



Prepared by Spiire for Wellington Shire Council



DRAFT RECOMMENDATIONS REPORT  
PORT ALBERT RURAL RESIDENTIAL  
LIFESTYLE LOTS REVIEW

July 2014

**This report has been prepared by the office of Spiire**

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### **Acknowledgements and Recognition**

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## 1 Executive Summary

### 1.1 Introduction

Spiire has been engaged by Wellington Shire Council to review rural living opportunities for the coastal township of Port Albert. Specifically, this study seeks to:

- Determine the current supply of, and likely future demand for rural lifestyle lots in the Study Area.
- Identify any physical opportunities and constraints on the provision of additional rural living lots.
- Identify any specific sites for potential rezoning and associated planning scheme changes.

A central component of this study is to investigate and address community concern regarding the perceived mismatch of zoning to rural properties and other anomalies brought about by recent changes to the Wellington Planning Scheme, and the associated uncertainty surrounding ongoing land use and development rights.

The study is to be prepared in accordance with the guiding principles for rural residential development and applying the rural zones as set out in Planning Practice Notes 37 and 42, respectively.

### 1.2 Overview

This study provides a sequenced analysis of the following key strategic considerations:

- The role and significance of the Study Area in both a regional and local context.
- The significant physical opportunities and constraints of the Study Area.
- Housing need, including the existing supply and likely future demand for rural residential development within the locality.
- The issues and concerns raised by local residents and landowners.
- The pertinent planning context of the Study Area at both a State and local level, including policy and controls.

The above analysis is based on a thorough review of:

- The Wellington Planning Scheme (WPS)
- Relevant recent amendments to the WPS
- A series of relevant strategic studies.
- The outcomes of targeted community and stakeholder consultation.

A list of the relevant policies, studies and consultation outcomes are provided in the Issues and Options Paper (May 2014) previously released.

### 1.3 Findings and Recommendations

Overall, this report finds that there is limited scope to provide further rural living opportunities within and around Port Albert. This finding is based on the following key considerations:

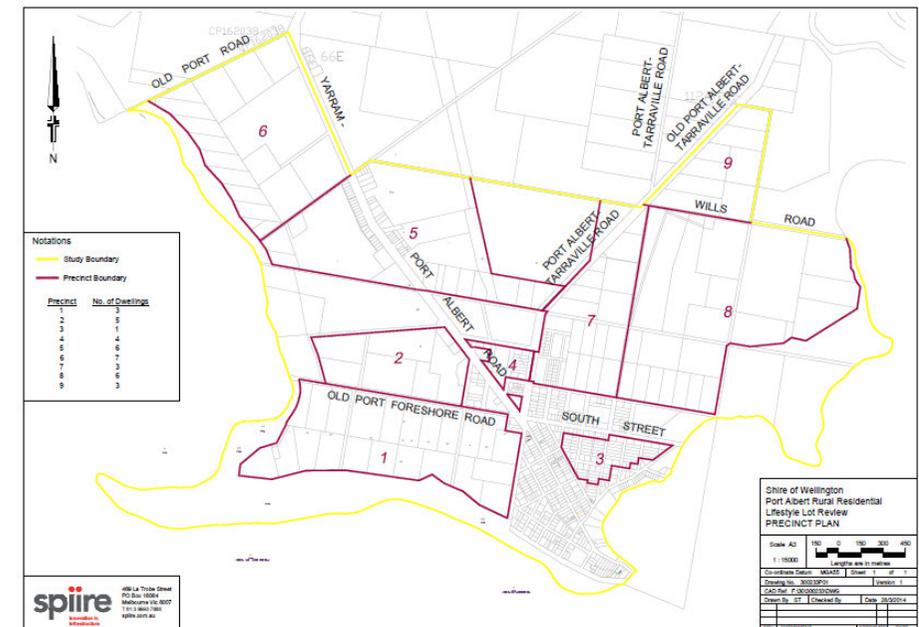
- The significant supply of standard town lots within the area for sale or development.
- A low level of anticipated population growth for the Study Area
- Low projected demand for rural living lots based on demographics and growth projections.
- The extent of existing significant vegetation coverage within the area, including identified Ecological Vegetation Classes (EVCs).
- The extent of fire risk due to the significant density of vegetation on both public and private land.
- The extent of potential flooding and inundation risk within the area, drainage constraints as well as the potential for increased tidal inundation.
- The ability to appropriately and sustainably service additional rural residential land.
- The location of the area to the immediate south of land within the State Resource Overlay in recognition of its valuable coal.
- The close proximity of the area to land utilised for significant levels of agricultural production including dairy farms and timber harvesting.
- The location at the edge of Ramsar Convention listed and significant coastal wetland areas.

There are, however, a number of specific sites which could reasonably be rezoned to accommodate additional rural living opportunities. These sites and their recommended rezonings are summarised in the Precinct analysis.

This study also finds that, as identified by the local community, there are a number of zoning anomalies in the area that ought to be rectified to ensure proper land use planning. The land affected and the associated recommendations are summarised in the Precinct Analysis.

The report analyses the Port Albert Hinterland Study Area in a series of nine precincts. Figure 1 below identifies the nine precincts.

Figure 1 Study Area Precincts



The recommendations from this analysis are summarised below:

Precinct 1:

- Rezone Precinct 1 to the Rural Conservation Zone in recognition of the biodiversity levels. This would assist in protecting the land’s environmental values from further degradation and would provide for land uses and development consistent with the environmental and landscape values.

Precinct 2:

- Given the area is already significantly developed for rural residential development and there is little opportunity for more traditional agricultural activity to occur on the site it would be appropriate for Precinct 2 to be rezoned to the Rural Living Zone. This change would essentially recognise the existing residential development levels of the Precinct and the residential zoning and development of land to the immediate east. It is likely the provision of this area of the Hinterland for rural residential development will meet the projected demand for growth.

Precinct 3:

- Rezone Precinct 3 to the Rural Conservation Zone in recognition of the environmental constraints affecting the Precinct. This would prevent inappropriate development which could impact on the characteristics and function of the wetlands and would disturb the Coastal Acid Sulphate Soils.

Precinct 4:

- Precinct 4 is essentially a rural residential area and should be considered for application of the Low Density Residential Zone in recognition of its existing development level.

Precinct 5:

- Given the anomalies that exist in the area it is recommended that the following changes are made to rectify these issues:
  - Rezone the front portion of 68 Yarram-Port Albert Road to the Farming Zone to recognise it is part of a larger farm land holding. The owner of the site specifically requested this land not be rezoned to rural living.
  - Rezone the back portion of 86 Yarram-Port Albert Road to the General Residential Zone to ensure the whole site is within one zone.
  - Consider rezoning the portion of Lot 2, LP95313 from the General Residential Zone to the Farming zone, to prevent further development of this area and to ensure it is in one zone.
  - Rezone the existing dwellings along Kilgower Road to the Rural Living Zone in recognition of the existing development levels and their location on the edge of Langsborough.

Precinct 6:

- Given the significant levels of vegetation in this Precinct it is recommended Precinct 6 remain within the Farming Zone. The recent changes to the Farming Zone will ensure any further development of the caravan park is permissible and it is therefore appropriate to leave this land use within the current zone. Consideration of extending the Environmental Significant Overlay

in this area to reflect the presence of vegetation within an endangered EVC should be made.

Precinct 7:

- Retain Precinct 7 within the Farming Zone due to its constraints including inundation and lack of road access. Precinct 7's characteristics and lack of vegetation make it more appropriate for low levels of agricultural production to occur. Consideration should be made of applying the Restructure Overlay to the original small lot subdivision area within Precinct 7.

Precinct 8:

- Retain Precinct 8 in the Farming Zone in recognition of the significant environmental constraints including inundation and the potential for agricultural activity to occur.

Precinct 9:

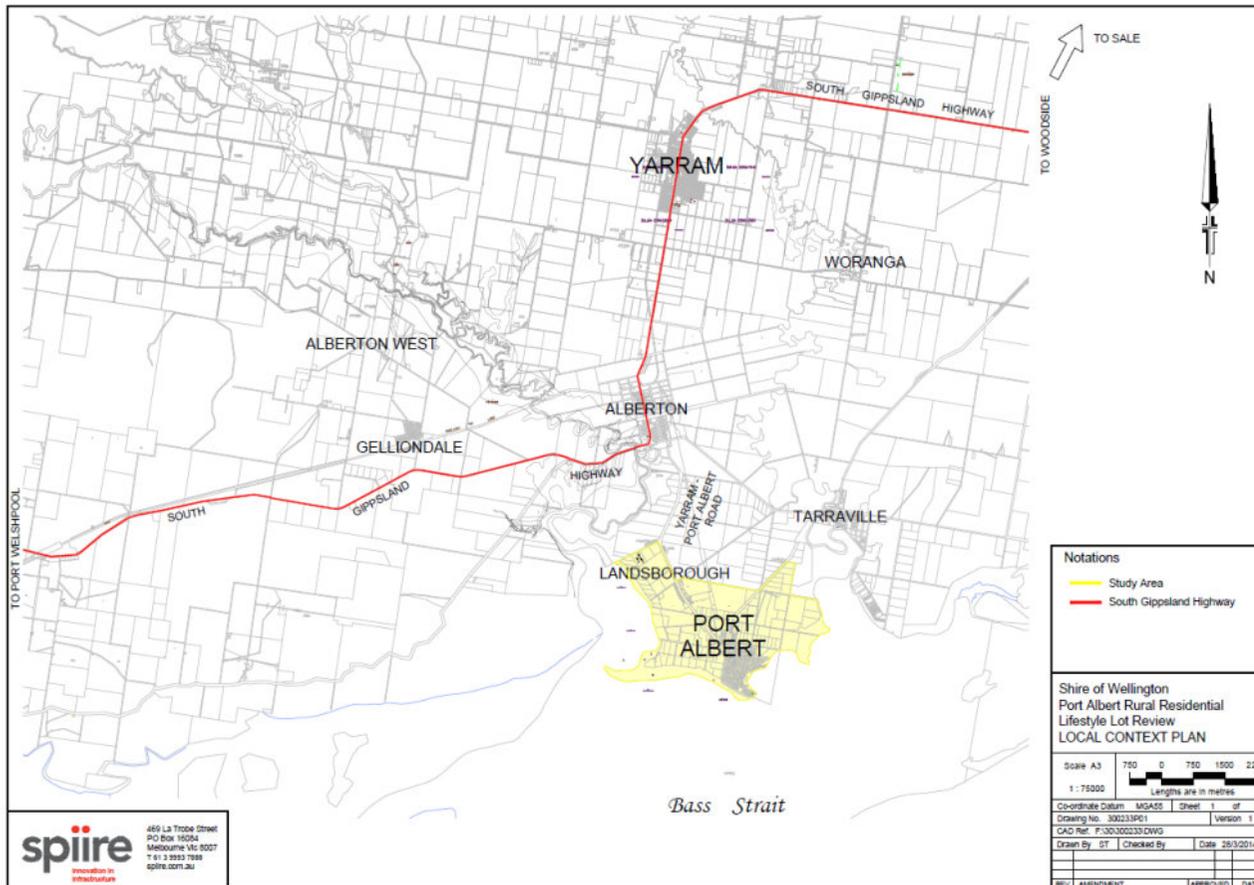
- Given the need to protect this land due to its identification in the Regional Growth Plan for coal resources and the constraints placed on development due to the land's inundation levels, it would be inappropriate to rezone the land in Precinct 9 from the Farming Zone.

## 2 The Study Area

### 2.1 Strategic Role

Port Albert is a coastal settlement situated approximately 85 kilometres south of Sale, and some 15 kilometres south of Yarram (refer Figure 2: Context Plan).

Figure 2 Context Plan



An historic fishing town, Port Albert functions as both a residential hamlet and seasonal tourism destination, noted for its special heritage significance as one of Victoria's oldest seaports.

Port Albert is located on the Gippsland coast and is accessed via a series of local roads which connect to the South Gippsland Highway. Notably, Port Albert has no direct access from either the South Gippsland or Princes Highways, the latter being located at least an hour's travel to the north. Given Port Albert's limited range of goods and services, residents tend to travel to the nearby town of Yarram to access services, and many residents also travel to Yarram for work. The need for a wider variety and higher order goods and services necessitates travel to a city such as Sale. Nearby Alberton provides a limited range of goods and services, including a primary school.

Whilst Port Albert is one of the two larger coastal settlements within Wellington Shire, the other being Loch Sport, in terms of the settlement hierarchy for Wellington Shire, it is not one of the main towns or settlements.

The Port Albert area comprises the Port Albert and Langsborough town areas, as well as the surrounding rural land. The population of this area is characterised largely by retirees with a small component of families (particularly within Langsborough). The population demographics of the Study Area show it to be less advantaged with lower incomes than the rest of the State, which is reflective of the slightly older population and lack of employment in the wider area. The permanent population of around 600 people is augmented by seasonal influxes of residents due to the tourism and coastal attractions of the area. This influx of people can more than double the population of the area and is particularly evident in Summer and at Easter. Further detail on the demographic makeup of the area is provided in Section 3.1 of this report.

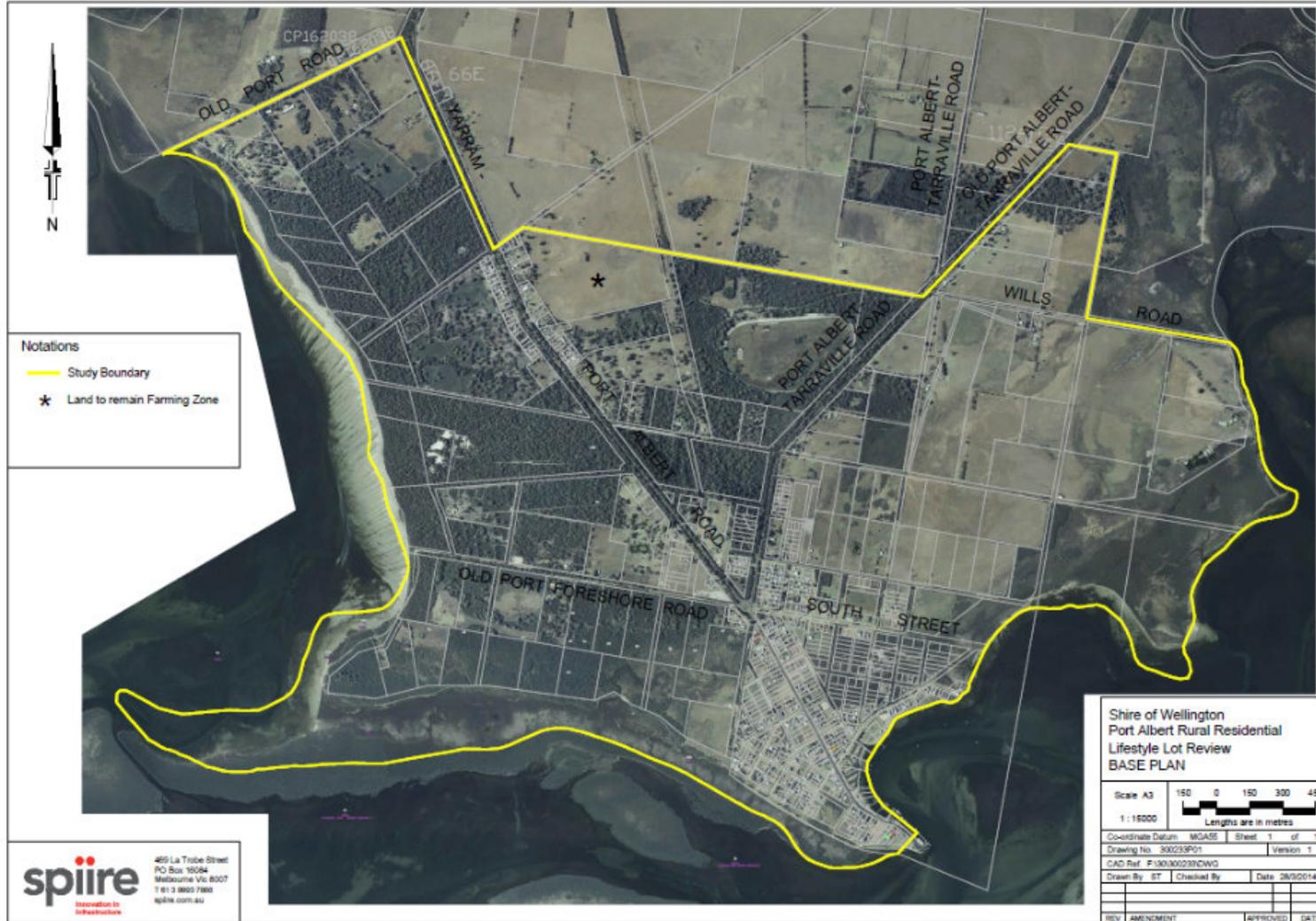
The town of Port Albert has few commercial and community facilities available for residents, including a fish and chip shop/restaurant, general store, café, museum and general store. The Port Albert Hotel was burnt down in early 2014 and may be rebuilt in the future. A number of small scale agricultural businesses are present (flower growing) as well as several accommodation facilities. The limited array of economic activities within the area means residents generally need to seek employment elsewhere or maximise income from their land.

## 2.2 Site Analysis

The extent of land pertaining to this study is specifically identified in Figure 3. The Study Area was determined by Council in consultation with the Port Albert Progress Association, its boundaries were then confirmed during community consultation in April 2014.

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Figure 3 Study Area



The following is an analysis of the Study Area's salient features.

### 2.2.1 Land Uses, Zoning and Settlement Patterns

- Two distinct settlements of Langsborough and Port Albert/Palmerston which are largely zoned General Residential (GRZ).
- Surrounding Hinterland is generally zoned Farming (FZ) with areas of Public Use (PUZ) and Public Park and Recreation (PPRZ) zones. Figure 4 identifies the zones applying to the Study Area.
- Areas of old small lot and inappropriate subdivisions within the Farming Zone which are often much smaller than the minimum subdivision size.
- Blurred lines around the edges of the township areas have caused potential land use conflict between farming activities and residential amenity expectations.
- There are currently significant areas of undeveloped, underutilised land within the towns of Port Albert and Langsborough for residential development. A significant proportion of properties are currently for sale within the towns.
- The Farming Zoned land is a mix of heavily vegetated coastal woodland and cleared low lying farmland. In general only limited agricultural production occurs in the area.



Figure 4 Zoning Plan

## 2.2.2 Agricultural Values

- Areas of productive agricultural land (dairying, beef) to the north of the Study Area.
- Presence of hobby farming, flower growing and other smaller scale/boutique agricultural uses.
- Generally the land systems present in the Hinterland are not considered to be conducive to high levels of agricultural production. The area predominantly comprises the Barrier Complex Geomorphic land system, with land to the north within the High level terraces and fans land system. Figure 5 identifies the land systems and their location. These land systems are derived by integrating environmental features including geology, landform, climate, soils and native vegetation using an ecological approach and can provide a basis for sustainable land use.
- The quality of agricultural soils in the broader area is a mix of Class 3 (Moderate Quality) and 3A soils. Class 3 soils are *generally of limited versatility but is very good dairying and grazing land, sometimes suitable for orchards and extensive area cropping but not suitable for intensive uses*. Class 3A soils are *suitable for more intensive uses than Clause 3 provided care is taken with the soil condition*<sup>1</sup>.

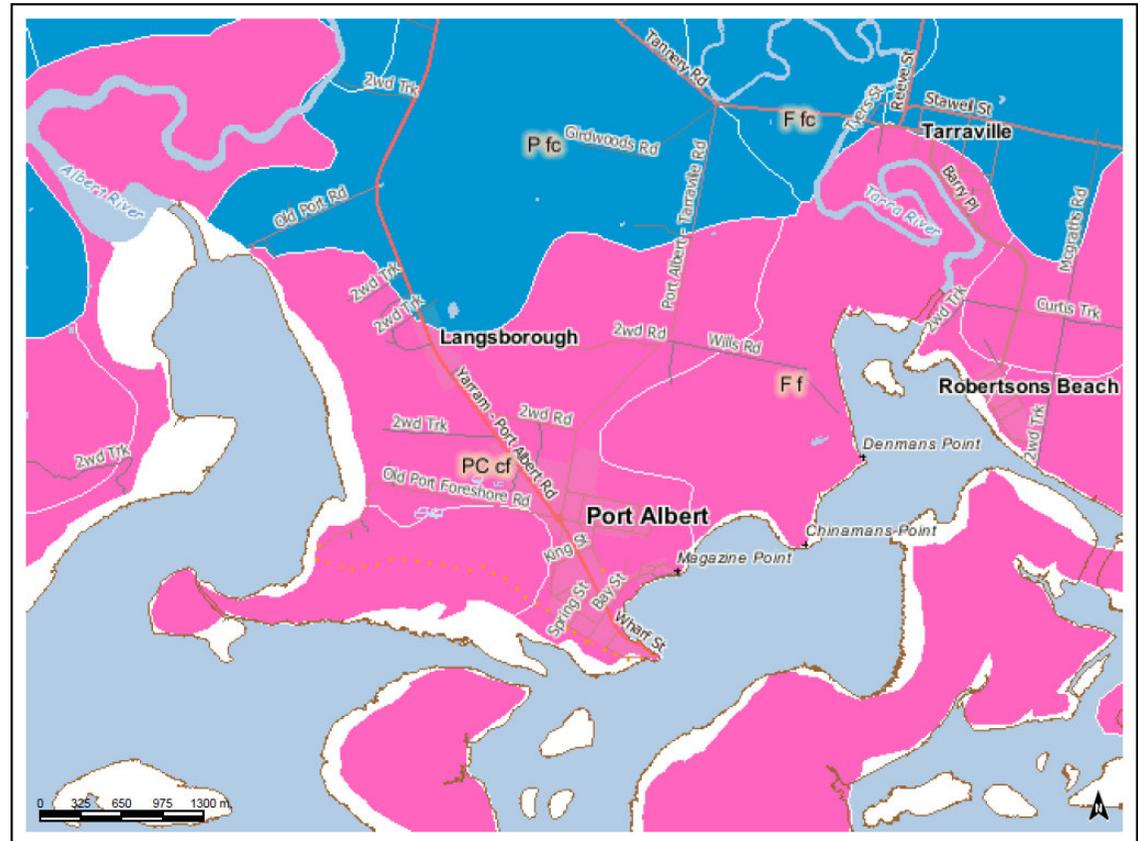


Figure 5 Geomorphic Land Systems

(Blue: high level terraces and fans; Magenta: Barrier Complexes Gippisland).

<sup>1</sup> Descriptions from *Wellington Rural Zones Review Vol 1 2009*.

### 2.2.3 Environmental Values

- Ramsar Convention wetlands (Nooramunga Marine and Coastal Park) are located along Port Albert's coastal boundaries.
- There are areas of environmental sensitivity, including Heathy Woodlands EVC (least concern), Wetlands EVC (least concern) and Riparian Scrubs EVC (endangered). Figures 6 and 7 show the location and conservation status of the EVCs (Ecological Vegetation Class).

