

New Zones for Rural Victoria

Advisory Note

June 2004

This advisory note provides information and advice about:

- The introduction of the new rural zones into the Victoria Planning Provisions (VPP).
- The amendment to Clause 17.05 of the State Planning Policy Framework.
- The application of the zones to rural land.

What are the new zones for Rural Victoria and where will they apply?

The new rural zones consist of a new Farming Zone, a new Rural Activity Zone, the new Rural Conservation Zone (already introduced in the VPP) and a revised Rural Living Zone.

The Farming Zone will replace the existing Rural Zone. The Rural Activity Zone is a new zone which caters for areas where agriculture and other activities can co-exist. The Rural Conservation Zone will replace the Environmental Rural Zone and the Rural Living Zone has been upgraded.

The new zones for rural Victoria

Farming Zone	Replaces the Rural Zone. The main zone for agricultural areas.
Rural Activity Zone	A new zone providing flexibility for agriculture and other land uses to co-exist.
Rural Living Zone	Upgrades the existing zone. The main zone for rural residential areas.
Rural Conservation Zone	Replaces the Environmental Rural Zone. The main zone for areas with significant environmental considerations (also applies in green wedge areas).

How will the new zones be applied to land?

The Farming Zone replaces the Rural Zone and the Rural Conservation Zone replaces the Environmental Rural Zone. Extensive strategic justification is not required to apply these zones where the zone is applied to land already zoned Rural or Environmental Rural. Councils are encouraged to apply the new zones immediately to benefit from the improved provisions.

The application of the Rural Activity Zone will require a planning scheme amendment. The normal strategic justification and amendment process will apply.

What are the main features of the new zones?

Purposes

The main feature of the Farming Zone is its recognition of agriculture as the dominant land use in rural Victoria. The purpose of the zone articulates the encouragement of agriculture as a future sustainable land use. Most agricultural uses do not need a planning permit. Agricultural uses that require a permit will need to consider the environmental effects and potential land use conflicts with surrounding agricultural uses.

The Rural Activity Zone is designed to be applied to selected areas where agricultural activities and other land uses can co-exist. A wider range of tourism, commercial and retail uses may be considered in the zone. Agriculture has primacy in the zone, but other uses may be established if they are compatible with the agricultural, environmental and landscape qualities of the area.

The Rural Conservation Zone will protect and enhance the natural environment for its historic, archaeological, scientific, landscape, faunal habitat and cultural values. Agriculture is allowed in the zone provided it is consistent with the environmental and landscape values of the area.

The revised Rural Living Zone provides for residential use in a rural environment. While the zone provides for agricultural activities the amenity of residential living must be protected.

Subdivision

The Farming Zone provides the ability to create a small lot for one existing dwelling. Subject to a permit, this one-off opportunity is conditional on a Section 173 Agreement under the *Planning and Environment Act 1987* being entered into - to ensure that the land is not further subdivided beyond the lot size specified in the schedule to the zone. This is to prevent serial excisions eroding the primary agricultural purpose of the zone.

Buildings and works

For alterations and extensions to existing dwellings or buildings used for agriculture, councils can specify a building area below which a permit is not required. This allows councils to remove permit requirements for buildings and works that have no significant planning impact.

Councils can also schedule in appropriate alternatives to the standard setbacks within which buildings require a permit.

The new zones do not control farm dams. The *Water Act 2001* requires licensing for particular dams in rural areas.

Application requirements for dwellings

Planning permit applications for dwellings in the Farming Zone now require the submission of a written statement explaining how the proposal responds to certain Decision Guidelines in the zone.

What other changes were made by Amendment VC24?

Clause 17.05 of the State Planning Policy Framework has been amended to remove reference to 'high quality' agriculture and to focus on the protection of productive agricultural land.

The Low Density Residential Zone has been amended so that a minimum lot size for subdivision greater than 0.4 hectares can be scheduled in. This will enable the broader application of the zone so long as the Minister's Direction No. 6, Rural Residential Development and the normal strategic considerations are met.

When will the new zones come into effect?

Amendment VC24 introduced the new zones into the VPP. The changes to the Rural Living Zone and Low Density Residential Zone came into effect with Amendment VC24.

The Farming Zone, the Rural Conservation Zone and the Rural Activity Zone are now available in the VPP. These three zones will not apply to any land until local planning schemes are amended. Councils are encouraged to apply the zones immediately to take advantage of the new provisions. Alternatively, councils are expected to apply the zones as part of their three yearly review of the Municipal Strategic Statement.

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