy and 'Action Plan' project to increase protections for farming land within 100km of Melbourne. If the growth of rural population within Moorabool continues to increase through rural lifestyle developments, issues around the right to farm also become more severe as rural living pressures increase. Land speculation can also negatively limit the expansion of farms and conflicts from amenity concerns of new 'lifestyle' residents can be a potential barrier to farming operations.

**SPECIAL WATER SUPPLY CATCHMENTS & AVAILABILITY OF WATER**

Water access is a challenge faced by farming in Moorabool, although less so than compared to other rural locations in Victoria, and particularly dryer regions to the north of the state. Broadly speaking rural land use in the shire is reliant on a combination of rainfall, localised dams, and a number of small waterways. Large areas of Moorabool are also declared as Special Water Supply Catchment Areas, where water is collected for the regional potable water supply which generates further demands on water supply.

Although not within the scope of the RLUS study area, the Bacchus Marsh Irrigation District is recognised as a strategic agricultural asset. Notably part of the study area does have secured access to recycled water, resulting from the recently developed Western Irrigation Network which covers part of the south west of the Shire, where this irrigation network has clear potential for expansion in the future.

Given climate change is anticipated to make the northern parts of Victoria hotter and dryer, Moorabool will maintain certain locational benefits, as well as strategic opportunities from localised irrigation networks to the benefit of rural and agricultural use into the future.

**SUSTAINABLE FOOD SYSTEM**

New approaches will be needed to increase the sustainability and resilience of the food system both locally and globally. Environmental studies have identified that peri-urban areas like Moorabool will continue to play an increasingly important role in providing a local sustainable food supply to a growing metropolitan Melbourne area. Land supply scarcity and climate change constraints will put this at risk, which require careful management.





## FARM VIABILITY

A recent trend on farming is that farmers are choosing or are forced to, cease farming activity due to issues of farm viability and the impacts relating to production costs vs market value. This has created a disincentive and made it difficult for new farmers to enter the farming and agricultural sectors. Specifically, the farm business terms of trade (the ratio of the index of prices received, to the index of prices paid), has declined over the long term, as input prices for agriculture have risen more rapidly than output prices. Farm businesses manage declining terms of trade by a combination of increasing farm size, changing the mix of commodities, improving productivity and redirecting resources to take advantage of changing relative prices within agriculture.



## FRAGMENTATION

Due to historic subdivisions and land excisions, existing rural land in Moorabool is quite fragmented. Further pressure is being caused by current subdivisions and/or land excisions for rural lifestyle developments which can prevent agricultural operations from utilising economies of scale. Existing or future land fragmentation has the potential to introduce land use conflict and deters farmers from investing in their enterprises as they speculate on land converting to residential use.

Inappropriate subdivisions and unnecessary dwellings within rural areas are the biggest threats to farming practices that the planning system can control. Moorabool is in an enviable position as a peri-urban Council in that it in targeted areas maintains large parcels and properties of land. The largest land parcels are located through the southern parts of the Shire. This should be recognised and protected, although it has also been addressed by earlier modifications to Farming Zone (FZ) controls where it increases minimum subdivision size from 40ha to 100ha (although provisions remains to create smaller lots to excise an existing dwelling, or re-subdivide existing allotments).



## SMALL SCALE PERI-URBAN VS LARGE SCALE FARMING

Traditional broadacre farming requires large tracts of land to carry out operations whether that be for grazing or cropping. This is traditionally what has occurred within Moorabool to date, within some areas to the west of the Shire accommodating higher yield potato cropping based on higher land classifications.

However there are potential opportunities for the development of small scale niche and innovative operations that do not fit the traditional broadacre definition of farming. This could include low density mobile operations and small scale intensive cropping. Allowing for both large and small scale operations to occur, including farming as a secondary income as part of broader land management are challenges for the RLUS.

The legitimate diversification of farming into smaller activities should be encouraged while also protecting the right to farm of large scale operations by ensuring that a back door is not created to increasing incompatible land uses or inappropriate rural living on small lots in farming areas. Regardless of the agricultural unit to carry out a productive farming operation, farms need to expand and utilise economies of scale to remain productive. The best way to ensure this is possible, is to protect land identified for agriculture from inappropriate development.



## LAND QUALITY

Land class mapping completed as part of the study demonstrates that Moorabool has moderate to good quality agricultural land overall, with targeted areas of higher quality land classes. In noting this, Moorabool has the clear potential to harness and build upon available land classes with a range of agricultural landuse suited to its highest and best use based on soil classifications. This ranges from intensive and high yield soil based agriculture targeted to Class 1, 2 and 3 areas, while Class 4 is better suited to broadacre cropping and grazing, and could also potentially accommodate other rural and agricultural industries such as broiler farms or cattle feedlots which require amenity buffers. Steeper areas of land designated as Class 5 have less opportunity for viable agricultural use, but the extent of such areas within the study area of the RLUS are quite limited.

It is also necessary to highlight that land quality is also able to be improved in areas where there is guaranteed access to water. This would include access to recycled water, currently available via the Western Irrigation Network to the south east of the Shire, noting the irrigation network has clear potential for expansion in the future. The broader conclusion to be made is that the protection of rural land in Moorabool and to align land classes for their optimal landuses has the potential to create a varied high yield agricultural sector within the Shire.

However it needs to be acknowledged that agriculture is not necessarily tied to the underlying land capability but depends on a myriad of other factors related, but not limited to, infrastructure, freight access, climatic conditions, and land size. New forms of agriculture do not as strictly depend on the underlying quality of the land to remain productive. There is opportunity for intensive agriculture including intensive animal husbandry and protected cropping that are less reliant on the underlying land quality. While Moorabool has played a moderate role in agricultural production in the past, this does not mean it won't have a much greater role in the future as agriculture changes and the productive value of peri-urban land increases. The planning system should future proof this potential.



## ENVIRONMENTAL DEGRADATION & BIODIVERSITY

Ongoing environmental degradation and biodiversity loss is an inherent issue of use and development, particularly in rural areas. For remaining native vegetation on privately held land it is important that land holders appropriately manage their land, engage in native vegetation programs (where relevant), prevent unnecessary land clearing, and practice sustainable agriculture. Increasing biodiversity does not only have positive environmental benefits but also food system benefits by, amongst other things, enhancing soil quality and pollination.

Carbon sinks such as planted forests, either for biodiversity outcomes or as part of sustainable resource production, are also important for mitigating the effects of climate change and require large areas of land in rural locations.



## CLIMATE CHANGE RESPONSE

Climate change is increasing the vulnerability of maintaining a secure food supply as droughts become more severe and other environmental threats such as bushfires and floods also increase, placing rural communities at further risk. Temperatures are expected to increase and rainfall is expected to decrease most in the north of the state, which has traditionally been Victoria's 'food bowl'. Under this scenario, the future productive value of peri-urban land will increase over time relative to today and a more versatile range of crops will be possible compared to other areas of the State.

In this content, the Shire of Moorabool being a peri-urban location on the cusp of Metropolitan Melbourne is strategically well placed, further noting that the conducted land class analysis outlines opportunity for a range of agricultural landuses, coupled with targeted areas with a supply of irrigated and/or recycled water. Given the complexities and uncertainties of climate change, the planning system needs to have reasonable flexibility to adapt to new challenges, safe guard future productive land, promote sustainable landuse and management and new approaches and ways of thinking for the use and development of rural land.



# 1.2

## PRINCIPLES

A number of key principles have been developed to underpin the rationale and thinking behind the recommendations of this strategy.

### ECONOMIC DEVELOPMENT



The Moorabool Shire Economic Development Strategy (2023-2027) highlights agriculture as one of the key drivers of economic growth in the Shire. The opportunities and economic benefits of rural industries within the Shire should be acknowledged and strongly supported.

There is also opportunity to grow the tourism and visitor economy as Moorabool is located at the gateway to Melbourne’s western region. The Moorabool Shire Visitor Economy Strategy 2023-2027 contains a range of relevant directions and recommendation relevant to the RLUS.

### PROTECTING RIGHT TO FARM



Commercial scale agriculture will be protected, and its prosperity encouraged into the future by allowing for expansion and growth while maintaining minimal disruption from non-agricultural activities.

New use and development will be discouraged where there are threats to the supply and productivity of farming land.

The potential amenity impacts of large scale and intensive operations will be acknowledged.

### PRODUCTIVE SUSTAINABLE LAND



Agricultural activities that increase the sustainability and productive capacity of the food system, diversify agricultural output, and support a strong rural economy should be encouraged above all else.

Productive agricultural land , which includes underutilised land with future potential will be protected from inappropriate land uses and development.

The unique pressures of peri-urban land and the potential it contains for supporting food security will be acknowledged and opportunities fostered.

### AVOIDING LAND FRAGMENTATION

Discourage further rural lifestyle developments and associated land subdivisions within the rural areas of Moorabool to prevent the further fragmentation of rural land.

Require that any farm management plans prepared with a view to justifying such proposals demonstrate the need for a rural dwelling based on the rural landuse and its commercial viability.

### LAND MANAGEMENT



Land should not be left to degrade and environmental threats and risk to agricultural land should be avoided.

The importance and responsibilities of managing the land should be acknowledged by all residents within rural areas.

### CONNECTED RURAL COMMUNITIES



Resident populations will not be unnecessarily dispersed and small townships of the Shire will be the focus of local service delivery and modest sustainable population growth.

Ad hoc residential development throughout rural areas is not sustainable and will be discouraged.

### CLIMATE CHANGE RESILIENCE

Rural landuse and activities that place a focus on climate resilience and sustainable agricultural operations will be encouraged.

The future productive value of land as a result of climate change should be acknowledged in all decision making.

## RURAL TOURISM



Agri-tourism and farm-gate sales that increase the exposure of the agricultural industry will be encouraged and supported.

Moorabool's natural and environmental assets will be promoted for the recreational and tourism opportunities they can support.

Tourism opportunities are to be clustered in existing small townships to help diversify rural economies.

## RURAL CHARACTER



Significant landscapes are key determinates of the Shire's amenity and rural character and will be retained and enhanced.

Interurban breaks between settlements are important for distinguishing rural areas as separate from urban areas. They are to be protected and acknowledged as important attributes of the rural character of the Shire.

## INNOVATION



Flexibility in controlling use and development to allow for innovative uses and development will be encouraged.

Niche and non-traditional farming operations and new trends in agriculture will be encouraged and supported.

The positive environmental and climate adaptive benefits of innovative agricultural practices will be acknowledged and supported.

## ENVIRONMENTAL STEWARDSHIP



Non-agricultural uses that promote land regeneration, conservation, and sustainable management and would result in positive biodiversity and ecological benefits should be supported and encouraged.

Important environmental features of the Shire such as native vegetation, native animal habitats, ecologies, hilltops, wetlands and waterways are to be recognised and protected.

## SPECIAL WATER SUPPLY CATCHMENTS

Over 70% of the Shire is designated as a Special Water Supply Catchments and the protection of these areas is important for the supply of potable drinking water to residents within Moorabool, Ballarat, and Geelong.

It is therefore considered vital to preserve water quality throughout the municipality and to avoid inappropriate landuse and development which may have the potential to pollute these sensitive catchments.

## RENEWABLE ENERGY



Acknowledge the potential of the Shire to accommodate major renewable energy projects in appropriate locations but that further work on land landscape assessment and the identification of higher quality landscapes warranting protection is required to be undertaken. Once such landscape assessment work is complete, it will constitute a useful tool to engage with State Government regarding future potential renewable energy projects in the Shire. Land capability and the protection of productive agricultural land is also a relevant consideration.

Additionally, the Victorian Government is currently preparing VicGrid Victorian Transmission Plan, which is focused on a transition to renewable energy. An important step in building the Victorian Transmission Plan is to identify 'Renewable Energy Zone Priority Areas'. This may include land within Moorabool, but is currently under investigation.

## 1.3

## VISION STATEMENT FOR RURAL AREAS

A vision statement has been developed which looks to how Moorabool's rural areas will look in the year 2050. The vision underpins the planning provision and policy recommendations outlined within the next sections.

## RURAL MOORABOOL IN 2050

Moorabool has become a sustainable, innovative, and resilient Shire underpinned by a more productive and diverse agricultural sector despite the increased impacts of climate change and pressures from metropolitan Melbourne's now 8.5 million residents.

Growth in agricultural production has been attributed to the expansion and growth of sustainable commercial scale farming targeted to the 'highest and best use' of its nominated land classes, in addition to the targeted diversification into small scale innovative peri-urban farming enterprises.

Productive agricultural land has been protected and put to best use based on its identified land class, with an intensive high yield soil based agriculture targeted to Class 1, 2 and 3 areas, as well as land benefiting from secured water supply within the Western Irrigation Network.

Certainty and consistency in planning decisions has meant that conflicts with non-agricultural related uses and rural lifestyle development have been avoided.

Rural industries have added value to the economic output of the Shire and taken advantage of the nationally significant freight movement networks.

New rural based tourism has been attracted to the Shire that celebrates its agricultural, cultural, and natural assets.

Small rural settlements demarcated by the Rural Living Zone (RLZ) have seen a modest increase in population growth from residents drawn to the attractive lifestyle opportunities on offer, while maintaining compact settlement size and maintaining active settlement breaks.

The environmental values of the Shire have been acknowledged through proper land management practices. Increases in biodiversity have contributed to native flora and fauna increases and agricultural production, and revegetated land holdings have realised the benefits of carbon capture and storage.

Significant landscapes and cultural attributes have been acknowledged and are a protected asset that attracts visitors and continues to underpin the Shire's amenity and rural character.

Protection of the Shire's Special Water Supply catchments has been maintained through careful decision making around land use and developments, to continue the supply of potable drinking water to residents within Moorabool, Ballarat, and Geelong.

Major renewable energy projects have been facilitated in appropriate locations the Shire, with their location informed by further landscape assessment work which has identified landscapes of higher value warranting protection and being visually incompatible with such facilities. Land capability and the protection of productive agricultural land is also a relevant consideration.









# RLUS APPROACH





## 2.1

## RLUS ANALYSIS MAPS

A series of background maps have been produced as part of the background work undertaken for the RLUS, which includes:

- RLUS Study Area (refer to Figure 1)
- Agricultural Land Class
- Topography
- EVC Bioregions
- Environmental Features
- Catchments and Water Authorities
- Renewable Energy & Sustainable Resources
- Landscape Character
- Cultural Heritage & Registered Aboriginal Parties
- Planning Zones
- Planning Overlays

The full suite of analysis maps are included within this section of the report as a brief visual summary of the substantial background analysis which has been undertaken to inform and underpin the strategic thinking and overall development and framing of the RLUS.

The analysis map of critical importance for the RLUS is the Agricultural Land Class map. This map is provided at Figure 2, and is accompanied with the full technical description of each of the five (5) designated agricultural land class types. The key conclusion to be drawn from the Agricultural Land Class map is that the rural areas of Moorabool are classified as having good to excellent quality agricultural land suitable for a wide variety of farming and agricultural landuse.

For reference, the full suite of RLUS maps with further summary analysis is provided with the Background Review / Issues and Opportunities Paper (refer to Appendix 2).

## Agricultural Land Classifications

To assist with the reading and interpreting the Figure 3: Agricultural Land Class Map, a description of each identified class is provided below.

The assessment of Agricultural Land Quality has mapped agricultural land within the Shire of Moorabool into five classes.

Classes 1 and 2 are high quality and highly versatile agricultural land, often used intensively for horticultural crops, and generally considered to be strategically significant agricultural land within the peri-urban fringe of Greater Melbourne.

Class 3 land tends to be found in larger parcels and may be used for broadacre dryland cropping, or sometimes in smaller parcels where it may be used for perennial horticultural crops which do not require regular cultivation. Class 3 may also be considered as strategically significant land.

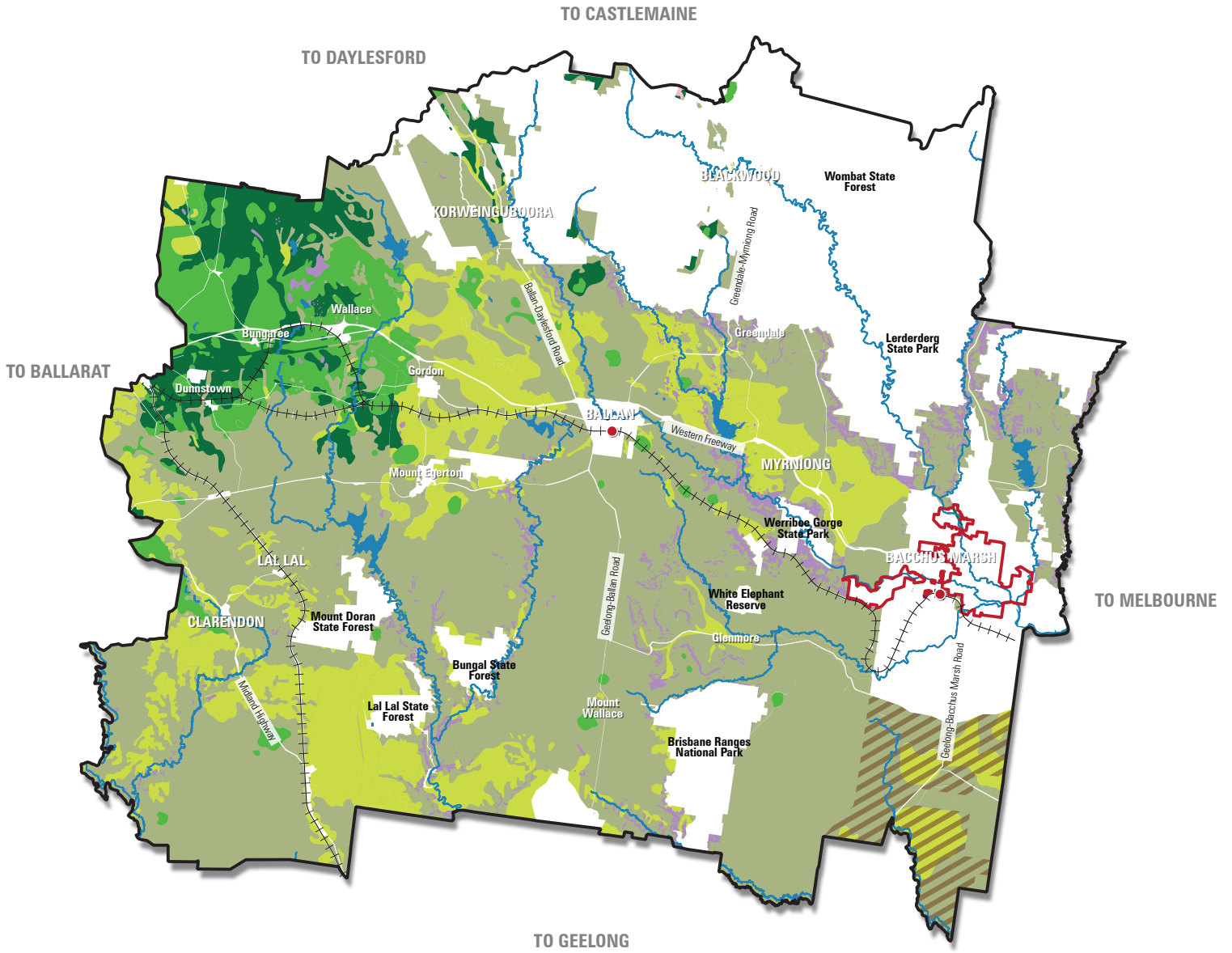
Class 4 land is mostly used for grazing but is occasionally cropped but with significant management interventions to reduce risk of crop failure.

Class 5 land is only suitable for grazing use due to excessive physical restraints.

For the Shire of Moorabool these classes apply only to freehold agricultural land such that public land and urban areas are excluded from assessment.

Each of the five classes are expanded upon below:

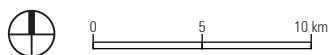
- Class 1 (dark green shading):** Land that is inherently capable for intensive soil-based agriculture, particularly horticulture. This class includes landscapes dominated by Ferrosols (i.e. predominantly friable red gradational soils developed on basalt) on more gentle slopes (i.e. < 10% slope) and some alluvial areas with deeper friable medium to coarse textured soils. The access to a constant water supply will generally improve the capability of the land. Some land is included in this category due to improved land management (e.g. significant drainage and irrigation infrastructure). Land management limitations are nil to slight.
- Class 2 (mid green shading):** Land that is inherently capable for soil-based agriculture, including intensive horticulture. This class largely includes Ferrosols on steeper terrain (i.e. slopes 10-16%) and landscapes where Ferrosols make up about 50% of a mapped area in association with less versatile soil types (i.e. texture-contrast soils with denser subsoils). Land management limitations range from slight to moderate.
- Class 3 (yellow green shading):** Land that is inherently capable for soil-based agriculture at moderate to high intensity. The potential/capability may vary (e.g. according to slope, inherent fertility and drainage) but could be realised with access to a constant water supply. Landscapes with deeper sandy soils may be represented here, but require additional water resources to support more intensive horticulture (note: areas with deeper sandy surface horizons are not widespread in the Shire). Suitable landscapes with more favourable texture-contrast soils (i.e. with deeper surface horizons overlying relatively friable and stable upper subsoils) are also included, as well as steeper landscapes (i.e. cones with 16-20% slope) dominated by Ferrosols. Otherwise, a slope of 10% is usually considered the upper slope limit for other non-Ferrosol dominated landscapes in this Class. Some landscapes with established broadacre agriculture (e.g. cereal cropping) have been included (in what would often be rated as Class 4) due to significant limitations having been modified (e.g. rock-picking in stony landscapes) in large areas. Land management limitations are slight to moderate for intensive use.
- Class 4 (olive shading):** Land that is not as inherently capable for intensive soil-based agriculture, without significant land management interventions. Extensive agriculture (including broadacre cropping with suitable land management practices - such as raised beds, rock-picking, subsoil management and appropriate tillage) and non-soil utilisation activities are often most appropriate. More intensive grazing is possible in some higher rainfall areas or where consistent water supplies are available. Due to mapping resolution, some minor exclusion areas (i.e. Class 5) can be present where land attributes (e.g. slope) vary locally. Land management limitations are high to very high for intensive use. In this region, many of the soils are texture-contrast with dense, sodic subsoils (i.e. Sodosols) that can be difficult to manage. There are also likely to be some areas of land within this Class that may have higher capability but that are not able to be identified at this stage due to the broad scale of soil/landscape mapping available across much of the study area. Steep landscapes (i.e. 20-32%) dominated by Ferrosols are also included in Class 4, as well as relevant non-Ferrosol dominated landscapes with slopes of less than 20% (steeper slopes are excluded, as per Class 5). Land with significant surface rock may also be suitable if extensive 'rock picking' has taken place, but this detail has not been mapped within the Shire. Availability of additional secure water supply would also enhance suitability of areas of land in this Class.
- Class 5 (purple shading):** Land that has significant landscape restrictions, including stony rise landscapes with very shallow soils, very steep terrain (i.e. slopes > 32% in landscapes with Ferrosols and slopes > 20% elsewhere) and poorly drained swampy areas.