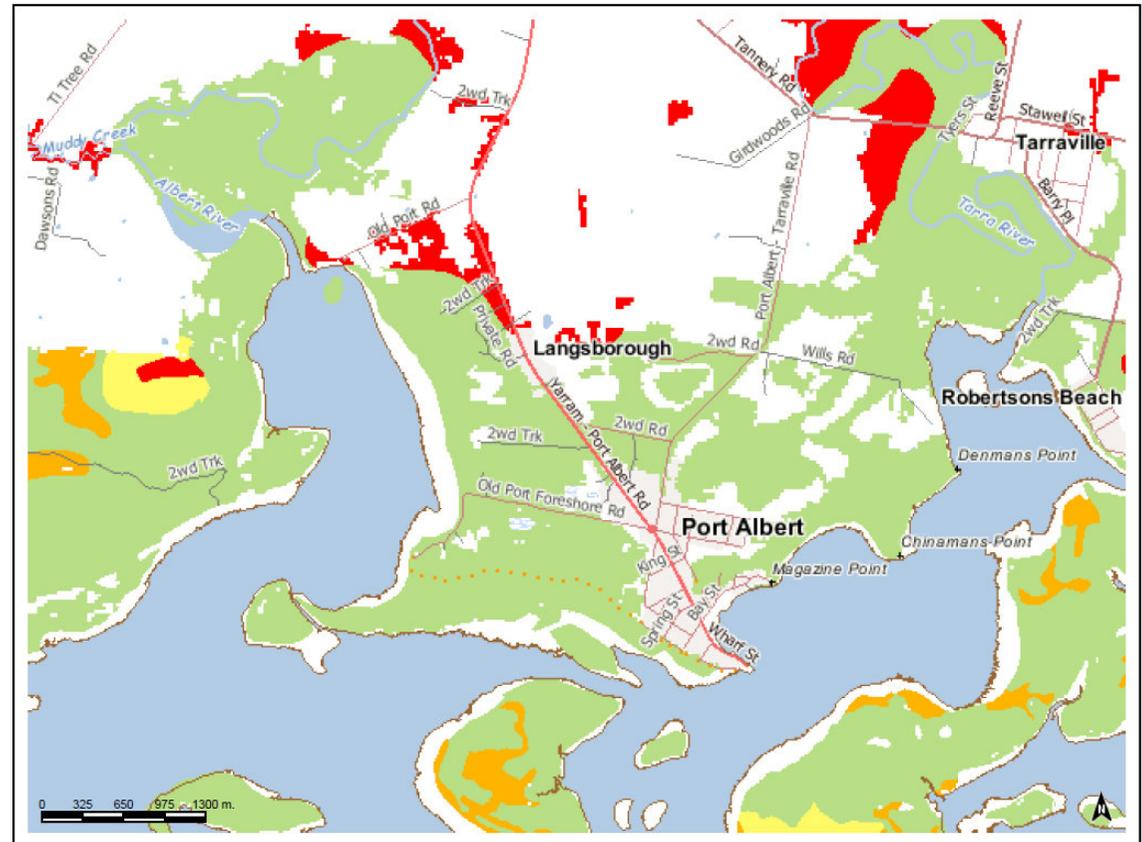


Figure 6 Conservation Status

*EVC Conservation Status Map (red: endangered; green: least concern)*

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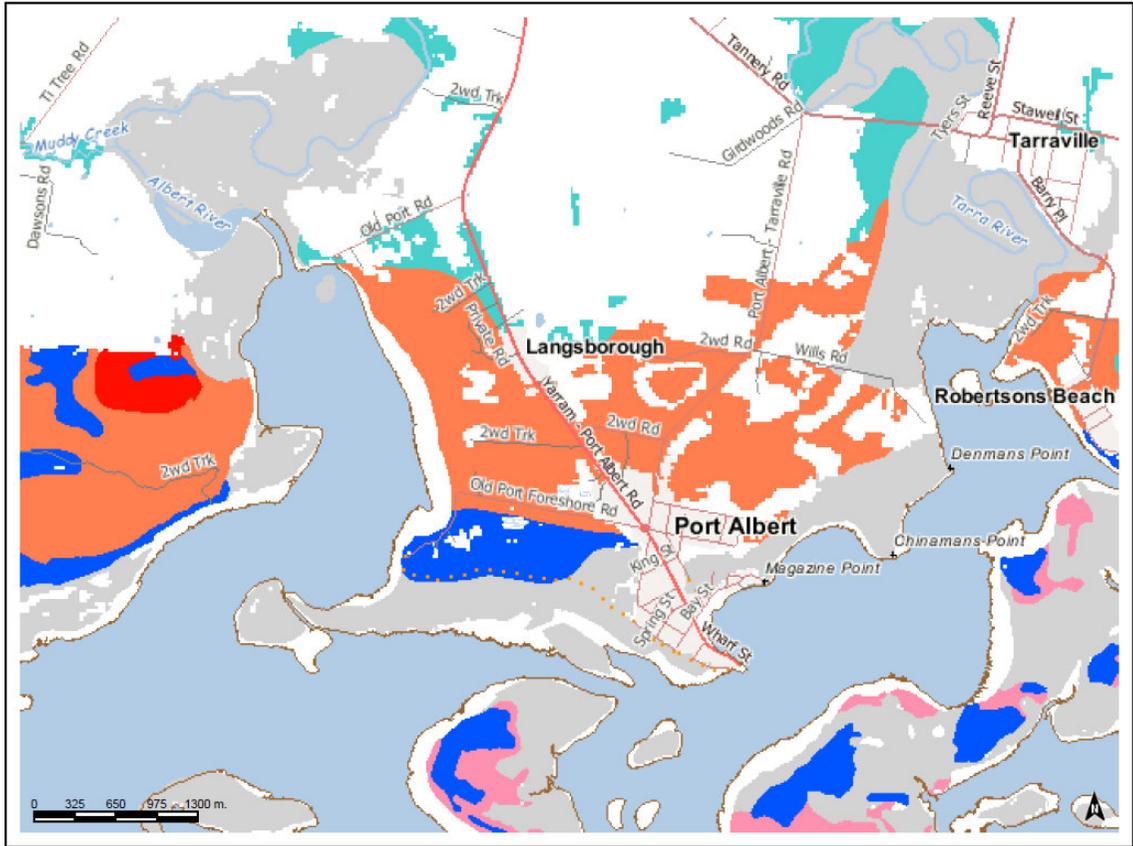


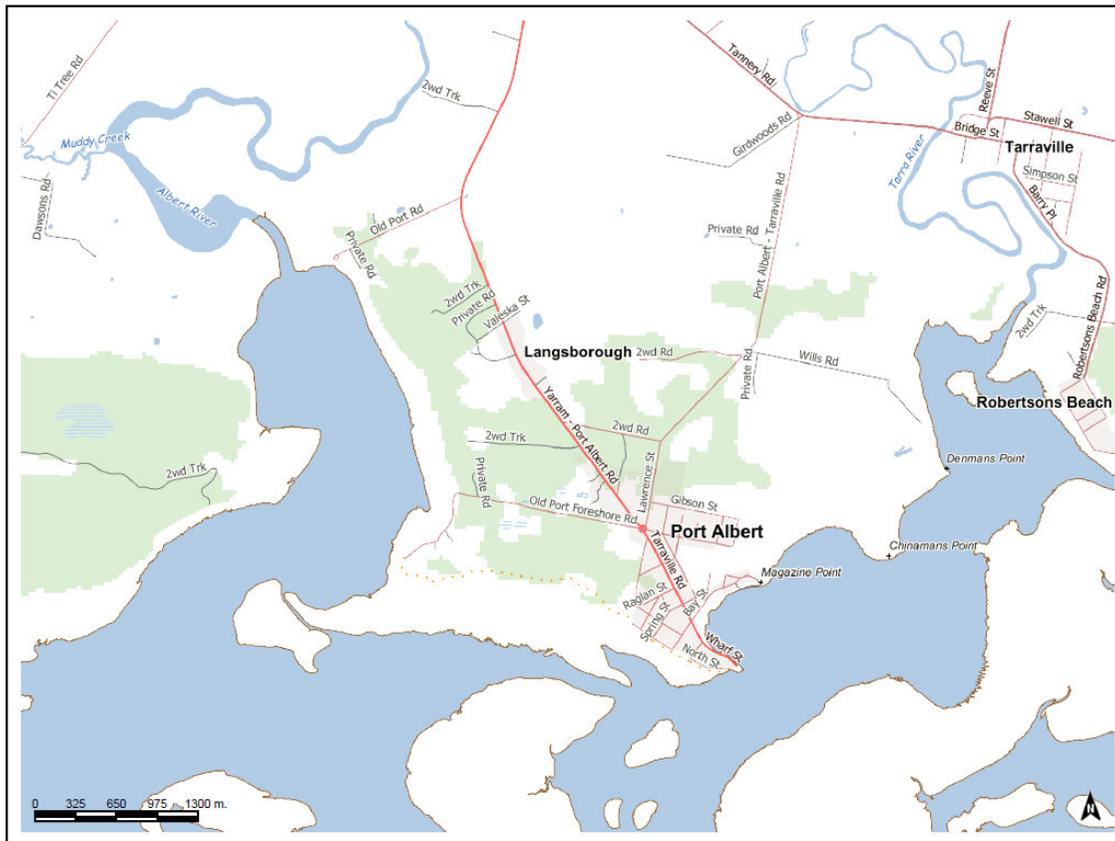
Figure 7 EVC Groups

*EVC Groups 2005 (teal: riparian scrubs; orange: heathy woodlands; blue: wetlands)*

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- Significant areas are covered by the Environmental Significance Overlay Schedule 1 – Coastal and Gippsland Lakes Environs and Schedule 2 – Wetlands.
- Areas of Coastal Acid Sulphate Soils exist in the south eastern areas of Farming Zone land.
- High levels of vegetation cover, including remnant native vegetation throughout the Study Area. Vegetation removal controls relate to both trees and understorey vegetation, the need to retain this vegetation can significantly constrain development potential. The extent of tree cover is a good indication of land which may require approvals to remove native vegetation cover and could prevent dwelling development, tree cover is mapped in Figure 8 to identify the significant extent of vegetation in the Study Area.

Figure 8 Tree Cover



### 2.2.4 Flooding and Inundation

- The eastern and southern parts of the Study Area are affected by either the Land Subject to Inundation Overlay or the Flood Overlay (LSIO/FO) due to the levels of mainly tidal inundation. The use of the overlays also reflects the constraints to drainage in the area due to the high levels of land saturation present. The current extent of flood and inundation overlays is shown in Figure 9.
- Amendment C33 identified additional flooding constraints to land within the Port Albert town itself. No overlays apply as the Minister for Planning excluded the town area from Amendment C33.
- Flooding in the area can be attributed in part to the location on the edge of significant wetland and coastal areas.

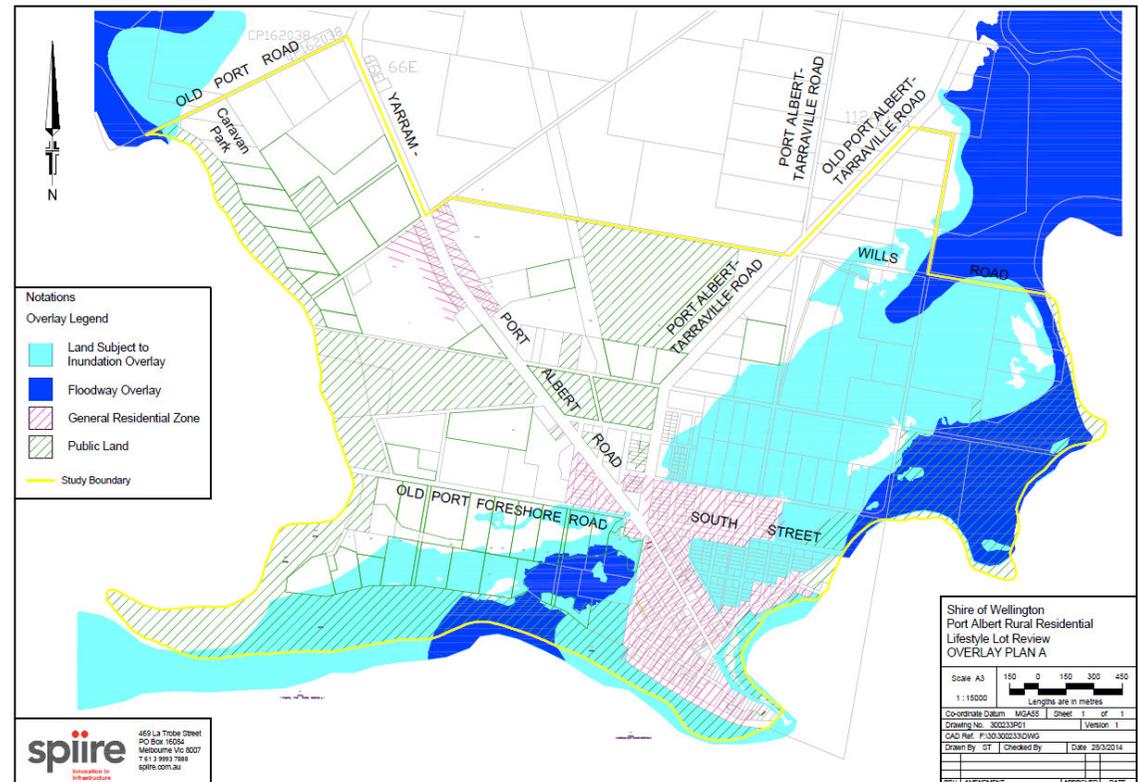


Figure 9 Flood Overlays

### 2.2.5 Bushfire Prone Areas

- The land within the Study Area is not currently affected by the Bushfire Management Overlay (BMO). However under the building regulations the area within a Bushfire Prone Area. This requires development to meet certain construction standards for bushfire protection known as BAL (Bushfire Attack Level) 12.5.
- Detailed mapping of areas which require higher levels of bushfire protection have not yet been released by the State Government. As such, the higher level of control, the Bushfire Management Overlay, is not yet in place in the Port Albert area.
- Recent fire history for the area and the density and status of existing vegetation cover in the area leads to a high level of fire risk which may impact on the levels of development permissible in the area. The CFA in particular indicated additional rural residential development would need to be cognisant of fire protection guidelines which may require certain land sizes and vegetation setbacks.

### 2.2.6 Physical Servicing and Infrastructure

- Port Albert has a small network of roads with two main roads in and out of the Study Area (one to Yarram and one to Tarraville). Much of the cadastre road network is unmade or not in existence, making access in and around the Study Area challenging. A number of lots in the Study Area have no formal road access.
- Further development is generally constrained due to the limited drainage infrastructure in the towns and Hinterland and the capacity constraints in the network. Council's

preference is for drainage to be provided formally in the road network.

- Only the residential areas of Port Albert are provided with reticulated sewerage. Langsborough and the Hinterland are reliant on septic systems or onsite waste water treatment systems. Lack of reticulated sewer increases the likelihood of additional rural residential development contaminating the sensitive environment.
- Power is provided to the Study Area generally (electricity).

### 2.2.7 Social Services and Infrastructure

- Limited social services and infrastructure.
- No education or health facilities, residents must travel to Alberton and Yarram to access these services.
- Public transport is not available. A private bus service to nearby towns is proposed.
- Retail is limited to small operations in Port Albert town area. These include a restaurant/take away store, general store, museum and café. This retail offering has been further impacted by the loss of the historic Port Albert Hotel to fire in January 2014.

### 2.2.9 Constraints Summary

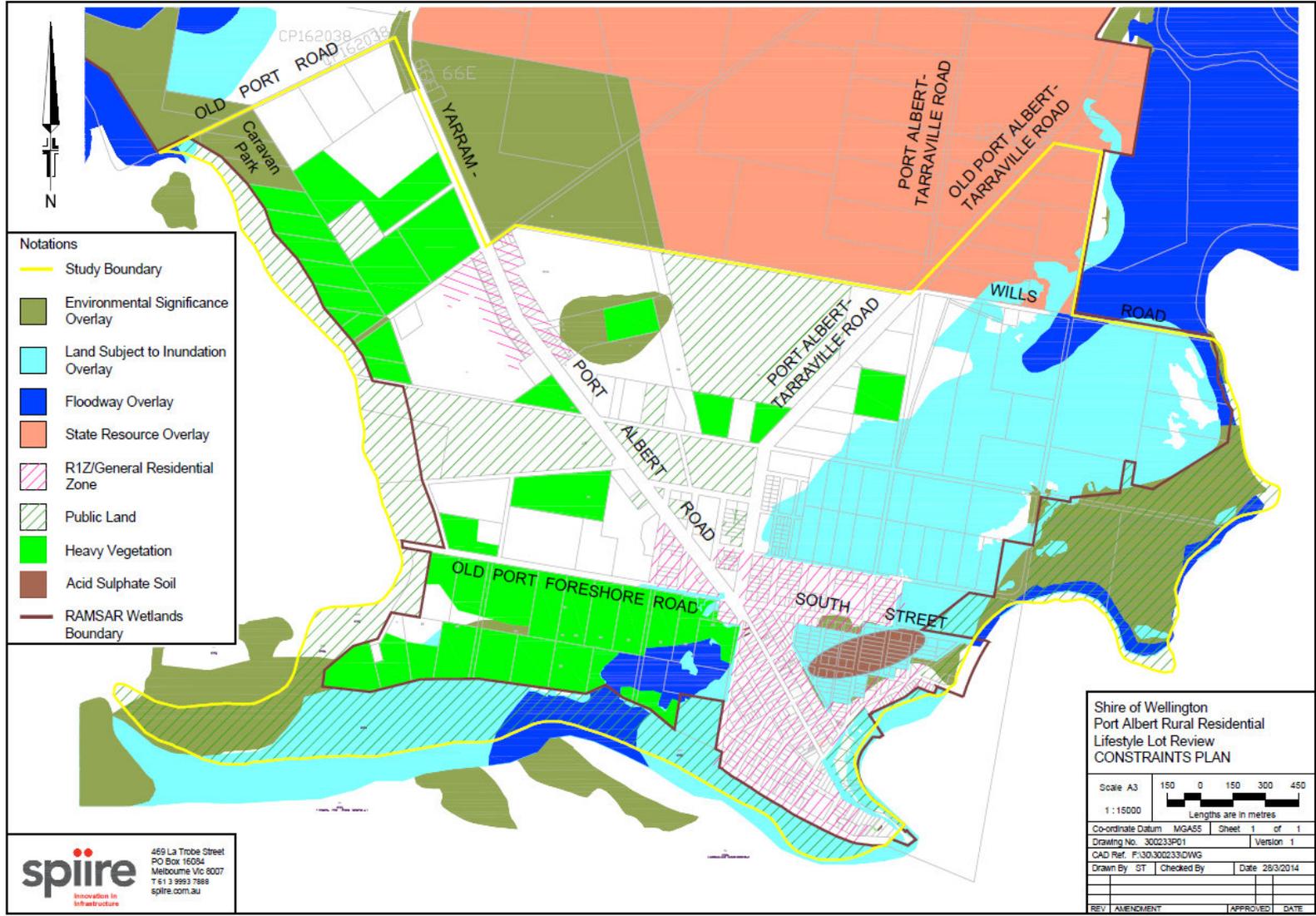
Overall, the Port Albert Hinterland has a number of constraints which together and separately prohibit or impact development and land use. The key constraints are summarised as follows:

- Fragile coastal environment due to its location on the edge of an important coastal marine park with a fragile environment and the presence of dense and important vegetation communities.
- Significant levels of vegetation/tree cover which would require planning approval to remove in order to develop many of the sites.
- Significant proportion of the area is impacted by flooding or inundation.
- Potential for bushfires due to the high level of vegetation in the Study Area in particular around the vast areas of public land.
- Varying degrees in the productive capacity of the farming zoned land.
- Limited physical infrastructure including small road network, lack of formalised and extensive drainage, and a limited extent of reticulated sewerage networks.
- Few retail or community services available within the townships and Hinterland.
- Small lot, old and undeveloped subdivision patterns which are not conducive to rural residential scale development due to their sub hectare size which poses environmental constraints in meeting bushfire protection requirements and treating wastewater. These township sized lots are also not conducive to Farming activities due to the potential for multiple ownership and the implications this may have on land management.

Figure 10 provides an overall look at the constraints facing the Hinterland.



Figure 10 Constraints Plan



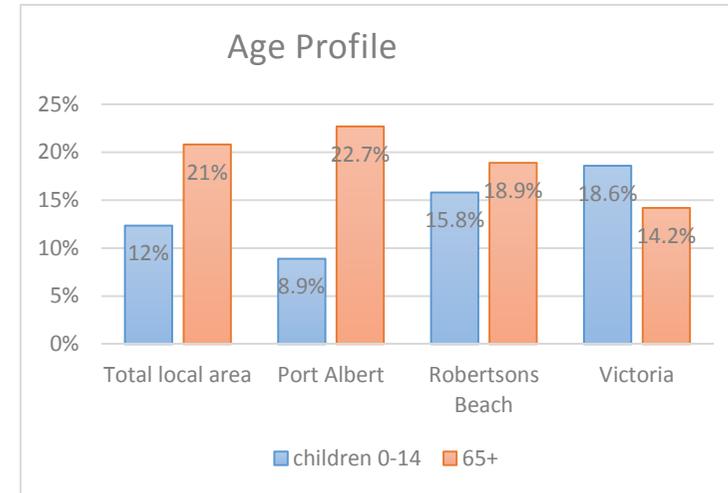
### 3 Housing Supply and Demand

#### 3.1 Demographic Analysis

An analysis of current demographics has been undertaken to provide a picture of the Study Area. ABS Census data<sup>2</sup> from 2011 has been used for the state locations of Port Albert and Robertsons Beach, as these are the most appropriate matches to the Study Area. The Port Albert data refers generally to land within the urban zones (mainly General Residential Zone) whilst the Robertsons Beach data refers to an area which includes the Port Albert Hinterland, including Langsborough and land to the east.

Currently these combined areas have a total population of 607 people, with 247 people residing in the town of Port Albert. The median age is 55 years, indicating a slightly older population, this is again reflected in the age profiles which indicate significantly higher proportions of people aged over 65 than the State average (refer Table 1). The family configurations indicate almost 60% of families are couples without children, generally a reflection of an older community. However it is noted the Robertsons Beach area has almost double the proportion of children than Port Albert being almost 1 in 5 persons. This accords with commentary that Langsborough is home to more young families than the balance of the Study Area.

Table 1 Age Profile



There were 514 dwellings in the combined area in 2011, with 46% of these located in the town of Port Albert. As expected for a rural coastal settlement, the majority of dwellings are detached and comprise multiple bedrooms as shown in Table 2. Given the seasonal nature of the coastal community a significant proportion of dwellings were unoccupied on Census night which occurs in August.

Table 3 provides details on household tenure for the Study Area and indicates a higher number of rental properties within the town area compared with the Hinterland (30% and 12.4% respectively).

<sup>2</sup> Quick stats and table builder ABS Census 2011

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Table 2 Dwelling Characteristics

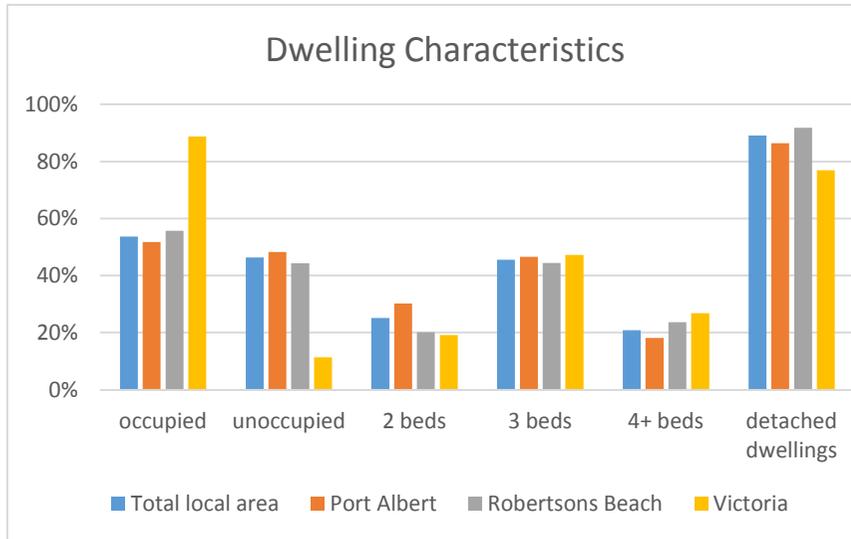
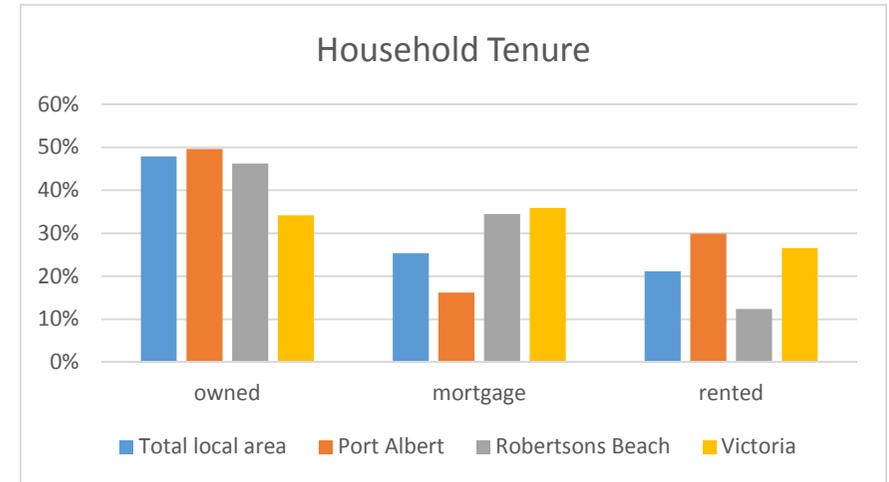


Table 3 Household Tenure

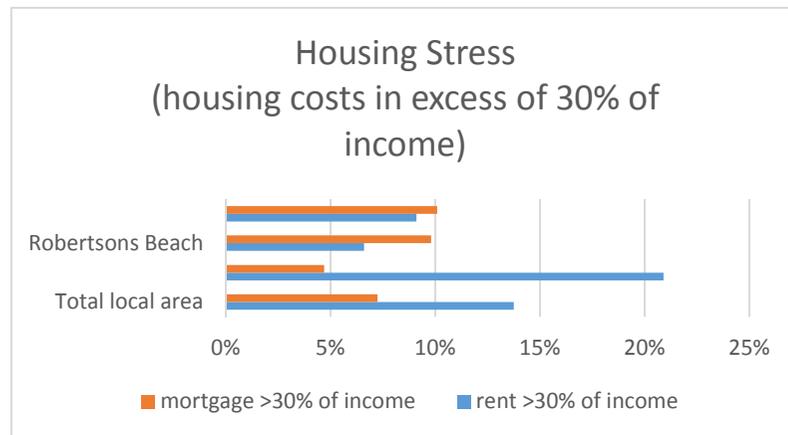


Socio economic scoring<sup>3</sup> indicates Port Albert and its Hinterland community are considered to be less advantaged than other parts of Victoria. The area has a median weekly household income which is below that of the State average and mortgage stress<sup>4</sup> also appears to be present in the Study Area, particularly for those renting in Port Albert itself, which has a figure double the State average, as shown in Table 4.

<sup>3</sup> SEIFA Index of advantage and disadvantage scores – Wellington 961, Port Albert 881 (rank 61 in Vic.), Robertsons Beach 908 (rank 117 in Vic.)

<sup>4</sup> Mortgage Stress is indicated when housing costs equate to more than 30% of income.

Table 4 Housing Stress



and demolition of sheds (3). The low number of dwelling approvals within the Farming Zone may indicate either the difficulty of developing the land for dwellings or a lack of demand.

#### Current Properties for Sale

Anecdotal evidence has suggested people are seeking rural residential allotments rather than township lots in Port Albert. At the time of writing realestate.com.au<sup>5</sup> has approximately 120 lots for sale within the Study Area, the majority of these properties are within the town area itself. There are currently nine properties for sale within the Farming Zone ranging in size from 4,000m<sup>2</sup> (1 acre) to 40 hectares (100 acres).

#### Lot Density

There are currently 243 lots zoned Farming within the Study Area. These lots have an average size of approximately 2.15 hectares (5.3 acres). Figure 11 provides an indication of lot size diversity in the Study Area. Lots less than 2,000m<sup>2</sup> (approximately half an acre) account for 44% of the lots, while lots between 2,000m<sup>2</sup> and 4,000m<sup>2</sup> (half an acre and an acre) account for nearly 12% of lots. Only 12 lots (5%) within the area are over 8 hectares (20 acres). The fact that many of the existing lots are already quite small resonates with comments by community representatives that they do not see a need for further subdivision. Table 5 identifies the Lot density breakdown.

### 3.2 Supply of Housing/Residential Lots

The town area of Port Albert (generally General Residential Zone land) currently has a relatively high number of properties for sale.

#### Building Approvals Data

Building approvals data shows 145 building permits have been issued for the Port Albert area over the last 10 years. These include approvals for dwellings, dwelling alterations/extensions, cabins, units, carports, sheds, garages, decks, barbeque shelters, a fire station, warehouse, restaurant and demolition works.

