**RURAL DEVELOPMENT**

This Clause provides local content to support Clause 11.05-3 (Rural Productivity), Clause 12 (Environmental and Landscape Values), Clause 14 (Natural Resource Management) and Clause 17 (Economic Development).

**Rural subdivision and development**

In common with other areas in Central Victoria, parts of Pyrenees Shire were the focus of intensive gold mining activity in the Nineteenth Century. Essentially this involved all that part of the Shire north of the Western Highway, except for the small area of basaltic plains and volcanic areas to the east of Trawalla and south of Waubra.

Areas of auriferous land extended also into the steep hills and mountains of the Pyrenees Range, and resulted in the creation of numerous small Crown Townships, set up to provide local and community business services to the burgeoning population of gold miners and their dependants.

Another common characteristic of this era was the working by miners and fossickers of small claims along valley floors where surface gold was readily apparent. Over a period of time these claims were converted to an entitlement for freehold ownership. As a result, extensive Crown Subdivision took place and widespread areas of rural land were alienated into small holdings. This also included some of the steepest and most environmentally hazardous land within the Shire.

Invariably lot sizes were unrelated to proper rural land management requirements and they now represent a serious impediment to the orderly future management of the Shire’s rural areas. In addition many of the original Crown Townships are now defunct and are undesirable for physical, social and environmental reasons.

The pattern of subdivision within the Shire however, in no way reflects present patterns of settlement and land use. In the majority of instances, areas of extensive small lot subdivision are comprised in large and more or less manageable rural holdings. There has been and remains a serious concern however that speculative fragmentation of land ownership and ad hoc commitment of isolated small parcels to rural residential and other small lot rural development will cause serious planning problems including:

- Introduction of inappropriate and unusual land management practices (related either to under or over utilisation of the land).
- Destabilisation of agricultural land values and introduction of inappropriate rural land uses into established agricultural areas.
- Increased demand for provision of public services and infrastructure in remote rural areas (at major cost to the public purse).
- Vulnerability of people and property to wildfire.

Those areas of the Shire which have been substantially committed to small lot subdivisions are shown on the Physical Framework Plan (refer Figure 1 at 21.02-2). These areas generally comprise land which has been subdivided into areas of less than half of the minimum lot size now specified in Planning Schemes for subdivision in these areas; areas which have particularly severe environmental constraints and in which development of any kind should be minimised and areas where the design of the subdivision is seen to be particularly inappropriate in planning terms.

Specific land management policies for these areas are identified in the Scheme - including a requirement for restructuring into generally larger, more manageable and more useable holdings of those areas which possess the most severe planning threats and problems.

**Sustainable agricultural land use**

The majority of non-urban land in the Shire is used for dry land pastoral and agricultural purposes. The significance of these activities to the Shire is described in Clause 21.01-3. A continuation of these uses should be encouraged, consistent with responsible land management practices.
Objective 1
To promote the effective management of rural land.

Strategies

Strategy 1.1 Encourage farm management practices and land use activities that have the capacity to be sustained and reflect the optimal use of the land.
Strategy 1.2 Encourage measures to reduce salinity and land degradation, such as through the preparation and implementation of land and water management plans at a farm and regional scale.
Strategy 1.3 Protect significant flora and fauna habitats and remnant vegetation.
Strategy 1.4 Encourage restructuring of areas of inappropriate subdivision according to the pattern of tenements that existed as at 17 March 1997.
Strategy 1.5 Encourage sustainable resource management and the protection of agricultural land within the Shire.

Objective 2
To provide opportunities for sustainable agriculture.

Strategies

Strategy 2.1 Encourage farm consolidation and adjustment.
Strategy 2.2 Restrict subdivision of high quality agricultural land.
Strategy 2.3 Discourage rural subdivision where it prejudices effective and sustainable agricultural use.
Strategy 2.4 Adopt minimum subdivision sizes which reflect farm viability and capability.
Strategy 2.5 Limit the opportunity for small lot rural excisions.
Strategy 2.6 Protect areas suitable for sustainable agriculture from inappropriate subdivision.
Strategy 2.7 Encourage land use and development that is environmentally and ecologically sustainable and incorporates best management principles.
Strategy 2.8 Discourage non-agricultural use and development in rural areas.

Objective 3
To support the diversification of agriculture

Strategies

Strategy 3.1 Encourage diversification of the agricultural base and the introduction of more intensive agricultural uses.
Strategy 3.2 Support the timber industry and encourage the development of agroforestry.
Strategy 3.3 Facilitate the expansion of the wine industry in the Shire and the development of suitable land for viticulture.