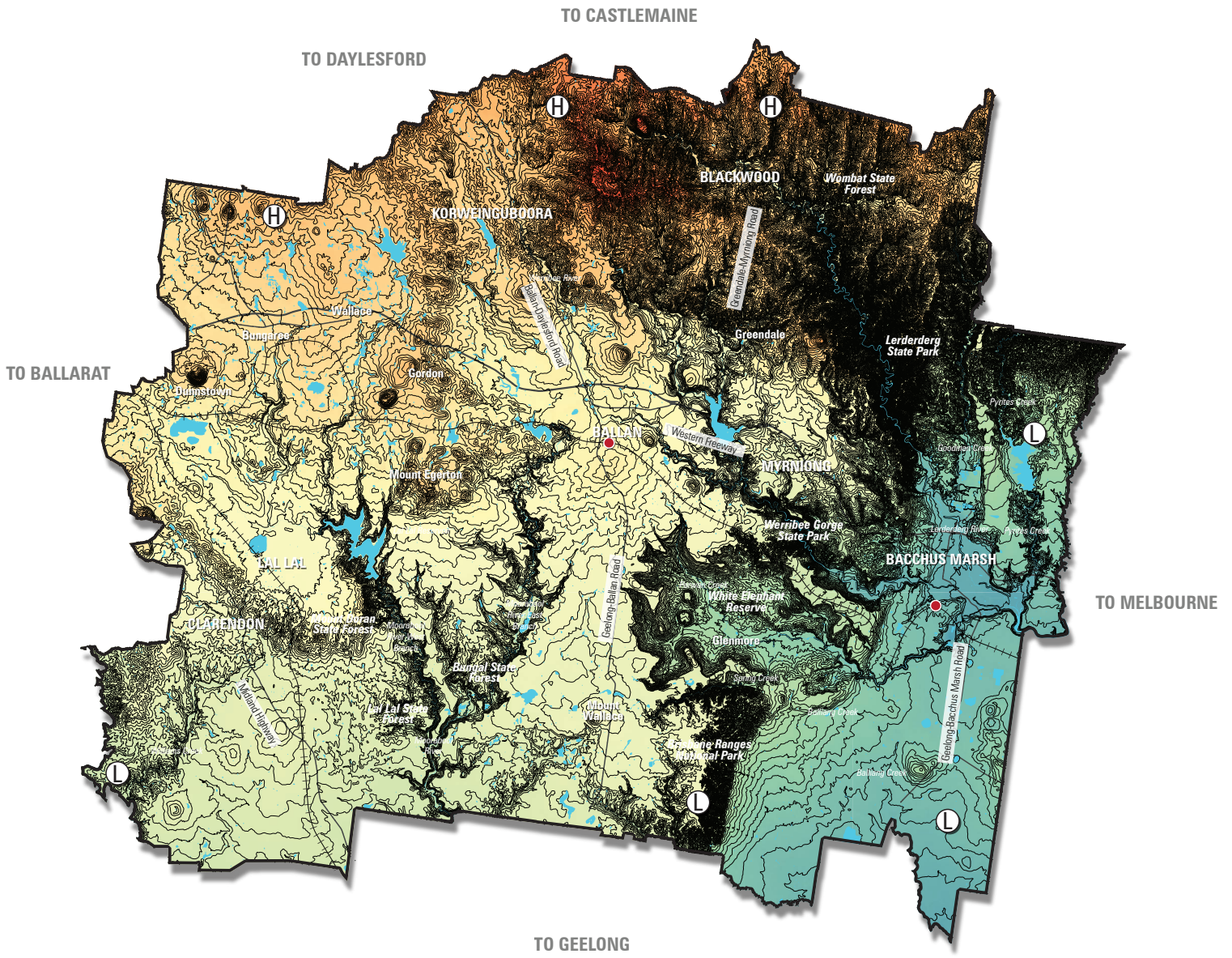
Agricultural Land Quality Class Map



Figure 2. Agricultural Land Class Map



Note: 'Slope assessment of land excluded from study area has not been undertaken for all areas land in existing urban settlements and State/National Parks areas'



Topography

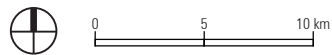
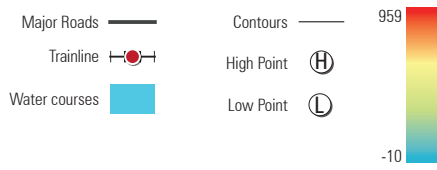
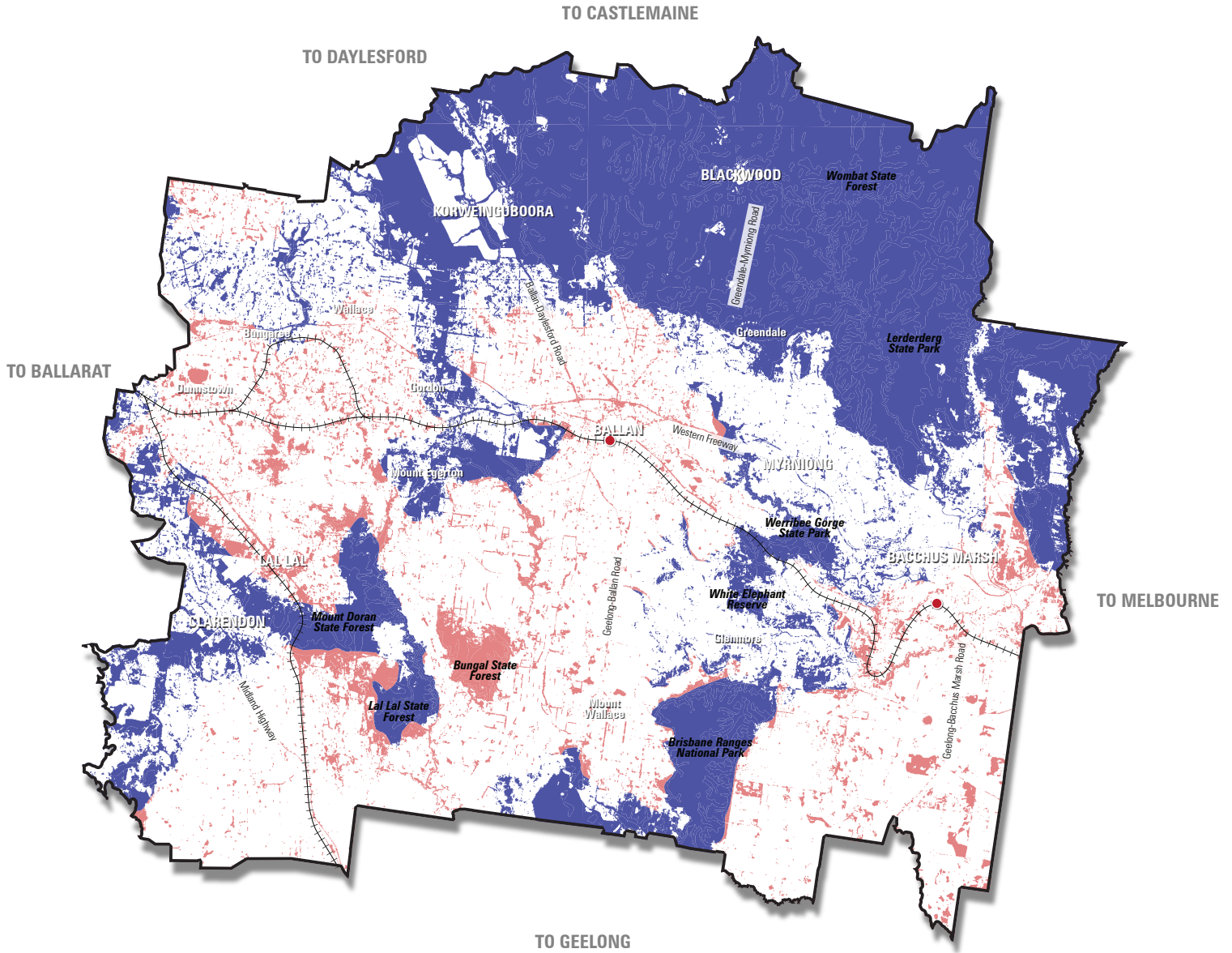


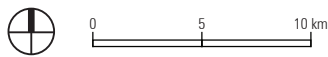
Figure 3. Topography

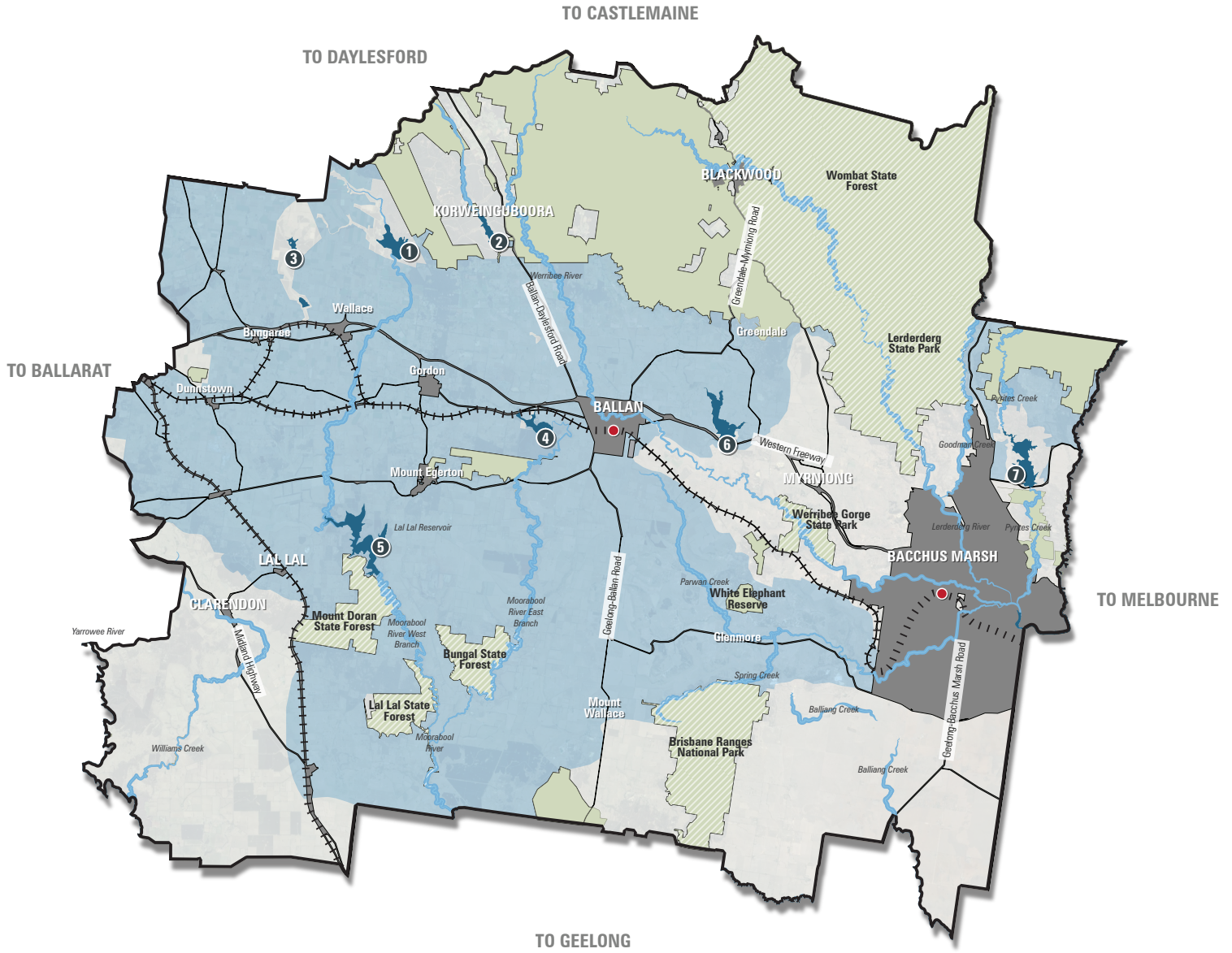


Ecological Vegetation Classes (EVC) - 2005 Bioregions

Trainline  Central Victorian Uplands  Victorian Volcanic Plain 

Figure 4. Ecological Vegetation Classes





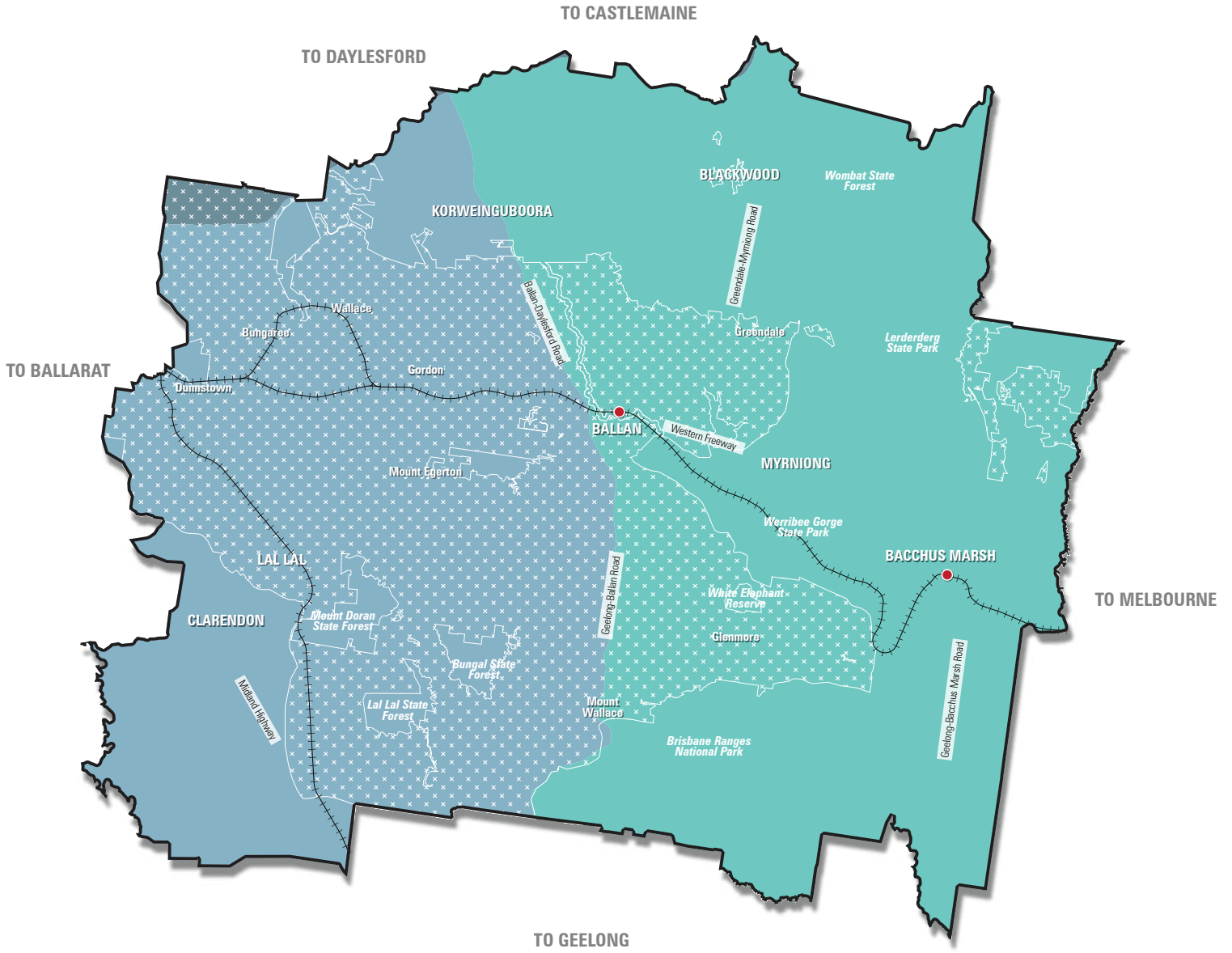
Environmental Features



Figure 5. Environmental Features







Water Catchments & Catchment Management Authorities

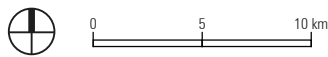
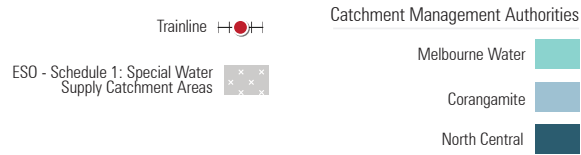