In relation to land within the Farming Zone there have been a total of 22 building permits issued in the last 10 years, and these varied from new sheds (10), dwelling alterations (3), new dwellings (4), cabins (2)

<sup>5</sup> Accessed April 17<sup>th</sup>, 2014

Table 5 Lot Density Breakdown

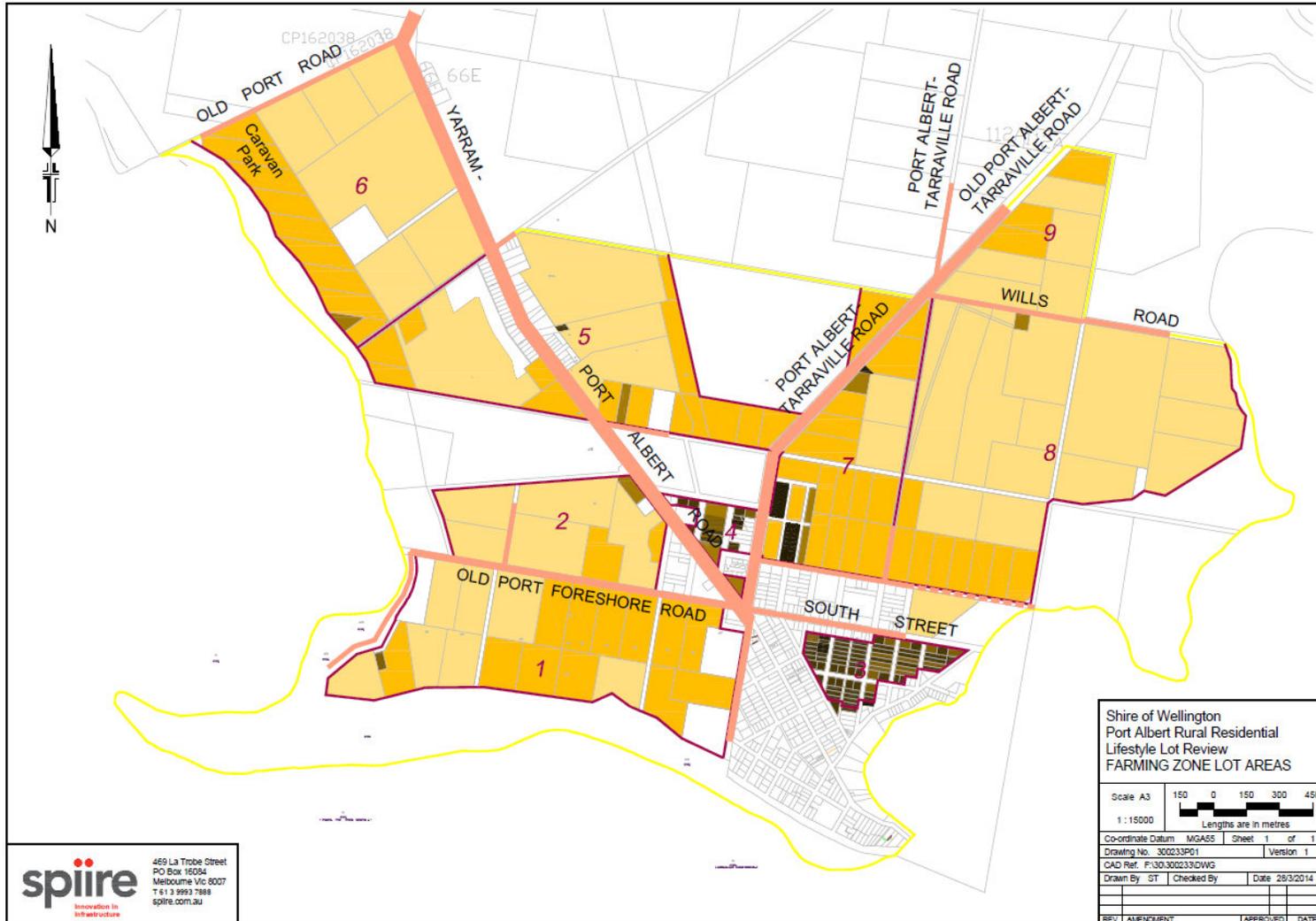
Notations			
Farming Zone Lot Areas			
<u>LOT MIX TABLE</u>			
TOTAL NUMBER OF LOTS :		243	AVERAGE: 21481.5m <sup>2</sup>
	LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	40	AVERAGE: 696.3m <sup>2</sup> 16.5%
	LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	67	AVERAGE: 1526m <sup>2</sup> 27.6%
	LOTS 2023m <sup>2</sup> (½ acre) TO 4046m <sup>2</sup>	19	AVERAGE: 2287.2m <sup>2</sup> 7.8%
	LOTS 4047m <sup>2</sup> (1acre) TO 9999m <sup>2</sup>	10	AVERAGE: 6473.9m <sup>2</sup> 4.1%
	LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	24	AVERAGE: 16144.2m <sup>2</sup> 9.9%
	LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	41	AVERAGE: 30853.7m <sup>2</sup> 16.9%
	LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	30	AVERAGE: 53703.3m <sup>2</sup> 12.3%
	LOTS 80000m <sup>2</sup> (8ha) AND GREATER	12	AVERAGE: 143179.2m <sup>2</sup> 4.9%

Dwellings in the Farming Zone

Within the Farming Zone areas there are approximately 38 dwellings. This equates to 15% of the 243 lots which are zoned Farming in the Study Area. The Hinterland area has essentially one in every six lots developed with a dwelling, suggesting the area is not used purely for traditional farming.



Figure 11 Lot Size Distribution



### 3.3 Demand for Housing/Residential Lots

#### Anecdotal Demand

Discussions with the community and local real estate agents have indicated that there is a level of demand for rural residential land in the Port Albert Hinterland.

Discussions with the local real estate agents in Yarram (Elders and Landmark Harcourts) have indicated the following demand levels and influences:

- There is low demand for township blocks partly as the size of these lots does not cater to residents wishing to come to the area for fishing as they need storage areas for boats and trailers.
- Rural lots can be too difficult to develop.
- Demand for rural lots is generally for lots sized between 1-10 acres (0.4ha to 4ha).
- Planning requirements (zones and overlays) can impact on the ability to build on smaller lots and this perception can deter buyers - this includes the issues around the 'prohibitive' impact of the controls.
- There is demand for both sewerred and unsewerred lots.
- Vegetated characteristic is sought after, as well as cleared and well drained land.

#### Growth Projections

Victoria in Future 2012 (VIF 2012) projects a rates of growth per annum for Regional Victoria at 1.3% for the next 10 to 15 years. When applied

to the population of the Study Area this is approximately 0.7 persons per annum.

VIF 2012 projects private dwelling occupancy rates for Wellington Shire in 2016 as 17,500 dwellings or 82% of total dwellings. This occupancy rate is considerably higher than that experienced in the Study Area at the 2011 census. It is anticipated occupancy rates of approximately 50% will remain in the Study Area.

In conclusion, based on data and anecdotal evidence, current projected demand could be reasonably assessed at a rate of 2 additional persons per annum.

The growth projections for Wellington are supported by the Gippsland Regional Growth Plan which identifies an increase of approximately 3,000 people every 10 years to 2021 and 2031.

## 4 Community Values and Concerns

This report has been developed following consultation with the local Port Albert community, and in particular the Port Albert Progress Association (PAPA). The PAPA has been a key community voice for Port Albert for over a century and often represents the community in discussions with Council and in presenting to planning strategies and panels.

The PAPA assisted Council with development of the brief for the project based on their desire to see additional development and growth in the area, potentially through the rezoning of land to allow for rural residential development in the Port Albert Hinterland. The PAPA helped Council determine the extent of the project Study Area.

Community views have been canvassed during the project in the following ways:

- Discussions with PAPA members including at the project inception meeting.
- Online community survey through Council's Have a Say website which canvassed views on the key issues pertaining to the area as well as anecdotal views on supply and demand in the Study Area.
- Community drop in afternoon at the Port Albert hall attended by approximately 30 residents (late April 2014).
- Community workshop at the Port Albert Hall to workshop the key issues from the survey and key principles going forward on the project, attended by approximately 25 residents (late April 2014).

### 4.1 Summary of Key Issues Raised

The key issues affecting the Port Albert Hinterland, as gleaned from the community surveys and consultation, can be summarised as follows:

- Impact of previous planning decisions including Planning Scheme Amendments.
- Inability to build a dwelling on Farming Zone land due to requirements for an agricultural activity to support the need for a dwelling. The requirements of the Farming Zone on dwellings were seen by 91% of survey respondents as the key issue, with more than a third also indicating planning permit refusals as an issue.
- Existing land sizes are too small to productively farm, making the application of the Farming Zone appear misguided and inappropriate to the land. Perception that the land is not suitable for farming due to low lying nature, with the exception of discrete pockets along the northern edge.
- Constraints on development due to the application of overlays, high levels of existing native vegetation, fire risk, ability to treat wastewater (septic tanks and run off issues due to soil type) and the capacity to manage stormwater (flooding and drainage were issues for the majority of survey respondents).
- Supply of rural residential lots is very low due to the unlikelihood of planning permits for dwellings being issued.
- A substantial number of town lots are currently for sale with few buyers.
- Anecdotal demand exists for rural residential lots between 0.4 – 8 hectares (1 and 20 acres).
- Existing subdivision sizes and patterns are not suited to traditional large scale farming. Fragmentation of productive

farmland should be avoided, however a significant proportion of the Study Area is already fragmented.

- Low population levels, limited job opportunities, lack of a commercial hub and low levels of investment are impacting on Port Albert generally. Greater promotion of the town for tourism and investment is needed.
- Existence of land which has limited or no ability to be developed for a range of reasons, including access and environmental features.
- Lack of appropriate development and associated housing affordability levels due to a confidence loss within coastal areas generally and Port Albert in particular.
- Holiday service role highlights infrastructure limitations and the impact of poor land management and absentee owners.
- Lack of certainty and consistency in land use outcomes and rules, including the impact of climate change/sea level rise.
- Lack of investment in and use of community assets including crown land.
- Demographics have an impact on service offerings in town.
- Perception of infrastructure constraints – i.e. poor road maintenance, sea wall and drainage infrastructure, limited foreshore access.
- Community belief that people should be able to build when and where they want within the area.
- Difficulty of balancing removal of vegetation with the protection of the existing landscape character and recognition that not all the vegetation is significant/remnant.
- A perception that restrictions and regulations have reduced the amount of development/investment that has occurred in and

around Port Albert. These restrictions are in addition to the hurdles that the environment poses.

## 5 Strategic Planning Policy Context

Recommendations and outcomes arising from this project must be grounded in the strategic planning policy context for both rural residential development and for Port Albert. Planning for rural residential development and local areas must abide by the directions set by the State Government.

### 5.1 State Planning Policy Framework (SPPF)

In determining how land should be used and developed, Council must have regard to the State Planning Policy Framework (SPPF). The Framework contains specific policies in relation to urban development, rural development, the environment, heritage and built form, housing, transport, infrastructure and economic development to ensure the orderly and consistent planning of Victoria.

Clause 11.05-3 Rural Productivity seeks, *'To manage land use change and development in rural areas to promote agriculture and rural production'*, by preventing inappropriately dispersed urban activities and limiting new housing development in rural areas.

Coastal settlement strategies at Clause 11.05-5 include support for a network of diverse coastal settlements which provides for a broad range of housing types, economic opportunities and services; avoiding ribbon development within rural landscapes; and directing urban development and infrastructure within defined settlement boundaries.

Clause 11.02-1 relates to the supply of urban land and includes the following strategies:

- *Ensure that sufficient land is available to meet forecast demand.*

- *Plan to accommodate projective population growth over at least a 15 year period and provide clear direction on locations where growth should occur...on a municipal basis...*

Clause 16.02-1 provides guidance on rural residential development and includes a number of strategies to manage development in rural areas and to identify land suitable for rural living and rural residential development. These strategies include:

- Demonstrating the need for rural residential development;
- Ensuring planning for it avoids or significantly reduces adverse impacts;
- Ensuring rural residential development does not encroach on high quality productive agricultural land or impact on waterways or other natural resources; and
- Is only zoned where it is located close to existing towns...and can be supplied with electricity and water and good quality road access.

### 5.2 Planning Practice Notes

The State Government prepares practice notes which relate to a range of planning processes and topics, including preparation of planning scheme content and assessment under schemes. Of particular relevance to this project are Practice Note 37 – Rural Residential Development and Practice Note 42 – Applying the Rural Zones. These are discussed below.

### Rural Residential Development

Practice Note 37 provides guidance for rural residential land use and development. (A complete copy of the practice note is contained in Appendix 1 of this report).

The Practice Note defines “rural residential development” as:

*...land in a rural setting, used and developed for dwellings that are not primarily associated with agriculture. Some agriculture may take place on the land however it will be ancillary to the use for a dwelling. It is likely to be carried on for ‘lifestyle’ reasons and is unlikely to provide a significant source of household income. Rural residential land is typically also used for non-agricultural home occupations or for large gardens. These lots are larger than typical residential lots, but are usually too small for agricultural use.*

Because of its primarily residential function, the Practice Note recognises that rural residential development requires access to most of the normal services and infrastructure provided in urban settlements, and typically generates urban residential amenity expectations. This has implications for agricultural activities and for the provision of services and infrastructure.

The SPPF and Practice Note 37 recognise that reasonable opportunities should be found for rural residential development as part of providing for housing diversity and choice. However, the Practice Note stipulates that rural living requires special consideration due to its ‘*environmental, social and economic impacts that can be significantly higher than those of standard residential development*’.

In this regard, the Practice Note requires any new rural living proposal to address the following key issues:

- Land use conflicts between agricultural activities and the amenity expectations of rural residential dwellers should be minimised.
- Significant impacts to primary production or to the environmental or cultural values of a rural area should be avoided.
- Finite and valuable natural resources present on the land should not be lost.
- The local environment and landscape should have the capacity to absorb more intensive use and development without significant or irreversible harm to its values or to the new use and development.
- Demand for costly or inefficient community services or infrastructure should not be generated.

These considerations give rise to the following broad questions which should be answered in sequence:

- **Strategy:** Does rural residential development align with the overall strategic planning of the municipality?
- **Housing need:** How much rural residential development is required to provide appropriate housing diversity and choice to meet housing needs?
- **Location:** Where should new rural residential development take place?

### Applying the Rural Zones

Planning Practice Note 42 recognises the role of, and need for, sound strategic planning in rural areas given the changing nature of farming, and growing number of people seeking a rural lifestyle.

The practice note identifies that farming is becoming more diverse, industrialised, intensifying, aggregating and undergoing social change. At the same time, more people are seeking to live in rural areas for a range of social, environmental and economic reasons.

As a result, in some rural areas:

- There is more competition for rural land, which is affecting rural land prices and the capacity of farmers to expand their businesses and maintain productivity.
- There is renewed interest in part-time small-scale farming.
- More people are living in rural areas for lifestyle reasons not related to farming, increasing the potential for land use conflicts because people pursuing a rural lifestyle often have amenity expectations that conflict with modern farming practices.
- Local rural economies are diversifying as rural land is used for more diverse purposes (such as tourism or recreation).

The Practice Note stipulates that:

*Victoria's changing rural landscape requires planning authorities to think strategically about their farming areas and rural settlement patterns, so that sustainable farming is promoted and potential conflicts between farming and other land uses are avoided.*

The Practice Note outlines the key features of each rural zone and provides direction as to their proper use and application. These elements are discussed in detail in Section 6 of this report.

The Practice Note confirms strategic work should be used to guide the use and development of rural areas and should be grounded in consideration of the following:

- Planning Scheme context.
- Housing needs and likely trends.
- Physical attributes of the land and its capacity to support productive agriculture (soil type, climate, vegetation cover, water access, slope and drainage).
- Agricultural trends in the area.
- Natural resources and environmental features in the area and their importance.
- Environmental hazards that could affect how the land is used and developed (erosion, salinity, flooding and wildfire risk).
- Existing lot size and land use patterns.
- Infrastructure available.
- Settlement patterns.

### **5.3 Local Planning Policy Framework (LPPF)**

The Local Planning Policy Framework within the Wellington Planning Scheme provides guidance for land use and development at a more localised level and includes policy for and commentary on coastal areas, including Port Albert.

Clause 21.04 Settlement, identifies Port Albert as one of the larger coastal settlements and a place of special heritage significance. Coastal areas in Wellington are particularly sensitive from an environmental perspective with inundation, climate change and significant biodiversity areas all playing a part in the future of this coast.

Objectives for coastal settlements in Wellington include recognition that some settlements can accommodate growth and change whilst others cannot; requirements for necessary infrastructure to protect the environment; provision of rural lifestyle opportunities in appropriate locations; and protection of agricultural land from inappropriate urban encroachment (Clause 21.04-2).

Land use and development within Port Albert is specifically guided by Clause 21.12-10 of the Wellington Planning Scheme which seeks, '*To protect and enhance the character and environment of Port Albert*'.

Strategies to support this objective include:

- Encourage those activities which cater for the needs of the town's growing permanent and tourist populations.
- Encourage tourism development which responds to the town's environmental constraints and special character.
- Ensure that urban development occurs in stages that can be appropriately serviced.
- Ensure that development is sympathetic to the heritage/character qualities of the town.
- Encourage major tourism uses or developments which are not dependent on a coastal location to develop within the main existing townships of Loch Sport and Port Albert.

Clause 22.02 – Rural Policy has recently been introduced to the Wellington Planning Scheme and provides clear guidance on land use and development within the Farming Zone, Rural Conservation Zone and Rural Activity Zone.

In particular the Clause highlights the key issues facing rural areas of the Shire including the wider economic impact of the fragmentation and loss of productive agricultural land and the problems caused by small lot subdivisions and houses in rural areas such as conflicting expectations, poor land management and demands for urban services.

Clause 22.02 includes the following objectives of relevance to this project:

- To protect agriculture and agricultural land from inappropriate encroachment by urban and non-production based rural land use and settlement.
- To discourage the creation of small lots on farming properties.
- To encourage the consolidation of farm lots for more efficient agricultural production.
- To discourage dwellings on small lots that do not support and comprise rural production activities and operations.
- To ensure that inappropriate small rural lot development does not occur in areas of environmental significance and sensitivity.
- To discourage subdivision which re-aligns boundaries, particularly in irrigated areas, for the purpose of creating small lots for housing purposes.
- To ensure that the infrastructure for getting water to agricultural land is not compromised.

- To discourage the use and development of agricultural land that would be incompatible with its sustainable use for ongoing agricultural production.

Decision guidelines are provided for housing as follows:

*The use and development of dwellings should be strongly discouraged unless it can be demonstrated that the dwelling is necessary for carrying out an economically viable and sustainable rural activity on the land, and where the sustainability of the agricultural resource is not threatened by the use of the land for housing.*

## 5.4 Strategic Planning Documents

There are a number of strategic planning documents which impact on this project and have, in some cases, led to planning scheme amendments, thereby altering the controls affecting the Port Albert area. Those of particular relevance to this project are detailed below.

### 5.4.1 Gippsland Regional Growth Plan 2013

The Gippsland Regional Growth Plan (RGP) provides broad direction for land use and development across the region with a long term view of the region to 2041 and beyond.

The RGP provides direction for accommodating growth and change including residential, employment, industrial, commercial, agriculture and other rural activities and also identifies which areas of land can accommodate growth and which are to be preserved. It is guided by principles which include to develop sustainable communities through a settlement framework comprising major urban centres that ensures

residents have convenient access to jobs, services, infrastructure, and community facilities.

The RGP outlines that it is critical to protect and maintain Gippsland's strategic and productive agricultural land as it is essential for the continued growth of the food manufacturing sector in Victoria.

In relation to Port Albert the RGP identifies the key assets of the Port where commercial fishing is to be encouraged and the coal reserve to the north which is to be maintained. Port Albert is also identified as an historic place. The RGP seeks to reduce the impact of development on the high value area of Corner Inlet.

### 5.4.2 Gippsland Rural Areas Project (GRAP, 2007)

The GRAP provides a basis for a review of rural land uses and a model framework for the review and application of rural zones for Gippsland Councils. The GRAP recommends:

- Agricultural strategic importance be defined.
- Physical Land Units be identified.
- Rural Planning Policy Units be identified.
- A planning scheme amendment be prepared.

The GRAP provides assessment criteria for rural land reviews which includes:

- Settlement: housing trends, demographics, lot size and land use patterns, infrastructure.
- Agriculture: trends, land capability, agricultural quality, water availability, small lot/lifestyle farming.

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- Regional Economy: agriculture, tourism, processing/manufacturing, plantations, sand extraction/mineral sands, coal, other value adding industries.
- Environment: native vegetation, fauna, water catchments, national/state parks, landscape values, sites of cultural significance, sites of European heritage significance, wildfire risk.
- Coastal Issues: landscapes, coastal pressures, infrastructure development.
- Mapping
- Interface Issues.

2012, which looked at land either side of the Old Port Foreshore Road in Port Albert.

The Rural Zones Review report provided criteria for implementing each of the four rural zones within the Shire which added to the GRAP principles (developed to guide the implementation of rural zones in Gippsland) and State Government Planning Practice Notes.

### 5.4.3 Rural Zones Review (2009)

Council's Rural Zones Review (2009) included descriptions of Planning Units and the rural areas and sought to increase the recognition and protection of the agricultural base of the Shire by providing greater clarity and direction for use and development.

Planning Unit 8 – Coastal applies to this area. This unit applies to land within the narrow primary dune system and associated lakes and lagoons at the western edge of the unit. It is a sensitive and fragile coastal sand dune environment and integral to the Ninety Mile beach. The unit includes grassy vegetation on the foredunes which trends inland to a low shrubland vegetation and then to a closed tea tree dominated scrub.

The Rural Zones Review itself included preparation of an *Environmental Investigation Report – Wonnangatta and Port Albert*

## 6 The Rural Zones

The current suite of rural zones was introduced to the Victoria Planning Provisions in 2003 and 2004 via Amendments V22, 23 and 24.

Collectively, the zones:

- Recognise the state, regional and local importance of farming as an industry and provide greater protection for productive agricultural land.
- Provide a wide choice of zones with clear purposes and controls to match.
- Discourage ad hoc and incompatible use and development.
- Recognise the changing nature of farming and reduce the potential for conflict between farming and other land uses.
- Recognise that rural areas are places where people live and work.
- Recognise and protect rural areas that are environmentally sensitive.

The zones relevant to this study are:

- **Farming Zone (FZ)** – a zone that is strongly focussed on protecting and promoting farming and agriculture.
- **Rural Activity Zone (RAZ)** – a mixed use rural zone that caters for farming and other compatible land uses.
- **Rural Conservation Zone (RCZ)** – a conservation zone that caters for rural areas with special environmental characteristics.
- **Rural Living Zone (RLZ)** – a zone that caters for residential use in a local setting.

The rural zones replaced the following, now defunct zones:

- Rural Zone (RUZ)
- Environmental Rural Zone (ERZ)

The Rural Zone which applied to most of the land in the Port Albert Hinterland prior to 2007 included the following purposes:

- To provide for the sustainable use of land for Extensive animal husbandry (including dairying and grazing) and Crop raising (including Horticulture and Timber production).
- To encourage:
  - An integrated approach to land management.
  - Protection and creation of an effective rural infrastructure and land resource.
  - Improvement of existing agricultural techniques.
  - Protection and enhancement of the biodiversity of the area.
  - Value adding to agricultural products at source.
  - Promotion of economic development compatible with rural activities.
  - Development of new sustainable rural enterprises.
- To ensure that subdivision promotes effective land management practices and infrastructure provision.

The Rural Zone prohibited only a small number of uses (brothel, cinema and shop) whilst allowing all other uses subject to planning approval, including accommodation and retail premises.

The suite of rural zones was reformed in September 2013 for the following reasons as identified in the State Government's Improved Rural Zones Fact Sheet:

- Support agriculture by making most agricultural uses ‘as of right’ in most zones instead of needing a planning permit.
- Respect the rights of farmers by removing permit requirements for farming related development such as netting and crop support structures.
- Provide flexibility for farmers by allowing for the sale of farm produce without the need for a planning permit and removing restrictions on the sale of processed produce. For example, an olive farmer can sell bottled olive oil to complement the sale of fresh olives.
- Facilitate business by removing the prohibitions on complementary business uses in some zones, such as landscape gardening supplies.
- Facilitate tourism uses by reducing or removing permit limitations relating to tourism uses. For example, a residential hotel would no longer be required to be in conjunction with an agricultural use. This will enable permits to be considered on their merits.
- Make some prohibited uses discretionary by, for example, allowing a proposal for a Primary or Secondary school to be considered. This reflects the Government’s election commitment to allow schools to be permitted in urban fringe and rural areas.
- Cut red tape for dwelling additions and farm outbuildings by increasing the permit exemption threshold for altering or extending an existing dwelling.
- Provide flexibility for future subdivision by encouraging councils to vary the inflexible 40 hectare minimum lot size in the Farming Zone to match local circumstances and by removing the limitation in all rural zones on future applications to subdivide a lot after an initial subdivision has been approved.

- Attract and retain population in rural Victoria by reducing the current default minimum lot size in the Rural Living Zone from eight hectares to two hectares.

Practice Note 42: Applying the Rural Zones provides an overview of each of the new rural zones as well as strategic guidance as to their proper use and application. (A complete copy of the practice note is contained at Appendix 1 of this report).

The following is a synopsis of the key features of each zone as relevant to this project.

## 6.1 Farming Zone

The Farming Zone is strongly focused on protecting and promoting farming and agriculture. It focuses on avoiding land uses that could limit future farming or constrain agricultural activities. The zone is essentially the only available zone for Victoria’s rural areas where the other zones do not or cannot reasonably be applied. As such the zone applies to a diverse range of rural areas and situations.

The purpose of the zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*

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- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Key features of the zone include:

- Confirmation farming is the dominant land use and all other land uses are subordinate to farming.
- Farming uses are encouraged to establish and expand with as little restriction as possible, subject to proper safeguards for the environment.
- Non-farm dwellings and land uses not related to farming may be considered but should not limit the operation and expansion of agricultural uses.
- It does not provide an “as of right” entitlement for a dwelling and dwellings must meet certain requirements. Planning permission is required for dwellings on lots smaller than the identified minimum size (generally 40 hectares / 100 acres).
- Uses not requiring a planning permit include: agriculture, cattle feedlots, dwelling, primary produce sales, rural industry and timber production. All these uses are subject to specific conditions. Uses which are subject to a planning permit include: broiler farm, caravan park, dwelling, group accommodation, industry, intensive animal husbandry, place of assembly, residential hotel and warehouse. Prohibited uses include accommodation, education centre, office and retail.
- Farm-related tourism and retailing uses may be considered.
- Decision guidelines need to be considered or met including: general land use compatibility issues, agricultural impacts,

dwelling issues, environmental issues, and design and siting issues. Uses that could lead to the loss or fragmentation of productive agricultural land, or which could be adversely affected by farming activities, are prohibited.