Implementation

- Applying the Farming Zone to areas of the Shire currently in agriculture production.
- Applying the following subdivision minimum in the Farming Zone:
  - 40 hectares in respect of land to the north of the Western Highway. This reflects the fact that rural land in the northern part of the Shire tends to be more substantially subdivided and has greater flexibility in terms of the agricultural uses which may be pursued;
  - 80 hectares in respect of land to the south of the Western Highway. This reflects the fact that rural land in the southern part of the Shire is generally comprised in larger holdings and is generally less flexible in terms of the agricultural uses which may be pursued.
- Encouraging the minimum site size for a dwelling to be the same as the minimum site size specified for general subdivision in the area concerned. In considering an application to construct a dwelling on a smaller lot, the responsible authority shall take into account:
  - Whether the site was separately owned as at 17 March 1997; or
  - Whether the site is a lot created in accordance with an approved Planning Scheme.
- Considering the need for Title consolidation or other restructuring when authorising any proposals for use or development of any land.
- Using local policy to encourage sustainable agricultural practices.

### 21.05-3

#### Rural living areas

Significant rural residential development has occurred on the periphery of Beaufort, Avoca, Snake Valley and some of the smaller townships in the Shire. These locations are capable of accommodating further development, provided that the areas committed for this have a basic suitability in terms of physical land use capability, access and availability of services, and a compatible land use context.

#### Objective 1

To provide for appropriately located rural residential development.

#### Strategies

- **Strategy 1.1** Ensure that opportunities for rural residential development continue to be provided in intrinsically attractive areas on the periphery of existing townships and settlements so that residents may take advantage of the facilities and services available in these communities.
- **Strategy 1.2** Prevent rural residential development from occurring in productive farming areas or areas possessing significant environmental hazards and constraints.
- **Strategy 1.3** Discourage rural residential development in areas that have high management requirements.
- **Strategy 1.4** Provide for rural residential development in those areas designated for this purpose on the Strategic Framework Plan.

#### Implementation

- Applying the Rural Living Zone to existing areas of rural residential living and to other areas within the Shire where rural residential living is considered appropriate.
- Applying an 8 hectare minimum for subdivision and for which no permit is required for a dwelling.
- Introducing appropriate planning controls for those areas identified as being suitable for rural residential living to promote the further development of rural residential living in these areas.

### 21.05-4

#### Winery and tourism development in the Mountain Creek Valley

The Mountain Creek Valley is located approximately 20 kilometres north-west of Avoca, and covers an area of approximately 60 square kilometres (it is bounded to the north, west, and south by prominent mountain ranges).

In addition to established broad-acre farming uses, this valley is an important location for concentrated vineyard, winery, and related tourism development. This is because of its topography, collection of a number of well known vineyards, and an expanding range of tourist facilities and attractions. All of these attributes give the valley a strong sense of place, which distinguish it from other more dispersed viticultural areas in the Shire (and for that matter, the wider Pyrenees region).

Although the Moonambel township is the focal point in the valley, it is but a small rural service centre and most of the tourism-related facilities are based in the surrounding rural hinterland (but not exclusively associated with individual vineyards).

The development of a diversified vineyard and tourism related precinct, whilst protecting the agricultural base, is best facilitated by the use of both the Rural Activity Zone for the valley floor areas, and Township Zone for the Moonambel village. These zoning arrangements (as indicatively depicted on the Mountain Creek Valley Strategy Plan at Figure 1 at Clause 21.05-4) should provide for a balanced mix of agriculture and related industrial and commercial enterprises. These enterprises could include:

- Diversified rural industries
- Specialty shops
- Restaurants
- Artists studios
- Art galleries
- Tourist accommodation facilities (in both the village and in the surrounding rural areas).

**Objective 1**
To promote the Mountain Creek Valley as a focal point for vineyard and tourism development, whilst protecting traditional broad-acre farming activities.

**Strategies**

**Strategy 1.1** Promote the further development of the vineyard and winery industries in association with a diverse mix of tourist-oriented commercial enterprises.

**Strategy 1.2** Encourage the increased provision of tourist accommodation facilities and associated food and beverage service facilities.

**Strategy 1.3** Encourage the further development of Moonambel as a rural service centre.

**Strategy 1.4** Promote continued productive farming activities by discouraging rural living development in the area zoned Rural Activity Zone. This should include restructuring of inappropriate small lot subdivisions (where possible).

**Strategy 1.5** To protect the rural character both within and adjacent to the Mountain Creek Valley.

**Implementation**

- Promoting the further development of productive vineyards in conjunction with broad-acre farming activities.