Figure 6. Catchment Management Areas and Waterways Authorities

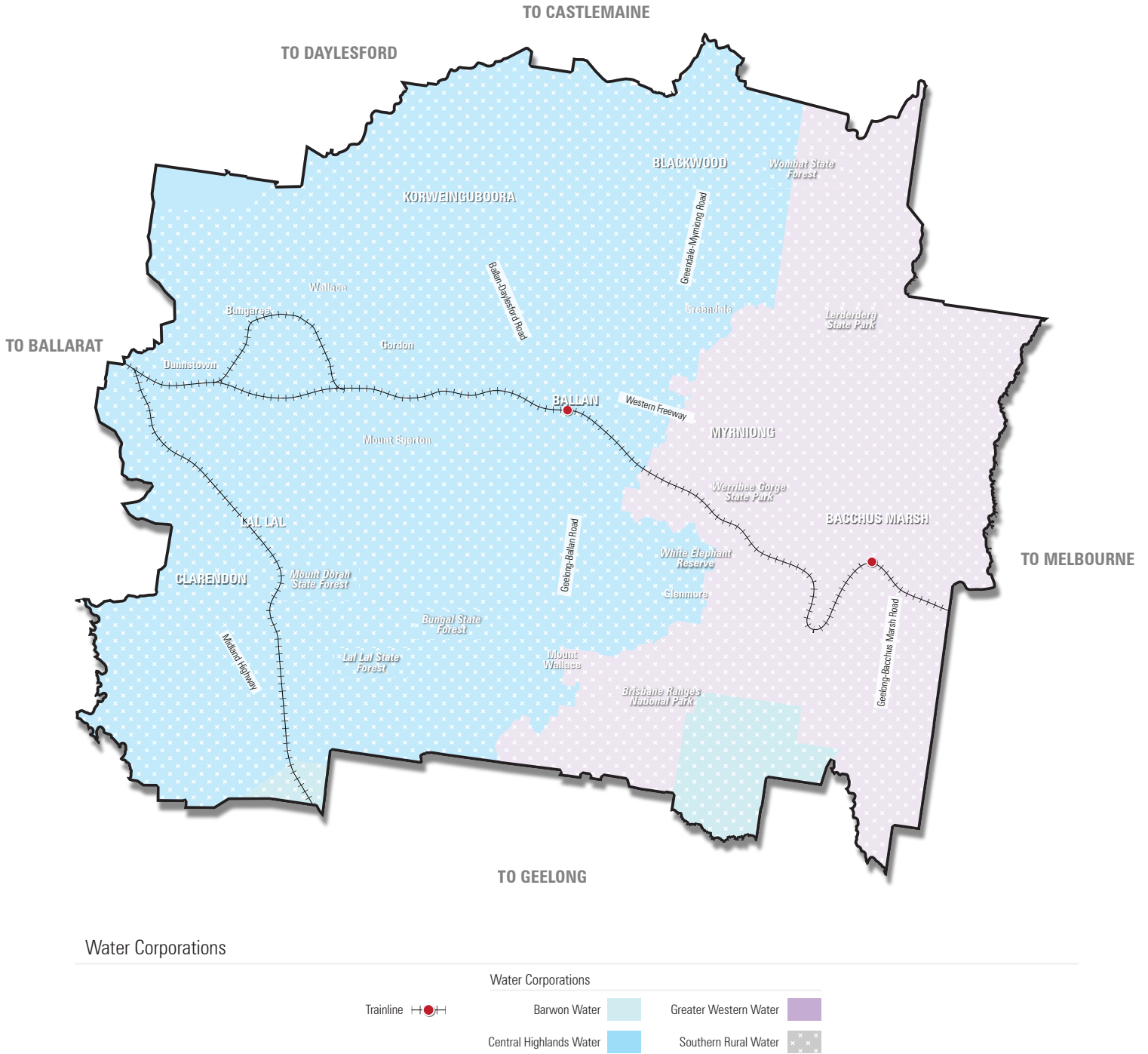
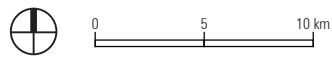
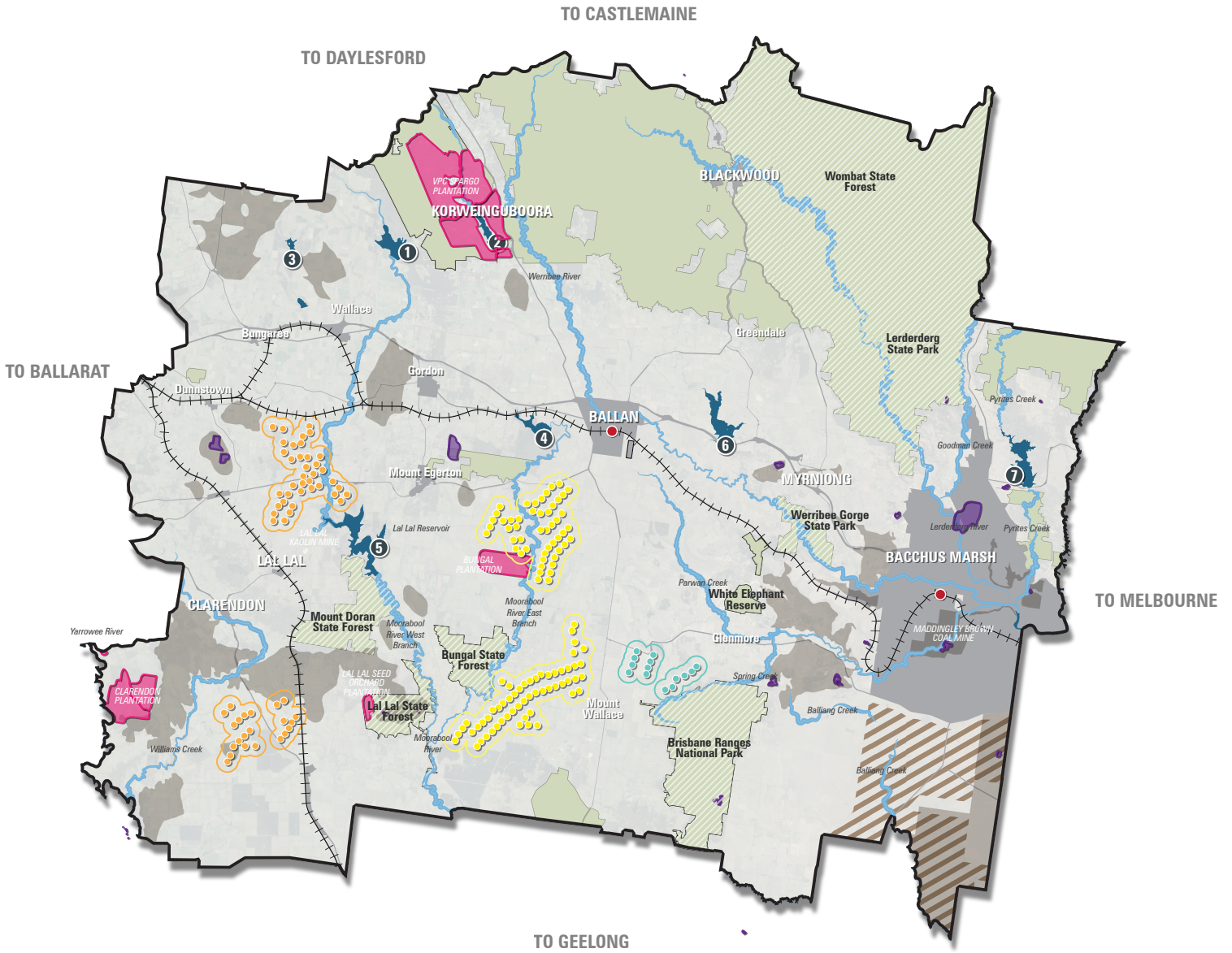


Figure 7. Water Corporations





Renewable Energy & Sustainable Resources

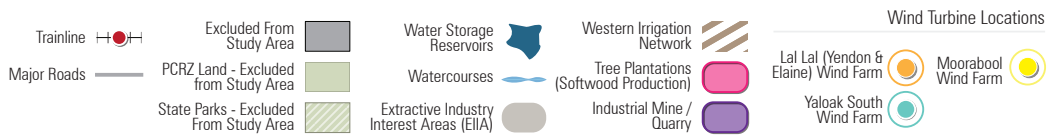
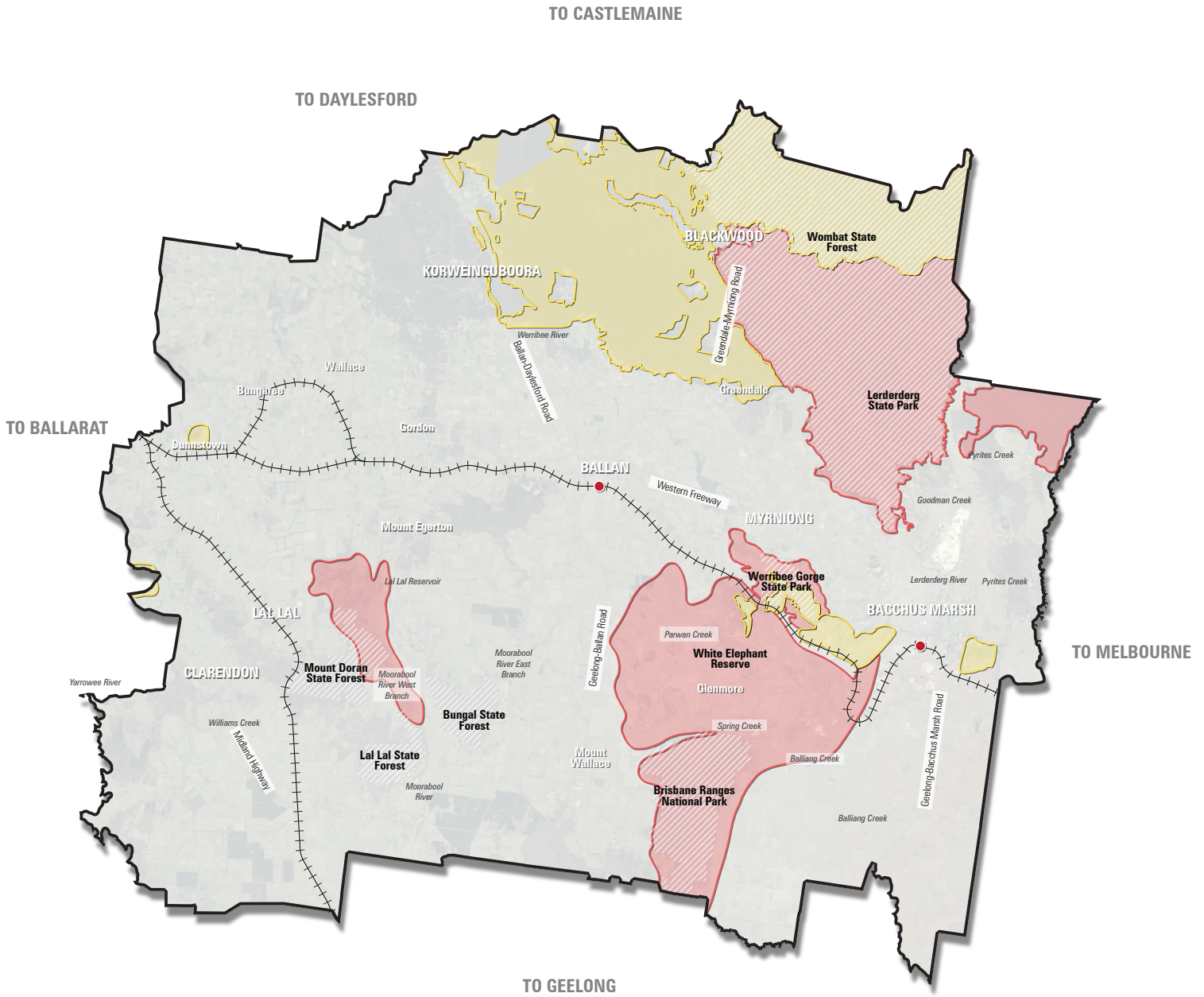


Figure 8. Renewable Energy and Sustainable Resources





Landscape Characters

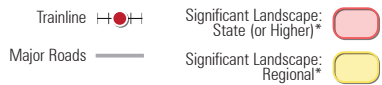
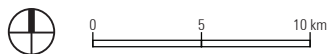
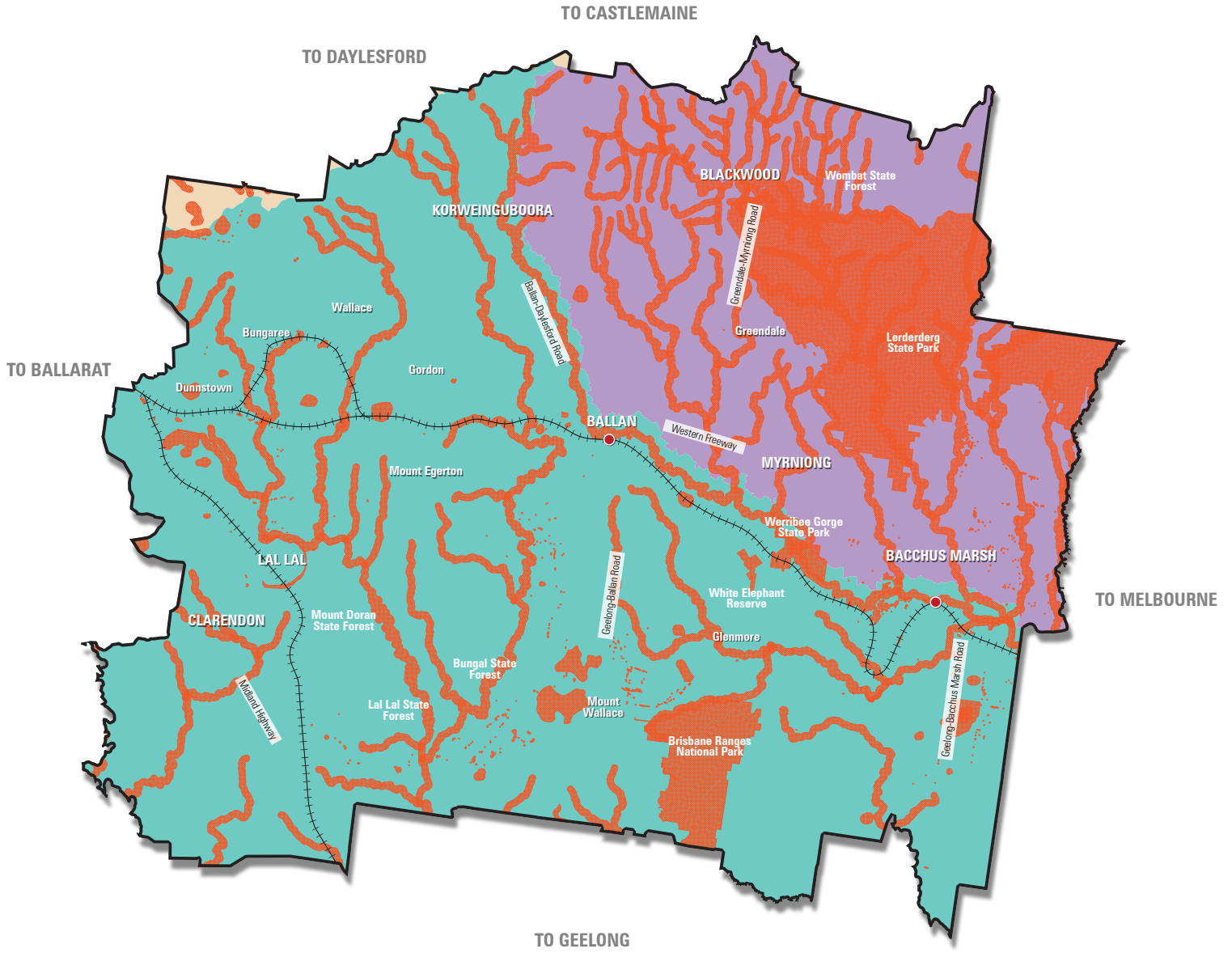


Figure 9. Landscape Character Areas



\*Note: Data sourced from "South West Victoria Landscape Assessment Study: Significant Landscapes of South West Victoria (2013)"

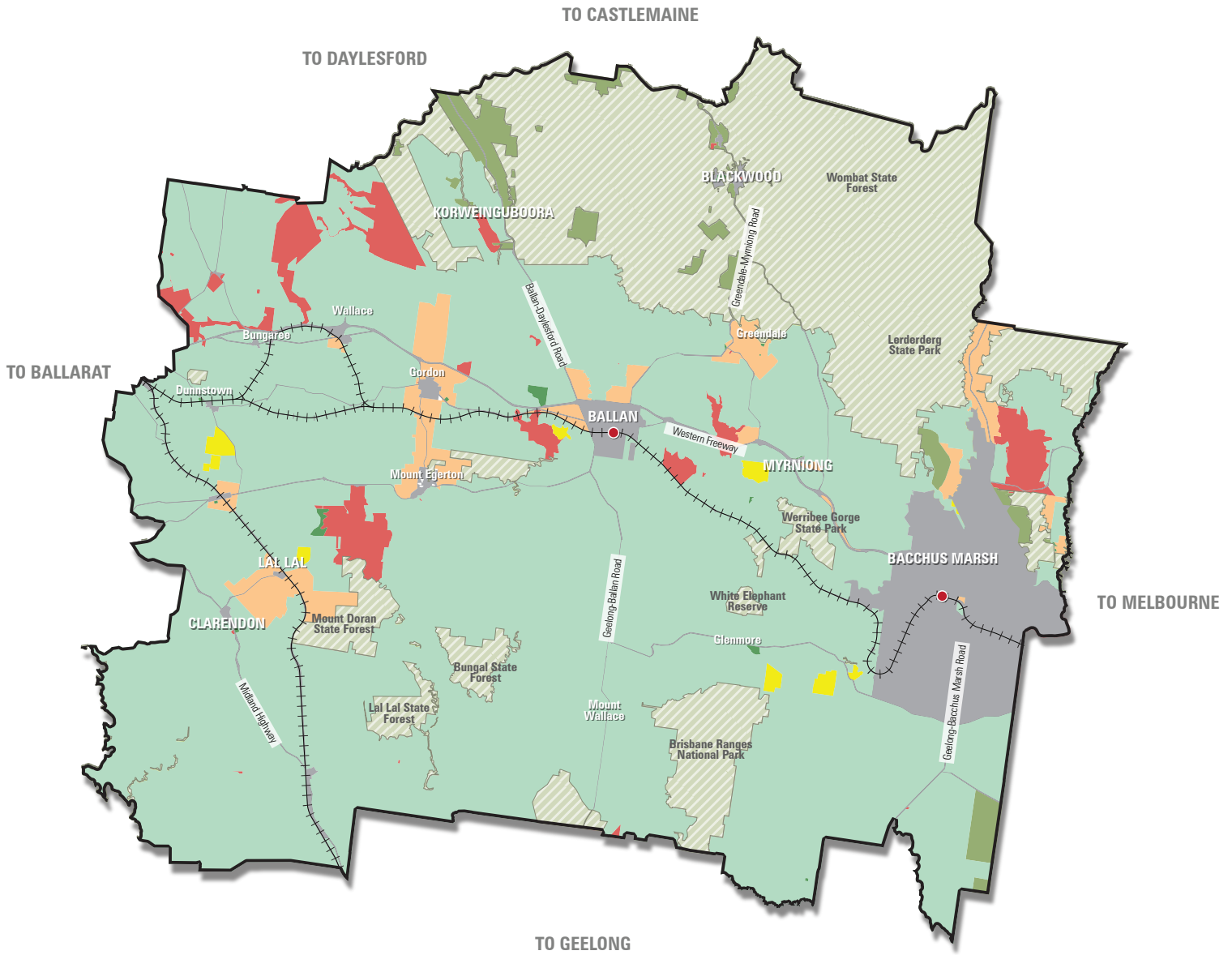


Areas of Cultural Heritage Sensitivity and Registered Aboriginal Parties

- Trainline
- Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation
- Wadawurrung Traditional Owners Aboriginal Corporation
- Dja Dja Wurrung Clans Aboriginal Corporation
- Areas of Cultural Heritage Sensitivity

Figure 10. Cultural Heritage





Planning Zones

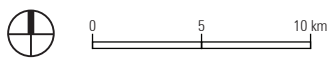


Figure 11. Rural Zones



Planning Overlay

- |           |                                     |   |                                  |
|-----------|-------------------------------------|---|----------------------------------|
| Trainline | Bushire Management Overlay (BMO)    | Environmental Significance Overlay (ESO)  | Restructure Overlay (RO)         |
|           | Design & Development Overlay (DO)   | Heritage Overlay (HO)                     | Public Acquisition Overlay (PAO) |
|           | Significant Landscape Overlay (SLO) | Land Subject to Inundation Overlay (LSIO) | Airport Environs Overlay (AEO)   |

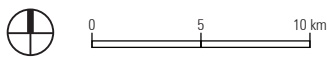
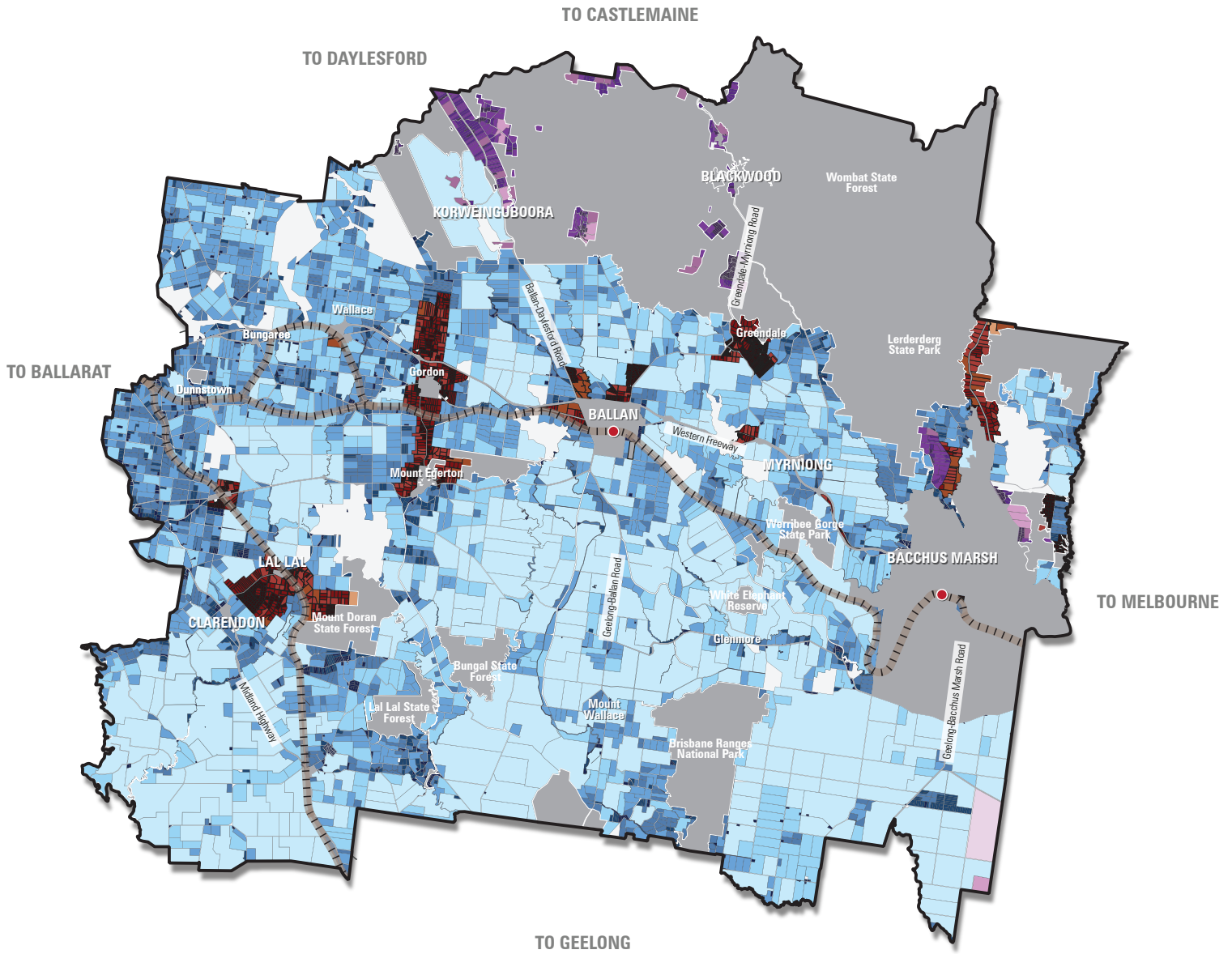


Figure 12. Overlays on rural land



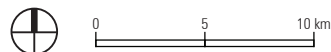
Rural Lot Sizes (FZ, RCZ, RLZ)

Farming Zone Lot Sizes (ha)		Rural Conservation Zone Lot Sizes (ha)		Rural Living Zone Lot Sizes (ha)	
0 - 4 Ha	40 - 80 Ha	0 - 4 Ha	40 - 80 Ha	0 - 0.4 Ha	4 - 8 Ha
4 - 8 Ha	80+ Ha	4 - 8 Ha	80+ Ha	0.4 - 0.8 Ha	
8 - 20 Ha		8 - 20 Ha		0.8 - 2 Ha	
20 - 40 Ha		20 - 40 Ha		2 - 4 Ha	