- Land subdivision that could take farmland out of production or limit future farming productivity is discouraged.
- The minimum lot size for subdivision may be tailored to suit the farming practices and productivity of the land.
- Productive agricultural land generally has one or more of the following characteristics: suitable soil type; suitable climatic conditions; suitable agricultural infrastructure, in particular irrigation and drainage systems; and a present pattern of subdivision favourable for sustainable agricultural production.

The Farming Zone should be applied to rural areas where:

- Farmers require certainty about undertaking normal farming practices and need the flexibility to change farming practices in the future.
- Farming is the principal activity in the area and the protection of productive farmland is of primary strategic importance.
- The farmland is of state, regional or local significance in terms of agricultural production or employment.
- The farmland has physical attributes that are scarce or essential to sustaining particular agricultural activities.
- Pressures to use and develop land for non-farming purposes pose a significant threat to the supply and productivity of farmland in the area.
- The scale, nature and intensity of farming uses in the area have the potential to significantly impact upon sensitive land uses, such as housing.

- The efficient and effective use of agricultural infrastructure will be maximised.

The minimum subdivision size in the Farming Zone is 40 hectares.

### 6.1.1 Changes to the Farming Zone

The Farming Zone had originally been developed in 2004 to replace the Rural Zone and place more emphasis on the protection of agriculture in Victoria. The State Government in September 2013 altered the Farming Zone in response to concerns that the original control was too restrictive.

The recently updated Farming Zone is different to that in place prior to September 2013 for the following reasons:

- It promotes the retention of employment and population to support existing rural communities.
- It reduces the restrictions for alterations and extensions to dwellings and farm buildings.
- It removes the dwelling decision guideline: *Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.*

The changes to the zone mean a number of uses are now able to occur (subject to planning approval) than were possible in the previous version of the Farming Zone, which replaced the more lenient Rural Zone.

Despite the recent changes to the zone, it is important to recognise Clause 22.02 – Rural Policy of the Wellington Planning Scheme applies to land within the Farming Zone. This Clause recognises the importance of agriculture to the Shire’s economy and that the fragmentation and loss of productive agricultural land from production will diminish the value of the Shire’s agricultural sector.

The Clause also identifies the issues which can arise from houses in rural areas and includes in its objectives *to protect agricultural land from inappropriate encroachment by urban and non-production based rural land use and settlement and to discourage dwellings on small lots that do not support and comprise rural production activities and operations.*

### 6.2 Rural Activity Zone

The Rural Activity Zone is a mixed use rural zone that caters for farming and other compatible land uses. The purpose of the zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.*
- *To ensure that use and development does not adversely affect surrounding land uses.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

- *To protect and enhance natural resources and the biodiversity of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

The main features of the Rural Activity Zone are:

- To support the continuation and growth of farming but provide the opportunity for non-farming uses to be considered in appropriate locations.
- Support a wide range of tourism, commercial and retail uses.
- Farming uses are encouraged to establish and expand, subject to proper safeguards for the environment and amenity considerations.
- A planning permit is always required to use land for a dwelling. However the zone should not be mistaken for a quasi rural residential zone.

The Rural Activity Zone is designed to be applied to rural areas where:

- Farming is an important activity in the area but the planning objectives identified for the land support the establishment of other land uses.
- A mixed-use function would support farming activities in the area, assist in preventing the unplanned loss of productive agricultural land elsewhere, or allow for the logical and efficient provision of infrastructure.
- The use of land in the area for non-farming purposes would not compromise the long term productivity for surrounding farmland.

- Appropriate buffers can be provided between different land uses so that land use conflicts are avoided.
- The Planning Authority has developed a clear policy about how discretion in the zone will be exercised.

In Wellington Shire the minimum subdivision size for the RAZ is generally 40 hectares.

### 6.3 Rural Conservation Zone

The Rural Conservation Zone caters for rural areas with special environmental characteristics and serves to protect and conserve rural land for these characteristics. The conservation values of the land must be identified in the schedule to the zone and could be historic, archaeological, landscape, ecological, cultural or scientific values. In this zone: all uses are subordinate to the environmental values of the land; farming is allowed provided that it is consistent with the environmental values of the area; and the minimum lot size for subdivision is tailored to suit the environmental features and values of the land. The purpose of the zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.*
- *To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.*
- *To provide for appropriate resource based uses.*

The Rural Conservation Zone is designed to be applied to rural areas where:

- The protection of the environmental features of the land is of primary strategic importance including, for example, native vegetation, flora and fauna, significant habitats, or they could relate to the visual qualities of the land.
- The environmental features of the land are scarce and strict controls are required to prevent the further loss or decline of those features.
- Land use and development could directly or indirectly threaten the environmental values of the land and strict controls are required to manage this.

In Wellington Shire the minimum subdivision size for the RCZ is generally 40 hectares with areas affected by the ESO1 being 100 hectares.

- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

The Rural Living Zone is designed to be applied to areas where:

- The rural land has a mainly residential function.
- Farming may take place on the land but this is subordinate to the residential use.
- Residents require certainty about the residential amenity of the area and are protected from potentially incompatible land uses.
- Farming is of a nature or scale that will not conflict with housing.
- A wider range of tourism, commercial and retail uses may be considered.

In Wellington Shire the minimum subdivision size of the zone varies from the standard 2 hectares through the use of schedules identifying minimums between 0.4 hectares and 4 hectares.

#### 6.4 Rural Living Zone

The Rural Living Zone caters for residential use in a rural setting and generally includes lots large enough to accommodate a dwelling and a farming use with the farming use not necessarily required as a significant household income source. The purpose of the zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*

#### 6.5 Original Application of the New Rural Zones to Port Albert

In considering potential zoning changes in Port Albert to allow for additional rural lifestyle opportunities, it is important to be cognisant of the recent history of rural zone changes in the locality and the associated consequences these amendments had.

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The application of the new rural zones to Port Albert originally took place in 2007. The State Government initiated Amendment C43 to the Wellington Planning Scheme which saw the translation of land in the RUZ and ERZ directly to the FZ and RCZ respectively.

The amendment was considered important to provide a stronger focus on the protection of productive agricultural land and environmentally significant areas from urban development and associated land use conflicts.

A number of Port Albert residents, however, contested Amendment C43. Residents took specific issue with the FZ, arguing it was applied incorrectly to areas that are clearly unsuitable for farming either due to land size, vegetation cover, soil quality, or a combination thereof. Furthermore, residents asserted that they could no longer build a house on their property, leaving them with land that they can neither farm nor live on.

It is important to note that Amendment C43 took place prior to Council having undertaken a strategic review of rural land to guide the application of the new zones. This strategic analysis was later taken up as part of Amendment C55 in 2009 which sought to introduce the *Rural Zones Review* to the planning scheme.

Whilst C55 introduced new planning policy to the scheme to increase the recognition and protection of rural land, it did not result in further changes to zoning in or around Port Albert.

Amendment C55 was also contested by residents of Port Albert. The Panel considering C55 noted that many of the issues raised by

residents in fact related to the application of the FZ via Amendment C43.

Significantly, the Panel agreed that there were indeed some properties within Port Albert which were clearly unable to be farmed as per the purpose and objectives of the FZ. As such, it recommended that:

*Council proceed with review of rural residential lot opportunities in Port Albert and surrounding areas in the 2013/2014 strategic planning work program and resolves to rezone land in this area for its most appropriate use, whether that be for rural/residential living, farming or conservation values.*

The Port Albert Rural Lifestyle Lots Study is a direct response to this recommendation. The balance of this report is dedicated to an assessment of rural living opportunities and associated zoning changes.

## 7 Assessment of Rural Living Opportunities

The purpose of this study is to investigate the potential opportunities to provide additional rural lifestyle living lots within the Port Albert Hinterland. This is to be done in the context of the strategic role of the area, the demographic projections for the area, agricultural productivity considerations and physical constraints to the Study Area.

The previous sections of this report have outlined a low demand for growth in Port Albert and the Study Area. Given the low growth projections and the significant number of dwellings for sale in the Study Area, including in the town of Port Albert, rezoning to provide significantly more land for rural residential development cannot be justified. It is acknowledged the community desire is for additional rural residential development; however this must be tempered against the identified needs for growth in the area.

The Port Albert area is to the immediate south of both highly productive agricultural land, and State recognised coal reserves. Whilst the Port Albert Hinterland is not used for traditional types of agriculture as those to the immediate north, parts are utilised for agriculture at a smaller or more intensive scale. As such, the Study Area has a role in the overall agricultural productivity of the region, including a role in preventing incompatible land uses from impacting on traditional farming land to the north. It is important that these farmlands are protected and retained for farming uses into the future. This can best be achieved by retaining the Farming Zone in the Hinterland where possible.

The Farming Zone is no longer as restrictive as it was prior to changes in September 2013, and it now recognises the need to retain populations in rural Victoria. These changes make the application of the

Farming Zone more relevant for areas such as the Study Area. Wellington Shire's recent inclusion of a new Rural Policy at Clause 22.02 of the Planning Scheme provides additional guidance on use and development in the rural areas which balances the need to protect the role of farming in the Shire with the State Government changes to the Farming Zone controls.

Rural residential development is guided by the Practice Notes outlined earlier in this report. These Notes clearly state rural residential development should not be located in areas where there are significant environmental constraints.

### 7.1 Guiding Principles and Preferred Strategic Directions

Given the range of issues raised by the local community, the following set of key principles and preferred strategic directions were established, and 'ground proofed' as part of the community consultation process, to guide future land use and development recommendations forming part of this study.

- Retain Port Albert's role as a small coastal town with significant heritage built form in Wellington Shire.
- Retain high quality agricultural land within the Hinterland.
- Responsibly recognise the environmental features and constraints for the area including levels of inundation (mainly tidal or drainage related), potential fire risk, coastal wetlands and vegetation cover.
- Recognise the existing assets available before creating new opportunities for dwellings and population growth – in relation to existing dwelling supply and vacant lots.
- Protect existing levels of vegetation cover and landscape characteristics.

- Recognise the town’s fishing village and seasonal role and the varying demands on infrastructure throughout the year.
- Recognise community desires for growth within the context of existing demographic trends.
- Recognise of the requirements and guidelines with Practice Note 37 and Practice Note 42 regarding the appropriateness of rural residential land and the application of the rural zones.
- Consider the GRAP assessment criteria (2007): settlement, agriculture, regional economy, environment, coastal issues, mapping and interface issues\*.

*\*The GRAP was discussed in further detail in Section 5.4.2 of this report.*

During consultation sessions, the possibility of applying the Rural Living Zone to land with access to the existing road network was raised. As indicated previously, Port Albert has a limited existing road network meaning many of the lots are not physically accessible via roads. Whilst access is a key criteria in determining appropriate locations for rural residential development it is not the only criteria. The designation of land for rural living purposes should also consider the environmental characteristics of the land, the surrounding agricultural context and the strategic justification for such a designation. Given the constraints affecting the Study Area from an environmental perspective, and the need to preserve agricultural land in the surrounding environs, the use of such a singular focussed measure would be inappropriate. As such this has not been included in the guiding principles for consideration of rural living.

## 7.2 Rural Residential Development and Port Albert

Port Albert as a coastal town plays a specific role in the hierarchy of settlements within Wellington Shire. This role is as a small town

providing for coastal lifestyle. There is currently no formal rural residential development within the Port Albert area, however the existing subdivision pattern of small farming zone lots has led to informal rural residential development occurring, particularly near the edges of the two residential areas of Port Albert and Langsborough.

Port Albert’s role is also guided by the area’s context in terms of agriculture and resources in the surrounding environs. Its proximity to significant coal reserves, sensitive marine parks and highly productive agricultural land requires sensitive land use and development outcomes.

The provision of additional rural residential development should also be viewed in the context of projected growth and demand. Port Albert is not anticipated to experience a significant amount of growth in the foreseeable future. The Regional Growth Plan for Gippsland directs population growth to the larger towns, such as Sale, where services and facilities are provided and can be readily accessed. As such, it is unlikely substantial amounts of additional rural residential land will be required in the long term.

## 7.3 Implications of Policy Context

The policy context outlined in previous sections of this report has significant implications for this project, and has heavily influenced the Guiding Principles above. In particular this policy context requires:

- Protection of productive agricultural land within the region through the retention of existing farming zone land where appropriate and the avoidance of further fragmentation and loss from subdivision and inappropriate housing development.

- Application of the rural zones in line with the purposes of each zone and in recognition of the characteristics and use of the land and in the context of strategy.
- Recognition of the importance of agriculture to Gippsland.
- Respect for the constraints that land places on development and the need to prevent additional risk to life and the environment.
- Activation of the economy through appropriate use of zoning and overlay controls.
- Provision of land for a range of purposes including farming and residential/rural residential development in line with anticipated demand across the municipality.

#### 7.4 Precinct Analysis

The Port Albert Study Area comprises a high degree of variability in its landscape character, land use and planning controls. As such it is considered more effective to analyse the area in specific precincts than as one whole.

The Study Area has been divided into a total of nine (9) precincts as shown in Figure 12 below, whilst Figure 13 shows the precincts on an aerial base of the Study Area. Each precinct is described and analysed in the following sections. Figures 14 to 17 show the planning controls relating to the precincts including zones, overlays, road access and tree cover.

The Precincts have been determined based on assessment of both the planning controls that apply to the land and onsite assessment of the

land including land use, vegetation cover and access constraints. All the precincts are currently zoned Farming.

The Precincts have been analysed in consideration of the principles outlined above. As required by the State Government the Practice Notes have provided a key contribution to the analysis.

When considering the application of the rural zones and in particular the Rural Living Zone it is important to remain aware of the purposes of each of the rural zones and the directions for their application in the context of planning for rural areas. In particular it is important to note the Rural Living Zone is the most appropriate zone for residential uses in a rural setting and that it should be applied to areas where:

- The rural land has a mainly residential function.
- Farming may take place on the land but this is subordinate to the residential use.
- Residents require certainty about the residential amenity of the area and are protected from potentially incompatible land uses.
- Farming is of a nature or scale that will not conflict with housing.
- A wider range of tourism, commercial and retail uses may be considered.
- Land is not considered to be productive agricultural land nor is in a special water supply catchment.
- Development will not have an adverse impact on the environment, native vegetation and biodiversity.
- Land is not overly constrained by environmental features including flood and bushfire risk.

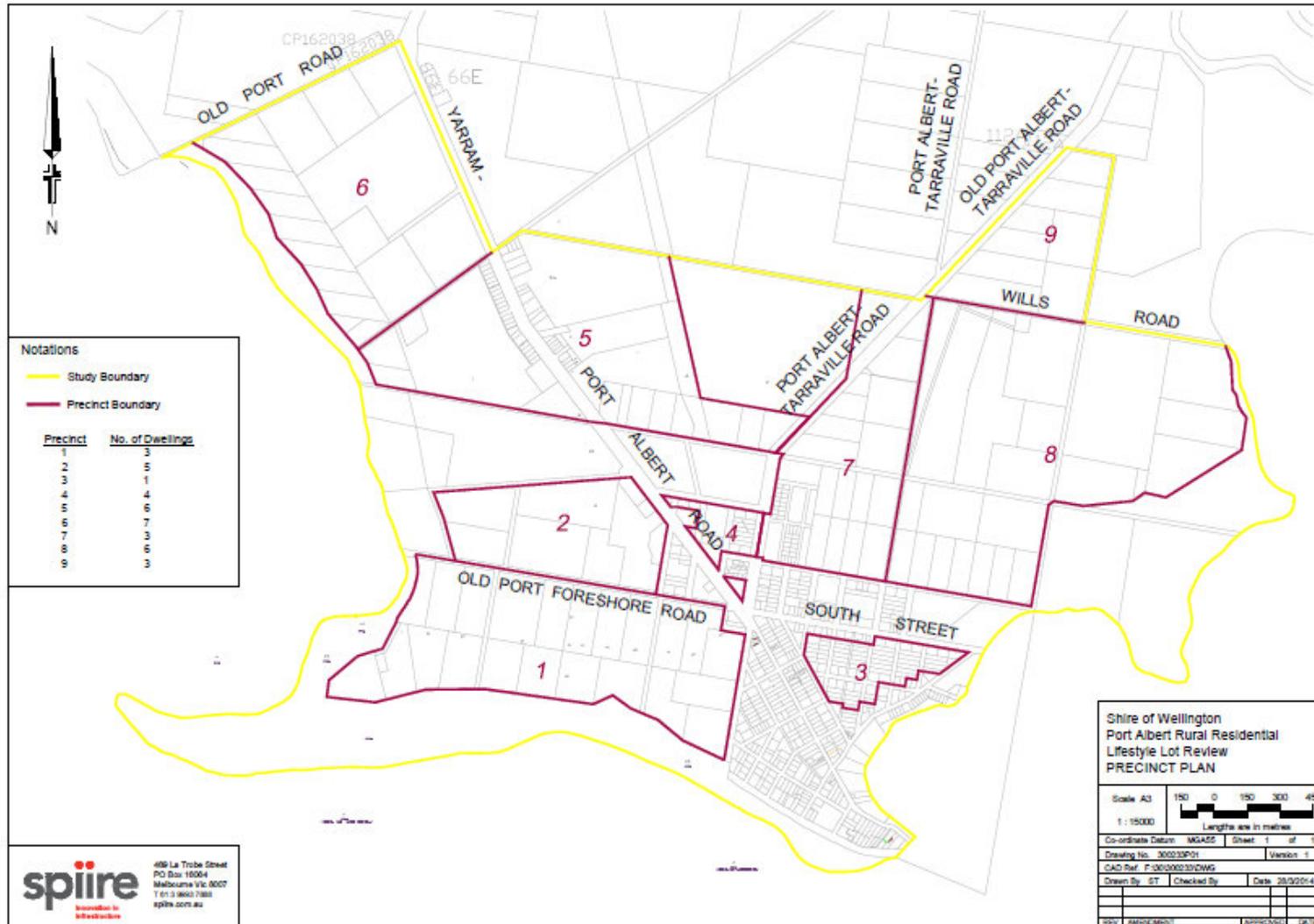
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PORT ALBERT RURAL RESIDENTIAL LIFESTYLE LOTS REVIEW

- The land can be provided with certain community infrastructure and services normally expected for residential areas. This includes appropriate levels of land capability, access to formed and constructed roads, ability for adequate water and wastewater systems.
- Land is not within 500 metres of a national park or marine park or in close proximity to public land of environmental significance.

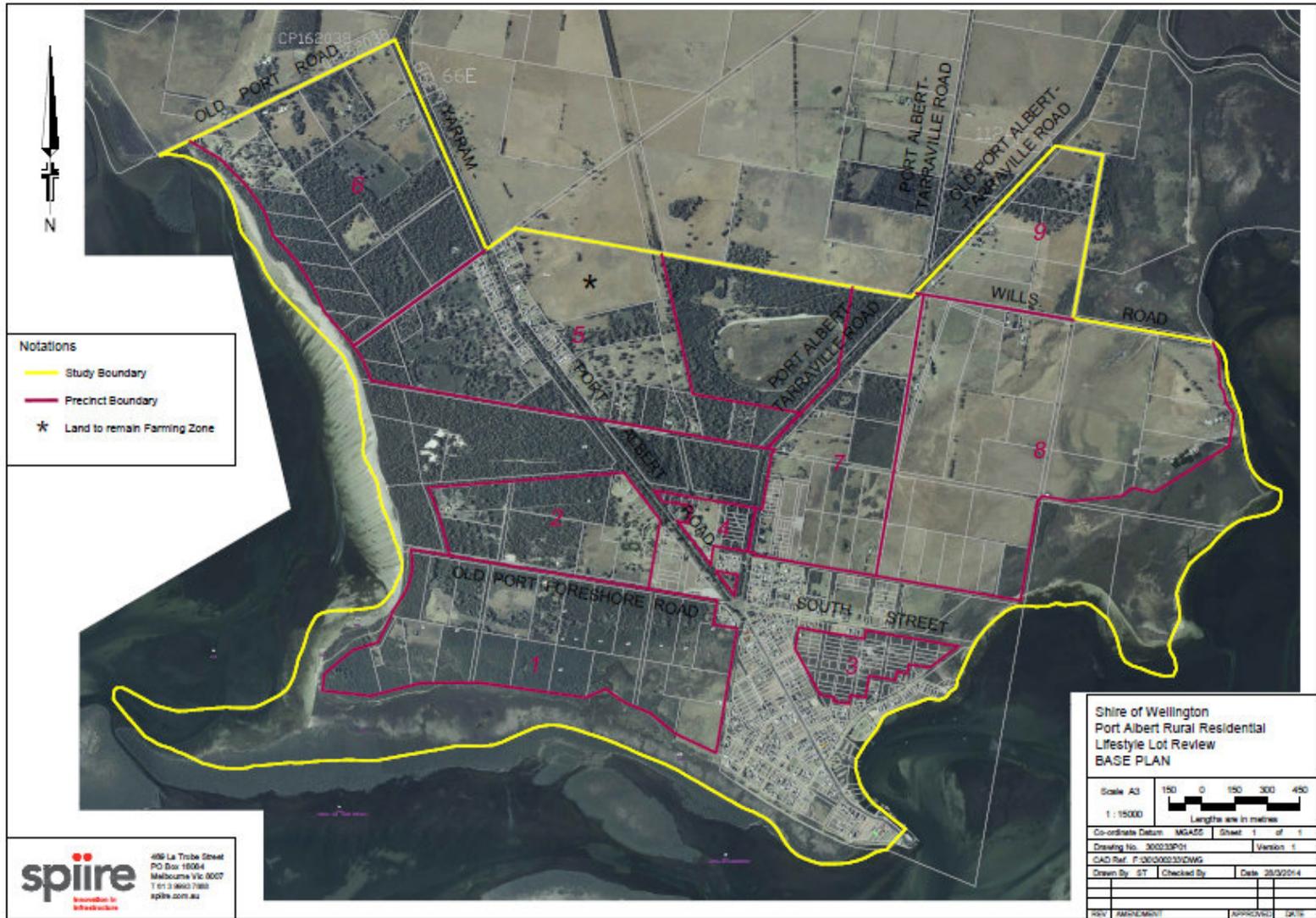


Figure 12 Precinct Breakdown of the Study Area



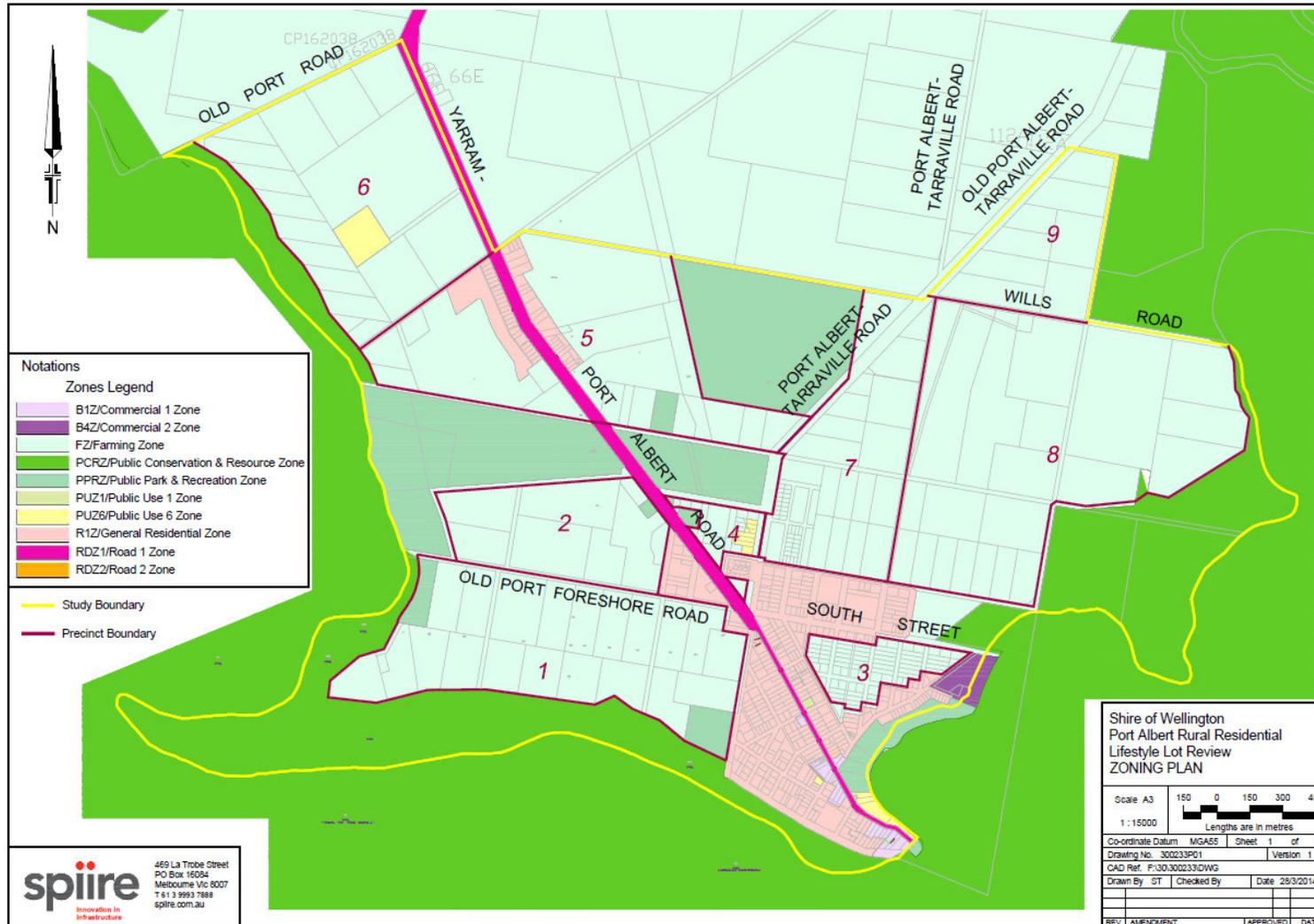
DRAFT RECOMMENDATIONS REPORT  
 PORT ALBERT RURAL RESIDENTIAL LIFESTYLE LOTS REVIEW

