

21.0505/12/2013
C87**NATURAL RESOURCE MANAGEMENT**

This clause provides local content to support Clause 14 (Natural Resource Management) of the State Planning Policy Framework.

Specific references to individual towns are also included in Clause 21.11 (Local Areas).

21.05-105/12/2013
C87**Agriculture**

The natural resource and rural areas of the Shire are significant assets, supporting approximately \$25 million worth of agricultural production annually.

The highest quality agricultural land is associated with the alluvial areas covering almost 50,000ha. The elevated river terraces above the Goulburn River are particularly noteworthy. These areas have been classified as moderate in terms of land capability but can be improved by the level and nature of land management. The major concerns in these areas include flood risk, site drainage, salinity, degradation of soil structure, stream bank erosion and the impact of rural residential development. Mitchell is characterised by many small landholdings. Of the 4,661 parcels in multi-lot properties, only 23% are over 40 ha.

There is strong demand, especially in the southern areas for smaller lots for 'lifestyle' living and small enterprise farms. In some cases this has had a positive environmental effect by, reducing grazing pressure, increasing tree planting, attracting environmentally conscious residents who undertake more intensive land management efforts. In other cases, increased subdivision has had negative effects by increasing pest plants and animals, overgrazing, noise pollution, water pollution from septic tanks and effects on our natural waterways of the creation of additional farm dams capturing water.

Council's strategic position is that fragmentation of productive agricultural land by subdivision is to be avoided to ensure that the productive capacity of the land is maintained.

Key issues

- Minimising the loss of productive agricultural land.
- Addressing the decreasing viability of traditional farming.
- Minimising the impacts of unplanned rural living on farming operations.
- Addressing 'right to farm' issues.
- Accommodating smaller, boutique and lifestyle farming enterprises.
- Adjusting to greater reliance on off-farm income.

Objective 1

To ensure that the use, development or subdivision of land is not prejudicial to agricultural enterprises or to the productive capacity of the land.

Strategies

- Ensure that the excision of dwellings and the creation of lots smaller than specified in the schedule to the Farming Zone are consistent with the purposes of the zone.
- Ensure that a dwelling excision is designed in a manner which does not prejudice surrounding rural production activities.
- Protect farming and other agricultural practises from the encroachment of urban growth.
- Discourage the development of rural living style development within established agricultural areas.
- Retain productive land for agricultural purposes.
- Support land rehabilitation in farming areas unsuited to traditional agriculture.

- Discourage the expansion of urban uses and development into high quality agricultural areas.

Objective 2

To support the diversification of agriculture, the development of agro-forestry and the processing of agricultural products grown within the municipality.

Strategies

- Support agricultural industries which are ecologically sustainable and incorporate best practice management.
- Support the development of the equine industry as a major economic, social, lifestyle and recreational sector.
- Support the development of the existing timber industry (plantations and agro-forestry, harvesting and processing).
- Strengthen the role and identity of the major towns as rural service centres.
- Discourage the conversion of land to non-soil based use and development unless there is no other suitable site for the proposed use and development and overwhelming public benefit is demonstrated.
- Encourage the retention of agricultural land in productive units in preference to the fragmentation of land.
- Encourage agro-forestry which assists in rectifying current landcare issues such as vegetation/habitat loss, soil erosion and salinity.

Objective 3

To encourage and promote environmentally sustainable management of land, water and biological resources.

Strategies

- Support agricultural diversification and the introduction of more intensive types of agricultural uses or other forms of farming that are more environmentally and ecologically sustainable and better use the land and its capabilities.
- Obtain net environmental benefits (such as increased tree planting, fencing of environmentally sensitive areas, erosion control, control of pest animals and weeds, stormwater management and creation of linked environmental corridors/public reserves) when approving subdivision and/or development of rural land.
- Encourage better land management practices.
- Ensure that use and development avoid, mitigate or repair degradation of natural resources.

Policy guidelines

Decision guidelines

- When deciding on an application for use, development or subdivision in rural areas the following matters will be considered, as appropriate:
 - The potential effect of use and development on the quality and quantity of natural resources in the water catchment.
 - *The Mitchell Shire Domestic Wastewater Management Plan Final Report, RMCG, November 2006* and *Mitchell Shire Land Capability Mapping and Assessment Tools for Domestic Wastewater Management, RMCG, June 2006*. (E21.05-1 Urban Development).
 - *The Land Capability Study of the Mitchell Shire (Technical Report No. 35)*, prepared by the Centre for Land Protection Research, August 1996.

- Whether the proposal is consistent with and seeks to implement a certified whole farm plan, land management plan or integrated land management plan to the satisfaction of Council.

Criteria or performance measures

- An application for small lot subdivision in the Farming Zone should meet the following criteria or performance measures:
 - Lots created under the provisions of Clause 35.07-3 should have a maximum size of 2 hectares.
 - Dwellings excised under the provisions of Clause 35.07-3 will be in a habitable condition and comply with the Building Code of Australia.
 - The excision of dwellings will take place in a manner which will ensure the dwelling does not have the potential to restrict agricultural production on adjacent land and should ensure that adequate distance is maintained within the existing lots around the dwelling to limit likely impacts (if any) of adjacent agricultural activity.
 - Subdivision that is likely to lead to such a concentration of lots as to change the general use and character of the rural area will be discouraged unless it can be shown that the clustering of lots will not limit the productive use and development of the larger lots in the area.
 - Subdivision within water supply catchment areas will be strongly discouraged in order to protect water quantity and quality.