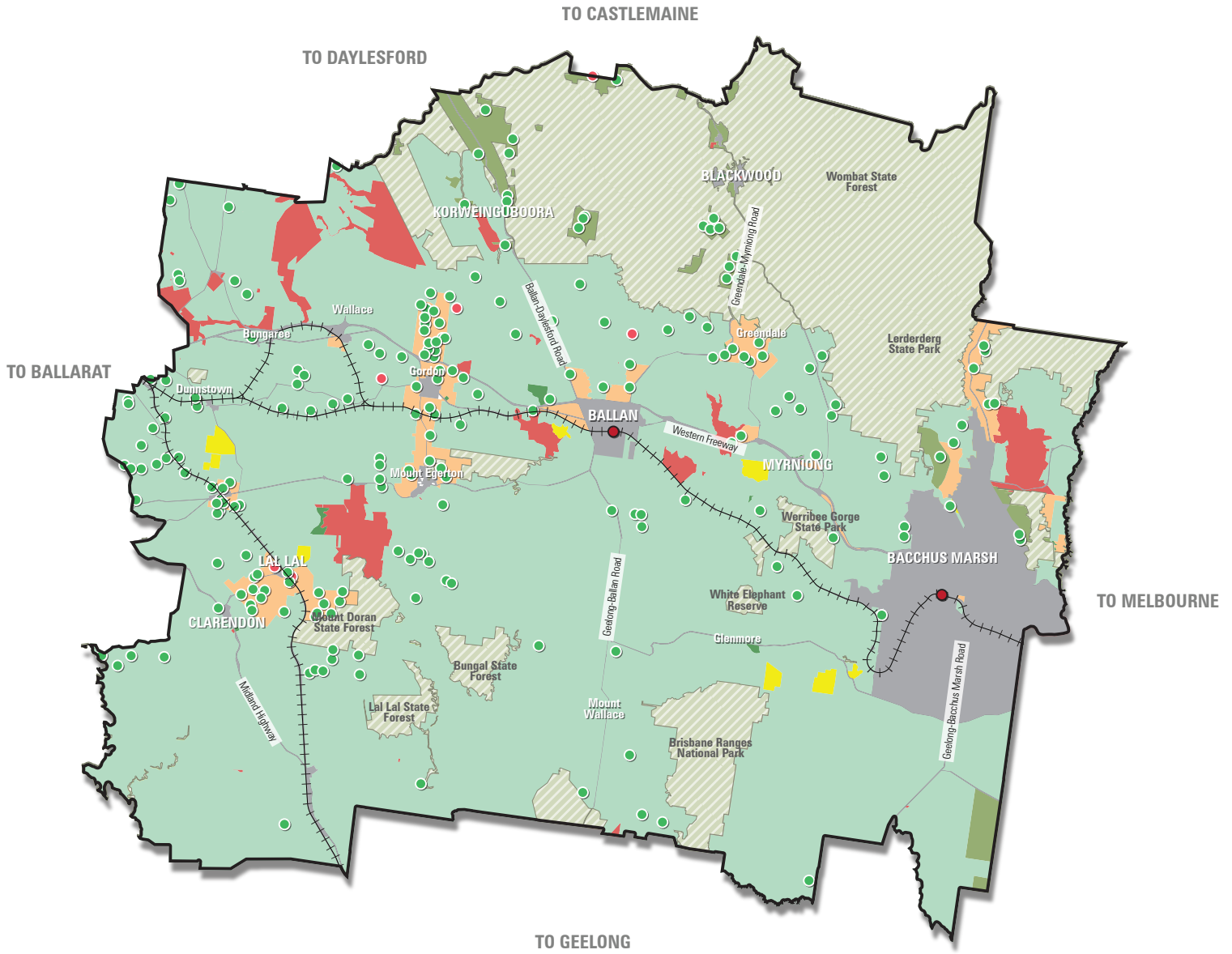
Trainline

Area Excluded From Study Area

Figure 13. Lot sizes in Rural Zones







Planning Permits for dwellings (Applications status 2016-2023)

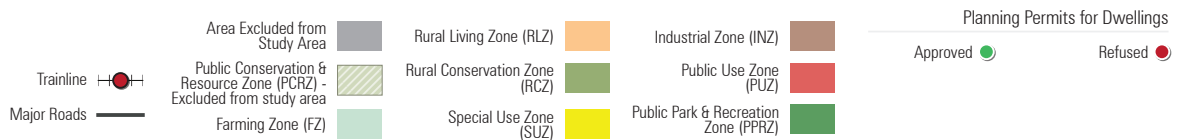


Figure 14. Planning Permits for dwellings (2016-2022)



## 2.2

## PRECINCT POLICY AREAS

In building upon the background analysis, this project has taken a precinct based approach to the development of a rural policy framework, which is in recognition of the broader diversity of rural land found across Moorabool.

By seeking to incorporate differentiation into a rural policy framework, it will assist in tailored responses and recommendations being achieved across these diverse locations.

In order to further a precinct based approach, the rural areas of the Shire which are subject to the RLUS have been broken into four broad Precinct Policy areas. These have been informed by a variety of spatial based considerations, including:

- Land classification and capability.
- Strategic importance.
- Topographic features.
- Key features and characteristics.
- Water availability (i.e. irrigation).
- Logical and identifiable boundaries.
- Existing land use patterns
- Lot size, ownership, vacant and occupied lots and land fragmentation.
- Climatic conditions.
- Existing and future pressures.

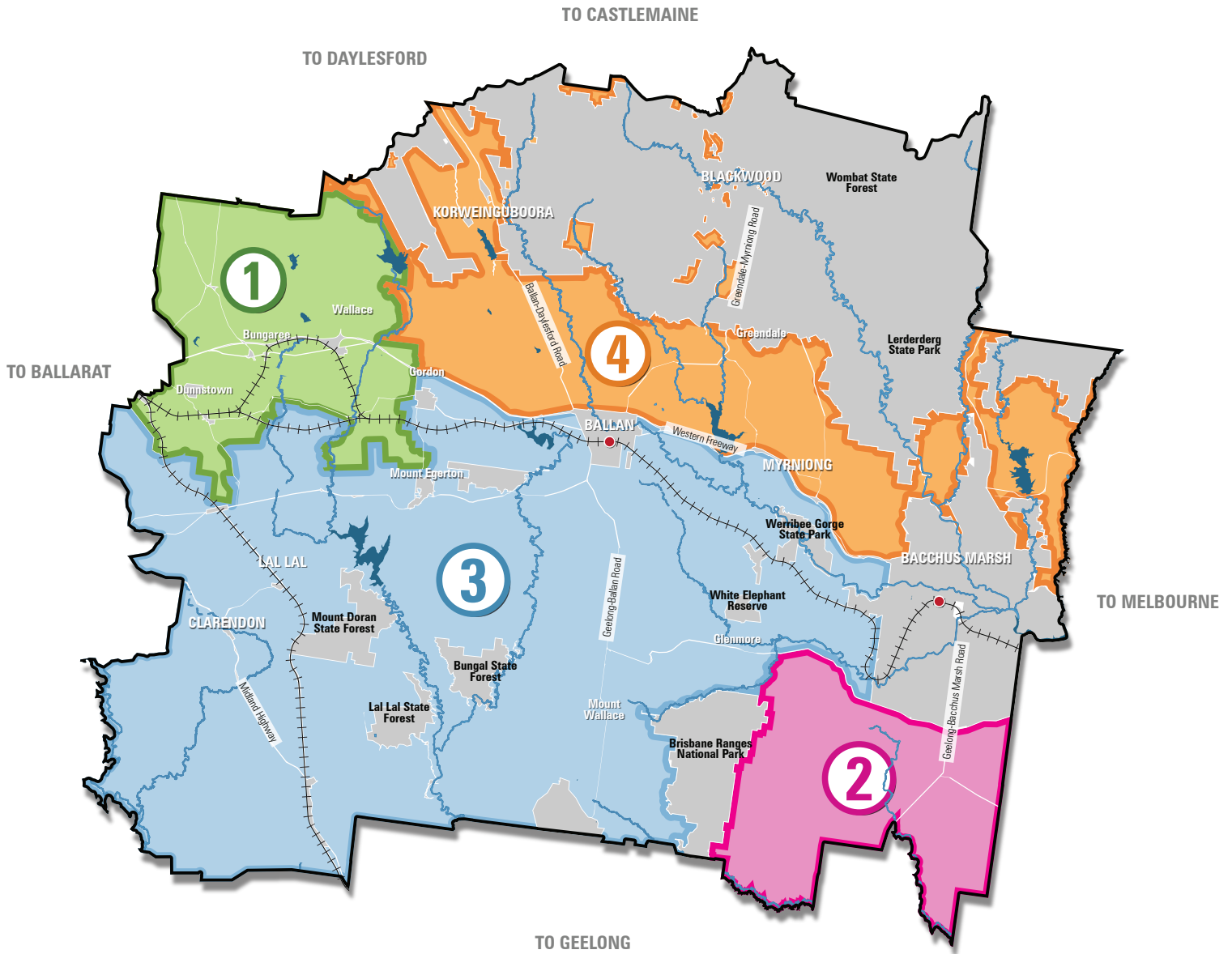
The four identified Precinct Policy Areas are shown visually on Figure 18, including:

- Precinct Policy Area 1: High quality agricultural land
- Precinct Policy Area 2: Land with irrigation potential
- Precinct Policy Area 3: Mixed rural & broadacre agriculture
- Precinct Policy Area 4: Mixed rural activity

The identified Precinct Policy Areas have been used to inform the preparation of targeted planning policies, based on desired future rural landuse and development outcomes for the Shire.

The Precinct Policy Areas inform the basis of the strategies and recommendations for rural land within the Shire. Each Precinct Policy Area has an identified 'Statement of Intent' outlining the desired outcome for the land to which it relates.

Precinct Policy Area statements for each of the four identified areas provided at Section 2.2.



Policy Area Map



Figure 15. RLUS Precinct Policy Areas Map



Note: 'Slope assessment of land excluded from study area has not been undertaken for all areas land in existing urban settlements and State/National Parks areas'

# 2.3

## PRECINCT POLICY AREA STATEMENTS

### PRECINCT POLICY AREA 1: High Quality Agriculture



#### DESCRIPTION

Precinct Policy Area 1 is located to the north-west of the Shire and contains land with predominantly Class 1 & 2 agricultural land. This area contains the highest productive value land for commercial scale agriculture, although conversely the area is noted to have a degree of historic fragmentation into smaller rural excisions, typically ranging from 4 to 40 hectares. Primary production is currently the main activity carried out across the policy area in recognition of its higher agricultural value.

Large scale farming will be considered the highest priority with new dwellings in the Farming Zone (FZ) being specifically discouraged in order to maintain a focus on soil based agricultural activity. Non-agricultural uses, and any conversion of high quality agricultural land to non soil based use or development will be strongly discouraged. Additional rural lifestyle dwellings in Area 1 will be directed to existing Rural Living Zone (RLZ) land.

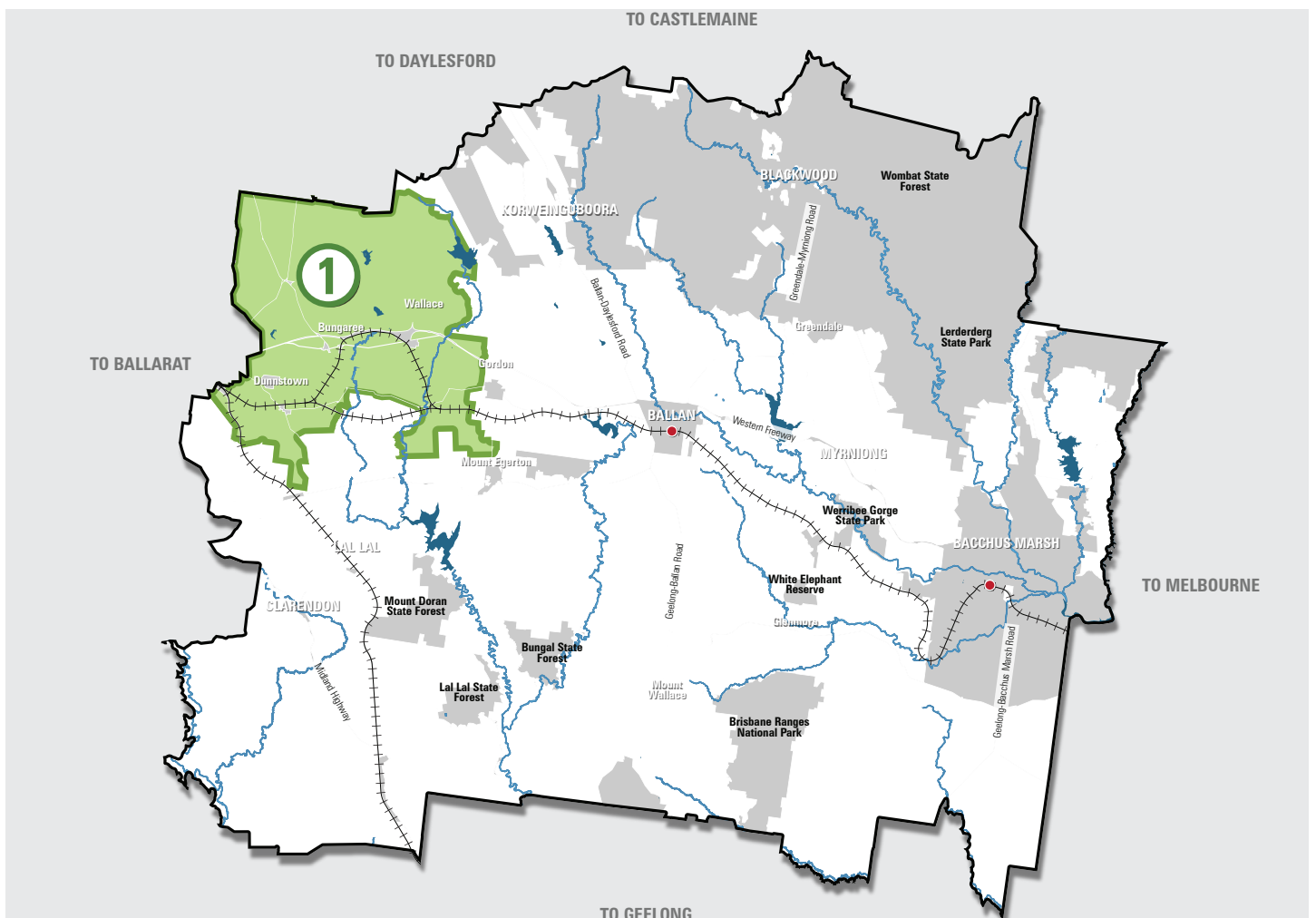


Figure 16. Precinct Policy Area 1



## STATEMENT OF INTENT

- To support and promote commercial scale agriculture including cropping, and intensive agriculture.
- To recognise and protect the most high-quality agricultural land within the Shire and to retain its agricultural value.
- To provide opportunities for intensive agriculture that compliments the soils quality, particularly horticulture.
- To retain large productive lot sizes and avoid the fragmentation of land.
- To actively encourage and support consolidation of land for agricultural use.
- To ensure that proposed agricultural uses are commercially viable and sustainable.
- To prevent proliferation of dwellings and avoid incompatible and sensitive uses in farming areas.
- To only support the construction of a new dwelling where it has a direct relationship with a legitimate agricultural use and would not adversely impact surrounding agricultural landuse, in select circumstances.
- To promote and encourage the environmental improvement and management of land through the use of Land Management Plans and permit conditions that seek to improve biodiversity and promote revegetation using appropriate local native species.
- To strongly discourage non-agricultural uses that are unrelated to rural activities and direct towards existing urban areas.
- To protect water supply catchments.
- To encourage supplementary uses and tourism opportunities with an established nexus with agriculture, such as farm gate sales.



## IMPLEMENTATION

Update local policy of the Moorabool Planning Scheme to reflect the intent of the RLUS and Precinct Policy Area 1 to:

- Recognise the area as being high quality agricultural land.
- Prevent the conversion of land to non soil based use and development.
- Protect the area for intensive soil based agriculture.
- Discourage unsustainable agricultural use and development of the area (i.e. landuse which over time degrades soil quality).
- Prevent subdivision and fragmentation of farming land.
- Avoid development of intensive animal industry and timber production on Class 1 and 2 soils.
- Prevent use or development that permanently removes land from future soil based agricultural use.
- Collaborate with water authorities to ensure protection of water supply catchments.

### Further work

Investigate the inclusion of existing areas that exhibit rural living characteristics for inclusion into the RLZ.

Amend the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.

## PRECINCT POLICY AREA 2: Land with irrigation potential



### DESCRIPTION

Precinct Policy Area 2 is located to the south-west of the Shire and contains land with Class 3 & 4 agricultural land and predominantly large land parcels in excess of 80 hectares. Area 2 also benefits from over 50% of the area being within the Western Irrigation Network, therefore has security of water supply which improves potential agricultural productivity of the area. Area 2 also includes all land extending through the foothills of the Brisbane Ranges National Park, which is in order to future proof the potential to expand the Western Irrigation Network to service this land with recycled water\* (\* - NOTE: detailed work is still required to be undertaken by the Greater Western Water to establish the technical ability and economic feasibility of servicing this land with recycled water from an expanded Western Irrigation network).

Large scale farming and agricultural activities which benefits from available irrigation will be considered the highest priority for Area 2. The potential approval of new dwellings only being supported where there is a direct relationship with farming, or in limited instances when a legitimate environmental benefit will be achieved. Non-agricultural uses will be strongly discouraged.

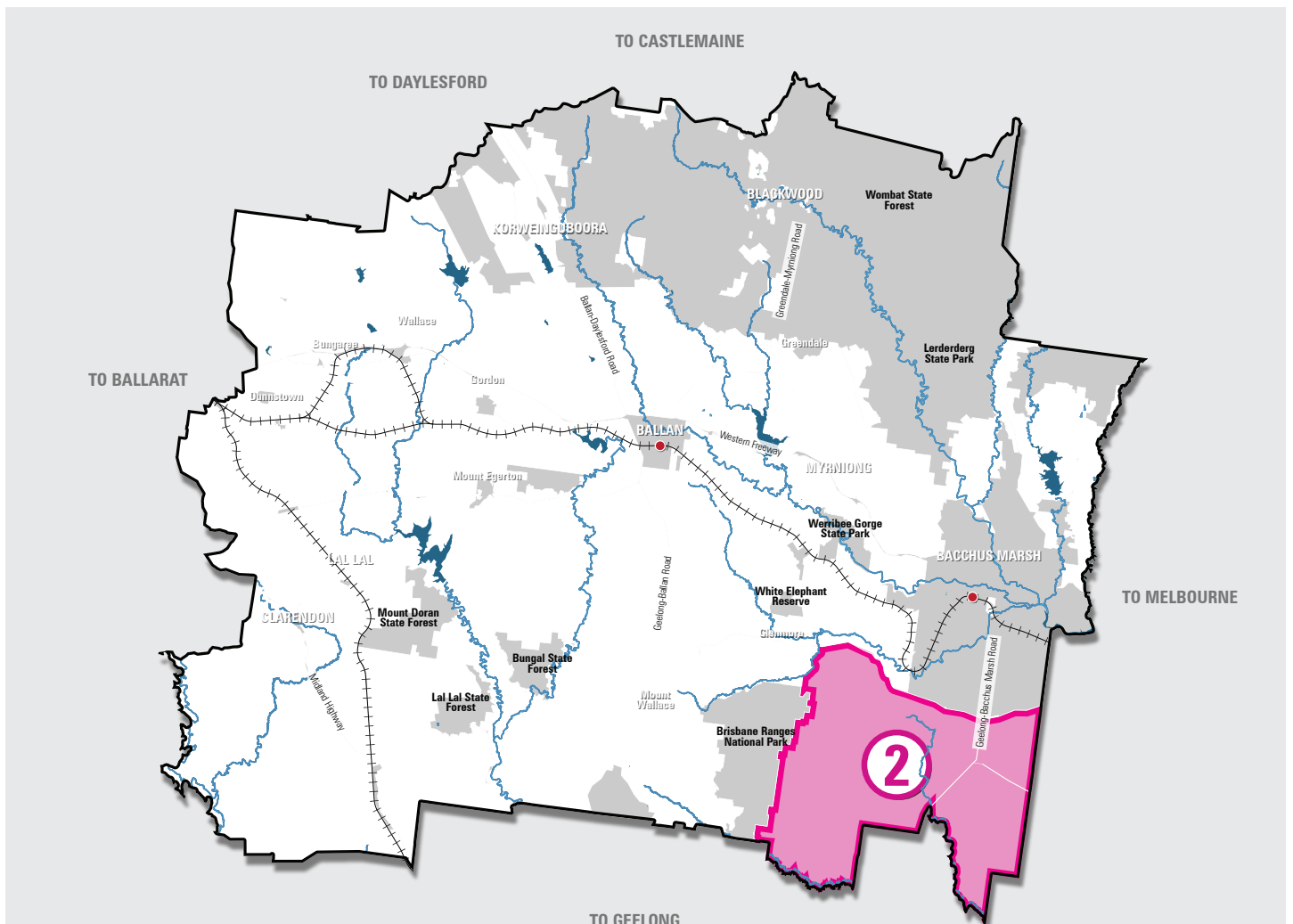


Figure 17. Precinct Policy Area 2



## STATEMENT OF INTENT

- To recognise and protect the agricultural potential of land with access to (or potential future access to) the Western Irrigation Network.
- To support and promote commercial scale agriculture including cropping, and intensive agriculture which benefits from available irrigation.
- To retain large productive lot sizes and avoid the fragmentation of land.
- To actively encourage and support consolidation of land for agricultural use.
- To prevent proliferation of dwellings, and avoid locating conflicting and sensitive uses in farming areas.
- To provide opportunities for intensive agriculture, particularly horticulture.
- To only support the construction of a new dwelling where it has a direct relationship with a legitimate agricultural use and would not adversely impact surrounding agricultural landuse, in select circumstances.
- To promote and encourage the environmental improvement and management of land through the use of Land Management Plans and permit conditions that seek to improve biodiversity and promote revegetation using appropriate local native species.
- To strongly discourage non-agricultural uses that are unrelated to rural activities and direct towards existing urban areas, and any conversion of high quality agricultural land to non soil based use or development.
- To protect water supply catchments.
- To encourage supplementary uses and tourism opportunities with an established nexus with agriculture, such as farm gate sales.