Figure 13 Precincts and Aerial Image



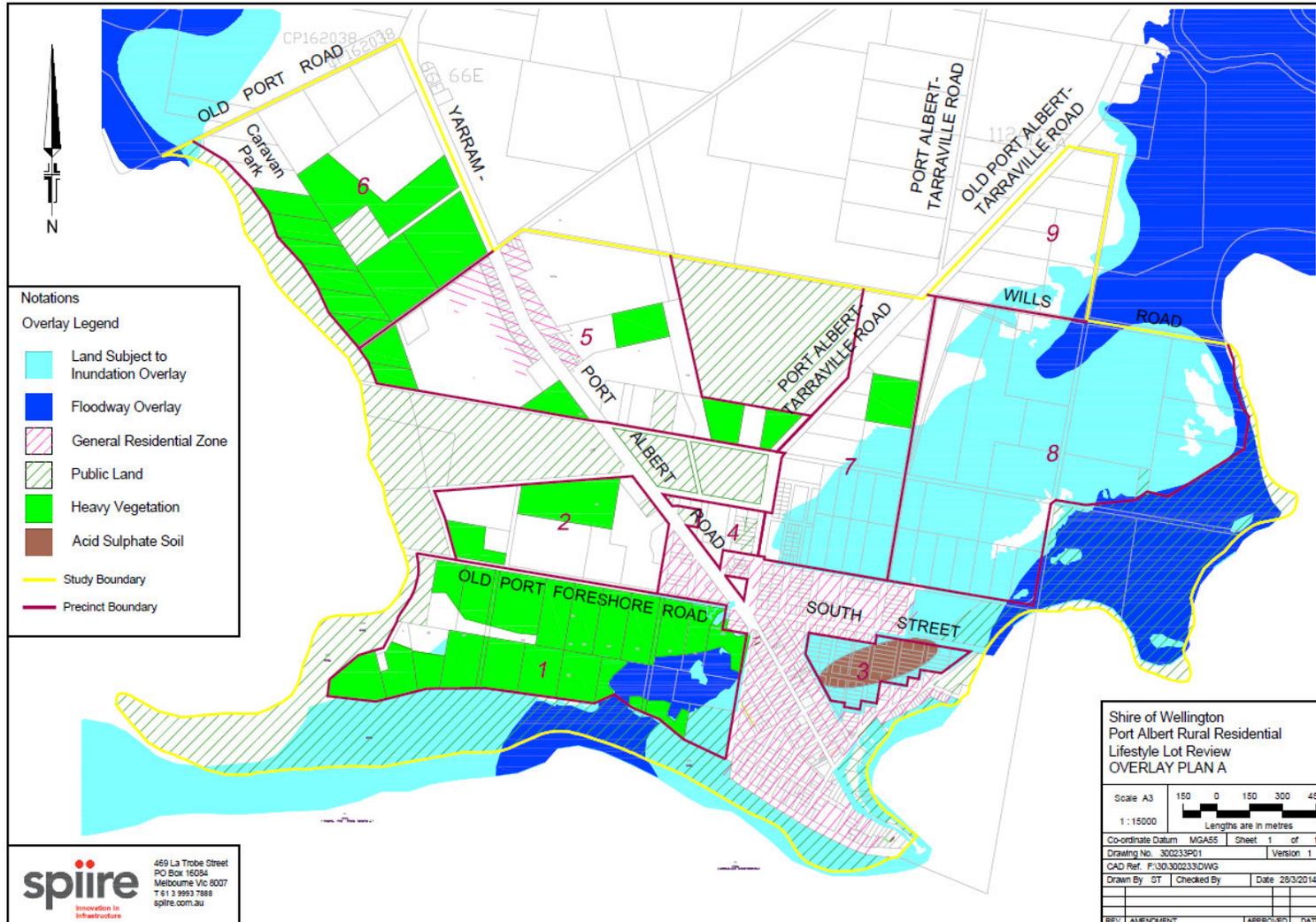
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 PORT ALBERT RURAL RESIDENTIAL LIFESTYLE LOTS REVIEW

Figure 14 Precincts and Zones



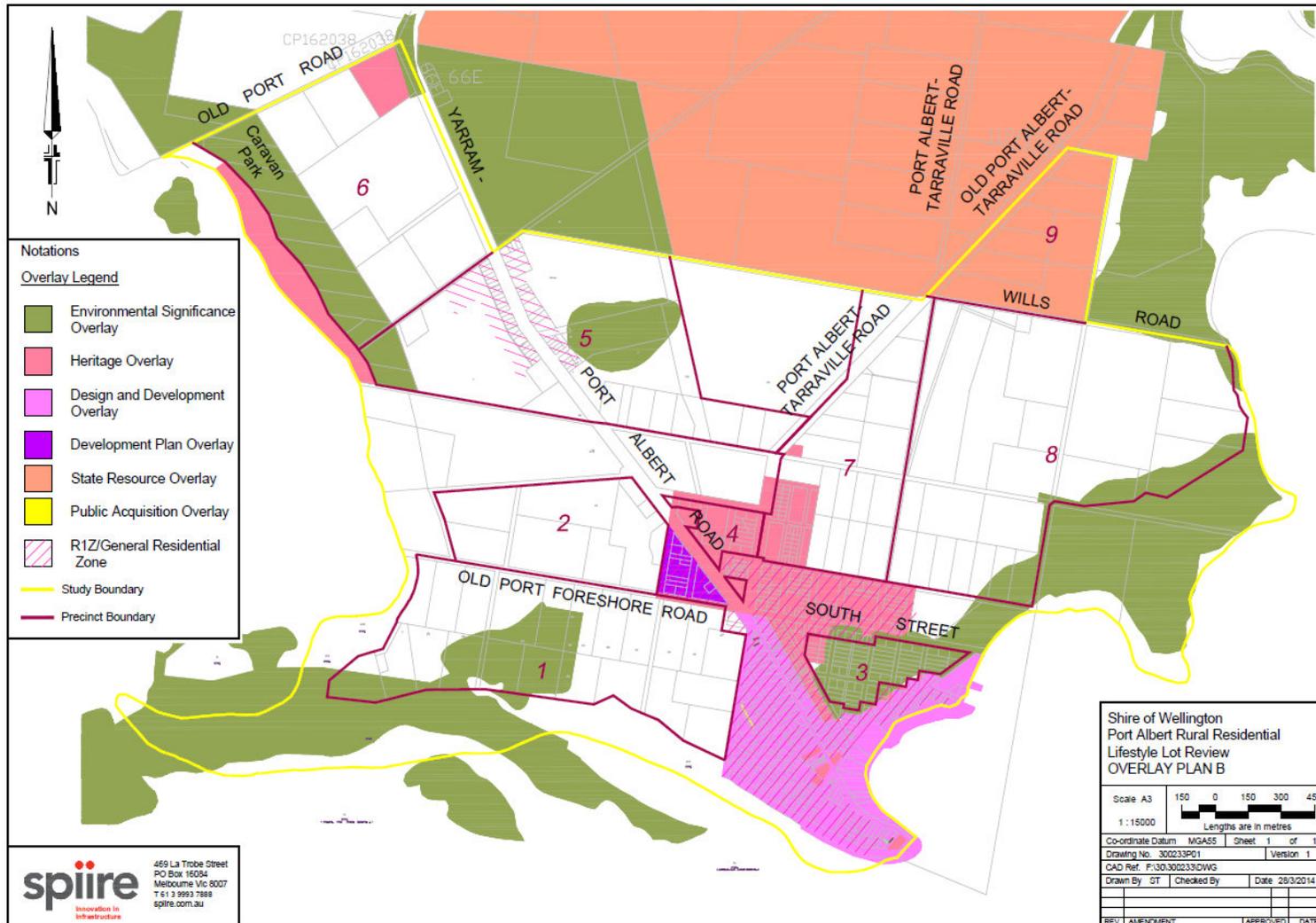
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Figure 15 Precincts and Overlays



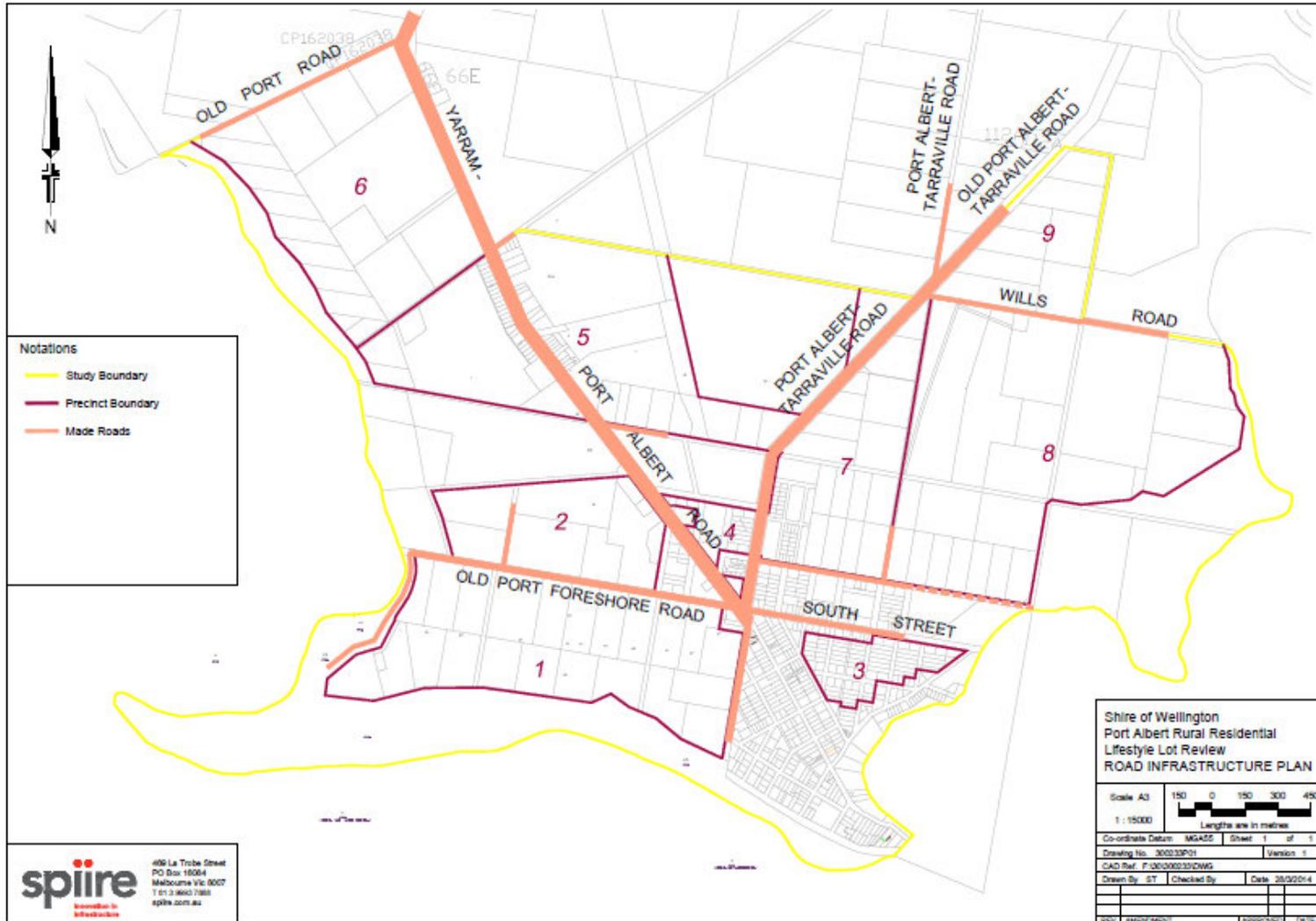
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Figure 16 Precincts and Overlays



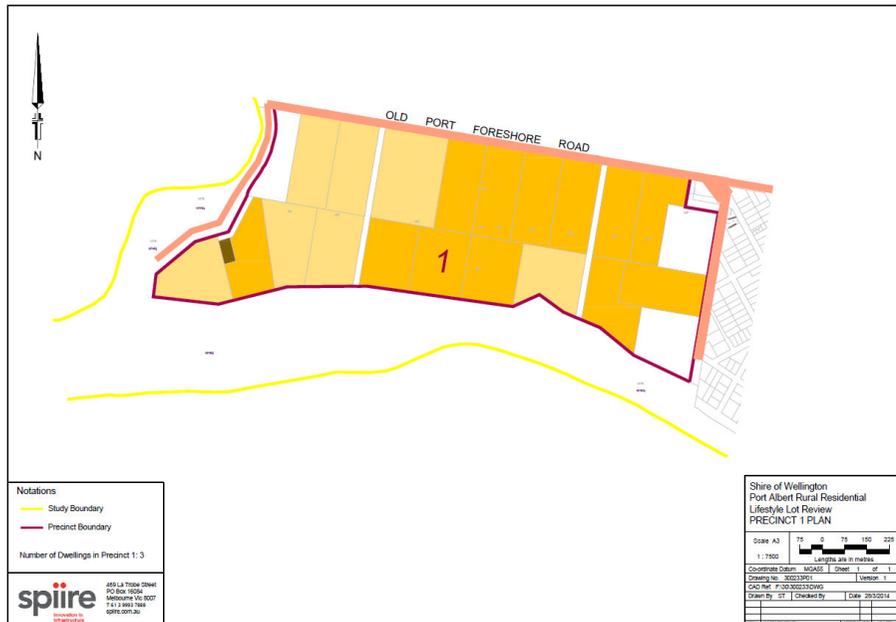
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Figure 17 Precincts and Road Network



### 7.4.2 Precinct 1

Land to the south of Old Port Foreshore Road, west of West Boundary Road.



The southern portion of Precinct 1 is affected by the LSIO and FO, reflecting its position on the edge of the marine park and its wetland nature. The ESO2: Wetlands also applies to the southern and eastern edges of the Precinct.

There are 20 lots within the Precinct with an average lot size of 3.8 hectares. Lots are generally rectangular in shape and orientated in a north-south direction. The land is heavily vegetation with only a few (3) dwellings evident. Access is via the Old Port Foreshore Road. One allotment is utilised for native plant growing and cabin style accommodation.

Vegetation in the Precinct is classified as within the coastal woodland vegetation EVC and a mix of remnant and exotic vegetation. When the location of this remnant vegetation is considered in the context of the neighbouring marine park means it is valuable and requires protection. The high levels and density of vegetation restrict the ability to build dwellings in the Precinct. This is verified in Council’s Environmental Assessment Report undertaken in line with the recommendations of the Rural Zones Review.

#### Farming Zone Lot Areas

##### LOT MIX TABLE

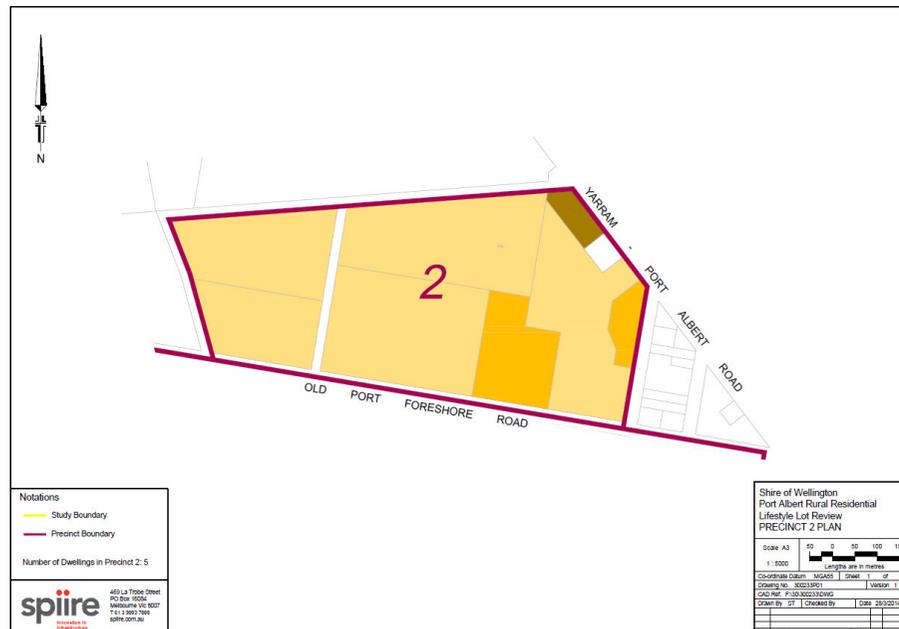
TOTAL NUMBER OF LOTS :	20	AVERAGE:	38762m <sup>2</sup>
 LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE:	0m <sup>2</sup> 0%
 LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE:	0m <sup>2</sup> 0%
 LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	1	AVERAGE:	3240m <sup>2</sup> 5%
 LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	0	AVERAGE:	0m <sup>2</sup> 0%
 LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE:	0m <sup>2</sup> 0%
 LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	12	AVERAGE:	38598.3m <sup>2</sup> 60%
 LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	7	AVERAGE:	44117.1m <sup>2</sup> 35%
 LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE:	0m <sup>2</sup> 0%

#### Recommendation:

Rezone Precinct 1 to the Rural Conservation Zone in recognition of the biodiversity levels. This would assist in protecting the land’s environmental values from further degradation and would provide for land uses and development consistent with the environmental and landscape values.

### 7.4.4 Precinct 2

Land to the north of Old Port Foreshore Road, west of the Yarram Port Albert Road and south of the Old Rifle Range public land.



Precinct 2 is located to the north of Old Port Foreshore Road and consists of eight lots with an average size of 4.75 hectares with the smallest lot being 4,000m<sup>2</sup> (1 acre). Five of the eight lots are already developed with dwellings.

The precinct is vegetated mainly with *Xanthorrhoea* plants and other vegetation forms. The vegetation is considered to be within the Heathy Woodlands EVC and of Least Concern status wise. No overlays affected the site.

The land use is predominantly rural residential with little agricultural activity occurring on the site.

**Farming Zone Lot Areas**

LOT MIX TABLE

TOTAL NUMBER OF LOTS :			
	8	AVERAGE: 47563.8m <sup>2</sup>	
	LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup> 0%
	LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup> 0%
	LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup> 0%
	LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	1	AVERAGE: 8440m <sup>2</sup> 12.5%
	LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	1	AVERAGE: 10810m <sup>2</sup> 12.5%
	LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	1	AVERAGE: 35550m <sup>2</sup> 12.5%
	LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	3	AVERAGE: 54676.7m <sup>2</sup> 37.5%
	LOTS 80000m <sup>2</sup> (8ha) AND GREATER	2	AVERAGE: 80840m <sup>2</sup> 25%

#### Recommendation:

Given the area is already significantly developed for rural residential development and there is little opportunity for agricultural activity to occur on the site due to tree cover it is appropriate for Precinct 2 to be rezoned to the Rural Living Zone. This change would essentially recognise the existing residential development levels of the Precinct, and the residential zoning and development of land to the immediate east. It is likely the provision of this area of the Hinterland for rural residential development will meet the projected demand for growth.

### 7.4.6 Precinct 3

Land to the immediate east and south east of the Port Albert residential area.



This area is undeveloped with only one dwelling constructed. There are approximately 75 individual allotments in the Precinct with an average size of almost 1,600m<sup>2</sup>. The land is swampy with wetland type vegetation and limited road access. The land is affected by the Land Subject to Inundation Overlay and the Environmental Significance Overlay – Schedule 1: Coastal and Gippsland Lakes Environs and Schedule 2: Wetlands.

The area is subject to Coastal Acid Sulphate Soils, possibly in connection with the wetlands around Port Albert. As noted in the Regional Growth Plan for Gippsland these soils should remain undisturbed to prevent serious impacts on infrastructure and human health that can result from their mismanagement.

The area should not be further developed without detailed consideration of the impact on the environment.

Farming Zone Lot Areas

LOT MIX TABLE

Lot Area Range	Count	Average Area (m <sup>2</sup> )	Percentage
TOTAL NUMBER OF LOTS :	75	AVERAGE: 1593.5m <sup>2</sup>	
LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	4	AVERAGE: 973.3m <sup>2</sup>	5.3%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	57	AVERAGE: 1500.6m <sup>2</sup>	76%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	14	AVERAGE: 2148.9m <sup>2</sup>	18.7%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup>	0%

#### Recommendation:

Rezone Precinct 3 to the Rural Conservation Zone in recognition of the environmental constraints affecting the Precinct. This would prevent inappropriate development which could impact on the characteristics and function of the wetlands and would disturb the Coastal Acid Sulphate Soils.

### 7.4.8 Precinct 4

Land to the immediate north of the round-about between Yarram Port Albert Road and Lawrence Street.



Precinct 4 is located to the immediate north of the main roundabout in the Study Area, between areas of public land. The Precinct comprises 17 relatively small lots with an average size of 2,500m<sup>2</sup> (approximately half an acre). The size of these lots is more closely related to low density residential allotments than farming land, however only four of the lots appear to be developed with dwellings.

The area is within Precinct 4 of the Design and Development Overlay – Schedule 9: Port Albert and Palmerston (DDO9-4). One lot, 22 Fitzroy Street, is affected by an individual heritage overlay HO28.

The inclusion of the area within the Port Albert/Palmerston DDO indicates that it is seen as connected to the existing residential areas.

#### Farming Zone Lot Areas

##### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 17 AVERAGE: 2543.3m<sup>2</sup>

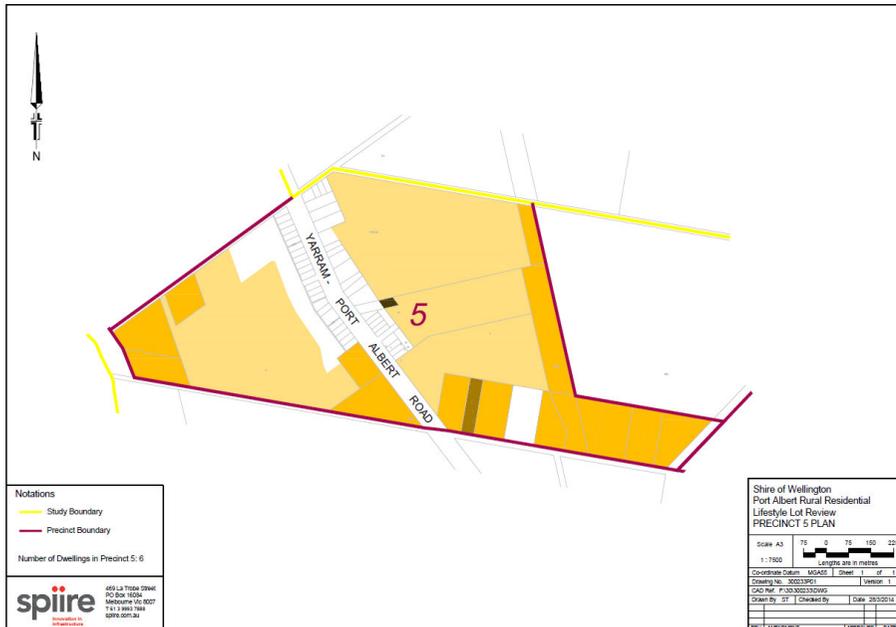
LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	1	AVERAGE: 997m <sup>2</sup>	5.9%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	9	AVERAGE: 1689.3m <sup>2</sup>	52.9%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	4	AVERAGE: 2533.3m <sup>2</sup>	23.5%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	3	AVERAGE: 5634m <sup>2</sup>	17.6%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup>	0%

#### Recommendation:

Precinct 4 is essentially a rural residential area and should be considered for application of the Low Density Residential Zone in recognition of its existing development level.

### 7.4.10 Precinct 5

Land either side of the Langsborough residential area generally between Kilgowers Road and Valeska Street.



Precinct 5 is the land to the east and west of the Landsborough town area. There are 20 lots within the Farming Zone area of the Precinct with an average land size of 4 hectares. The majority of the lots are between 1 hectare and 2 hectares in size. There are currently six dwellings within the Farming Zone lots.

Most of the area is not affected by overlays, however two lots on the western edge of the area are affected by the ESO1 and HO35.

There are a number of anomalies within the Precinct in relation to the application of zones in that land is partly affected by two zoning controls (residential zone and farming zone controls). This includes land at 68 Yarram-Port Albert Road, 86 Yarram-Port Albert Road and land to the rear of the lots along the western side of Yarram-Port Albert Road (Lot 2, LP95313).

Vegetation in the precinct is relatively dispersed with the exception of land on the western and southern edges.

**Farming Zone Lot Areas**

LOT MIX TABLE

TOTAL NUMBER OF LOTS : 20 AVERAGE: 40669m<sup>2</sup>

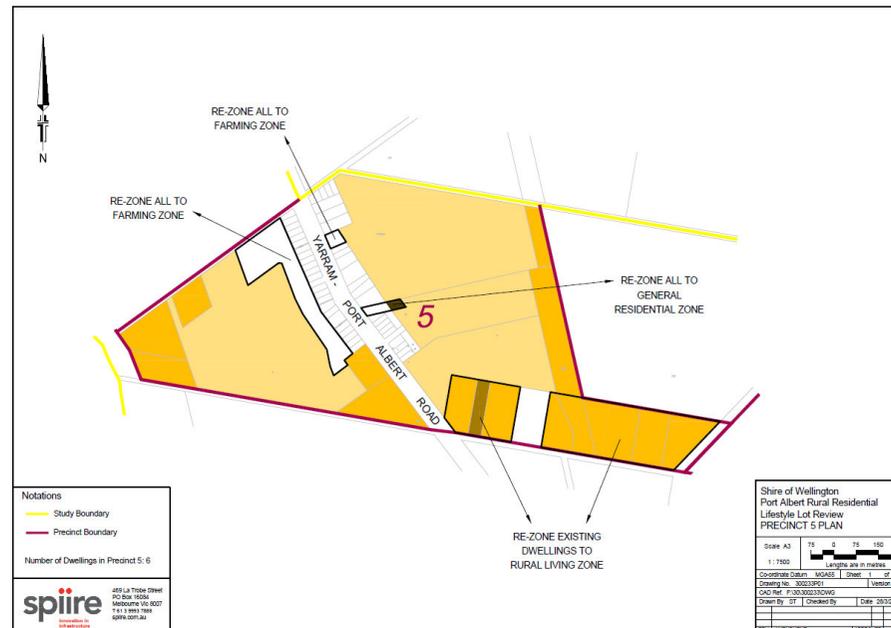
LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	1	AVERAGE: 1500m <sup>2</sup>	5%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	1	AVERAGE: 8080m <sup>2</sup>	5%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	11	AVERAGE: 16498.2m <sup>2</sup>	55%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	3	AVERAGE: 28670m <sup>2</sup>	15%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	1	AVERAGE: 69260m <sup>2</sup>	5%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	3	AVERAGE: 155683.3m <sup>2</sup>	15%

Land along the northern side of Kilgowers Road is mainly developed for rural residential dwellings.

