

## Draft rural land use strategy

# Dwelling summary

### Introduction

In 2006, Macedon Ranges Shire Council introduced the shire's inaugural 2002 Rural Land Strategy. Since 2006 there have been changes in the shire's rural areas, a raft of state and local strategies have been adopted and Ministerial amendments to the suite of rural zones have been gazetted, all of which have implications for rural land use and development. To address these changes, Council has prepared the draft Rural Land Use Strategy (the strategy) to update the rural framework plan and policy directions for rural land having regard to the changing nature of rural land use, the strategic and policy context and the unique circumstances associated with Macedon Ranges Shire's peri-urban location. The draft Rural Land Use Strategy addresses all land currently in the Farming Zone and the Rural Conservation Zone.

### Rural dwellings

There is a substantial supply of small lots in the Farming Zone and Rural Conservation Zone. Landholders commonly have expectations that they will be able to construct a dwelling on these small rural lots. However, dwelling development in Macedon Ranges' rural areas needs to be carefully planned to protect water supply catchments, avoid bushfire risk, and minimise risk of land use conflict with farming and other agribusiness.

The consideration of the Farming Zone has been heavily contested before VCAT. The Tribunal has granted permits for dwellings (against Council's refusal to grant a permit) and cases where the Council's refusal to grant a permit have been upheld. These decisions illustrate the importance of a clear policy position.

### Dwellings in the farming zone

The construction of a new dwelling will be discouraged unless it meets all of the following requirements:

Whether the proposed new dwelling is located on a lot that has:

- Legal frontage to a road.
- The potential for land to be consolidated with other land to enhance agricultural productivity.

- Will not result in a rural residential outcome in the area.
- An application for a dwelling must include:
- The nature of the agricultural activities on the land and whether they require permanent and continuous care, supervision or security.
- The nature of the existing agricultural infrastructure and activity on the land and any new proposed agricultural infrastructure and activity on the land.

## The draft rural land use strategy is now open for consultation

Further details on this consultation can be found here: [mrsc.vic.gov.au/yoursay](http://mrsc.vic.gov.au/yoursay)

You can also find copies of the Rural Land Use Strategy, other strategy summary documents, and details of the engagement program on this web page as well.

Submissions should be addressed to:  
**Rural Land Use Strategy Submission,  
C/- Macedon Ranges Shire Council**



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- The proposed siting of the dwelling and whether it minimises impacts on existing and potential agricultural operations on nearby land.
- The lot size, context and physical characteristics of the land.
- Whether the dwelling will be located away from ridgelines or hill tops and the impact on the local landscape.
- Whether the dwelling will have a negative impact on surrounding agricultural activity
- Whether the proposed development, including access and fence lines will require the removal of existing native vegetation.
- New dwellings or other buildings requiring a BAL, should demonstrate that they comply with AS 3959 Construction of buildings in bushfire prone areas.
- That risk from bushfire is reduced to an acceptable level and any bushfire protection measures can be adequately implemented.
- For a proposed dwelling, whether a section 173 agreement pursuant to the Planning and Environment Act 1987 is required to prevent the future excision of the dwelling from the parent lot.

- The construction of two or more dwellings on a lot will generally be discouraged.

## Dwellings in the rural conservation zone

In the Rural Conservation Zone, Council will consider as appropriate:

- Whether the dwelling will be located away from ridgelines or hill tops and the impact on the local landscape.
- Whether the dwelling will have a negative impact on surrounding commercial agricultural activity
- Whether the proposed development, including access and fence lines will require the removal of existing native vegetation.
- That risk from bushfire is reduced to an acceptable level and bushfire protection measures can be implemented.
- For a proposed dwelling required in association with improved land management or conservation outcome, whether the environmental management plan is satisfactory.