## IMPLEMENTATION

Update local policy of the Moorabool Planning Scheme to reflect the intent of the RLUS and Precinct Policy Area 2 to:

- Recognise land that is serviced by (or has potential to be serviced by) the Western Irrigation Network.
- Protect the area for agricultural activities which directly benefit from a supply of irrigated water.
- Discourage unsustainable agricultural use and development of the area (i.e. landuse which over time degrades soil quality).
- Encourage land use activities that directly benefit from a supply of irrigated water.
- Ensure that applications are referred to Greater Western Water or other relevant authorities.
- Discourage subdivision and fragmentation of agricultural land.
- Discourage development of intensive animal industry and timber production on Class 1 and 2 soils.
- Prevent use or development that permanently removes land from future soil based agricultural use.
- Collaborate with water authorities to ensure protection of water supply catchments.

### Further work

Investigate the inclusion of existing areas that exhibit rural living characteristics for inclusion into the RLZ.

# PRECINCT POLICY AREA 3: Mixed rural & broadacre agriculture



## DESCRIPTION

Precinct Policy Area 3 covers approximately half of the Shire located broadly south of Western Freeway and between Precinct Policy Areas 1 & 2. Area 3 contains land predominantly within agricultural land class 3 & 4, but with some isolated pockets of Class 2, as well as Class 5 areas predominantly based on location specific topography.

Area 3 is diverse in landscape and existing rural activity. It also accommodates a number of small rural towns, as well as national and state parks. Farming Zone (FZ) land within Area 3 has the potential to support a diverse mix of agricultural activities, but more aligned to broadacre cropping and grazing activity. This is assisted by Area 3 having less land fragmentation overall and the largest rural allotments (i.e. 80+ hectares) being located through the centre, south and southwest. Large scale farming and agricultural activities which benefits from available lot size will be considered the highest priority for Area 3. The potential approval of new dwellings in the Farming Zone (FZ) will only be supported where there is a direct relationship with farming or when a legitimate environmental benefit will be achieved on the site. The future productive potential of this land should not be dismissed, including its ability to contribute to future food security, given the strategic benefits of close proximity to metropolitan Melbourne. Additional rural lifestyle dwellings in Area 3 will be directed to existing Rural Living Zone (RLZ) land. There may be the potential for the targeted application of the Rural Conservation Zone (RCZ) to land with a direct interface with State and National Parks within Moorabool, and which has greater value for environmental and biodiversity outcomes over agricultural focused landuse. Refer to Section 3.1 for further details.

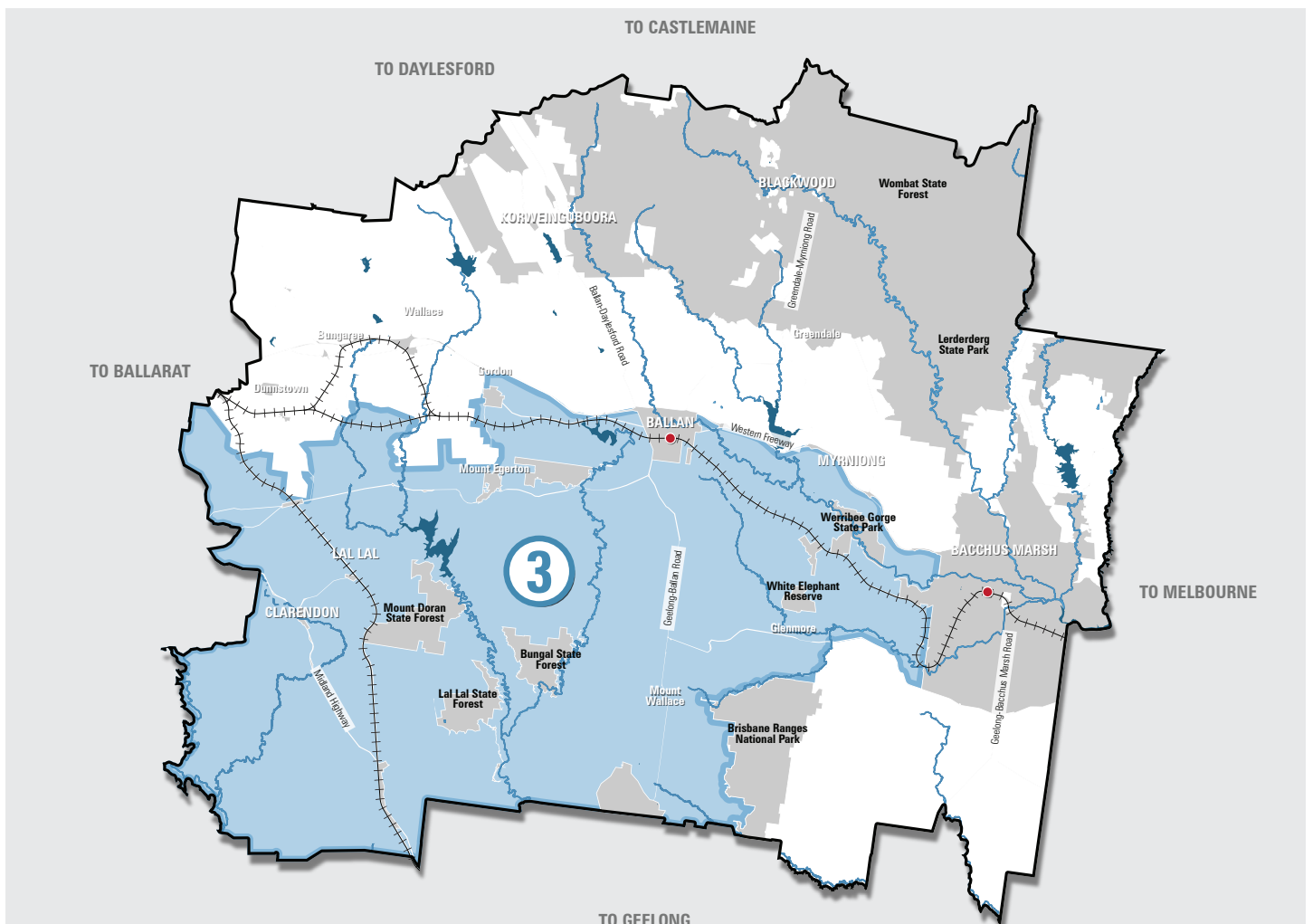


Figure 18. Precinct Policy Area 3





## STATEMENT OF INTENT

- To support and encourage intensive soil based agriculture including cropping on land within Class 2 and Class 3.
- To avoid the conversion of higher quality Class 2 and Class 3 agricultural land to non soil based use or development.
- To support and promote commercial scale broadacre cropping and grazing on land within Class 4.
- To ensure that proposed agricultural uses are commercially viable and sustainable.
- To support intensive animal and other rural industries, which require substantial landuse buffers and will not adversely impact farming, on land within Class 4.
- To retain large productive lot sizes and avoid the fragmentation of land.
- To actively encourage and support consolidation of land for agricultural use.
- To prevent proliferation of dwellings, and avoid locating conflicting and sensitive uses in farming areas.
- To only support the construction of a new dwelling where it has a direct relationship with a legitimate agricultural use or a positive environmental outcome in select circumstances.
- To promote and encourage the environmental improvement and management of land through the use of Land Management Plans and permit conditions that seek to improve biodiversity and promote revegetation using appropriate local native species.
- To discourage non-agricultural uses that are unrelated to rural activities and direct towards existing urban areas.
- To protect water supply catchments.
- To encourage supplementary uses and tourism opportunities with an established nexus with agriculture, such as farm gate sales, wineries etc.
- To support the diversification of activities in rural areas while also protecting the right to farm.
- To consider non-agricultural uses on a case by case basis ensuring proper planning principles are adhered to such as avoiding the loss of productive agricultural land and enhancing the environment.
- To consider environmental values and biodiversity at the interface with state and national parks.
- To encourage environmental protection, regeneration, and the protection and enhancement of native flora and fauna.



## IMPLEMENTATION

Update local policy of the Moorabool Planning Scheme to reflect the intent of the RLUS and Precinct Policy Area 3.

### Further work

Investigate the inclusion of existing areas that exhibit rural living characteristics for inclusion into the RLZ.

Amend the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.

# PRECINCT POLICY AREA 4: Mixed rural activity



## DESCRIPTION

Precinct Policy Area 4 includes the balance of rural areas of the Shire located north of the Western Freeway, Bacchus Marsh and east of Area 1. The topography of Area 4 elevates upwards to the interface with Wombat State Forest and Lederberg State Park which form the northern boundary of the Shire. Area 4 contains land predominantly within agricultural land Class 3 & 4, but with some isolated pockets of Class 1 & 2. Land within Class 5 which is predominantly based on location specific topography.

Area 4 is diverse in landscape and existing rural activity, and contains targeted areas which have been subject to rural lifestyle demand, as well as established rural settlements (both with the Rural Living Zone (RLZ) and Rural Conservation Zone (RCZ)). Rural allotment sizes are varied and somewhat fragmented based on historic land excisions and the development of rural dwellings. Regardless of this Farming Zone (FZ) land within Area 4 has the potential to support a diverse mix of agricultural activities, ranging from soil based agricultural targeted to Class 3 land, and broadacre cropping and grazing activity on Class 4, as well as rural tourism focused uses. Fostering a diversity in rural and agricultural activities will be considered the priority for Area 4. The potential approval of new dwellings in the Farming Zone (FZ) should only be supported where there is a direct relationship with farming or when a legitimate environmental benefit will be achieved. Non-agricultural uses will be considered on merit however generally discouraged. Tourism opportunities will be encouraged, particularly in locations closest to key environmental assets. The future productive potential of this land should not be dismissed, including its ability to contribute to future food security, given the strategic benefits of close proximity to metropolitan Melbourne. Additional rural lifestyle dwellings Area 4 will be directed to existing Rural Living Zone (RLZ) land. There may be the potential for the targeted application of the Rural Conservation Zone (RCZ) to land with a direct interface with State and National Parks within Moorabool, and which has greater value for environmental and biodiversity outcomes over agricultural focused landuse. Refer to Section 3.1 for further details.



Figure 19. Policy Area 4



## STATEMENT OF INTENT

- To support and encourage intensive soil based agriculture including cropping on land within Class 1, 2 and 3.
- To discourage the conversion of higher quality Class 1, 2 and 3 agricultural land to non soil based use or development.
- To encourage a diversity of rural land use with a primary focus on innovative agriculture and farming activity (including being a supplementary income where commercial rural viability is not possible).
- To retain large productive lot sizes and discourage the further fragmentation of land and proliferation of dwellings.
- To only support the construction of a new dwelling where it has a direct relationship with a legitimate agricultural use or a positive environmental outcome in select circumstances.
- To promote and encourage the environmental improvement and management of land through the use of Land Management Plans and permit conditions that seek to improve biodiversity and promote revegetation using appropriate local native species.
- To discourage non-agricultural uses that are unrelated to rural activities and direct towards existing urban areas.
- To protect water supply catchments.
- To encourage supplementary uses and tourism opportunities with an established nexus with agriculture, such as farm gate sales, wineries etc.
- To support the diversification of activities in rural areas while also protecting the right to farm and seeking to avoid increasing incompatible land uses or inappropriate rural living in farming areas.
- To consider non-agricultural uses on a case by case basis ensuring proper planning principles are adhered to such as avoiding the loss of productive agricultural land and enhancing the environment.
- To consider environmental values and biodiversity at the interface with state and national parks.
- To encourage environmental protection, regeneration, and the protection and enhancement of native flora and fauna.



## IMPLEMENTATION

Update local policy of the Moorabool Planning Scheme to reflect the intent of the RLUS and Precinct Policy Area 4.

### Further work

Investigate the inclusion of existing areas that exhibit rural living characteristics for inclusion into the RLZ.

Amend the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.





**3**

**RLUS DIRECTIONS**

## 3.1

## RURAL ZONES

## DISCUSSION

There are many ways to differentiate rural areas according to different planning intent and requirements. The first of which is through the zoning of the land.

Land can either be differentiated according to the various rural zones including the Farming Zone (FZ), Rural Activity Zone (RAZ), Rural Conservation Zone (RCZ), Green Wedge Zone (GWZ), and Rural Living Zone (RLZ). Another way is by amending the schedules to the existing zones.

This project has not identified any land that requires rezoning at this time. However some targeted recommendations are made regarding revisions to existing zone schedules and additional work to inform the minimum lot size and application of the RLZ. Each recommendation is addressed below in context of the relevant rural zone.

**Farming Zone (FZ)**

Redefining the Farming Zone (FZ) through changes to the schedule has been identified as the most suitable tool to implement the desired outcomes. 'Planning Practice Note 42: Applying the Rural Zones' notes that the Farming Zone (FZ) schedule allows Council's to tailor controls to suit the existing and desired farming practices and productivity of the land. This is achieved by setting a minimum lot size for the subdivision of land and a minimum lot size for which a planning permit is required to construct a dwelling.

For the majority of land\* within the Farming Zone (FZ), Council has previously amended the zone schedule to set a minimum subdivision area of 100ha (\* some targeted areas within Bacchus Marsh allow subdivision of 15ha). Functionally speaking this is a strong mechanism to limit the further subdivision and associated fragmentation of Farming Zone (FZ) land. It is therefore recommended that the existing Farming Zone (FZ) schedule content relating to minimum subdivision size is retained.

As per the standard zone provisions of the Farming Zone (FZ), the minimum area for which no permit is required to use land for a dwelling is set at 40ha\* (\* some targeted areas within Bacchus Marsh allow a dwelling on 15ha). It is proposed to retain current controls relating to permit triggers for dwellings in the Farming Zone (FZ) (i.e. 40ha with some targeted areas allow subdivision of 15ha).

However, it is recommended to alter the Farming Zone (FZ) schedule to increase minimum boundary setback to be 100 metres. The strategic thinking and justification for this is outlined in greater detail at Section 3.4 of this report. However in brief it is recommended to reflect the buffer requirements relating to recent State level changes made via amendment VC150 to intensive animal production planning provisions. Part of the new provisions require a 100m buffer to be provided for new low density animal production landuse. Therefore, in order to future proof potential of all Farming Zone (FZ) land for such farming uses which require buffers (and to also manage potential land use conflicts), it is recommended that minimum boundary setback for buildings

is increased to 100m via updates to the Farming Zone (FZ) Schedule. Functionally this would create a 'buffer' on the subject site seeking the dwelling, and avoid deferring any of the default 100m buffer onto the neighbouring land. This is considered to be a simple and logical response to protecting farming potential of neighbouring land, while managing amenity buffers within the land to accommodate the dwelling. Council would still have discretion to consider a reduced setback based on a specific application if it is sought to be reduced.

In a practical sense this increased setback could easily be accommodated on a standard 40 hectare allotment, as well as a smaller 15ha allotment which is allowed in targeted areas of Moorabool. By way of an example, a 100m minimum setback to all sides of a dwelling would create a minimum block size in the order of 4ha (i.e. the landsize created by 200m x 200m). Refer to section 3.4 for further details and strategic justification of this proposed recommendations.

**Rural Conservation Zone (RCZ)**

Noting the purpose of the Rural Conservation Zone (RCZ) places a greater emphasis on environmental outcomes, if suitable land is identified, it may provide opportunity for additional rural dwellings which are focused on improved environmental outcomes to be achieved.

**Rural Living Zone (RLZ)**

It is also recommended that the Schedule to the Rural Living Zone (RLZ) is amended to modify the current minimum 6ha subdivision size and the 6ha minimum for a dwelling. Further work will be undertaken to determine appropriate minimum lot sizes, which would allow potential additional rural dwellings on existing Rural Living Zone (RLZ) land within the Shire. This recommended modification would function to appropriately respond to demand for rural lifestyle dwellings, while ensuring such dwellings are directed towards existing settlements denoted by the Rural Living Zone (RLZ).

**Rural Activity Zone (RAZ)**

Although the Rural Activity Zone (RAZ) is not currently used within Moorabool, nor is recommended for application as part of the RLUS, its nominated purposes warrants consideration. Accordingly the purpose of RAZ functions broadly to support agriculture; protect and enhance natural resources and biodiversity; and ensure use and development does not adversely affect surround land-use. Additionally it provides opportunity for other uses and development in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area; and to nominate specific use and development of land through a schedule to the zone.



## STATEMENT OF INTENT

To ensure rural zoning controls recognise, and are consistent with, the desired intent and outcomes of the identified rural Precinct Policy Areas.

To ensure the protection of the most high quality and productive agricultural land within the Shire is reflected through zoning, overlay controls and associated policies.

To support the ongoing expansion of farming and limit the continued fragmentation and proliferation of rural dwellings on rural land.



## STRATEGIES

Retain the Farming Zone (FZ) and the existing schedule, which apart from some targeted area nominated for a minimum of 15ha allotments, requires minimum 100ha area for subdivision.

Retain the Rural Conservation Zone (RCZ) on all rural land for which it currently applies.

Retain the Rural Living Zone (RLZ) on all land for which it currently applies, but increase opportunities for rural lifestyle development by amending the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.

Update local policy to reflect the policy intent of the RLUS.

Investigate the inclusion of existing areas that exhibit rural living characteristics for inclusion into the RLZ.

Consider the use of the Rural Activity Zone (RAZ) if appropriate (i.e. as part of a site specific proposal).



## IMPLEMENTATION

Update local policy content to reflect the intent of the use of rural zones; and the intent of the RLUS within Policy Area 1, 2, 3 & 4.

Amend the Farming Zone (FZ) Schedule to set a minimum boundary setback of 100m setback in order to 'future proof' neighbouring agricultural land for landuses requiring buffers.



## FURTHER WORK

Amend the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.

Investigate the inclusion of existing areas that exhibit rural living characteristics for inclusion into the RLZ.

## 3.2 RURAL DWELLING POLICY

### DISCUSSION

The approval of dwellings on farming land is one of the greatest influences the planning system has within rural areas. The demand and desire to live in rural areas is complex and varied and, in some instances, is not in the best interests of maintaining viable agricultural land use on Farming Zone (FZ) land.

This is due to rural dwellings creating potential land use conflicts with farming activities and differing amenity expectations between agricultural activities and rural lifestyle dwellings. Land use conflict can occur when a new dwelling is established in a rural location, which can result in new residents raising complaints against noise, dust, light and fumes associated with surrounding farming activities to the detriment of the ongoing and long-term viability of agricultural activities. As the new dwelling is classified as a 'sensitive use', no protections are afforded to existing farming activities under relevant EPA regulations.

Rural lifestyle dwellings also function to impose a residential land value through land speculation, which is higher than an agricultural land value. Likewise an increased numbers of dwellings in rural areas can lead to the further fragmentation of farming land particularly within peri-urban locations.

At the same time there is a continued appetite in the community for increased dwellings in rural areas when they are tied to a legitimate small scale farming operation or a positive environmental outcome. Regardless of the size, farming operations require the ability to utilise economies of scale to increase viability and maintain a profit. Access to unencumbered affordable land is key for ensuring this is possible. Once a dwelling is constructed it increases the risk of the land being removed from productive agricultural use, and increases risks to existing farming operations through potential land use conflicts.

Balancing these competing demands by ensuring there is appropriate policy direction for when it is or is not appropriate to approve a dwelling helps to provide certainty within these areas and provides the planning scheme with a greater level of weight.

There is also a current move by State Government to introduce greater protections for Farming Zone (FZ) land within 100km of Melbourne. The recent State Government strategy: *Planning for Melbourne's Green Wedges and Agricultural Land Action Plan (2024)* seeks to increase protections for agricultural land. A critical short-term recommendation of the 2024 Action Plan is that the State Government will amend the Farming Zone (FZ) to prevent dwelling excisions that create small lots below the minimum subdivision size. This action seeks to ensure a thorough and consistent approach to protecting agricultural land from fragmentation. This is a significant change in approach to the management of rural land, of which the RLUS has been developed in line with.

### GRADUATED APPROACH

The provision of dwellings within the Farming Zone (FZ) for rural lifestyle is not an essential land use. While it can provide for housing diversity, it should also not be at the expense of agricultural land or environmental costs. Likewise a rural dwelling should be justified based on need associated with an agricultural activity conducted on the land, and ideally located within close proximity to existing small town settlements to support rural communities.

A key principle of a rural dwelling policy is ensuring that rural lifestyle development is not unduly increased in farming areas denoted by the Farming Zone (FZ), and that any new dwellings which are approved are specifically required by and relate to a legitimate agricultural use conducted on the land, or can otherwise achieve positive environmental outcomes.

A set of assessment criteria have been developed as part of the rural dwelling policy, which is intended to be applied to decision making for all rural dwellings to assist with ensuring consistency of decision making within the Moorabool Shire.