**Recommendation:**

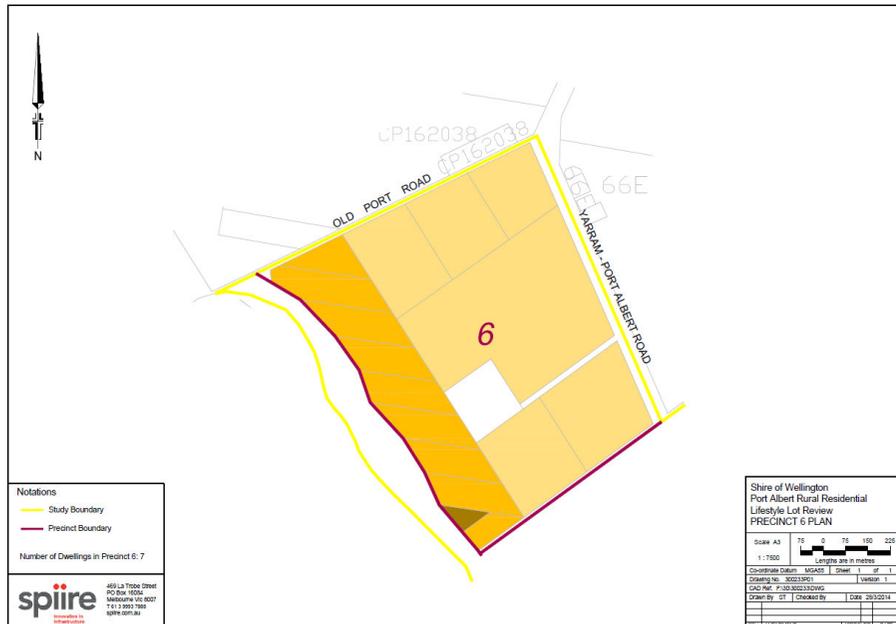
Given the anomalies that exist in the area it is recommended that the following changes are made to rectify these issues in Precinct 5:

- Rezone the front portion of 68 Yarram-Port Albert Road to the Farming Zone to recognise it is part of a larger farm land holding. The owner of the site specifically requested this land not be rezoned to rural living.
- Rezone the back portion of 86 Yarram-Port Albert Road to the General Residential Zone to ensure the whole site is within one zone.
- Consider rezoning the portion of Lot 2, LP95313 from the General Residential Zone to the Farming zone, to prevent further development of this area and to ensure it is in one zone.
- Rezone the existing dwellings along Kilgower Road to the Rural Living Zone in recognition of the existing development levels and their location on the edge of Langsborough.



### 7.4.12 Precinct 6

Land south of Old Port Road to the west of Yarram Port Albert Road.



Precinct 6 is an area with both rural residential development and extensive and dense vegetation. There are 16 lots within the Precinct with an average size of 5.4 hectares. There are seven dwellings in the precinct in addition to the caravan park located at the end of Old Port Road.

Most of the area is not affected by overlays. However, the lots along the western edge are affected by the Schedule 1 to the Environmental Significance Overlay (ESO1) and the six southern most of these lots are also affected by the H035. In addition, HO22 affects the corner lot at 19 Old Port Road and the edge of this lot and the adjoining intersection are also affected by the Schedule 2 to the Environmental Significance Overlay (ESO2).

The eastern portion of this area contains vegetation within the endangered Riparian Scrubs Ecological Vegetation Class (EVC).

**Farming Zone Lot Areas**

LOT MIX TABLE

TOTAL NUMBER OF LOTS : 16 AVERAGE: 53661.3m<sup>2</sup>

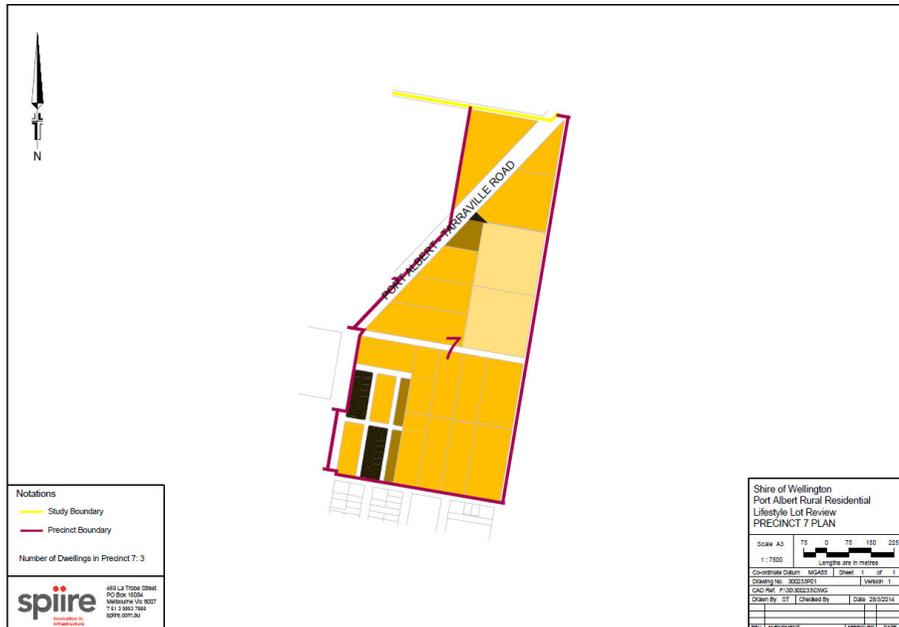
LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	1	AVERAGE: 6840m <sup>2</sup>	6.3%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	1	AVERAGE: 12270m <sup>2</sup>	6.3%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	8	AVERAGE: 28302.5m <sup>2</sup>	50%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	4	AVERAGE: 67062.5m <sup>2</sup>	25%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	2	AVERAGE: 172400m <sup>2</sup>	12.5%

#### Recommendation:

Given the significant levels of vegetation in this Precinct it is recommended Precinct 6 remain within the Farming Zone. The recent changes to the Farming Zone will ensure any further development of the caravan park is permissible and it is therefore appropriate to leave this land use within the current zone. Consideration of extending the Environmental Significant Overlay in this area to reflect the presence of vegetation within an endangered EVC should be made.

### 7.4.14 Precinct 7

Land to the north of Gibson Street, west of the Albany Street alignment and generally on the eastern side of the Port Albert Tarraville Road.



Precinct 7 is at the edge of the original Palmerston subdivision area. It comprises a total of 57 allotments with 35 of these located in the south western corner and each less than 1000 square metres. All the remaining lots are between 1 acre and 8 hectares in size.

The southern portion is mostly affected by the LSIO in reference to the inundation potential of this area. The small lot subdivision area in south west corner is affected by the DDO9-4 in recognition of its more residential lot size.

The area is relatively un-developed with only three dwellings, these are mainly located along the northern side of Gibson Street. The area has limited levels of vegetation and many of the lots have no legal road access.

#### Farming Zone Lot Areas

##### LOT MIX TABLE

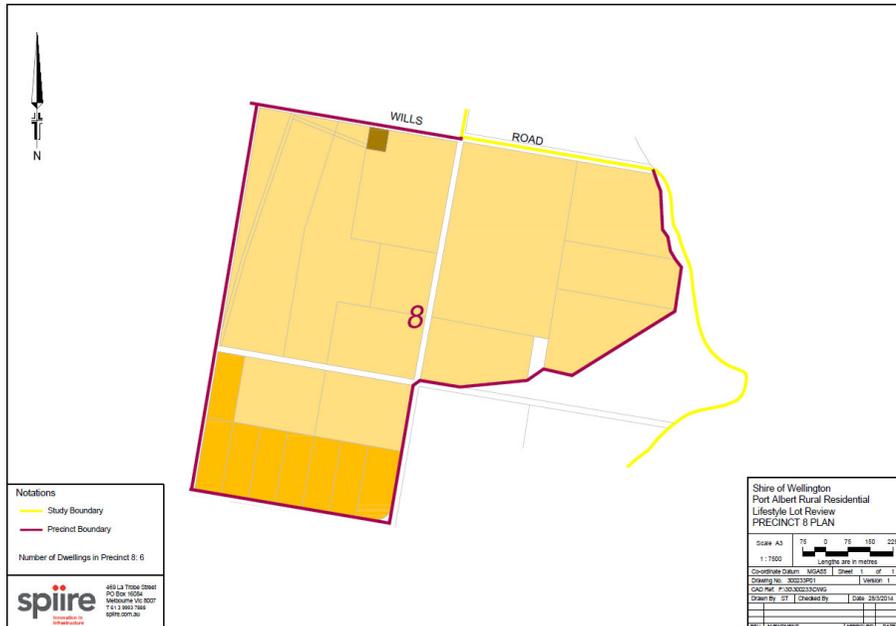
TOTAL NUMBER OF LOTS :	57	AVERAGE: 8782.4m <sup>2</sup>	
 LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	35	AVERAGE: 656m <sup>2</sup>	61.4%
 LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
 LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
 LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	3	AVERAGE: 6495m <sup>2</sup>	5.3%
 LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	11	AVERAGE: 16627.3m <sup>2</sup>	19.3%
 LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	6	AVERAGE: 31146.7m <sup>2</sup>	10.5%
 LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	2	AVERAGE: 44185m <sup>2</sup>	3.5%
 LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup>	0%

#### Recommendation:

Retain Precinct 7 within the Farming Zone due to its constraints including inundation and lack of road access. Precinct 7's characteristics and lack of vegetation make it more appropriate for low levels of agricultural production to occur. Consideration should be made of applying the Restructure Overlay to the original small lot subdivision area within Precinct 7.

### 7.4.16 Precinct 8

Land to the north of the Gibson Street alignment, between Albany Street and the bay.



Precinct 8 comprises 21 lots and has quite a large average at 6.5 hectares with most of the lots over 2 hectares in size. Only six of the lots are developed with dwellings.

The Precincts location on the edge of the bay is recognised through the application of a number of overlays including the LSIO which affects almost all of the area with the eastern edge also affected by the FO and ESO2.

The Precinct is quite swampy and has only a few areas which are highly vegetated. The lack of significant vegetation and the larger lot sizes make this Precinct more suited to farming activity than other areas in the Study Area.

#### Farming Zone Lot Areas

##### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 21 AVERAGE: 64953.4m<sup>2</sup>

LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	1	AVERAGE: 4992m <sup>2</sup>	4.8%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	8	AVERAGE: 22598.8m <sup>2</sup>	38.1%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	7	AVERAGE: 61945.7m <sup>2</sup>	33.3%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	5	AVERAGE: 148924m <sup>2</sup>	23.8%

#### Recommendation:

Retain Precinct 8 in the Farming Zone in recognition of the significant environmental constraints, including inundation, and the potential for agricultural activity to occur.

DRAFT RECOMMENDATIONS REPORT  
PORT ALBERT RURAL RESIDENTIAL LIFESTYLE LOTS REVIEW

**7.4.18 Precinct 9**

Land to the north of Wills Road and east of the Port Albert Tarraville Road.



Precinct 9 is at the north eastern edge of the Study Area and comprise seven lots with an average size of 3.8 hectares. Three of the lots have dwellings. Road access is available along the Tarraville Road.

The whole precinct is affected by the State Resources Overlay – Schedule 1: Gippsland Brown Coalfields. It is also partly covered by the Land Subject to Inundation Overlay (LSIO).

**Farming Zone Lot Areas**

LOT MIX TABLE

TOTAL NUMBER OF LOTS : 7 AVERAGE: 38641.4m<sup>2</sup>

LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	3	AVERAGE: 28723.3m <sup>2</sup>	42.9%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	4	AVERAGE: 46080m <sup>2</sup>	57.1%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup>	0%

**Recommendation:**

Given the need to protect this land due to its identification in the Regional Growth Plan for coal resources and the constraints placed on development due to the land's inundation levels, it would be inappropriate to rezone the land in Precinct 9 from the Farming Zone.

## 8 Report Summary

The purpose of the Port Albert Rural Residential Lifestyle Lots Review Project was to review rural living opportunities for the coastal township of Port Albert. Specifically, this study seeks to:

- Determine the current supply of, and likely future demand for rural lifestyle lots in the Study Area.
- Identify any physical opportunities and constraints on the provision of additional rural living lots.
- Identify any specific sites for potential rezoning and associated planning scheme changes.

Overall, this report finds that there is limited scope to provide further rural living opportunities within and around Port Albert. This finding is based on the following key considerations:

- The significant supply of standard town lots within the area for sale or development and the high proportion of existing dwellings which are already used for holiday homes rather than permanent homes.
- A low level of anticipated population growth for the Study Area, at approximately 2 persons per annum.
- Low projected demand for rural living lots based on demographics and growth projections.
- The extent of existing significant vegetation coverage within the area, including identified Ecological Vegetation Classes (EVCs), some of which is classified as endangered.
- The extent of fire risk due to the significant density of vegetation on both public and private land.

- The extent of potential flooding and inundation risk within the area, drainage constraints as well as the potential for increased tidal inundation.
- The ability to appropriately and sustainably service additional rural residential land due to the limited physical infrastructure within the Hinterland.
- The location of parts of the Study Area to the immediate south of land within the State Resource Overlay in recognition of its valuable coal.
- The close proximity of parts of the Study Area to land utilised for significant levels of agricultural production including dairy farms and timber harvesting.
- The location at the edge of Ramsar Convention listed and significant coastal wetland areas.
- Prevalence of small lot and undeveloped subdivisions.

There are, however, a number of specific areas which could reasonably be rezoned to accommodate additional rural living opportunities. This study also finds that, as identified by the local community, there are a number of zoning anomalies in the area that ought to be rectified to ensure proper land use planning.

The report identifies that whilst there are clear constraints to growth and development for rural residential purposes in the Port Albert Hinterland, the community has concerns with the current application of planning controls. In particular the community has outlined that it perceives the area as not appropriate for farming activities and consider it could benefit from a revised application of zoning controls to encourage development and growth in the townships.

The report also highlights the implications of the State and Local Government Policy Context on which any review of planning controls must rely. This context includes strategic documents, existing planning policy and State Government directions on the application of the rural zones and the provision of rural residential development. The report confirms the implications of this context for this Port Albert project include:

- Protection of productive agricultural land within the region through the retention of existing farming zone land where appropriate and the avoidance of further fragmentation and loss from subdivision and inappropriate housing development.
- Application of the rural zones in line with the purposes of each zone and in recognition of the characteristics and use of the land and in the context of strategy.
- Recognition of the importance of agriculture to Gippsland.
- Respect for the constraints that land places on development and the need to prevent additional risk to life and the environment.
- Activation of the economy through appropriate use of zoning and overlay controls which would foster additional economic development and increased population levels.
- Provision of land for a range of purposes including farming and residential/rural residential development in line with anticipated demand across the municipality.

This in effect means there is little justification to rezone significant areas of the Hinterland for rural residential purposes due to the

limited demand, significant environmental constraints, servicing implications and need to protect agricultural land.

In summary this report recommends changes to the zones applying in five of nine precincts within the Study Area. This equates to changes predominantly located around the edges of the Port Albert and Langsborough settlements. The recommendations would only see the Rural Living Zone apply to Precincts 2 and 5 with the application of other zones including the Rural Conservation Zone proposed for the other precincts. The eastern and northern portions of the Study Area are to remain within the Farming Zone, reflecting the constraints which affect the land and the potential for agricultural production.

The proposed changes to the zones will release land for rural residential development in two areas which are already partially developed for these uses whilst currently located within the Farming Zone. This will more than cater for the projected population growth and demand for rural residential development in the Port Albert Hinterland.

## APPENDIX 1 PRACTICE NOTES

# Rural Residential Development

The purpose of this practice note is to provide guidance when planning for, or assessing proposals for rural residential use and development.

## What is 'rural residential' development?

Rural residential development refers to land in a rural setting, used and developed for dwellings that are not primarily associated with agriculture. Some agriculture may take place on the land however it will be ancillary to the use for a dwelling. It is likely to be carried on for 'lifestyle' reasons and is unlikely to provide a significant source of household income. Rural residential land is typically also used for non-agricultural home occupations or for large gardens. These lots are larger than typical residential lots, but are usually too small for agricultural use.

Because of its primarily residential function, rural residential development requires access to most of the normal services and infrastructure provided in urban settlements. Typically it also generates urban residential amenity expectations.

The zones usually applied to rural residential land are:

- **The Low Density Residential Zone (LDRZ)** is a 'residential' zone. It specifies a lot size of at least 0.4 hectares in areas where reticulated sewerage is not connected or 0.2 hectares for each lot connected to reticulated sewerage. A different lot size can be specified in a schedule to the zone.
- **The Rural Living Zone (RLZ)** is a 'rural' zone. It specifies a lot size of at least 2 hectares and provides opportunities for some rural uses to occur. A different lot size can be specified in a schedule to the zone.
- **The Green Wedge A Zone (GWAZ)** is a 'rural' zone. It provides for lot sizes of 8 hectares and above. It applies to non-urban land outside the Urban Growth Boundary to protect and recognise the area's agricultural, environmental, historic, landscape, infrastructure, natural resource and rural living attributes.

Limited residential development can occur in other rural zones, but generally, land proposed for rural residential development should be included in the Low Density Residential Zone or the Rural Living Zone.

### Farm dwellings

Farm workers and their families may need to live in farm dwellings, close to stock, crops or plants that require regular supervision. Farm dwellings that are genuinely required to support an agricultural use are not a form of rural residential development.

### Small lot agriculture

High value crops, such as grapes, olives, flowers, fruit or tobacco, can be cultivated on small lots. Some intensive agricultural uses can also take place on small lots. Dwellings on these lots will normally be farm dwellings. However, new small lot agriculture proposals need to be considered carefully, to ensure that they do not become unplanned rural residential development.

## Why does rural residential development require special consideration?

The planning scheme should ensure that reasonable opportunities are found for rural residential development, as part of providing for housing diversity and choice.

However, rural residential development can have environmental, social and economic costs that are significantly higher than those of standard residential development.

Land use conflicts between agricultural activities and the amenity expectations of rural residential dwellers should be minimised. Significant impacts to primary production or to the environmental or cultural values of a rural area should be avoided. Finite and valuable natural resources present on the land should not be lost.

The local environment and landscape should have the capacity to absorb more intensive use and development without significant or irreversible harm to its values or to the new use and development. Demand for costly or inefficient community services or infrastructure should not be generated.

These considerations mean that the following broad questions should be answered in sequence:

- **Strategy:** Does rural residential development align with the overall strategic planning of the municipality?
- **Housing need:** How much rural residential development is required to provide appropriate housing diversity and choice to meet housing needs?
- **Location:** Where should new rural residential development take place?
- **Subdivision and design:** Is the new rural residential development subdivided and designed in an attractive setting offering high amenity and efficient infrastructure?

These broad questions should be taken into account when considering a proposed amendment.

Generally, final detailed subdivision and design matters can be considered as part of the permit application process.

All proposals must be accompanied by a site and context description.

## Site and context description

The site analysis should document the opportunities and constraints of the site in terms of landform, vegetation coverage and surrounding land uses and an explanation of how the proposal responds to the site analysis.

A site analysis should include where relevant:

- topography of the land (including ridgelines, landscape, geography, slope gradients and erosion areas)
- road access
- fire hazard

- land liable to inundation by floodwaters
- drainage lines and dams
- any significant environmental features including habitat corridors, threatened species, wetlands and watercourses
- vegetation category (scattered or patch, extent, risk status and ecological vegetation class), quality (habitat hectare assessment) and location
- waterway values
- land degradation (for example, salinity), land stability (land slip) or other erosion related hazards
- soil capability
- soil contamination with regard to past uses of the land
- views
- weather conditions including wind patterns
- available infrastructure including power, water and telecommunications
- existing buildings and works
- adjoining land uses and neighbouring buildings and works
- any other matter relevant to the site and its environment.

## Strategy

### **Does rural residential development fit into the overall strategic directions and planning of the municipality?**

It is important to consider a proposal for rural residential development as part of the broader strategic context.

A proposal for rural residential development must be considered against the state, regional and local strategic planning policies and objectives for the area.

These include:

- The State Planning Policy Framework (SPPF) and the need to protect

agricultural land and natural resources and the encouragement of urban consolidation

- Regional plans such as Plan Melbourne and the Regional Growth Plans
- other regional planning and land management strategies such as the Great Ocean Road Region Strategy 2004, the Victorian Coastal Strategy (as revised), Coastal Spaces Recommendations Report 2006, regional catchment management strategies and regional waterway strategies.

The objectives and strategies in the Municipal Strategic Statement (MSS), and any adopted land use strategy such as a housing strategy or rural land use strategy. A rural residential development should be capable of broad strategic support across all relevant policy areas.

## Housing need

How much rural residential development is required to provide appropriate housing diversity and choice to meet housing needs?

A planning authority must be able to show that a rural residential rezoning is part of its strategy to provide appropriate housing for forecast increases in population and changes in household structure and composition.

A rural residential rezoning must be supported with evidence that the proposed use and development supports and implements the housing needs of the municipality as identified in the MSS. This includes understanding the demographic and housing needs of the area and likely future trends.

The Department of Transport, Planning and Local Infrastructure (DTPLI) provides useful demographic analysis such as 'Regional Victoria – Trends and Prospects', 'Towns in Time' 'Regional Matters – An Atlas of Regional Victoria' and related interim and updated population projections.

Generally, the municipal area will form the best and simplest area on which to base the analysis of local housing need. However if there are several service catchments in one municipality, smaller strategy areas might be appropriate.

A local housing analysis should:

- identify demographic trends, including changes in household structure and composition
- identify housing market trends, including dwelling type
- identify projected population and household increases and housing needs over a 10 year period for the area
- identify the number and types of additional houses required including the proportion of new housing that would be in the form of rural residential development

- What is council's projected population for the next 10 years?
- How many new households will be required?
- Given the existing number of dwellings, how many additional dwellings will be required to meet population and household projections?
- How many of these additional dwellings will be in the form of rural residential?

It is important to demonstrate that the proposed rural residential development meets the housing needs of the municipality and takes into account the need to maintain housing choice and diversity including a realistic mix of lot sizes.

## Location

Having established that there is a basic need for additional rural residential development to serve strategic objectives, an appropriate site or sites must be identified. Alternatively, it must be determined whether specific sites brought forward by private proponents are appropriate. A broad range of location-specific criteria provides a framework for identifying land suitable for rural residential development and eliminating unsuitable land from further consideration.

## Integration with existing urban areas

Rural residential development must be planned to show how it relates to, or is supported by, existing urban development.

It must not impede the proper long-term growth of an urban area based on fully serviced residential development at normal urban densities. Where there is an adopted settlement strategy (such as a local structure plan), it is clearly preferable that rural residential development should not compromise its implementation.

Where there is no adopted settlement strategy, or it is proposed that an existing strategy be changed, the likely future growth and structure of the urban area, based on analysis of physical and social infrastructure and service provision must be considered.

Rural residential development is inappropriate on land that is suitable and required for present or future residential use at usual urban densities. For example, if a town has limited supplies of development land at urban densities, but has unused town water and waste water treatment capacity, land that can easily be served by this infrastructure should normally be considered first as a candidate for development at urban densities.

## Protection of natural resources

The protection of natural resources is a State Planning Policy and is of fundamental importance to local and state economies. It is important to ensure that the location of rural residential use and development does not prejudice the long-term availability and management of Victoria's natural resources, of land, water, energy, wind, stone and minerals.

Rural residential development is not appropriate on land that:

- is productive agricultural land
- is in a special water supply catchment area under the *Catchment and Land Protection Act 1994*
- has identified potential to be used for commercial forestry
- has identified potential for mineral and stone production
- is close to a major industrial facility such as a gas plant or wind energy facility.

Productive agricultural land generally has one or more of the following characteristics:

- a present pattern of subdivision favourable for sustainable agricultural production
- can be used for a variety of agricultural pursuits
- suitable soil type
- suitable climatic conditions
- suitable water supply
- suitable agricultural infrastructure, in particular irrigation and drainage systems.

Issues such as tenure and infrastructure may change to support agricultural use in the future.

The proposal must include an assessment of the locality's natural resources, the impact of the proposal on these resources and the measures to be taken to protect the resources, including a description of:

- agricultural quality
- geology
- earth and energy resources (as governed by the *Mineral Resources (Sustainable Development) Act 1990*)
- soil types
- water resources (including groundwater).

Land resource information and various land capability studies are available for parts of Victoria.

Check with State government departments such as DTPLI, the Department of Environment and Primary Industries, the Department of State Development, Business and Innovation (Energy & Earth Resources Division) and with Catchment Management Authorities and councils about what information is available.

If the proposal is to use agricultural land, the SPPF requires consideration of the following issues:

- the desirability and impacts of removing the land from primary production, given its agricultural quality and productivity
- the impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production
- the compatibility between the proposed or likely development and the existing uses of the surrounding land
- assessment of the land capability.

## Protection of environmental areas and biodiversity

Rural residential development should be located in areas to avoid or minimise any adverse impact on the environment, native vegetation and biodiversity.

Where a proposal affects native vegetation, consideration must be given to *Permitted clearing of native vegetation – Biodiversity assessment guidelines, September 2013*.

The document sets out how impacts on Victoria's biodiversity are assessed when a planning permit application is made to remove native vegetation.

Consideration should also be given to the likelihood of whether a planning permit would be granted under Clause 52.17 of the planning scheme for the removal of native vegetation.

The proposal must include an assessment of the locality's environmental features and how these features could affect, or be affected by, rural residential development. The assessment of the environmental features must include native vegetation, significant wildlife and associated habitat or corridors, and any other biodiversity assets. Natural physical features including topography, slope, waterways, drainage lines and wetlands must also be identified.

Relevant public authorities may have mapping of natural hazards such as fire and flooding, and biodiversity values (see the Native Vegetation Information management System (NVIM), Department of Environment and Primary Industries).

Planning schemes may indicate areas of environmental significance such as salinity, wetlands, or areas of conservation significance.

In some cases, the preparation of a land management plan may be appropriate to show how the impact can be remediated or minimised and protected.

A land management plan should address the environmental and natural resource issues relevant to the site and may include:

- fire protection measures
- responses to flood hazards
- protection and enhancement of native vegetation
- protection and enhancement of waterways
- protection and stabilisation of soil
- pest plants and domestic feral animal control
- protection of areas of environmental significance.

A land management plan can be implemented through the use of a section 173 agreement, a requirement on an appropriate overlay or through a combined amendment-permit process.

## Landscape and heritage values

The proposal must include an adequate assessment of the locality's landscape and heritage values and the potential impacts of rural residential development on those values including:

- areas or features of aesthetic, archaeological, architectural, historical, scientific, social or other special cultural value
- areas of natural scenic beauty or importance, areas of valued landscape character and any significant views.

Areas and places of cultural and landscape significance are identified in planning schemes.