- Promoting and facilitating the development of new accommodation facilities, restaurants, and commercial and retail enterprises that will serve to attract increased tourist visitation (such uses being located both in the Moonambel township and in the rural areas, both in conjunction with and independent of vineyards and wineries).

- Discouraging ad hoc rural living development through the use of the Rural Activity Zone provisions and (where applicable) the Restructure Overlay provisions.

*Note:* See Figure 1 at 21.05-4 – Mountain Creek Valley Strategy Plan.
Figure 1 at 21.05-4: Mountain Creek Valley Creek strategy plan
Areas with special suitability for viticulture development

The areas identified on the Strategic Framework Plan for grape growing (“designated grape growing areas”) comprise the land of unconsolidated colluvial soils on the break of slope of the steep land within the Palaeozoic II, Paleozoic III and Metamorphic land systems. This land is highly suitable for the growing of grapes for the following reasons:

- Good drainage due to the unconsolidated nature of the soils and slope.
- The low fertility of the soils produces grapes of intense flavour.
- The land is unaffected by frosts due to its elevation.

Objective 1

To support the further development of viticultural operations in areas designated in the Strategic Framework Plan for grape growing.

Strategies

Strategy 1.1 Protect land of high suitability for viticulture from inappropriate development.
Strategy 1.2 Facilitate and encourage the establishment and development of vineyards and associated rural industries (e.g. wineries) in areas that have a particular suitability for such use.
Strategy 1.3 Facilitate the development of supporting infrastructure required in association with vineyard development.
Strategy 1.4 Provide locational opportunities for the establishment of vineyards and associated rural industries.

Implementation

- Promoting proposals for the establishment of vineyards and associated rural industries in the designated grape growing areas.
- Requiring applications for other uses and developments in designated grape growing areas to demonstrate that they are compatible with existing vineyards and will not compromise the future development of adjoining land for vineyard purposes.
- Permitting the creation of smaller lots only where the purpose of the subdivision is to excise land for the purpose of agriculture or viticulture.
- Discouraging the construction of dwellings, particularly where the land is either steeply sloping or has identifiable hazards and constraints to development based on an assessment of physical land use capability.
- Encouraging the planting of native vegetation in respect of those areas within lots which are not required for the growing of grapes.

Areas of inappropriate subdivision

Extensive areas in the rural parts of the Shire have been subdivided into lots which do not represent manageable rural parcels or which are unrelated to proper land management. Multiple lots are in many cases held in single ownership. Fragmentation of ownership of these lots and the potential demand to construct a dwelling on any or all of them would not be consistent with responsible management of rural land. These areas comprise:

- Extensive areas where the size of lots is less than half the minimum lot size which would otherwise apply; and
- Areas of open farming land which are comprised of comparatively small lots where the subdivisional pattern is convoluted and clearly inappropriate.

Extensive small lot rural development is considered to be unsuitable particularly where this involves the construction of a house and associated facilities and is likely to result in adverse environmental, economic and social impacts. There is no demonstrated community need for extensive small lot
settlement in these areas. In this regard, ad hoc and piece-meal development of these areas for small lot rural purposes is likely to result in unacceptable levels of land use conflict and misuse of land.

**Objective 1**
To protect productive farming land from inappropriate development.

**Strategies**
- **Strategy 1.1** Identify old and inappropriate subdivisions that are to be restructured.
- **Strategy 1.2** Promote a pattern of development which is consistent with the physical and visual environment.

**Objective 2**
To promote efficient and sustainable use of rural land.

**Strategies**
- **Strategy 2.1** Promote the consolidation of fragmented land parcels into manageable units.
- **Strategy 2.2** Encourage good land management and use of small parcels for responsible semi-commercial farming purposes.
- **Strategy 2.3** Make efficient and effective use of roads and other public infrastructure, and minimise the demand for public sector expenditure on the development and maintenance of new public infrastructure and services.

**Implementation**
- Applying the Restructure Overlay to rural areas which have subdivisional configurations which are not conducive to responsible land management. These areas are considered to be unsuitable for extensive small lot rural development, particularly where this involves the construction of a house and associated facilities, because of the adverse environmental, economic and social impacts which would result from such development.
- Ensuring that the size and configuration of Restructure Parcels is sufficient to enable the construction of a dwelling on each parcel without prejudicing the environmental capacity and landscape qualities of the area. The Restructure Plan for each area sets out how land in that area may be developed.

**Reference documents**
- *Mountain Creek Valley Planning Review, May 2009*