The developed rural dwelling policy criteria (refer to page 53), functions as a framework for the consideration of rural dwellings within the Farming Zone (FZ). However it should not be interpreted that all applications for a rural dwelling would be automatically supported by Council. All applications for a dwelling in the Farming Zone (FZ) are still required to align with the nominated purposes and decision guidelines of the zone, which broadly seek to provide for agriculture and retain productive agricultural land.

Also, rather than seeking blanket approach, the proposed approach to assessing rural dwellings seeks a 'graduated approach' which is then linked with the Precinct Policy Areas, and seeks to protect higher Class land.

Essentially, the assessment rigour should become greater or lesser depending on the Policy Area, which typically sets higher assessment requirement for dwellings in Policy Areas 1 & 2. This approach recognises the higher agricultural value of Area 1, and the opportunities in Area 2 associated with access to recycled water.

Likewise the differentiation of Policy Areas will allow a slight reduction in assessment rigour in Areas 3 & 4 (including a consideration of the applicable agricultural land class), however a dwelling should still be appropriately assessed against the developed rural dwelling policy criteria. This criteria has been specifically developed in recognition that there can never be a 'one size fits all' policy framework. The intent of the rural dwelling policy criteria is to provide an assessment framework for Council which will function to provide a level of consistency in discretionary decision making.



The proposed criteria assessment framework is notably in accordance with the objectives of the RLUS as it relates to the consideration of rural dwellings. The rural dwelling policy criteria is documented on page 53.

Furthermore, it is important to highlight that the recommended policy changes do not seek to prohibit dwellings on any Farming Zone (FZ) land within the Shire and that a dwelling can still be applied for on all Farming Zone (FZ) land where a permit is required. Rather the intent of the RLUS regarding rural dwellings is to ensure consistency in the consideration and determination of planning applications, by ensuring the proposed dwelling is reasonably justified based on the use of the land.

## LOT SIZE CONSIDERATIONS

An application for a dwelling on a lot under 10ha carries more risk for agricultural production as there is a greater chance it will be associated with a non-productive rural living purpose. Conversely larger allotments which are significantly above 10ha are more likely to be used for a productive agriculture use.

However, it needs to be highlighted that while traditional agricultural practices require large parcels of land, there may also be legitimate small scale and innovative farming operations that start out as part time ventures, but as management practices change, require a dwelling to continue operating.

In acknowledgement of this Council needs to be in a position to support these legitimate operations and allow for the construction of a dwelling, while also ensuring a 'back door' is not created to seek unjustified rural living in farming areas. Such operations and the dwellings that support them should be appropriately supported but a clear and consistent decision-making process is required that will provide a level of certainty to the community and that is reflective of the overarching objectives of this strategy.

## RURAL DWELLING POLICY

### DETERMINING LEGITIMACY

The most difficult aspect of the approval process for rural dwellings is determining the legitimacy of the associated agricultural / productive use. This difficulty extends to Council planners who sometimes find it difficult to assess the legitimacy of the operation, or when they do sense an illegitimate use, lack the backing to refuse the application.

To assist with this it is proposed to introduce a level of differentiation in the process. The following five key elements are proposed to help determine the legitimacy of the use:

- **Land Management Plan:** require the preparation of a Land Management Plan for all applications for rural dwellings (should be based on Agriculture Victoria's eGuide for Farm Management Plans).
- **Farm Management Plan:** require the preparation of an Farm Management Plan for applications requiring a more rigorous assessment and where the nexus between agriculture and the new dwelling is most significant.
- **Independent Expert:** Rely on the views of an independent expert or panel of experts within Council to assist with determining the legitimacy of the proposed farming operation. This will be particularly relevant in Policy Area 1 and for applications that are difficult to determine.
- **Interview:** request an interview between the applicant and the panel of experts to assist with determining legitimacy.
- **Environmental outcome:** where agriculture is not proposed a demonstrated positive environmental outcome should be identified within the LMP similar to suggestions outlined adjacent.

### LAND MANAGEMENT PLAN CONTENT\*

Land Management Plans (LMP) will be required as part of any application for the development of a new dwelling in the Farming Zone (FZ).

A LMP should include the following information:

- Details of the property (address, land size etc.).
- Land characteristics (slope, soil quality, waterways).
- Existing land uses.
- Location of existing infrastructure (buildings, fences etc.).
- Detail of current activity on adjoining properties and any buildings near property boundaries.
- Details of existing vegetation (native vegetation, canopy trees etc.).
- Any soil damage or existing erosion.
- The availability of power and other services.
- A description of the state of the property with regard to vermin and noxious weeds.
- Details of proposed use, including current and intended access to and through the property.
- Details of revegetation or land reclamation activities proposed to be undertaken.
- Details of proposed works associated with the use (i.e. replanting, removal of trees, fencing etc.).
- Details of weed and pest management.
- Details of water management (as relevant, dams, water access, treatment of waterways etc.).

### FARM MANAGEMENT PLAN CONTENT

Much of what is required as part of the LMP will be required under the Farm Management Plan (FMP). The FMP will be primarily focussed on the commercial viability and related matters of the proposed agricultural use. These should include the following information:

- Details of proposed agricultural practices and level of on-site management required, including justification of the need for a dwelling.
- Detail of proposed infrastructure required to support the proposed use (i.e. fencing shed, machinery etc.).
- Level of on-site management required, based on management requirements triggered by proposed use, including time frames.
- Any relevant experience of proposed land managers.
- Financial details of the proposed agricultural use (capital investment, estimated annual income, annual costs, what proportion of income is on farm and off farm, what type of financing they have).
- Documentation of available water resources, required water resources and identification of how any additional water resources are to be gained.
- Any special care or management requirement triggered by the proposal.

\* **NOTE:** In late 2023 Agriculture Victoria released a range of online resources relating to planning farm development, including an eGuide for Farm Management Plans to support planning applications for the primary use of the land for Agriculture. The intent of this eGuide is to be used by council planners, consultants and applicants, and to:

- Help council planners, applicants and their consultants to develop a common understanding of the purpose and content requirements for a Farm Management Plan.
- Aid the development of relevant materials with a clear purpose
- Ensure appropriate information is included.
- Assist in the assessment of planning applications

Such available resources will function to assist Council in assessing Farm Management Plans, and assist permit applicants in preparing a Farm Management Plan.

Web-link: <https://agriculture.vic.gov.au/farm-management/planning-and-farm-development/eguides-planning-and-farm-development>

## RURAL DWELLING POLICY



### STATEMENT OF INTENT

- To discourage the proliferation of dwellings on productive agricultural land that may limit farm expansion.
- To ensure that dwellings approved on rural land have a legitimate tie to an agricultural or positive land management practice.
- To ensure that new dwellings will not have an impact on the operations of existing agricultural activities within rural areas.
- To recognise the changing face of agriculture towards small scale niche/innovative farming and the need in some instances to allow for dwellings on small rural lots to manage these operations.
- To support rural communities and the concentration of populations within and near to existing settlements and avoid the impacts of a dispersed rural population.
- To investigate opportunity for additional rural lifestyle dwellings on existing Rural Living Zone (RLZ) land (refer to Section 3.7).
- To provide a clear and consistent process for the assessment and approval of rural dwellings within the Shire.



### STRATEGIES

- Ensure the assessment and approval of dwellings on Farming Zone (FZ) land recognises the intent of the identified Policy Areas of the RLUS and is guided by the rural dwelling decision making criteria.
- Require the preparation of an Farm Management Plan for applications to develop a dwelling in appropriate circumstances.
- Ensure the views of an independent agricultural expert engaged by Council are considered when assessing the legitimacy of a proposed farming operation in appropriate circumstances.
- Increase opportunities for rural lifestyle development by amending the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.
- Allow dwellings unrelated to agricultural activities to be constructed only where exceptional environmental benefits will be achieved (i.e. significant re-vegetation of land not suitable for agricultural landuse).
- Use the precautionary principle in response to the increasing threat of environmental risks as a result of climate change when assessing applications for rural dwellings.
- Consider potential adverse effects a new development will have on the rural character, landscapes, hilltops and elevated positions.
- Ensure new rural dwellings have sufficient onsite water supply via reticulated water, rainwater tanks and/or dams.
- Allow for the reconstruction of a dwelling following natural disaster, including bushfire, provided it is safe to do so and the new dwelling is built to modern standards and the application is referred to the CFA.
- Ensure that any proliferation of rural dwellings do not cumulatively generate impacts within the areas of the Shire which are within Special Water Supply Catchment Areas.



## IMPLEMENTATION

Introduce new local policy within the Moorabool Planning Scheme for the consideration of new rural dwellings to reflect the intent of the RLUS.

Amend the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.

Require Land Management Plans to be prepared in line with the Agricultural Victoria eGuides – Planning and farm development.

Require Environmental Management Plans to be prepared as part of an application to use a lot for a dwelling to support an environmental outcome.

Identify suitable independent rural experts or an internal panel to assist with assessment.



## FARMING ZONE : RURAL DWELLING DECISION MAKING CRITERIA

The following criteria is to be applied to decision making for all rural dwellings to assist with ensuring consistency of decision making within the Moorabool Shire:

- Consideration of the agricultural soil class of the subject site.
- Consideration of the intent of the relevant Precinct Policy Area.
- For productive agricultural land, the dwelling must be specifically linked with a viable and sustainable agricultural activity conducted on the land.
- For land with environmental constraints that reduces productive agriculture, the dwelling must be linked to a positive environmental improvement and outcome for the land.
- All proposed rural dwellings should:
  - Be located to avoid conflicts with farming land and the right to farm.
  - Not permanently remove land from agricultural production or degrade soil quality.
  - Avoid impacts on environmentally sensitive locations, biodiversity values, and native vegetation.
  - Avoid areas subject to environmental risks related to bushfire and flooding hazard.
  - Not restrict operation and future expansion of agriculture and farming operations in the area.
  - Provide for sustainable land management and environment improvement.
  - Be responsive to and not detract from the existing rural character and landscape.
  - Not lead to proliferation of dwellings in the area.
  - Demonstrate a need to reside on the land to support the agricultural use.

While the above criteria allows a general framework for the consideration of rural dwellings within the Farming Zone (FZ), it should not be interpreted that all application for rural dwellings would be automatically supported by Council. All applications for a dwelling in the Farming Zone (FZ) are still required to align with the nominated purposes and decision guidelines of the zone, which broadly seek to provide for agriculture and retain productive agricultural land.

## 3.3

## RURAL SUBDIVISION POLICY

## DISCUSSION

Given the diversity of lot sizes within the Farming Zone (FZ) which are found across the rural areas of Moorabool, a key recommendation is that no further subdivision of the Farming Zone (FZ) land should take place within the Shire to limit the impacts of further fragmentation, given that the fragmentation of rural land is a key threat to maintaining sustainable agricultural production.

Traditional agriculture generally relies on large swathes of land to carry out agricultural activities such as broadacre cropping and grazing. This is put at risk when farming land is unnecessarily subdivided for reasons unrelated to agriculture as it increases the price of land and can lead to the proliferation of dwellings. Higher prices of agricultural land make it difficult for farmers to scale up and expand their operations.

In most scenarios the potential subdivision of Farming Zone (FZ) land within Moorabool is limited, given the existing zone schedule sets a blanket minimum lot size of 100ha, which is greater than that default minimum 40ha lot size in the Farming Zone (FZ). Functionally this ensures a consistent larger lot sizes, while otherwise preventing subdivisions of 40ha if the standard Farming Zone (FZ) control were in place.

The 100ha minimum lot size for the Farming Zone (FZ) in Moorabool is strongly supported and recommended to be retained. However, given the diversity of allotment sizes across the Shire, there are numerous allotments large enough to allow subdivision, which theoretically could create an additional allotments in the Farming Zone (FZ) capable of accommodate a dwelling without requiring a planning permit.

For any proposed subdivision in the Farming Zone (FZ), applications should demonstrate and justify the need for the subdivision, and that the land can remain in active rural use, and would not prevent or undermine an existing landuse activity. An important point to make is that even if land is large enough to allow a subdivision application to be made, it should not be presumed that a permit would be granted.

The consolidation of lots, however, should be encouraged. While it is acknowledged that this does not often occur as land holders like to retain the flexibility of owning a diversity of lot sizes, policy should make it clear that this is a preference.

However, when considering any subdivision, Council's discretion should be guided by the decision guidelines of the Farming Zone (FZ), which also allows for the consideration of 'small lot' subdivision\*, that is, subdivision under the minimum lot size in specific circumstances related to excision and resubdivision (boundary realignment).

## SMALL LOT SUBDIVISION\*

In general terms, small lot subdivision for the purposes of excising an existing dwelling is considered to be inappropriate, and has often been used to avoid the minimum lot size requirement within the zone. Likewise the resulting lot is often not used for a legitimate farming practice and/or the larger lot is used to construct a new dwelling.

Re-subdivision or boundary realignment is often undertaken in rural areas. In some instances it is undertaken to increase the productivity of the land, while in other cases it is sought to sell off a portion of a property. It can also be legitimately used to realign boundaries along waterways for public benefits.

Sometimes re-subdivision is also used where an existing subdivision pattern in the single ownership is reorganised and then used as a backdoor means to creating two or more small lots that can be on sold for rural living purposes. Given this scenario can alter the focus of rural land away from farming and agriculture, it should be strongly avoided.

Accordingly the following guidelines and requirements have been developed and should be applied in Council decision making related to small lot subdivision:

- For excision, ensure the larger lot is at least the minimum lot size specified within the zone.
- For the resubdivision of multiple lots and boundary realignments, ensure no further lots are created under the minimum lot size specified in the zone than what currently exists.
- Support boundary realignment or excision where the remaining lot will be incorporated as part of the expansion and consolidation of another larger farming lot. Boundary realignments should be avoided where there are environmental features. For example realignments should not run through vegetated areas.
- Where the minimum lot size is not met, require the preparation of a Section 173 Agreement restricting further subdivision and dwellings, and that agricultural activities on the land will be carried out in accordance with an Farm Management Plan (within Policy Areas 1 and 2) or Land Management Plan (within Policy Areas 3 and 4).
- Include a condition on the permit that all lots will be maintained appropriately in accordance with land management plans.
- Allow boundary realignment where a lot is made for public purposes such as along a waterway.

\* - **Note:** Existing provisions which dwelling excisions that create small lots below the minimum subdivision size in the Farming Zone (FZ) have been recommended to be removed by a recent State Government strategy *Planning for Melbourne's Green Wedges and Agricultural Land Action Plan (2024)*.



## STATEMENT OF INTENT

To discourage further fragmentation of rural land through subdivision.

To encourage consolidation of existing rural lots to increase the productivity of agricultural land.

To ensure subdivision results in lots large enough to carry out agricultural production.

To allow for small lot subdivision only where agricultural productivity will be increased and where an additional dwelling entitlement is not created.

To provide a clear and consistent process for the assessment and approval of rural subdivision within the Shire.



## STRATEGIES

Ensure lots are not created under the minimum lot size of the relevant Schedule to the Farming Zone (FZ) and that an additional entitlement is not created for a new dwelling under the specified minimum lot size.

Differentiate the assessment and approval of subdivision based on the intent of the identified Policy Areas.

Use Section 173 Agreements to ensure further subdivision of land will not be carried out and that the land will be appropriately managed and farmed.

Only consider house lot excisions if they are for legitimate farming reasons or will result in the consolidation of the remaining lot into a larger lot.

Support boundary realignment or excision where the remaining lot will be incorporated as part of the expansion and consolidation of another larger farming lot.

Ensure subdivisions result in the creation of public reserves along waterways that are currently in private ownership.

Require evidence demonstrating that a small lot subdivision is required to carry out a farming operation in the form of a Farm Management Plan.



## IMPLEMENTATION

Introduce new local policy within the Moorabool Planning Scheme for the consideration of rural subdivisions to reflect the intent of the RLUS.

## 3.4

## AGRICULTURAL USES REQUIRING PLANNING APPROVAL

## DISCUSSION

The RLUS seeks to promote a more sustainable, diverse, resilient and productive agricultural industry within the Shire, and to target optimal rural land use to align with determined land class. Part of achieving this is by ensuring correct policies are in place to encourage, or in some instances, discourage certain land uses.

However, planning can only influence land use outcomes when a planning permit is required. There are a range of agricultural related uses within the Farming Zone (FZ) which require a permit. Some of these uses are directly related to agriculture, while others have a less specific association with rural activities.

Generally, most traditional agricultural land uses do not require a planning permit and can occur on Farming Zone (FZ) land 'as of right'. Council will generally not need to become involved in land uses related to broadacre grazing animal production and crop raising, apart from ensuring that any policy changes, such as rural dwelling policies, support the 'right to farm'. Primary production is the number one priority of all farming land throughout the Shire, with a particularly strong emphasis placed on Precinct Policy Area 1 given its Class 1 & 2 designation, as well as Precinct Policy Area 2 given the availability of water irrigation.

In recognition of soil class and availability of water, Precinct Policy Areas 1 & 2 should be acknowledged through specific local planning policies which will function to discourage non-soil based development and use of designated land.

The following report sections function to outline proposed approaches to a number of agricultural uses that in some instances require a permit. The permit trigger is generally required as there are potential amenity implications with the agricultural use.

## LOW DENSITY ANIMAL PRODUCTION

There are a number of permit triggers related to animal production within the planning system that cannot be varied and require Council to utilise discretion in the decision making process.

State level changes have been made via amendment VC150 to intensive animal production planning provisions. The changes have been made in recognition of the diversity of contemporary animal production systems and its future developments. The main change has been the redefinition of intensive animal production and the introduction of new definitions for pig and poultry farming and fixed feeding lots. This is in recognition of the differing impacts associated with these less intensive forms of agriculture where the majority of the feed is brought in offsite.

The changes relate to:

- **Fixed Feeding Infrastructure:** infrastructure for seasonal or supplementary feeding associated with animal grazing triggers a permit for buildings and works if it is located within 100m of a dwelling in separate ownership, residential zone, or waterway.
- **Pig and Poultry Farms:** a permit is required for all pig farms and poultry farms over a certain size. A simplified application process is available for low risk pig and poultry farms that meet certain conditions related to poultry numbers, sow density, mobile housing and feeding infrastructure, ground cover, and whether it is setback at least 100m from a dwelling or 400m from a residential zone.

Low risk and low-density mobile production systems are appropriate for and popular on small scale farms. Generally, these Section 2 uses and fixed feeding infrastructure should be supported and promoted as legitimate farming operations throughout all farming land within the Shire provided relevant codes of practice are complied with.

To protect the ongoing operations and establishment of these operations, it is proposed that a buffer approach be taken when considering the development of new dwellings on Farming Zone (FZ) land. It is suggested that a 100m setback requirement be applied to new dwellings on Farming Zone (FZ) land to help avoid conflicts with these low risk uses.

This will help to ensure that Section 2 uses are not unnecessarily restricted by the construction of new dwellings. The buffer distance can also be used to justify the location of infrastructure if it is demonstrated that a dwelling incorporating the setback distance can be developed on an abutting lot.

It may be the case that the site is either too small or contains a number of constraints where the construction of a dwelling will not be possible without inhibiting existing and future agricultural production. In such circumstances a planning permit may be refused, but each case would be considered by Council on merit.

However, it is specifically highlighted that the ability to meet the increased setback requirement should not be interpreted as meaning it is then acceptable to approve all rural dwellings. Any proposal for a dwelling on a rural property is required to be assessed on merit and be appropriately justified based on demonstrable need and an assessment against rural dwelling policy outlined within this RLUS.



## INTENSIVE ANIMAL PRODUCTION

Intensive agriculture relates to intensive operations beyond the threshold of those identified for low density operations. They can have significant amenity implications if not appropriately managed.

The potential establishment of intensive animal production within Moorabool will be limited by the existing pattern of fragmentation and distribution of dwellings within the rural areas. There are also community concerns regarding the amenity and animal welfare implications of these operations.

In addition to the relevant code of practice guidelines, the following guidance should be applied in assessing and locating intensive animal production proposals:

- In order to manage adverse offsite impacts, direct intensive animal production to larger allotments within Precinct Policy Area 4 located outside the Special Water Supply Catchment Areas as identified by the Environmental Significance Overlay (ESO1) within the Shire.
- They should be located on land over 40ha in size, and for proposed landuse and development to be considered on merit relating to whether adverse offsite amenity impacts can be appropriately managed.
- They should avoid locating along main roads within significant landscapes.

## INTENSIVE HORTICULTURE

Intensive horticulture (i.e. greenhouse type production) is present within the Shire, but its potential to be increased is yet to be fully explored. The opportunities to increase intensive horticulture has clear potential within Moorabool, including those opportunities associated with irrigated water supply in Precinct Policy Area 2.

These opportunities should be explored as intensive horticulture does not necessarily require high quality soils to operate, it is more sustainable than traditional horticulture, and it is a large employer.

Intensive horticulture is extremely efficient and productive, however it requires good access to water, heat and transport linkages. Moorabool benefits from good access to national freight linkages and a warm climate, and targeted areas with access to water supply, which has the potential to expand in future.

The Shire should support and encourage the development of sustainable intensive horticulture whilst also protecting high quality landscapes, productive soils, and waterways. These operations do not have the same level of offsite amenity impacts as intensive animal production but consideration should be given to the visual impacts of expansive glasshouses and associated infrastructure on significant rural landscapes. Consideration should be given to:

- Total site coverage.
- Visibility from road corridors.
- Required vegetation removal.
- The use of screen planting.

The required infrastructure to support intensive agriculture within the Shire should be explored. Key initiatives could relate to:

- Exploring Integrated Water Management initiatives such as the ability to harvest excess stormwater and treated water from Moorabool's growth areas as a source for intensive horticultural production.