A proposal must demonstrate that it will not impact on the cultural or natural heritage values of the land. Landscapes or places classified by the National Trust of Australia or included in the Victorian Heritage Register, or registers maintained by the Office of Aboriginal Affairs Victoria or the Australian

Heritage Council must not be proposed for rural residential use or development without consultation with those organisations.

## Provision of social and physical infrastructure

As rural residential development is a type of residential land use, it must be provided with certain community infrastructure and services normally expected for residential areas. If those services are not provided by the developer from the outset, the expectations and future requirements of residents can lead to cost and disruption for communities as services are provided at a later time.

A proposal for rural residential development must be efficiently serviced by social and physical infrastructure at an acceptable and sustainable community cost.

The proposal must include an assessment of the public costs of providing social services, community facilities and physical infrastructure for the proposed rural residential development.

The assessment must adequately describe and discuss:

- the availability of existing infrastructure (that is, social facilities and services, schools, public transport, roads and waste disposal)
- the level and range of services which will need to be supplied or upgraded to meet the needs of the proposed population
- the costs of additional services and infrastructure and the options for meeting those costs, services or infrastructure.

## Land use compatibility

The proposed rural residential land use and development must be compatible with the existing and likely land uses of the locality.

Consideration should be given to the availability of alternative sites that could meet the same housing demand. Consideration of suitable alternative sites should also include those in the neighbouring local municipalities.

The nature of existing and possible uses of land adjacent to the land proposed to be rezoned must be documented in an assessment accompanying the proposal report. A map showing site context must be provided.

The assessment must also include consideration of the potential impacts of the proposal on adjoining and nearby land.

Rural residential development should not be provided on land that is:

- within the separation requirements of an amenity reducing land use as described in the Environment Protection Authority's *Recommended Separation Distances for Industrial Residual Air Emissions*, and is a 'sensitive' land use in applying the EPA guidelines
- within the separation requirements of other offensive uses such as intensive animal husbandry and sewage treatment plants and certain agricultural activities, such as poultry farming, piggeries and feedlots. Codes of practice for certain activities have separation distances from sensitive land uses that must be complied with.
- adversely affected by noise levels generated by adjoining land uses including wind energy facilities
- within the 25 Australian Noise Exposure Forecast (ANEF) contour of an airport and careful consideration given to building requirements within the 20-25 ANEF affected by agricultural spraying and aerial spraying of neighbouring agricultural land
- adversely affected by land or groundwater contamination

- within 500 metres of a national park, reference area, wilderness, marine park or state park unless the Department of Environment and Primary Industries agrees to a lesser distance
- located in close proximity to public land that is of environmental significance, including land that is fire prone, unless a suitable buffer zone and/or a land management plan are provided in consultation with the public land manager. The width and nature of the buffer zone will vary depending on local circumstances. The buffer zone and/or land management plan should address issues such as fire, amenity, pest plants and animals, drainage and access
- located in close proximity to land that uses treated wastewater from sewerage for agricultural and horticultural irrigation
- within the separation distance prescribed in the Industrial 1 Zone, Industrial 2 Zone and Industrial 3 Zone between industrial activity and a sensitive use.

## Land servicing capability

The proposal must include an assessment of the land's physical capability to sustain rural residential development, and where appropriate a land capability assessment, addressing:

- whether the land has been found to have satisfactory physical characteristics for sustainable on-site wastewater management and can meet the *Guidelines for Environmental Management – Code of Practice Onsite Wastewater Management* or can be connected to a reticulated sewerage system
- whether the land can be provided with an adequate water supply of an acceptable quality to service the development
- whether the land is accessible by properly formed and constructed roads
- whether the land can be connected to or provided with drainage that effectively removes storm water from each house and lot, prevents inundation of effluent disposal fields, and is designed to handle the one in 100 year storm event where required
- the availability and provision of other normal residential services (electricity, telephone).

Where the land can easily be connected to existing infrastructure and services, it may be suitable for development at standard urban densities.

The cost of providing the services to the land must be at the developer's cost.

## Subdivision and lot design

**How can new rural residential development be subdivided and designed in an attractive setting to offer high amenity and efficient infrastructure?**

Subdivision layouts should respond to the physical features of the land and the environmental, landscape, infrastructure and servicing features and constraints of the land.

In designing subdivisions and the location of buildings and works, consideration should include:

- identifying remnant native vegetation and any fauna habitat for protection
- retaining and providing riparian corridors along waterways and providing riparian corridor links to other areas of local and regional significance
- identifying and controlling existing and potential erosion prone areas
- identifying land liable to inundation by floodwaters
- identifying fire protection measures
- locating buildings off ridgelines to protect sensitive landscapes and preserve views from roads and other land
- including building and effluent disposal envelopes or building exclusion zones to guide the location of buildings and works within subdivisions

- avoiding buildings and works on slopes greater than 15 per cent or when buildings and works would protrude above significant ridgelines
- establishing landscaping with subdivision, buildings and works to protect and restore rural landscapes and significant ridgelines
- using building materials that do not visually impact on the rural landscape
- providing public road access in preference to the creation of carriageway easements or common property
- providing adequate supply of domestic and stock water to individual properties and ensuring that existing water entitlements are not impacted upon by dams
- implementing policies of the relevant water or drainage authority
- any other matter relevant to the site and its environment.

The proposal must:

- show the layout of the proposed subdivision, how the subdivision relates to the landform and vegetation and how it responds to the site analysis
- show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land
- demonstrate that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*
- show for each lot:
  - a building envelope and driveway to the envelope
  - existing vegetation
  - areas of active vegetation management or re-vegetation or other environmental improvement works such as soil stabilisation and erosion management
  - an area suitable for the location of any future dam
  - an effluent disposal area.

## Who should be consulted?

Consultation should occur with relevant agencies, including the following where appropriate:

Agency	Issue
Road Corporation (VicRoads)	Where the site gains access from a Road Zone or a declared road under the <i>Road Management Act 2004</i>
Relevant Catchment Management Authority or water authority	Where the land is in a special water supply catchment area. Where land is liable to inundation or flooding.
Department of Environment Primary Industries	Where the land is currently used for agriculture.
Department of State Development, Business and Innovation	Where the land is: <ul style="list-style-type: none"> <li>• within 500m of an existing extractive industry work authority</li> <li>• within an Extractive Industry Interest Area</li> <li>• within an area that has been identified with potential for mineral production.</li> </ul>
Department of Environment and Primary Industries	Where the removal of native vegetation may be required, where there may be an impact on fauna habitat, where the land is prone to erosion or the land adjoins Crown land.
Servicing agencies (for example, water authorities)	Servicing of land for water supply, sewerage, drainage, electricity and telephone.
Water authorities	Where the use can impact on ground or surface water resources and infrastructure (including irrigation channels or drains, waterways or storages). Where the land is located within an irrigation district.
Environment Protection Authority	Where the land is within the recommended buffer distance for an industrial residual air emission.
Country Fire Authority	Where the land is fire prone.
Airport operator	Where the land is affected by an Airport Environs Overlay.
Adjoining municipal councils	Where land is close to an adjoining municipality.

Consultation with peak interest groups, for example key farming groups, should also be considered as well as neighbouring property owners and occupiers.

## Documenting a proposal

An amendment proposal for a rural residential development must be supported by the following information:

1. A site and context description.
2. A report explaining:
  - the proposal
  - how the proposal supports the strategic framework
  - how the proposal meets housing needs and the housing objectives of the area
  - why the proposed location is suitable for rural residential development. This should include an assessment, where appropriate, of:
    - how the proposal is supported by existing urban development
    - the land's capability for agricultural use and how the proposal will impact the long term continuation of agriculture in the area
    - the locality's natural resources and the measures that may be taken to protect those resources
    - the locality's environmental features and biodiversity and how these could be protected and enhanced
  - the locality's landscape and heritage values and how these could be protected
  - the proposal's social and physical infrastructure requirements and the community cost of providing these services
  - the proposal's compatibility or impact on the surrounding land uses
  - the land's servicing capability.
3. A summary of relevant agency comments and any other comments from peak groups or known affected persons.

A planning application for subdivision for rural residential development must be supported by:

1. A site and context description.
2. A development plan responding to the site and context description and showing details of the proposal. This should show and provide a description of how the proposal has been designed to avoid or minimise any adverse impacts on the environment (including native vegetation, natural physical features, fire or flood hazards and landscape character, where appropriate).

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## Applying the Rural Zones

The purpose of this practice note is to provide guidance to planning authorities about:

- the strategic work required to apply the Farming Zone, Rural Activity Zone, Rural Conservation Zone, Green Wedge Zone, Green Wedge A Zone and Rural Living Zone
- the purposes and features of each zone and where they may be applied.

The practice note seeks to ensure that the most appropriate rural zones are used to achieve a planning authority's rural strategic planning objectives.

### The suite of rural zones for Victoria

The rural areas of Victoria accommodate a range of farming, residential and commercial uses and contain many of the state's significant natural resources, such as native vegetation, minerals and water. They also provide important resources for recreation, tourism and timber production.

The suite of rural zones for Victoria:

- recognise the state, regional and local importance of farming as an industry and provide greater protection for productive agricultural land
- provide a wide choice of zones with clear purposes and controls to match
  - discourage ad hoc and incompatible use and development
  - recognise the changing nature of farming and reduce the potential for conflict between farming and other land uses
  - recognise that rural areas are places where people live and work
  - recognise and protect rural areas that are environmentally sensitive.

## The changing nature of farming

The nature of farming in Victoria is changing in ways that require careful consideration. It is:

- **Becoming more diverse.** Farming in Victoria is constantly changing and expanding in response to changing world and domestic consumption patterns and the need to remain profitable and sustainable.
- **Becoming more industrialised.** Modern farming practices may involve the use of heavy machinery and large scale irrigation and plant equipment, all-hours operation, and the application of chemicals and fertilizers.
- **Intensifying.** Intensive farming enterprises, such as aquaculture, poultry farms and horticulture are growing in numbers and in their contribution to the economy.
- **Aggregating.** In western Victoria particularly, farms are becoming bigger to achieve the economies of scale for farm investment and to maintain productivity.
- **Undergoing social change.** More farmers are taking on off-farm work, the economic value of off-farm work is increasing, and there is a shift from full-time to part-time farming in some rural areas.

More changes in farming structures and practices are expected due to drier climatic conditions and growing community pressure for more efficient water use by all industries.

At the same time, more people are seeking to live in rural areas for a range of social, environmental and economic reasons. As a result, in some rural areas:

- there is more competition for rural land, which is affecting rural land prices and the capacity of farmers to expand their businesses and maintain productivity
- there is renewed interest in part-time small-scale farming

- more people are living in rural areas for lifestyle reasons not related to farming increasing the potential for land use conflicts because people pursuing a rural lifestyle often have amenity expectations that conflict with modern farming practices
- local rural economies are diversifying, as rural land is used for more diverse purposes (such as tourism or recreation).

Victoria's changing rural landscape requires planning authorities to think strategically about their farming areas and rural settlement patterns, so that sustainable farming is promoted and potential conflicts between farming and other land uses are avoided.

## Strategic planning for rural areas

Sound strategic planning for rural areas is essential to ensuring that land use and development achieves the planning authority's vision, objectives and desired outcomes for an area. It can help ensure that:

- use and development in rural areas fits into the overall strategic planning of the municipality
- farmland and farming industries of state, regional or local significance are protected
- housing development in rural areas is consistent with the housing needs and settlement strategy of an area
- future use of existing natural resources, including productive agricultural land, water, and mineral and energy resources, is sustainable
- scarce resources, such as water, are protected
- social networks and infrastructure essential to rural communities are maintained
- existing visual and environmental qualities of rural areas are protected

- conflicts between farming and other land uses are avoided
- the most appropriate planning scheme tools (for example, the right rural zone) are used to achieve strategic planning objectives.

Applying a new rural zone or making adjustments to a schedule to an existing rural zone should be underpinned by clearly expressed planning policies in the planning scheme. If a proposed change is at odds with the existing policy framework, either a different planning tool or approach should be used or the policy framework itself might need re-assessment.

The existing State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF) in the planning scheme should be the starting point for deciding whether the council's strategic objectives are still valid and sound, or whether new strategic work is required. Many councils have already undertaken strategic planning, policies and resource management studies for their rural areas and used this work to articulate rural strategic objectives in their Municipal Strategic Statements (MSS).

New strategic work may not be required if the existing MSS addresses the key rural land use issues and adequately reflects the planning outcomes that the council wants to achieve. The scheme may already contain a sufficient strategic basis for applying a different rural zone or making adjustments to an existing rural zone.

However, if the MSS objectives are no longer relevant, they do not provide clear guidance for decision-making, or there are strategic gaps, new strategic work for a part or parts of the municipality may be required.

Before commencing new strategic work, the council should review the policy components of its planning scheme, past and present council strategic work, relevant studies prepared by government departments and agencies, relevant recommendations of planning panels and past planning scheme review

recommendations. This will help to establish whether new strategic work is required, the scope of the strategic work and the main issues to be focussed on.

There is no prescribed content or format for a rural strategy or study, however it should:

- develop a vision, role and purpose for the rural area
- identify the values and features within the rural area
- identify the key opportunities and constraints
- establish a strategic direction for land use and development within the rural area
- articulate how the strategic vision for the rural area is to be implemented through the planning scheme.

The information used to develop the strategy should be tailored to suit the area. In general it should include an assessment of:

- the state, regional and local strategic planning policies and objectives for the area, including relevant regional growth plans or strategies
- the housing needs of the municipality and likely future trends which is particularly relevant if one of the aims of the strategy is to provide for rural living development
- the physical attributes of the land and its capacity to support productive agricultural uses including soil type, climate, vegetation cover, access to water, slope and drainage
- agricultural trends in the area, including agricultural productivity, changes in farming practices and processes, and farm investment patterns
- the natural resources and environmental features in the area and their importance including flora and fauna, significant habitats, wetlands, scenic landscapes and sites of archaeological or cultural significance

- environmental hazards that could affect how the land is used and developed, such as erosion, salinity, flooding and wildfire risk
- the existing lot size and land use patterns
- infrastructure available for agriculture and other relevant land uses
- settlement patterns in the area.

## Implementing rural strategic objectives

A planning authority may need to use a number of VPP tools to successfully implement its rural strategic objectives. There are circumstances where a zone and one or more overlays may be needed to deliver the desired outcome. Councils should think laterally about the mix of policies and controls required to achieve their objectives and be prepared to consider using a range of tools to achieve the desired strategic outcomes.

In deciding which rural zone should apply, the following principles should be considered:

- The zone should support and give effect to the SPPF.
- The zone should broadly support all relevant policy areas in the MSS (for example, economic, housing, environment and infrastructure policy).
- The rationale for applying the zone should be clearly discernible in the LPPF.
- The zone should be applied in a way that is consistent with its purpose.
- The requirements of any applicable Minister's Direction must be met.

The existing size or pattern of allotments in an area should not be the sole basis for deciding to apply a particular zone. For example, it is not appropriate to decide that the Rural Living Zone should be applied to an area simply because it comprises small lots. Traditionally, farms have comprised multiple allotments, sometimes contiguous, sometimes in different locations. The fact

that an area may comprise many lots does not mean that it cannot be used productively or should not be included in a zone that supports and protects farming. Many factors will determine the suitability of an area for farming, rural living, rural industry, rural conservation or green wedge land.

## Local planning policy

Wide discretion is available in the rural zones, particularly the Farming Zone, Rural Activity Zone and Rural Living Zone. To guide the exercise of this discretion and fully implement their strategic objectives, the planning authority should consider whether a Local Planning Policy (LPP) is necessary. An LPP can help to establish realistic expectations about how land in an area may be used and developed, and provide the responsible authority with a sound basis for making consistent, strategic decisions. Refer to *Planning Practice Note 8: Writing a Local Planning Policy* for more guidance on using local planning policies.

## The zones in detail

The six zones are summarised as follows:

- **Farming Zone** – a zone that is strongly focussed on protecting and promoting farming and agriculture
- **Rural Activity Zone** – a mixed use rural zone that caters for farming and other compatible land uses
- **Rural Conservation Zone** – a conservation zone that caters for rural areas with special environmental characteristics
- **Green Wedge Zone** – a zone that provides for all agricultural uses and limits non-rural uses to those that either support agriculture or tourism, or that are essential for urban development but cannot locate in urban areas for amenity or other reasons
- **Green Wedge A Zone** – a zone that provides for all agricultural uses and limits non-rural uses to those that support agriculture, tourism, schools, major infrastructure and rural living

- **Rural Living Zone** – a zone that caters for residential use in a rural setting.

## The zone purposes

All of the zones provide for the use of land for agriculture; however while it is implicit in the purpose of the Farming Zone, Rural Activity Zone, Green Wedge Zone and Green Wedge A Zone that farming will be a primary land use activity, in the Rural Conservation Zone and Rural Living Zone, farming is subordinate to other land uses or the environmental values of the land.

### Farming Zone Purpose

- To implement the SPPF and the LPPF, including the MSS and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

### Rural Activity Zone Purpose

- To implement the SPPF and the LPPF, including the MSS and local planning policies.
- To provide for the use of land for agriculture.
- To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.
- To ensure that use and development does not adversely affect surrounding land uses.

- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.
- To protect and enhance natural resources and the biodiversity of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

### Green Wedge Zone Purpose

- To implement the SPPF and the LPPF, including the MSS and local planning policies.
- To provide for the use of land for agriculture.
- To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.
- To encourage use and development that is consistent with sustainable land management practices.
- To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.
- To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.
- To protect and enhance the biodiversity of the area.

### Green Wedge A Zone Purpose

- To implement the SPPF and the LPPF, including the MSS and local planning policies.
- To provide for the use of land for agriculture.
- To protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.
- To ensure that use and development promotes sustainable land management practices and infrastructure provision.

- To protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes.
- To recognise and protect the amenity of existing rural living areas.

### Rural Conservation Zone Purpose

- To implement the SPPF and the LPPF, including the MSS and local planning policies.
- To conserve the values specified in a schedule to the zone.
- To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.
- To protect and enhance natural resources and the biodiversity of the area.
- To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.
- To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.
- To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

### Rural Living Zone Purpose

- To implement the SPPF and the LPPF, including the MSS and local planning policies.
- To provide for residential use in a rural environment.
- To provide for agricultural uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

## What are the main features of each zone?

### Farming Zone

The Farming Zone is primarily concerned with keeping land in agricultural production and avoiding land uses that could limit future farming or constrain agricultural activities. In this zone:

- farming is the dominant land use and all other land uses are subordinate to farming
- farming uses are encouraged to establish and expand with as little restriction as possible, subject to proper safeguards for the environment
- non-farm dwellings and land uses not related to farming may be considered but should not limit the operation and expansion of agricultural uses
- farm-related tourism and retailing uses may be considered
- uses that could lead to the loss or fragmentation of productive agricultural land, or which could be adversely affected by farming activities, are prohibited
- land subdivision that could take farmland out of production or limit future farming productivity is discouraged
- the minimum lot size for subdivision may be tailored to suit the farming practices and productivity of the land.

### Productive agricultural land

Productive agricultural land generally has one or more of the following characteristics:

- suitable soil type
- suitable climatic conditions
- suitable agricultural infrastructure, in particular irrigation and drainage systems

- a present pattern of subdivision favourable for sustainable agricultural production.

The basic physical characteristics of the land, such as soil type and climate, access to water, and infrastructure are critical to determining the agricultural use of land and whether agricultural productivity can be sustained in the future. However, productivity is also affected by many other factors, including market demand, access to suitable storage and transport facilities, access to efficient processing and value adding capability, availability of technology, the skills of the farmer, research and development, access to capital, marketing, effective industry support, availability of land for expansion and farm labour costs.

Productive agricultural land is a finite resource that makes a significant contribution to the economy of the state and individual municipalities. Its significance is recognised in the SPPF.

Productive agricultural land should be clearly identified and protected in the planning scheme. If the protection and retention of this land for agricultural production is of primary strategic importance, then it should be included in the Farming Zone.

The Farming Zone is designed to encourage diverse farming practices, some of which can have significant off-site impacts. For this reason, the level of amenity that can be expected in this zone will usually not be compatible with sensitive uses, particularly housing.

### **Decision guidelines**

In reaching a decision on a proposal in this zone, the responsible authority must give significant weight to the farming productivity of the land and the relevance of the proposal to farming. There is an expectation that decisions will be made in favour of protecting and supporting farming. In relation to agricultural issues, the responsible authority must consider:

- whether the use or development will support and enhance agricultural production

- whether the use or development will permanently remove land from agricultural production
- the potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses
- the capacity of the site to sustain the agricultural use
- the agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure
- any integrated land management plan prepared for the site.

In relation to dwellings, the responsible authority must also consider:

- whether the dwelling will result in the loss or fragmentation of productive agricultural land
- whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation
- whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses
- the potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

The zone's focus on farming does not mean that there should be little or no consideration of the impact of farming on the environment. The zone encourages farming based on comprehensive and sustainable land management practices and a planning permit is required to establish or expand certain farming enterprises. However, in these cases, the focus of the responsible authority's decision will usually be on whether off-site impacts that may result from the proposal are reasonable for a farming area.

## Rural Activity Zone

The main feature of the Rural Activity Zone is the flexibility that it provides for farming and other land uses to co-exist. In this zone:

- the purpose and provisions support the continuation and growth of farming but provide the opportunity for non-farming uses to be considered in appropriate locations
- a wide range of tourism, commercial and retail uses are supported
- farming uses are encouraged to establish and expand, subject to proper safeguards for the environment and amenity considerations
- a planning permit is always required to use land for a dwelling.

Because the mix of uses that is supported in the Rural Activity Zone is wide-ranging, the planning scheme should be clear about:

- what the planning authority wants to achieve in the area where the zone is to be applied
- how discretion in the zone will be exercised.

This can be done by:

- setting out clear objectives for the zone and explaining how discretion in the zone will be exercised in the LPPF, or
- including a purpose statement in the schedule to the zone. If this option is chosen, the statement should be inserted above the table setting out minimum and maximum areas, it should not repeat or contradict the SPPF and LPPF, and it should be more specific than the zone purpose.

If the planning scheme is clear about what is to be achieved in the zone, this will enable the responsible authority to make decisions on a consistent, strategic basis and avoid land use conflicts in the future.

A purpose statement in the schedule to the zone may describe:

- desired or preferred mix of land uses
- desired or preferred locations for particular land uses
- preferred approaches for managing off-site land use impacts
- a specific need that a proposal should meet.

A good purpose statement should reference local conditions, be grounded in reality, and help the responsible authority to make planning decisions, for example:

*To achieve a mix of nature-based recreation facilities and tourist accommodation that complements the wilderness values of Gumnut National Park and is compatible with organic food production activities in the area.*

The mix of uses that a planning authority may want to encourage in the zone could include:

- farming, rural industry and associated agribusiness
- farming and tourist facilities
- intensive animal husbandry and associated rural processing industries
- nature-based tourism and recreation facilities
- agricultural and environmental education and research facilities.

The application of the Rural Activity Zone does not mean that protecting or maintaining farming activities will be of low importance. The zone caters for a wide range of farming activities, including intensive animal husbandry, rural processing industries and timber production, and a planning authority may want to apply the zone to encourage a particular mix of farming and non-farming activities. However, the needs of farmers will need to be balanced with the council's other planning objectives for the area.

The mix of uses that is encouraged in the zone should complement the environmental and landscape values of the land, and support the council's overall urban and rural settlement strategies. It would be inappropriate to apply the zone to encourage a rural mixed use area if the land is required for urban development in the future, or if the particular uses would be better located in an existing town, where there is access to a wider range of urban services and infrastructure.

The zone should not be mistaken for a quasi rural residential zone. Housing is only one of a number of uses that may be considered in the zone, and, in some circumstances, it may be incompatible with the particular mix of uses that the planning authority is seeking to achieve.

### **Tourism**

Rural Victoria is home to many trails, transport routes and nature-based attractions that have strong tourist appeal and create demand for recreation and tourism facilities and services. Tourism can promote and facilitate economic activity that supports aspects of regional and rural life. For example, farm stays, cellar door sales and the sales of local produce support agriculture.

A range of farming-related tourism uses may be considered in the Farming Zone (such as farm stays, group accommodation, market, residential hotel, restaurants, and primary produce sales). However, if a planning authority is keen to facilitate the establishment of larger scale tourism uses or a more diverse mix of tourism and recreation uses, the Rural Activity Zone may be a more appropriate zone to apply as hotel and tavern are permit required uses.

In deciding to apply the Rural Activity Zone to facilitate tourism in an area, matters to be considered include:

- the need to protect the agricultural, environmental and cultural values of the area
- the scale and mix of tourism and recreation uses to be encouraged

- whether there are opportunities to build alliances between tourism business operators, farmers, food and wine producers and trail network managers
- the product and infrastructure needs of tourists and the local community
- requirements for the siting, planning and design of tourism facilities.

In reaching a decision on proposals in the Rural Activity Zone, the responsible authority must consider whether the use or development will support and enhance agricultural production and other matters relating to protecting and enhancing farming. However, the weight that is given to these considerations will need to be balanced with other social, environmental or economic objectives and policies identified for the land in the scheme.

The schedule to the Rural Activity Zone requires the planning authority to nominate an appropriate minimum lot size. This will vary depending on the physical attributes of the land, the type of agricultural activities being encouraged and the mix of non-farming land uses being sought. The minimum lot size should promote effective land management practices and infrastructure provision and could be large or small.

### **Rural Conservation Zone**

The Rural Conservation Zone is primarily concerned with protecting and conserving rural land for its environmental features or attributes. The conservation values of the land must be identified in the schedule to the zone and could be historic, archaeological, landscape, ecological, cultural or scientific values. In this zone:

- all uses are subordinate to the environmental values of the land
- farming is allowed provided that it is consistent with the environmental values of the area
- the minimum lot size for subdivision is tailored to suit the environmental features and values of the land.

Land use and development is controlled in the zone to safeguard the natural environment and conserve the identified environmental qualities of the land. Most agricultural uses require a planning permit. In general, there is an expectation that a proposal will only be permitted if it conserves the values identified for the land, the site is environmentally capable of sustaining the proposal, and it is compatible with surrounding land uses.

Industrial uses other than Rural industry, Warehouse uses other than Rural store, most types of Retail premises, and Intensive animal husbandry are prohibited in the zone.

### Green Wedge Zone

The Green Wedge Zone is primarily concerned with protecting and conserving non-urban land outside of the Urban Growth Boundary (UGB) for its agricultural, environmental, historic, landscape, or recreational values, or mineral and stone resource attributes.