21.05-2

05/12/2013
C87

Water

Mitchell is located at the top of the Port Phillip and Goulburn Broken Catchments, with the Great Dividing Range providing the division between catchments to the south of the Shire. A small area on the north-west boundary of the Shire lies within the North Central CMA catchment.

Mitchell has many waterways that have economic, environmental and social benefits. The Goulburn River is the largest waterway while other waterways of significance include: Sunday Creek, Dry Creek, Sugarloaf Creek, Mollison Creek, Kilmore Creek, Kurkarak Creek, Ryan's Creek, Dabyminga Creek, Whiteheads Creek, Prices Creek, Cameron's Creek, Gardiners Creek, Percival Creek and Mt. William Creek (all in the Goulburn Broken Catchment); the Merri Creek, Bruce's Creek, Taylors Creek, Wallan Creek, Strathaird Creek, Deep Creek and Mittagong Creek (all in the Port Phillip Catchment); and Pohlman's Creek, Wild Duck Creek, Mt Ida Creek and Pipers Creek (all in the North Central Catchment).

Mitchell also has Special Water Supply Catchments that supply water for human consumption, including Wallaby Creek, Sunday Creek, Mollison Creek and the catchment areas of Lake Eppalock.

Being at the top of the catchment, the salt loads in waterways contribute to salinity problems downstream. Clearing of land, especially along ridgelines has significantly contributed to the increased salt loads in our water and soils, effecting both stream health and agricultural productivity.

Reduced environmental flows and diminishing river health will continue to be influenced by effluent and nutrient impacts from septic systems, and increasing numbers of stock and domestic farm dams that have diverted and detained water reaching the river and creek systems. Urban stormwater run-off, excessive use of agricultural chemicals, and unsustainable grazing practices have also added to the deterioration of water quality.

Key issue

- Diminishing water quality and supply

Objective 1

To improve the quality of water in waterways and catchments.

Strategies

- Support integrated catchment management.
- Protect and restore native vegetation corridors along waterways.
- Minimise the quantity and retard the flow of stormwater run-off from urbanised areas.
- Create wetlands, where possible, to encourage natural flow systems, improve stormwater quality and encourage and increase native biodiversity.

Objective 2

To ensure that surface and ground water quality is not adversely affected by development.

Strategies

- Ensure that use and development comply with the relevant State requirements and guidelines, particularly the EPA Publication 891.3 Code of Practice – Guidelines for Environmental Management - Onsite Wastewater Management and municipal wastewater management plan *Mitchell Shire Domestic Wastewater Management Plan Final Report, RMCG, November 2006*.
- Prevent the discharge of effluent off-site.
- Ensure that the density of effluent disposal systems is suitable to the land capability of the area including proximity to sensitive environmental features, soil type and topography of the site.
- Enable alternative effluent disposal systems, such as package treatment plants and composting toilets, to be used where environmental conditions prevent the disposal of waste by septic tank.
- Promote environmental best practice that reduces the impact of domestic wastewater in the local environment.
- Ensure domestic wastewater is managed within the capability of the land.
- Implement water sensitive urban design principles in the design of public places and new urban development.
- Ensure all new use and development of land that proposes or requires waste water treatment locates effluent disposal systems and irrigation fields to avoid contamination of surface and ground waters, supply channels and domestic water supply reservoirs and catchments.

Policy guidelines

Application requirements

- An application requiring a septic tank must be accompanied by a report demonstrating that:
 - the proposed density of septic tanks (effluent disposal system) will not overload the natural environment with effluent and lead to pollution of watercourses or other properties; and
 - the design and location of septic tanks is appropriate to the site and environmental characteristics of the allotment.
- An application for commercial, residential or industrial land uses or development not connected to an approved waste water treatment system must demonstrate that there will be no decrease in the quality of water in any adjacent or nearby watercourse.

Decision guidelines

- When deciding on an application to use, subdivide or develop land or carry out works, any relevant Land Capability Mapping will be considered.

21.05-3

05/12/2013
C87

Dams

A high number of farm dam failures occur within the first year of construction. Council seeks to minimise farm dam failure by providing construction guidelines and requirements.

Key issues

Protecting against the failure of farm dams.

Objective 1

To ensure that farm dams are designed and constructed in such a manner that dam failure is minimised.

Strategies

- Ensure that dams are constructed in accordance with appropriate dam construction and soil conservation techniques.
- Ensure that dam sizes relate to the suitability of the site and to the use intended.
- Ensure appropriate revegetation around the dam.
- Prevent construction of dams in environmental sensitive areas, such as bush gullies.
- Ensure the location of the proposed dam is appropriate to the terrain characteristics of the land and the capacity of the proposed dam is appropriate to the catchment area of the site.
- Ensure spillways are designed to cater for a 1 in 5 year storm level.
- Ensure the removal of trees is minimised.
- Ensure that soil types on the site are suitable for water retention and if not suitable, ensure that adequate mechanical or chemical means will be employed.
- Ensure that the top soil stripped from the site is spread on any exposed batters.
- Ensure exposed soils are revegetated with perennial grasses and appropriate indigenous vegetation as soon as possible after construction.

Policy guidelines

Application requirements

All applications for construction of dams must be accompanied by the following information as appropriate:

- Demonstrated consultation with the Department of Environment and Primary Industries and any relevant Drainage or Water Authority.
- Demonstrated familiarity with recommended dam construction techniques.
- A landscape plan that shows the location of the dam (including any mulch), contours and finished levels, extent of vegetation clearing, dimensions and capacity.