## AGRICULTURAL USES REQUIRING PLANNING APPROVAL

### SUSTAINABLE TIMBER PLANTATIONS

The benefits of sustainable timber plantations within Moorabool are strongly underpinned by its close proximity to Melbourne markets. There are a number of existing timber plantations located within the Shire.

Tree plantations offer benefits to various industries, making them a valuable and sustainable resource for economic development and potential environmental conservation.

Some key advantages of tree plantations for industry include:

- **Timber Production:** Tree plantations are established primarily to provide a renewable source of timber. This benefits the forestry and wood products industry by ensuring a continuous and reliable supply of raw materials for a wide range of products, including construction materials, furniture, paper, and packaging.
- **Consistent Quality:** Plantations allow for controlled and uniform tree growth, resulting in consistent wood quality and characteristics. This is highly beneficial for industries that rely on specific wood properties, as it guarantees a steady supply of raw materials that meet their requirements.
- **Reduced Pressure on Natural Forests:** Tree plantations help reduce the pressure on natural forests, thereby supporting forest conservation efforts. Industries that rely on forest resources can benefit from a sustainable and diversified source of timber while advocating for the preservation of natural ecosystems.
- **Bioenergy Production:** Some tree plantations are established for biomass production, providing an additional source of renewable energy. Industries focused on biofuels, biomass, and renewable energy benefit from a sustainable feedstock for their operations.
- **Carbon Sequestration:** Trees in plantations absorb and store carbon dioxide from the atmosphere, which can help mitigate climate change impacts. Industries looking to reduce their carbon footprint can indirectly benefit by supporting carbon offset initiatives associated with tree plantations.
- **Erosion Control:** Tree plantations help stabilize soil and reduce erosion. This is advantageous for industries involved in agriculture, construction, and infrastructure development, as it protects landscapes and reduces the risk of soil degradation.

- **Biodiversity Conservation:** Well-managed tree plantations can incorporate practices that enhance biodiversity. This can be particularly valuable for industries focused on eco-tourism and outdoor recreation, as it creates attractive and natural settings for visitors to enjoy.
- **Rural Employment:** Establishing and maintaining tree plantations creates job opportunities in rural areas, contributing to local economies. The agricultural and forestry industries, as well as the communities in which the plantations are located, benefit from increased employment and economic growth.
- **Long-Term Investment:** Industries involved in tree plantation management and timber production can enjoy the benefits of a long-term and sustainable resource. This stability in the supply chain contributes to the industry's long-term planning and success.

In summary, tree plantations offer a multitude of benefits to industry, ranging from a reliable timber supply and environmental benefits to carbon sequestration and rural employment opportunities. When managed responsibly and sustainably, these plantations can be a win-win solution for both industry and the environment.

To take advantage of the Shire's strategic location, support should be provided to the establishment of sustainable plantations and timber processing facilities, but subject to appropriate and responsible management, including managed road access; impacts on infrastructure (roads and bridges) and harvest plans.

The potential for sustainable timber plantations is also likely to increase over coming years due to the State Governments recent ban on logging in old growth forest and phase out of native timber logging by 2023. Investment in and government support for plantation timber and processing will grow as a consequence.

## WINERIES

Wineries require a planning permit in all rural zones. Unlike other peri-urban area close to metropolitan Melbourne there are a limited number of wineries established in the Shire and there is significant potential for further growth. Wineries play a strong role in the development of rural tourism regions, and are often associated with other 'special' tourism opportunities such as fine dining, spas or high quality accommodation.

Provided off-site impacts are appropriately documented and managed via the relevant Land Management Plan, Council should support applications for wineries across the Shire and particularly in Precinct Policy Areas 3 & 4.

## VALUE ADD

Value adding uses including small scale operations, such as farm gate sales and agritourism, and large scale operations, such as on farm processing facilities, should be strongly supported. These uses provide additional income to farmers, particularly during times of drought or other downturns, and can raise the profile of rural areas for tourism benefits.

The Farming Zone (FZ) already allows for some uses related to farmgate sales and accommodation.

While large industrial operations should be located within existing settlements, the increasing intensification of agricultural activities means that there will be a need for vertical integration and value adding to be located on farm. The diversification and value-adding of agriculture through agricultural production and processing, rural industry and farm-related retailing should be encouraged.

## NEW AND INNOVATIVE IDEAS

From time to time, Council will need to decide on new and innovative agricultural ideas that do not fit with the definitions and requirements of the planning scheme but may promote the diversification, productivity, resilience and sustainability of agricultural production.

As agricultural practices continue to diversify and become more niche it is important that the planning system is agile enough, and does not raise unnecessary barriers to, accommodating legitimate uses.

Council should encourage the consideration of new and innovative ideas that may not be currently contemplated by the planning scheme, and assess such proposals on a case by case basis against proper planning principles.



## AGRICULTURAL USES REQUIRING PLANNING APPROVAL



### STATEMENT OF INTENT

To encourage and support the appropriate diversification of agricultural activity within the Shire and support the evolution to a more sustainable, resilient, adaptable and innovative agricultural industry.

To encourage the agricultural use of land to align with the 'highest and best' based on its designated land class.

To discourage non-soil based uses on land within land Class 1 & 2.

To support the establishment of intensive animal production within the Shire where potential offsite amenity impacts can be managed appropriately through buffer separation distances.

To support and encourage the establishment of low density pig and poultry farms throughout rural land within the Shire.

To support and encourage infrastructure associated with the establishment of an intensive horticultural industry within the Shire.

To support the establishment of new and innovative ideas that will increase the production, sustainability, diversification and resilience of agricultural activity within the Shire.

To support value adding uses, infrastructure and facilities that help to sustain agricultural activities.



### STRATEGIES

Direct intensive agricultural and rural operations to larger allotments within Precinct Policy Area 4 where adverse offsite amenity impacts can be managed. Within Precinct Policy Area 3 consider intensive agricultural and rural operations on merit of being able to appropriately manage amenity impacts.

Allow for low density pig and poultry farms within Precinct Policy Area 4 provided compliance with relevant codes of practice is achieved.

Ensure new dwellings within rural areas provide a 100m buffer to surrounding land to protect current, proposed, and the expansion of, agricultural uses.

Direct intensive horticulture uses to Precinct Policy Area 1 & 2, and ensure sufficient onsite water supply via reticulated water, water licences or rainwater tanks and/or dams.

Encourage the consideration of new and innovative ideas that may not be currently contemplated by the planning scheme, and assess such proposals on a case by case basis against proper planning principles.

Require the preparation of a Farm Management Plan for the establishment of new agricultural uses.



### IMPLEMENTATION

Amend and update the Moorabool Planning Scheme, including updates to local policy content to reflect the intent of the RLUS within Policy Area 1, 2, 3 & 4 to protect and outline the strategic role of such land and agricultural landuse to be encouraged.

Amend the Farming Zone Schedule to set a 100m boundary setback so as to 'future proof' neighbouring agricultural land for landuse requiring buffers.



## 3.5

# NON-AGRICULTURAL USES REQUIRING PLANNING APPROVAL

## DISCUSSION

There are a number of non-agricultural related uses that require a permit within the Farming Zone (FZ). If not managed appropriately, these uses can impact on and remove land that would otherwise be used for productive agricultural purposes.

However in contrast, such uses can also provide positive benefits to the Shire by supporting a more diversified rural economy.

## INDUSTRY

As a first principle, industrial development should be located in industrial precincts within existing settlement boundaries. It is noted however that it is sometimes difficult to identify suitably sized land within existing settlements to support some industrial uses.

The logistical advantage of the Western Freeway creates a good opportunity for the establishment of industrial uses within Moorabool. Existing policy also encourages the diversification of economic activity within rural areas.

A clear nexus should be identified between the industrial use and agriculture within Precinct Policy Areas 1 & 2. A less restrictive approach should be taken within Policy Area 3 and 4. There will however be times where things will not be as clear cut. Such uses will need to be considered on a case by case basis and assessed against the potential positive employment benefits against the potential negative impacts.

The Farming Zone (FZ) already outlines a number of relevant decision guidelines for assessing the suitability of such uses. In addition to those guidelines, the following guidance should be applied when assessing planning permit applications:

- Whether the use is located more than 100m from a dwelling in a separate ownership.
- Whether it is within proximity of an existing settlement or in a cluster of similar existing uses with appropriate access to suitable roads and other infrastructure.
- Whether it will impact on the operations of surrounding agricultural activities
- Whether it is located along an identified tourism route or in an area with a significant landscape character.
- Whether it is located on productive agricultural land.
- Whether the use will have adverse environmental impacts such as soil degradation, water quality, and the loss of native vegetation.

## EXTRACTIVE INDUSTRIES

Moorabool Shire contains a range of significant extractive industry related activities such as a number large stone quarries (refer to Figure 7).

Moorabool also contains land designated as Extractive Industry Interest Areas (EIAs - refer also to Figure 7). EIAs function to indicate land that is likely to contain extractive resources, but do not imply that a quarry can be established 'as-of-right'. As a consequence of the EIAs designation, the Shire is valued for its existing and future role in the sector.

Extractive industries within Moorabool Shire are considered necessary to provide the affordable raw materials required for use in housing, construction and infrastructure works. Locating extractive industries close to where materials are needed helps to keep down transportation and construction costs and has environmental benefits.

However, the continuation of existing quarries and the commencement of new quarries into the future needs to be balanced with the protection of the Shire's environment, landscape, agricultural and First Peoples cultural heritage values, along with the providing a reasonable level of amenity for residents in the vicinity of such operations. The establishment of new quarries within or adjacent to residential growth areas are not supported.

It is also important to recognise that extractive industries are temporary land uses in the landscape that require appropriate buffers to be put in place during their operations and rehabilitated at the end of their life in a way that fits in with the surrounding landscape character, thereby providing net community benefit.

## RENEWABLE ENERGY

Moorabool Shire already accommodates a number of significant renewable energy facilities in the form of four major wind farms located to the southern and south western areas of the Shire ((refer to Figure 7).

However significant community concern is often raised regarding the establishment of renewable energy facilities, particularly wind farms. It is important that the location of these facilities are carefully considered, including consideration of landscape value and associated significance and compatibility with agricultural land uses and potential amenity impacts to residents.

The Minister for Planning is the responsible authority for new planning permit applications for energy generation facilities that are one megawatt or greater. This includes renewable energy and non-renewable energy facilities such as:

- wind
- solar
- pumped hydro
- gas
- waste-to-energy.

The minister is also the responsible authority for new planning permit applications for utility installations, including:

- batteries with capacity of 1 megawatt or greater
- power lines and substations that connect energy generation facilities to the electricity network
- power lines with a capacity exceeding 220,000 volts
- substations exceeding 66,000 volts

Where an application is made to the Minister for Planning, Council is a referral authority, thereby allow some involvement in the assessment process.

Additionally, the Victorian Government is currently preparing VicGrid Victorian Transmission Plan. This is an initiative focused on undergoing a transition to renewable energy through new transmission infrastructure, which will be critical to moving high volumes of energy from the new areas where it is generated, to homes and businesses where it will be used. An important step in building the Victorian Transmission Plan is to identify 'Renewable Energy Zone Priority Areas'. This may include land within Moorabool, but is currently under investigation.

The RLUS can assist Council to ensure that renewable energy projects are not located where they impact agricultural land, significant landscapes or biodiversity in the Shire.

## NON-AGRICULTURAL USES REQUIRING PLANNING APPROVAL



### STATEMENT OF INTENT

To avoid the establishment of non-agricultural uses on productive farming land.

To support the diversification of uses within rural areas that are compatible with agricultural activities.

To manage the potential amenity and other impacts associated within non-agricultural uses.

To ensure that renewable energy initiatives are not located on quality agricultural land or detract from significant landscapes or biodiversity.

To support the establishment of resource industries within the Shire provided appropriate environmental standards are followed.



### STRATEGIES

Discourage non-agricultural uses from establishing in rural areas where it will remove otherwise productive agricultural land particularly in Precinct Policy Areas 1 and 2.

Ensure proposed industrial uses in rural areas have a demonstrable nexus with agricultural land use in the area and has good access to road networks, within proximity of an existing settlement, and where agricultural activities and the rural landscape won't be impacted. Ensure the 'agent of change' principle is used when considering separation distances from sensitive uses.

Ensure renewable energy facilities are not located on high quality or potentially productive agricultural land, significant landscapes or biodiversity.

Ensure extractive industry uses consider site rehabilitation, the management of spoil, dust and noise mitigation, and landscape impacts.



### IMPLEMENTATION

Amend and update the Moorabool Planning Scheme to reflect the intent of the RLUS.





## 3.6

## LANDSCAPE, ENVIRONMENT &amp; HERITAGE

## DISCUSSION

The landscapes, environmental values and heritage of Moorabool's rural areas underpin the Shire's ecological well-being, important rural character, and heritage significance.

## LANDSCAPE CHARACTER

In 2013 the State Government commissioned an assessment of landscapes across Victoria, which were grouped into large regional assessment areas. The report relevant to Moorabool is the South West Victoria Landscape Assessment Study, noting it extends from the eastern municipal boundary of Moorabool, extending in a large band of land to the western boundary of Victoria.

The Character Types and Areas found within the rural areas of the Moorabool Shire have been classified as being within two character types of:

- *The Western Volcanic Plains*
- *The Uplands*

Additional more specific defined characteristics of landscapes within Moorabool Shire included:

- *1.3: Volcanic Agriculture*
- *1.9: Vegetated Volcanic Plains*
- *1.11: Winchelsea Western Plains*
- *2.1: Forested Hills*
- *2.2: Residential Forest Edges*
- *2.3: Cleared Pastures*
- *2.5: Plateaus & Gorges*

In building upon the classification and definition of landscape types and significance across South West Victoria, the study made further recommendations regarding the targeted application of Significant Landscape Overlays (SLOs), some of which were proposed to be implemented within Moorabool.

However, in noting that the South West Landscape Assessment was completed a decade ago now, attempts in other municipalities to formally implement recommendations for the targeted application of SLOs are specifically relevant. Thus, in other municipalities, during the formal planning scheme amendment process, it was revealed the methodology employed for the 'landscape value assessment' was too broad/vague, and the spatial application 'too coarse' to strategically inform and underpin and 'on ground' application of an SLO.

Despite this, the prepared statements of existing character relating to Moorabool (as outlined in detail within the Issues & Opportunities Report) remains as relevant and useful content in defining broader landscape character in Moorabool, which informs the broader development of the RLUS and consideration of landuse and development. However should a SLO be desired to be implemented for land within Moorabool, additional detailed landscape assessment work would be required to be undertaken to strategically underpin an SLO.

## ENVIRONMENTAL RISKS

The Shire is subject to a range of environmental risks including flooding, bushfire, erosion and potential impacts on water quality, in noting the designation of larger areas of Moorabool as a Special Water Supply Catchment Areas. Impacts of climate change are anticipated to make the environmental risks across the shire to become more intense, including an increase in storm events which have previously resulted in a significant number of felled trees impacting roads and houses.

The Strategy acknowledges the General Environmental Duty (GED) of Victorians to minimise risk of harm to human health and the environment from pollution or waste, as required by the *Environmental Protection Act 2017* (EPA Act 2017).

Although no changes have been identified through this project in relation to the number of flood and bushfire related planning controls across the shire, the precautionary principle should be applied in all decision making within rural areas.

## WATER CATCHMENTS

There is a clear environmental aspect to the protection of water quality within the rural areas of Moorabool. A key aspect of this involves discouraging inappropriate land use and development that could potentially pollute water catchments.

The ES01 covers large parts of the rural areas of the Shire and relates to land which has been designated to be within SWSCA. Land designated as a SWSCA has a specific role in the provision of a drinking water supply for Melbourne, Ballarat, Ballan, Gordon and Mt Egerton, where protecting and maintaining water quality is of critical importance.

Accordingly the protection of water resources, and particularly SWSCAs and remains a top priority, including the need to have appropriate controls to assess and manage dams within the RLZ.

## HERITAGE

The Wadawurrung, Wurundjeri and the Dja Dja Wurrung are the Traditional Owners and occupiers of Moorabool Shire who have lived in the area for more than 60,000 years. The Wadawurrung and Wurundjeri people have a special interest in preserving not just cultural objects, but the natural landscapes of cultural importance.

First Peoples places and objects including culturally scarred trees, artefact scatters, earth mounds and burial places can be found all over Victoria including on private property and are often near major food sources such as rivers, lakes, swamps and the coast. Aboriginal Victoria works in partnership with landowners, land managers and First Peoples communities to record, protect and manage these places and objects. Conservation, management and interpretation of these assets are an important part of integrated land use planning.

No specific First Peoples heritage places are listed within the Planning Scheme Heritage Overlay schedule, rather a confidential list of Victorian Aboriginal Cultural Heritage places and sites is maintained by Aboriginal Victoria. The state-wide 'areas of cultural heritage sensitivity' referred to within the Aboriginal Heritage Regulations has given statutory status to recorded First Peoples places and surrounding land and land within 200 metres of named waterways.

Clause 15.03-2 of the Moorabool Planning Scheme contains specific objectives to ensure the protection and conservation of places of First Peoples cultural heritage significance. Strategies include:

- *Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.*
- *Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.*
- *Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.*

Significant use and development and high impact activities require the preparation of a Cultural Heritage Management Plan under the Aboriginal Heritage Act 2006. The views and values of the First Peoples community should be acknowledged when considering any significant new use and development.

## LANDSCAPE, ENVIRONMENT & HERITAGE



### STATEMENT OF INTENT

To encourage environmental protection, regeneration, environmentally sustainable land management, and the protection and enhancement of native flora and fauna in rural areas across the Shire.

To protect Special Water Supply Catchment areas located within the Shire.

To acknowledge, consider and celebrate the cultural heritage significance of the Shire and ensure use and development does not impact on areas of significance.

To ensure environmental risks are appropriately identified within rural areas and that new uses and development utilise the precautionary principle.

To investigate, identify and protect significant landscapes and the rural character of the Shire from inappropriate development and for the tourism benefits it enables.



### STRATEGIES

Consider legitimate environmental benefits that may be proposed as part of the construction of a dwelling within a rural area particularly in areas with significant environmental values.

Consider the threat of inappropriate development near or adjacent waterways, and within Special Water Supply Catchment Areas within the Shire.

Undertake an assessment of rural landscapes to identify locations with significant landscape value, and consider the application of appropriate planning controls.

Discourage inappropriate built form along important highways and roads to retain the rural character of the Shire.

Ensure development appropriately responds to the heritage values of identified heritage sites and locations, and areas of cultural heritage sensitivity.

Consider the views of First Peoples communities within the Shire when considering new uses, development and agricultural practices.



## IMPLEMENTATION

Amend and update the Moorabool Planning Scheme to reflect the intent of the RLUS.



## FURTHER WORK

Consider undertaking a landscape character assessment, and implement recommendations as necessary.

## 3.7

## RURAL LIVING

## DISCUSSION

The provision of Rural Living Zone (RLZ) land can help to increase housing diversity by providing a housing stock in a location that is within commuting distance of Melbourne and close to urban services that is not located on a typical suburban block. It can also in some instances have added landscape and environmental benefits if carried out properly, however it can also negatively impact on broader landscapes. These considerations are all important, but warrants additional analysis regarding land supply and demand for such land at a municipal scale.

This study does not propose to rezone land or identify any areas for additional Rural Living Zone (RLZ) above what already exists within the Moorabool Shire. Despite this, it is acknowledged that demand for de-facto rural living is high within Moorabool, where growing demand for this type of housing has also been identified within the Background Report + Issues and Opportunities Paper. It is likely to increase as Moorabool's population grows, which therefore necessitates a strong and robust policy position to respond, and to guide Council's decision making.

From a strategic planning perspective, rural living development should not be considered on an ad hoc basis. There are many municipal wide planning issues that need to be worked through before it is considered. It is State policy that before any changes are made to the planning scheme that would allow for increased rural living, a settlement strategy or rural living study is undertaken that would consider, amongst other things, the demand for such housing across the municipality, the constraints posed, and the ability for such development to be serviced.

However beyond these strategic considerations, it has been identified that there is clear potential for existing Rural Living Zone (RLZ) land within Moorabool to be better utilised to strategically target and accommodate demands for rural lifestyle dwellings. Currently the Rural Living Zone (RLZ) Schedule within the Moorabool Planning Scheme sets a minimum 6ha size for subdivision and dwellings, whereas the default minimum of the zone is highlighted to be 2ha. This raises the potential to recommend the Schedule to the Rural Living Zone (RLZ) be amended to modify the current minimum 6ha subdivision size and the 6ha minimum for a dwelling. The consequential impact would be that smaller lot sizes would apply to future subdivision and dwelling applications. Accordingly, this would allow potential additional rural dwellings to be developed on existing Rural Living Zone (RLZ) land within the Shire (with new minimum lot sizes to be determine through additional investigation). The benefits of this include:

- Make better and more sustainable use of existing Rural Living Zoned (RLZ) land.
- Provide opportunity for additional rural lifestyle dwellings to meet demands for this type of housing within the Shire.
- Strategically direct future rural lifestyle dwellings to existing rural dwelling enclaves and clusters denoted by the Rural Living Zone (RLZ).
- Reduce potential for landuse conflicts associated with rural lifestyle dwellings located in the Farming Zone (FZ).
- Allow a more stringent assessment of rural lifestyle dwellings proposed in the Farming Zone (FZ), with a review to refusing them if there is not justifiable need to support an agricultural use of the land.

By amending the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings, there is the potential for existing Rural Living Zone (RLZ) land to accommodate increased rural densities. However this could only be facilitated through the further subdivision of land which requires a planning permit, thereby providing Council with an opportunity to assess the merits of the proposal. If the subdivision application is not sufficiently and appropriately justified it may not be supported.

Like the Rural Living Zone (RLZ), the Rural Conservation Zone (RCZ) can also provide for rural living outcomes which are notably underpinned by positive environmental outcomes. This study does not propose to rezone land or identify any areas for additional Rural Conservation Zone (RCZ) above what already exists within the Moorabool Shire.

## PRINCIPLES AND GUIDELINES

The provision of land for rural living is not essential. While it can provide for housing diversity it should not be at the expense of agricultural land and environmental costs, and it must be located near or within existing settlements. Should the provision of additional Rural Living Zone (RLZ) be contemplated in future, a number of principles and guidelines have been identified to assist with locating and identifying suitable locations for this type of development.

- It should avoid productive agricultural land.
- It should be linked to the environmental improvement of the land or a positive environmental outcome.
- It should be based on a Municipal Settlement Strategy, Rural Living Study or Structure Plan.
- As a predominantly residential form of land use, it should be located within existing urban areas to avoid conflicts with farming land and the right to farm.
- It should avoid impacts on environmentally sensitive locations, biodiversity values, and native vegetation.
- It should be close to an existing settlement that can support the increase in population.
- It should avoid areas subject to environmental risks related to bushfire and flooding hazard.
- It should not expose greater numbers of the population in locations particularly vulnerable to the impacts of climate change.
- It should have some form of rural activity associated with it.
- It should not restrict the future expansion and growth of towns or settlements.
- It should be capable of being provided with supporting infrastructure such as roads, water, and electricity.
- It should be responsive to the existing rural character.



## STATEMENT OF INTENT

To ensure rural lifestyle dwellings is focused on land currently zoned as Rural Living (RLZ) and Rural Conservation (RCZ).

To discourage de-facto rural living development on Farming Zone (FZ) land.

To take a municipal wide approach to rural living and to not make ad hoc decisions.



## STRATEGIES

Increase opportunities for rural lifestyle development by amending the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.

Only consider proposed Rural Living Zone (RLZ) rezonings after a detailed Municipal Settlement Strategy or Rural Living Study has been prepared, except where existing strong rural living characteristics are identified.

Use the precautionary principle in relation to agricultural land loss and environmental risks when considering rural living rezoning.

Ensure rural communities are not placed in locations particularly vulnerable to the increasing threats of climate change such as environmental risks and water scarcity when considering new locations for rural living opportunities..



## IMPLEMENTATION

Amend and update the Moorabool Planning Scheme.



## FURTHER WORK

Consider undertaking a municipal Rural Living Study.

## 3.8

## RURAL TOURISM

## DISCUSSION

The amenity, landscape, natural assets and agricultural activities within the Shire provide a springboard upon which more tourism activities should be developed.

Given the proximity of Moorabool to metropolitan Melbourne, and the diversity of its natural assets and landscape, there is a general lack of tourism offerings and an under-appreciation of its natural assets. In noting this, there is a clear opportunity to expand on the tourism sector and its offering within Moorabool for positive local economic benefit.

The Farming Zone (FZ) allows for a range of small scale tourism activities as of right. Retaining and enhancing tourism activities within Moorabool relies on clear direction that identifies the tourism strengths, protects the rural character and significant landscapes, and allows for appropriately located tourism facilities such as accommodation and hospitality which promote agricultural and natural assets.

## Tourism and the Visitor Economy Strategy

It is highlighted that varied opportunities for rural focused tourism within the RLUS study area are already addressed in detail by current strategic work being undertaken by Council.

To that end, the Moorabool Shire Visitor Economy Strategy (2023-2027) is a current and highly relevant strategic study which has a central focus on regional tourism.

The summary report makes the following observation regarding the role and context of Moorabool:

*'Located as the gateway to western regional Victoria, Moorabool Shire is perfectly positioned to grow its visitor economy, leveraging an abundance of nature, quality produce, and quaint towns to fulfill its potential'.*

The main document makes further key observation regarding existing levels of tourism:

*'Whilst Moorabool Shire has a small tourism offering at present, the region has untapped potential that can be realised with investment in motivating products, experiences, and events.'*

The summary report further notes a range of strategic considerations (page 9). Identified strategic considerations which are particularly relevant to the RLUS are:

*'Leveraging proximity to and awareness of Ballarat and Daylesford will support visitation growth to Moorabool Shire.'*

*'Lack of motivating products and experiences influences the low market interest and awareness of Moorabool Shire towns.'*

*'Leverage the Shire's comparative advantage of a 'rural escape in proximity to Melbourne' by maintaining local character, rural amenity and utilising heritage buildings.'*

*'Development and promotion of hero attractions is critical to driving demand and awareness. Nature-based attractions and First Nations experiences provide this opportunity.'*

*'Agritourism, food and wine, nature, and arts, culture and heritage, have opportunity to be developed as the Shire's product pillars, and have strong strategic alignment to the broader region.'*

*'Events and Festivals are a vehicle to drive demand and awareness in the market, and would motivate 48% of the Victorian market to visit a new destination.'*

*'Development of high quality, contemporary accommodation is critical for Moorabool Shire. Comparable destinations, such as Yarra Valley, attract high levels of overnight visitation due to having a quality accommodation supply, as well as having a compelling product offer'.*



A further key observation of the Visitor Economy Strategy is its strong focus on the opportunities presented by the predominantly rural context of Moorabool. This is further enshrined via the vision statement which is:

*'Moorabool Shire will establish itself as a thriving destination by embracing strengths in agritourism and nature, developing compelling new experiences, and building a strong identity.'*

The Visitor Economy Strategy is further framed around a number of themes, with those specifically relevant to the RLUS, includes

- *Theme 3 Food, Farmgate and Ferments*
- *Theme 4 Nature and Outdoors*
- *Theme 5 Events*

Theme 3 seeks to: *'Leverage the region's high quality agricultural produce to develop a motivational and contemporary agritourism and foodie scene with Moorabool Shire to own the 'pick your own' experience'.*

Initiatives relating to Theme 3 includes: agribusinesses branding; development and enhancement of farmgate experiences; marketing campaigns for local produce; develop a seasonal Shire-wide farmers market, rotating across key towns.

Theme 4 seeks to: *'Activate and celebrate the natural environment through investment in infrastructure, trails and interpretation'.*

Initiatives relating to Theme 4 includes: preparation of a natural attractions masterplan; trails investment masterplan; develop mineral springs precinct plan and activation strategy; and develop First Nations Experience and Interpretation Action Plan.

Theme 5 seeks to: *'Utilise events as a destination awareness driver by building a strong events calendar, events infrastructure and enhancing resourcing and internal processes'.*

Initiatives relating to Theme 5 includes: Identify and attract 3 signature events; review and enhance internal process to support tourism events development; undertake an events venue feasibility study to identify the type and scale of indoor and outdoor events facilities that could be supported.

Although the Visitor Economy Strategy goes into a much greater level of detail on various considerations, the above provides an overview summary of elements most relevant to the RLUS.

## Interrelationship of RLUS and Visitor Economy Strategy

The Visitor Economy Strategy is an extremely important piece of strategic work, in that it outlines that the rural tourism sector in Moorabool is currently undeveloped, but there is significant opportunity for substantial economic growth and development.

This can involve localised 'value add' opportunities associated with rural agricultural and produce, as well as aligned landuse which may be able to be appropriately located in a rural area, be it tourism accommodation or perhaps specific festival and events.

The Visitor Economy Strategy is also important in that it outlines a range of high level and more targeted initiatives to grow the visitor economy of Moorabool. Therefore it is important the RLUS does not cut across or undermine those recommendations, and instead should be seeking to adopt and support them.

The best method for the appropriate interrelationship between the two documents is to ensure that the RLUS provide an appropriate planning policy framework to positively support the rural focused initiatives of the Visitor Economy Strategy.

## RURAL TOURISM



### STATEMENT OF INTENT

To encourage tourism use and development that builds on the existing assets within the Shire

To ensure that tourism uses do not unnecessarily impact on agricultural activities.

To promote the Shire's natural assets for the recreational and tourism benefits they offer.

To encourage and support agriculture tourism initiatives such as wineries, farmgate sales, nature-based tourism, agri-food experiences and farm stays.

To promote Moorabool's small towns as locations for increased tourism activity.



### STRATEGIES

Focus tourism development along key identified tourist routes and near tourism assets, particularly within Policy Area 3 and 4, and only support tourism offerings in Policy Areas 1 & 2 with an established connection to agriculture or with a nature-based tourism focus.

Large scale tourism facilities should be focused within existing settlements.

Provide support for appropriately located nature-based tourism close to natural assets.

Ensure that tourism facilities are an appropriate scale and nature, sited to avoid impacts on surrounding farming land, and appropriately consider impacts on environment and landscape values.

Capitalise on existing nature based assets such as the various state and national parks.



### IMPLEMENTATION

Amend and update the Moorabool Planning Scheme to reflect the intent of the RLUS.



### FURTHER WORK

Implement various initiatives and recommendations outlined within the Moorabool Shire, Visitor Economy Strategy (2023-27).



## 3.9

## SETTLEMENTS INTERFACES

## DISCUSSION

There are inherent pressures for all rural land interfacing with the existing urban settlement and rural townships. Urban pressures such as land speculation, rural living, non-productive land uses, and the potential future expansion of existing towns and settlements are likely to continue and become more significant into the future given the growth of Melbourne and increased pressures of housing affordability.

Should such development be allowed without restriction or control, it can compromise the potential of such land to be productively used for agricultural activity and to act as an important environmental and landscape break to underpin the rural qualities and amenity of these areas.

Council has previously undertaken a Small Towns and Settlement Strategy which remains a relevant strategy, and that document should be relied upon to inform more detailed and nuanced considerations relating to growth of rural settlement within the focus area of the RLUS.

However some broader observations regarding the urban settlement and rural townships interfaces within Moorabool have been made, noting that such interfaces are numerous and varied and dispersed across the Shire. There are various small settlements to the north of the Shire which are effectively hemmed in by surrounding State and National Park. This functions to prevent the outward expansion of these settlements, although where there are larger allotments, there can be pressure for further infill subdivision. The schedule to the Rural Conservation Zone (RCZ) allows the following minimum allotment size for a number of these settlements as follows:

- Dales Creek: 0.6ha
- Barkstead: 6ha
- Barry's Reef: 6ha
- Blakeville: 6ha
- Bullarto South: 6ha
- Korweinguboora: 6ha
- Newbury: 6ha

Any potential further subdivision of land in these settlements would need to be considered on merit, and would include matters such as character, serviceability, land capability, bushfire risk etc.

Other rural settlements within the RLUS study are denoted by the Rural Conservation Zone (RCZ) and Rural Living Zone (RLZ) and feature relatively compact forms. Some of the larger rural settlements, such as Ballan and Gordon have used the Rural Living Zone (RLZ) at the edges to gradate from the town centre. Typically these rural settlements are surrounded by land within the Farming Zone (FZ), where land speculation and pressures for non-agricultural use and development is greatest in these locations.

With established settlement breaks which are formed by dominant natural landscape features (as opposed to built form), it functions to maintain the rural character and amenity of these settlements. It also ensures that key natural assets at the edge of settlements are protected for environmental biodiversity reasons.

The management and future strategic directions relating to and at the edges of rural settlements needs to be carefully considered as it will have long term significance and consequences for the character and setting of Moorabool. While identifying appropriate locations for rural living development at the urban interface can assist with providing a buffer between urban and rural land, that would be the focus of a detailed rural settlement study or similar.

As an opposite approach to 'graduating' zoning, there is also the potential to have a hard agricultural break at edges of settlements. In essence there is nothing to say farming cannot take place and should not be protected at such interfaces. However fragmentation and higher land prices due to land speculation may be a barrier to commercial farming operations. For clarity, that land speculation is simply the commercial market deciding that land is more valuable for urban uses than it is for other uses such as agriculture.

But just because these pressures exist does not mean the land should be turned over to residential development. Land speculation does not consider the potential future value of land for non-residential uses. Research by Deakin University has indicated that the productive value of land at the peri-urban interface will increase over time due to climate change as the productive value of traditionally suitable locations further north in the state declines.



## STATEMENT OF INTENT

To future proof the value of rural land at urban and small settlement interfaces for its potential increased productive value and importance for environmental, biodiversity and landscape amenity purposes into the future.

To discourage land speculation at township and small settlement interfaces.

To recognise the importance of urban settlement breaks for the character of rural areas.



## STRATEGIES

Understand the future productive value of land at the urban interface and protect land most suitable for farming into the future.

Consider the future productive value of land on the urban fringe in all decision making.



## IMPLEMENTATION

Amend and update the Moorabool Planning Scheme to reflect the intent of the RLUS.



## FURTHER WORK

Develop a targeted strategy to address rural-urban interfaces as a means to help manage use and development at the urban interface.

## 3.10

## INFLUENCES BEYOND THE PLANNING SYSTEM

Other ideas and initiatives that go beyond the remit of the planning system are outlined below. Council can continue to advocate or undertake further work regarding these issues as needed or subject to strategic justification.

### FARM VIABILITY

While planning can help to protect agricultural land, it is just as important to promote and support the viability of farming in this peri-urban Shire. From this perspective there needs to be a focus on supporting farm viability by enabling and facilitating agricultural opportunities.

For instance, an approach which seeks to encourage small-scale, niche agricultural practices on small land holdings may fail to provide the broader benefits to agriculture and the rural economy unless appropriate support is provided to these businesses. Council could look at developing a 'Rural Smallholding Support' policy, which could identify key areas where Council could assist, which may include things like the establishment of distribution networks, machinery cooperatives, grants programs, or mentoring support for new farmers. Council could also take the opportunity to facilitate landholder capacity building, land management education, and creating a connection to nature and land.

### NATIVE VEGETATION OFFSET SITES

The importance of maximising trees coverage and improving overall biodiversity within the Shire is an important aspiration.

The planning scheme includes a range of native vegetation protection provisions at Clause 52.17. To increase the amount of native vegetation across the Shire it is recommended that Council implement programs to increase native vegetation on private land.

One initiative includes making residents more aware of the native vegetation offset program run by the State government. The native vegetation offset program should be better utilised on rural land within the Shire. The community should be better educated in regards to this program to ensure that when native vegetation is removed in the Shire, the benefits of offsets are also delivered to the Shire.

### AGRICULTURAL DEVELOPMENT

With the changing face of agriculture and climate, a peri-urban Council like Moorabool requires a clear direction on what forms of agriculture should or could be promoted and developed in the Shire, which is also informed and underpinned by the associate land class map.

Such land class information could strongly inform the development of an agricultural prospectus, that pro-actively identifies and develops new opportunities within the Shire to grow the rural economy. Such an approach could outline a range of actions and investments required that will help to support the development and growth of the rural economy.

Understanding the feasibility and potential for this and determining options for incentivising and encouraging this should be explored and identified.

### RATES

Moorabool's urban population is growing at an exceptional rate and will continue to over the coming years as the growth areas continue to develop. Along with this growth will come an increased share of rates revenue from urban areas when compared with rural locations across the Shire.

This raises the potential opportunity to review rates arrangements across the Shire, where Council could apply rate reductions to large land holdings in rural areas. A variable rate for land that is either actively farmed or that uses land more efficiently and sustainably could be considered as part of this rates review to incentivise the greater productive capacity of land, regardless of lot size. Rates reductions for businesses that support sustainable agriculture could also be explored.

## PROMOTE LANDCARE INFORMATION

To assist new rural landholders in the Moorabool Shire to identify and manage land degradation Council should send information to all new landholders who have purchased properties over 2ha in size. Information to be provided would include existing information resources which the Shire has already produced, including:

- Moorabool Healthy Hectares - a guide for small landholders to create productive and environmentally sustainable properties in Moorabool Shire.
- Link to online resource material relating to 'environment and sustainability' and 'caring for your land' information at: <https://www.moorabool.vic.gov.au/Waste-and-environment/Environment-and-sustainability/Caring-for-your-land>.

## AGRICULTURAL STRATEGIC PLAN

The draft Moorabool Shire Economic Development Strategy (2023-2027) recommends the preparation of an Agricultural Strategic Plan as being vital for the agriculture and forestry sectors to provide strategic direction and identify opportunities to facilitate growth. It identifies that it should be a broad strategy that involves extensive consultation with industry to increase the value and volume of production, support local agricultural businesses as well as complementary industries, and should focus on:

- business diversification
- value-adding (i.e. manufacturing of raw materials)
- leveraging fertile and well irrigated land
- focus on export markets due to freight networks
- consider niche agricultural production
- ensure land remains in active agricultural use
- promote agricultural based employment
- Protect agricultural production against risks (e.g. climate change, bushfires)

This strategy should be developed as a priority.

## RECYCLED WATER SUPPLY

The Western Irrigation Network (WIN) is located within the study area, being located generally south of Bacchus Marsh. The WIN is a \$116 million project jointly funded by the Australian Government, Greater Western Water and the private agribusinesses who will become the network's foundation customers.

WIN is a major recycled water irrigation scheme for the Parwan-Balliang agricultural district to the west of Melbourne. Specifically, the network will connect dryland farmers in the Parwan-Balliang area, near Bacchus Marsh, with a guaranteed supply of Class C recycled water suitable for irrigation farming.

Based on project details from Greater Western Water, the scheme will initially supply around 2400 million litres of recycled water per year, although volumes supplied will increase as irrigators adapt and expand production. It is anticipated that by 2050, WIN could deliver up to 18,000 million litres of recycled water to farmers annually.

WIN has the potential to transform farms currently dependent on unreliable rainfall by connecting them to a year-round guaranteed water supply. It will also assist Greater Western Water manage the increasing volumes of recycled water being produced by the growing population in the Melton, Sunbury and Bacchus Marsh areas.

Initial discussions with Greater Western Water have indicated there may be the potential to expand the WIN further west, extending towards the foothills of the Brisbane Ranges National Park. However Greater Western Water further qualified this advice on the basis of further detailed investigation and analysis being required to establish the technical ability and economic feasibility of servicing this land with recycled water from an expansion to the WIN.

Therefore while the extent of the designated Precinct Policy Area 4 functions to capture this land for potential future access to recycled water, this potential may also be excluded on the basis of further technical and feasibility investigations to be undertaken by Greater Western Water.



**APPENDIX 1: IMPLEMENTATION SUMMARY TABLE**



## A1

## APPENDIX 1: IMPLEMENTATION SUMMARY

## SECTION THREE SUMMARY

IMPLEMENTATION	FURTHER WORK
<b>RURAL ZONES</b>	
<p>Update local policy content to reflect the intent of the use of rural zones; and the intent of the RLUS within Policy Area 1, 2, 3 &amp; 4.</p> <p>Amend the Farming Zone (FZ) Schedule to set a minimum boundary setback of 100m setback in order to 'future proof' neighbouring agricultural land for landuses requiring buffers.</p>	<p>Investigate the inclusion of existing areas that exhibit rural living characteristics for inclusion into the RLZ.</p> <p>Amend the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.</p>
<b>RURAL DWELLING POLICY</b>	
<p>Introduce new local policy within the Moorabool Planning Scheme for the consideration of new rural dwellings to reflect the intent of the RLUS.</p> <p>Amend the Rural Living Zone (RLZ) Schedule to modify the current minimum 6ha for subdivisions and dwellings.</p> <p>Require Farm Management Plans to be prepared in line with the Agricultural Victoria eGuides – Planning and farm development.</p> <p>Require Land Management Plans to be prepared as part of an application to use a lot for a dwelling to support an environmental outcome.</p> <p>Identify suitable independent rural experts or an internal panel to assist with assessment.</p>	N/A
<b>RURAL SUBDIVISION POLICY</b>	
<p>Introduce new local policy within the Moorabool Planning Scheme for the consideration of rural subdivisions to reflect the intent of the RLUS.</p>	N/A
<b>AGRICULTURAL USES REQUIRING PLANNING APPROVAL</b>	
<p>Amend and update the Moorabool Planning Scheme, including updates to local policy content to reflect the intent of the RLUS within Policy Area 1, 2, 3 &amp; 4 to protect and outline the strategic role of such land and agricultural landuse to be encouraged.</p> <p>Amend the Farming Zone Schedule to set a 100m boundary setback so as to 'future proof' neighbouring agricultural land for landuse requiring buffers.</p>	N/A
<b>NON-AGRICULTURAL USES REQUIRING PLANNING APPROVAL</b>	
<p>Amend and update the Moorabool Planning Scheme to reflect the intent of the RLUS.</p>	N/A
<b>ENVIRONMENT, LANDSCAPE &amp; HERITAGE</b>	
<p>Amend and update the Moorabool Planning Scheme to reflect the intent of the RLUS.</p>	<p>Consider undertaking a landscape character assessment, and implement recommendations as necessary..</p>
<b>RURAL LIVING</b>	
<p>Amend and update the Moorabool Planning Scheme.</p>	<p>Consider undertaking a municipal Rural Living Study.</p>
<b>RURAL TOURISM</b>	
<p>Amend and update the Moorabool Planning Scheme to reflect the intent of the RLUS.</p>	<p>Implement various initiatives and recommendations outlined within the Moorabool Shire, Visitor Economy Strategy (2023-27).</p>
<b>SETTLEMENT INTERFACE</b>	
<p>Amend and update the Moorabool Planning Scheme to reflect the intent of the RLUS.</p>	<p>Develop an urban interface strategy to help manage use and development at the urban interface.</p>



**APPENDIX 2: BACKGROUND REVIEW  
+ ISSUES & OPPORTUNITIES PAPER**