The zone provides opportunity for all agricultural uses and most farming uses and limits non-rural uses to those that either support agriculture or tourism, or that are essential for urban development but cannot locate in urban areas for amenity and other reasons (such as airports, schools, waste treatment plants, land fills and reservoirs). A dwelling requires a permit and is restricted to one dwelling per lot.

The zone provides a minimum lot size of 40 hectares unless an alternative is specified in a schedule to the zone. The creation of smaller lots is prohibited unless the subdivision is the re-subdivision of existing lots or the creation of a small lot for a utility installation.

Industrial uses other than Rural industry, Warehouse uses (except Rural store), and most types of Retail premises are prohibited in the zone.

### Green Wedge A Zone

The Green Wedge A Zone is primarily concerned with protecting and conserving non-urban land outside of the Urban Growth Boundary (UGB) for its agricultural, environmental, historic, landscape, infrastructure, natural resource or rural living attributes.

The zone provides opportunity for all agricultural uses and limits non-rural uses to those that either support agriculture or tourism, schools, major infrastructure and rural living. A dwelling requires a permit and is restricted to one dwelling per lot.

The zone provides a minimum lot size of eight hectares unless an alternative is specified in a schedule to the zone. The creation of smaller lots is prohibited unless the subdivision is the re-subdivision of existing lots or the creation of a small lot for a utility installation.

Industrial uses other than Rural industry (except for Abattoir and Sawmill), Warehouse uses (except Rural store), most types of Retail premises, and Intensive animal husbandry are prohibited in the zone.

### Rural Living Zone

This zone provides for residential use in a rural environment. It is designed to cater for lots in a rural setting that are large enough to accommodate a dwelling and a farming use. The farming use is likely to be carried on for reasons other than the need to provide a significant source of household income.

In this zone:

- it is not essential that a dwelling be genuinely associated with a farming use of the land
- some farming may take place on the land, however this will not always be the case
- residents have a reasonable expectation that their amenity will be protected
- a wider range of tourism, commercial and retail uses may be considered in the zone.

Although the Rural Living Zone is catering primarily for residential use, the allotment size and subdivision layout should provide the opportunity for farming activities to occur, without adversely affecting the natural environment or the amenity of surrounding land uses. This means that the minimum lot size could be quite large.

If the planning authority's objective is to encourage rural residential development at densities that are defacto large residential lots or which would preclude farming activities, then it should consider applying the Low Density Residential Zone.

Because of the zone's primarily residential function, a planning authority must be able to show that using the Rural Living Zone is part of its strategy to provide appropriate housing diversity and choice to meet housing needs.

In the Rural Living Zone, development must be provided with certain community infrastructure and services normally expected for residential areas. This is why land uses that are normally located in urban areas may be considered in the zone. These uses need to be considered carefully, to ensure that the zone does not become an unplanned urban area and farming on adjacent land is not compromised.

For more information about the key strategic and land capability requirements that a proposed Rural Living rezoning must meet refer to *Planning Practice Note 37: Rural Residential Development*

## Potable water supply catchment areas

A potable water supply catchment provides water resources to a reservoir used primarily for domestic water supply purposes. Special water supply catchment areas are listed in Schedule 5 of the *Catchment and Land Protection Act 1994*.

There are two types of potable water supply catchments. An 'open' catchment is where part or all of the catchment area is in private ownership and access to the catchment is

unrestricted. A 'closed' catchment means that the whole of the catchment area is publicly owned and public access is prohibited.

Water authorities do not have direct control over land use and development in open, potable water supply catchments, however because of the risks to public health, all use and development should be sited and managed to protect the quality of water collected from the catchment. Residential development and agriculture particularly have the potential to impact adversely on water quality through the discharge of contaminated runoff and wastes, nutrient contributions or sediment to waterways.

To protect water quality in open, potable water supply catchments, the preferred approach is to apply the Rural Conservation Zone. However, in deciding to apply this zone to these areas, a planning authority should carefully consider the type and extent of development expected in the area, the potential sources of pollutants, and the conditions or standards that new use and development would be required to meet to maintain an acceptable water quality. For further information about potable water supply catchments, refer to the *Guidelines for Planning Permits in Open, Potable Water Supply Catchment Areas*.

## Where should the zones be applied?

The differences between the zones' purposes and provisions decide where they should be applied. Examples of candidate areas for each zone are provided below, however these are indicative only. The decision about which zone is applied should be driven by the strategic objectives in the scheme.

The **Farming Zone** is designed to be applied to rural areas where:

- farmers require certainty about undertaking normal farming practices and need the flexibility to change farming practices in the future

- farming is the principal activity in the area and the protection of productive farmland is of primary strategic importance
- the farmland is of state, regional or local significance in terms of agricultural production or employment
- the farmland has physical attributes that are scarce or essential to sustaining particular agricultural activities
- pressures to use and develop land for non-farming purposes pose a significant threat to the supply and productivity of farmland in the area
- the scale, nature and intensity of farming uses in the area have the potential to significantly impact upon sensitive land uses, such as housing
- the efficient and effective use of agricultural infrastructure will be maximised.

Possible Farming Zone areas include:

- horticulture areas
- intensive animal husbandry areas
- irrigated areas
- dairying areas
- forestry plantation areas
- other broad hectare cropping areas
- areas where the consolidation, intensification or aggregation of farming activities is encouraged
- areas where non-farming uses and development need to be strictly controlled so that potential land use conflicts can be avoided.

The **Rural Activity Zone** is designed to be applied to rural areas where:

- farming is an important activity in the area but the planning objectives identified for the land support the establishment of other land uses

- a mixed-use function would support farming activities in the area, assist in preventing the unplanned loss of productive agricultural land elsewhere, or allow for the logical and efficient provision of infrastructure
- the use of land in the area for non-farming purposes would not compromise the long term productivity of surrounding farmland
- appropriate buffers can be provided between different land uses so that land use conflicts are avoided
- the planning authority has developed a clear policy about how discretion in the zone will be exercised.

Possible Rural Activity Zone areas include:

- an existing mixed use rural area where the mix of uses complements the agricultural, environmental and landscape values of the area and supports the council's urban settlement objectives
- rural areas where commercial, tourism or recreational development will complement and benefit the particular agricultural pursuits, landscape features or natural attractions of the area
- farming areas where complementary rural industry, agribusiness uses, and rural research facilities are encouraged.

The **Rural Conservation Zone** is designed to be applied to rural areas where:

- the protection of the environmental features of the land is of primary strategic importance including, for example, native vegetation, flora and fauna, significant habitats, or they could relate to the visual qualities of the land
- the environmental features of the land are scarce and strict controls are required to prevent the further loss or decline of those features
- land use and development could directly or indirectly threaten the environmental values of the land and strict controls are required to manage this.

If the environmental or landscape features cover a large rural area, the Rural Conservation Zone is likely to be suitable. However, if the features are widely dispersed or fragmented and the surrounding land has been substantially altered (for example, broadacre farming areas with wildlife corridors), the other rural zones may be more appropriate supplemented with overlays.

Possible Rural Conservation Zone areas include:

- relatively intact natural areas where land use and development could result in the loss of important environmental features or values
- areas of biodiversity or ecological significance
- rural areas that contain threatened species habitat, such as wetlands, water catchments and grasslands
- rural areas of high scenic or landscape value
- environmentally degraded areas where a cautious approach to land use and development is required to avoid further environmental damage
- rural areas that are unstable or prone to erosion or salinity
- open, potable water supply catchment areas.

The **Green Wedge Zone** is designed to be applied to green wedge land where:

- agriculture and farming is an important activity in the area, complemented by other land uses
- a mixed-use function would support farming activities in the area, assist in preventing the unplanned loss of productive agricultural land elsewhere, or allow for the logical and efficient provision of infrastructure to service urban areas
- the use of land in the area for non-farming purposes, such as tourism uses,

would support the long term productivity of surrounding farmland

- the protection of the environmental features of the land is important including, for example, native vegetation, flora and fauna, cultural heritage, significant habitats, or they could relate to the landscape and visual qualities of the land
- significant mineral and stone resources are located in the area.

Possible Green Wedge Zone areas include:

- rural land defined as green wedge land
- areas of agricultural and farming land
- relatively intact natural areas where land use and development could result in the loss of important environmental features or values
- areas of biodiversity significance
- rural areas more remote from townships and township areas supporting a variety of land uses and lot sizes of around 40 hectares or greater
- rural areas of high scenic or landscape value
- areas for infrastructure provision or stone and mineral resources.

The **Green Wedge A Zone** is designed to be applied to green wedge land where:

- agriculture and farming is an important activity in the area but the planning objectives identified for the land support the establishment of other land uses
- a mixed-use function would support farming and tourism activities in the area, assist in preventing the unplanned loss of productive agricultural land elsewhere, or allow for the logical and efficient provision of infrastructure to service urban areas
- the use of land in the area for non-farming purposes, such as tourism uses, would support the long term productivity of surrounding farmland

- the protection of the environmental features of the land is important including, for example, native vegetation, flora and fauna, cultural heritage, significant habitats, or they could relate to the landscape and visual qualities of the land
- significant natural resources are located in the area
- rural living areas with lot sizes of around eight hectares or greater located on the periphery of, or between, townships.
- farming may take place on the land but this is subordinate to the residential use
- residents require certainty about the residential amenity of the area and are protected from potentially incompatible land uses
- farming is of a nature or scale that will not conflict with housing
- residents will have access to most of the normal services and infrastructure provided in urban areas.

Possible Green Wedge A Zone areas include:

- rural land defined as green wedge land
- relatively intact natural areas where land use and development could result in the loss of important environmental features or values
- areas of biodiversity significance
- rural areas surrounding townships supporting a variety of land uses with lot sizes of around eight hectares or greater
- rural areas of high scenic or landscape value
- areas with significant natural resources.

The **Rural Living Zone** is designed to be applied to areas where:

- the rural land has a mainly residential function

Possible Rural Living Zone areas include:

- rural areas that have been substantially subdivided and developed for dwellings in proximity to an urban area or township with a range of urban services and infrastructure.

## Further information

More information is available on the DTPLI website at [www.dtpli.vic.gov.au/planning](http://www.dtpli.vic.gov.au/planning)

Other planning practice notes:

- *PPN62: Green Wedge Planning Provisions*
- *PPN31: Preparing a Green Wedge Management Plan*
- *PPN37: Rural Residential Development*

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**APPENDIX 2    PRECINCT PLANS**



CP162038  
OLD PORT ROAD

66E  
YARRAM-

PORT ALBERT-  
TARRAVILLE ROAD

112  
OLD PORT ALBERT-  
TARRAVILLE ROAD

WILLS ROAD

PORT ALBERT-  
TARRAVILLE ROAD

5  
PORT ALBERT ROAD

2  
OLD PORT FORESHORE ROAD

3  
SOUTH STREET

6

5

7

9

8

2

4

1

3

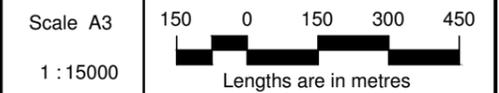
Notations

Study Boundary

Precinct Boundary

Precinct	No. of Dwellings
1	3
2	5
3	1
4	4
5	6
6	7
7	3
8	6
9	3

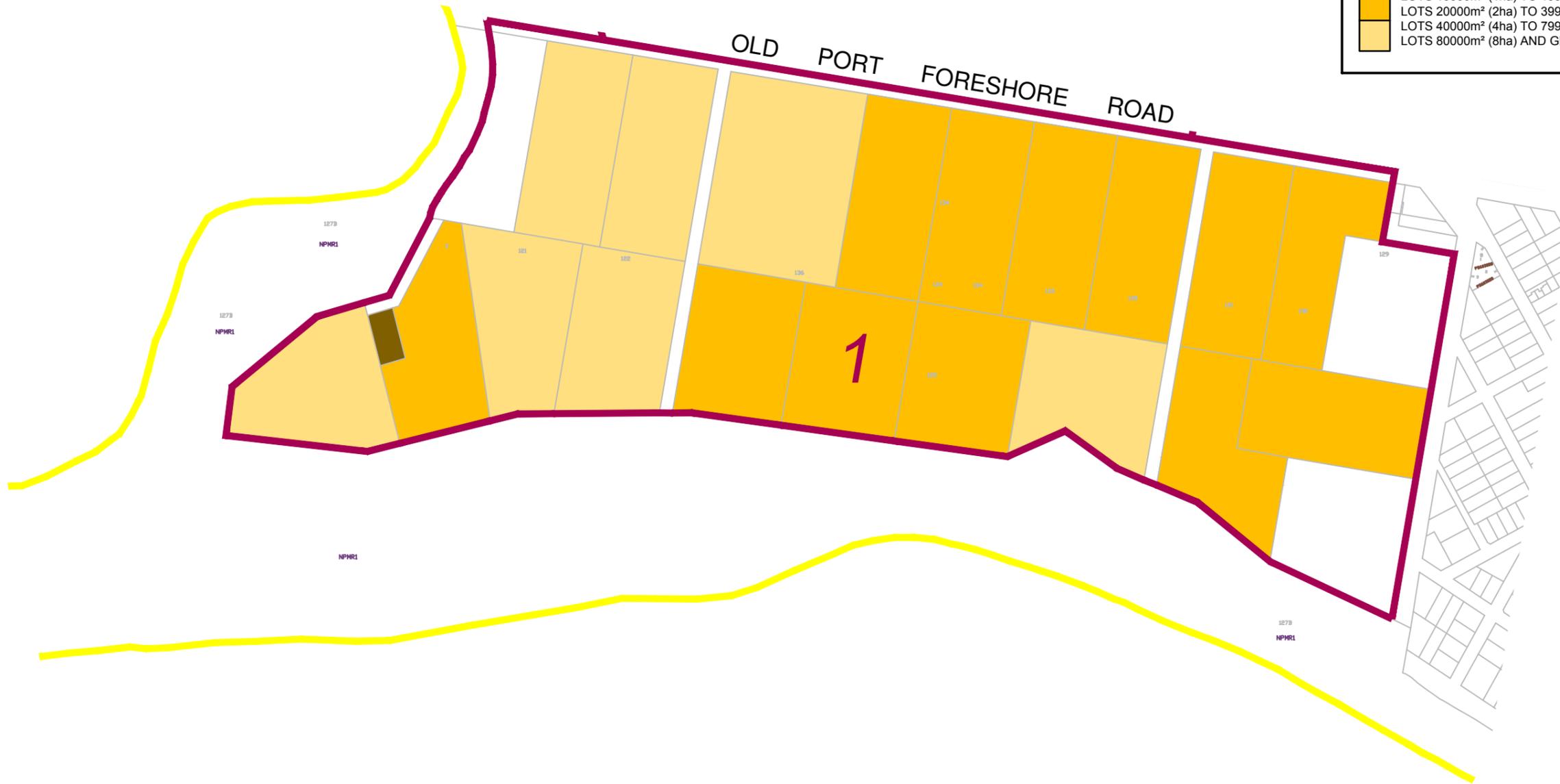
Shire of Wellington  
Port Albert Rural Residential  
Lifestyle Lot Review  
PRECINCT PLAN



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**Farming Zone Lot Areas**

**LOT MIX TABLE**

TOTAL NUMBER OF LOTS :		20	AVERAGE: 38762m <sup>2</sup>
	LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup> 0%
	LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup> 0%
	LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	1	AVERAGE: 3240m <sup>2</sup> 5%
	LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup> 0%
	LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup> 0%
	LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	12	AVERAGE: 38598.3m <sup>2</sup> 60%
	LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	7	AVERAGE: 44117.1m <sup>2</sup> 35%
	LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup> 0%

**Notations**

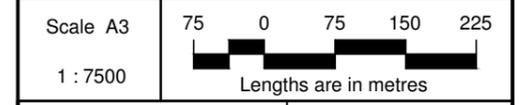
Study Boundary

Precinct Boundary

Number of Dwellings in Precinct 1 : 3

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 PRECINCT 1 PLAN**



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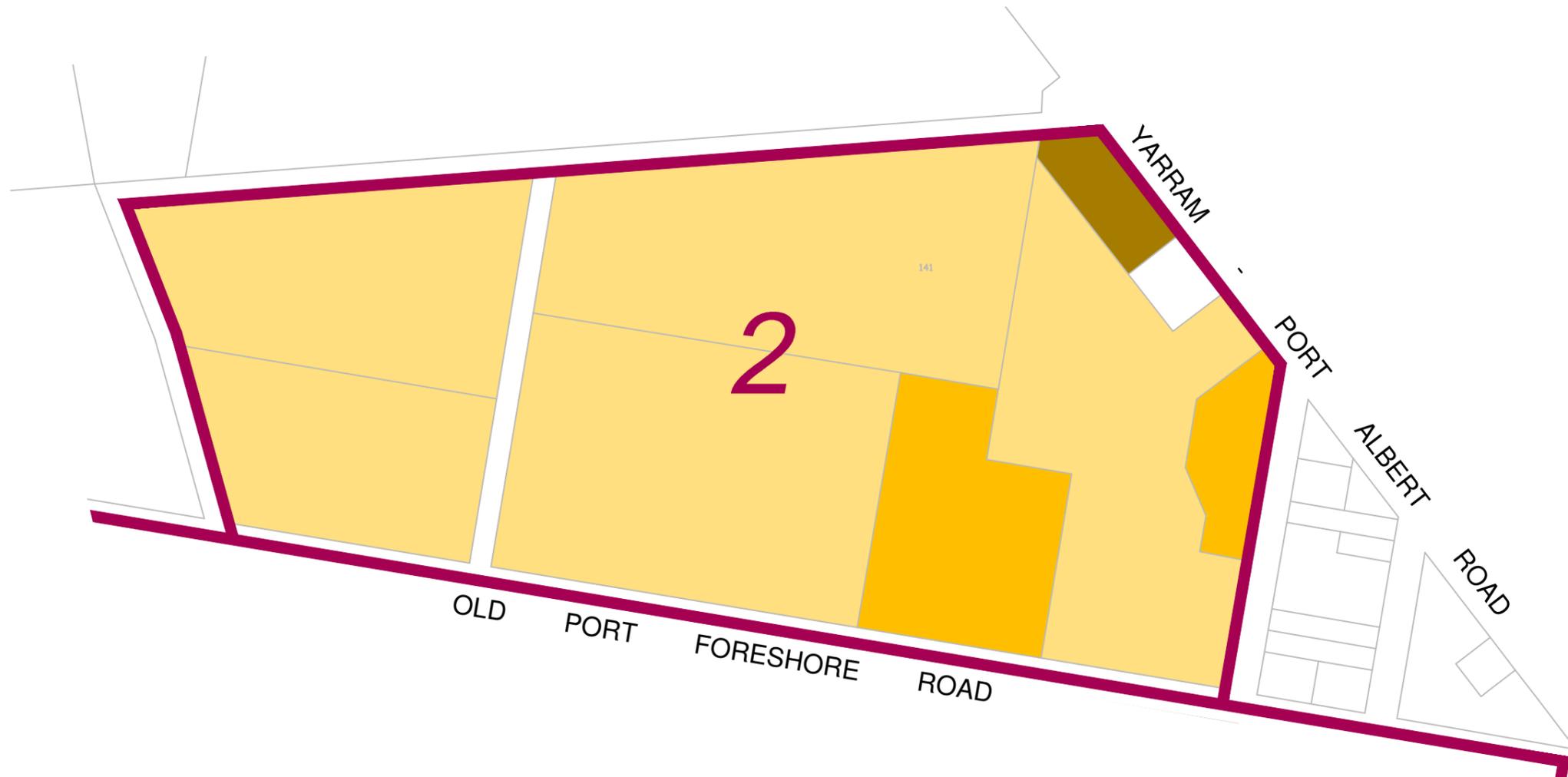


### Farming Zone Lot Areas

#### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 8 AVERAGE: 47563.8m<sup>2</sup>

	LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	1	AVERAGE: 8440m <sup>2</sup>	12.5%
	LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	1	AVERAGE: 10810m <sup>2</sup>	12.5%
	LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	1	AVERAGE: 35550m <sup>2</sup>	12.5%
	LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	3	AVERAGE: 54676.7m <sup>2</sup>	37.5%
	LOTS 80000m <sup>2</sup> (8ha) AND GREATER	2	AVERAGE: 80840m <sup>2</sup>	25%



#### Notations

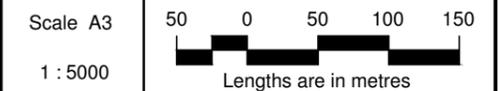
-  Study Boundary
-  Precinct Boundary

Number of Dwellings in Precinct 2: 5



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### Farming Zone Lot Areas

#### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 75 AVERAGE: 1593.5m<sup>2</sup>

LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	4	AVERAGE: 973.3m <sup>2</sup>	5.3%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	57	AVERAGE: 1500.6m <sup>2</sup>	76%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	14	AVERAGE: 2148.9m <sup>2</sup>	18.7%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup>	0%



#### Notations

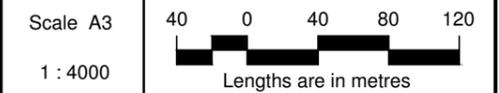
- Study Boundary
- Precinct Boundary

Number of Dwellings in Precinct 3: 1



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### Farming Zone Lot Areas

#### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 17 AVERAGE: 2543.3m<sup>2</sup>

	LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	1	AVERAGE: 997m <sup>2</sup>	5.9%
	LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	9	AVERAGE: 1689.3m <sup>2</sup>	52.9%
	LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	4	AVERAGE: 2533.3m <sup>2</sup>	23.5%
	LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	3	AVERAGE: 5634m <sup>2</sup>	17.6%
	LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup>	0%



#### Notations

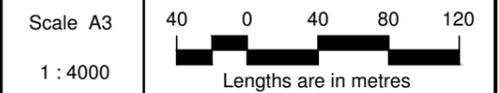
-  Study Boundary
-  Precinct Boundary

Number of Dwellings in Precinct 4: 4



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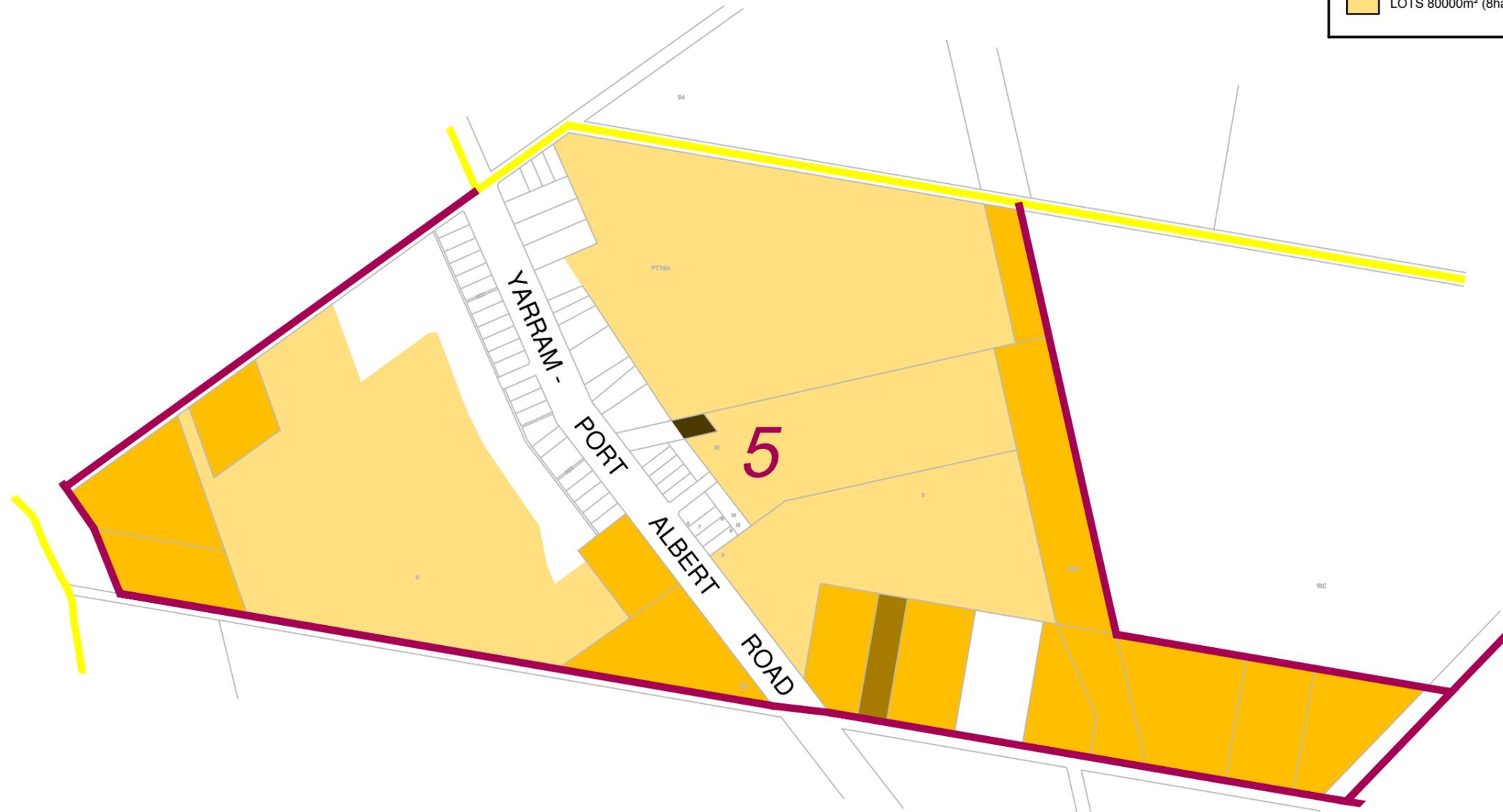


### Farming Zone Lot Areas

#### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 20 AVERAGE: 40669m<sup>2</sup>

LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	1	AVERAGE: 1500m <sup>2</sup>	5%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	1	AVERAGE: 8080m <sup>2</sup>	5%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	11	AVERAGE: 16498.2m <sup>2</sup>	55%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	3	AVERAGE: 28670m <sup>2</sup>	15%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	1	AVERAGE: 69260m <sup>2</sup>	5%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	3	AVERAGE: 155683.3m <sup>2</sup>	15%



#### Notations

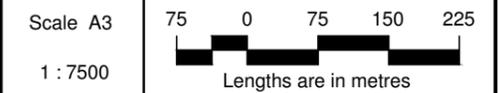
- Study Boundary
- Precinct Boundary

Number of Dwellings in Precinct 5: 6



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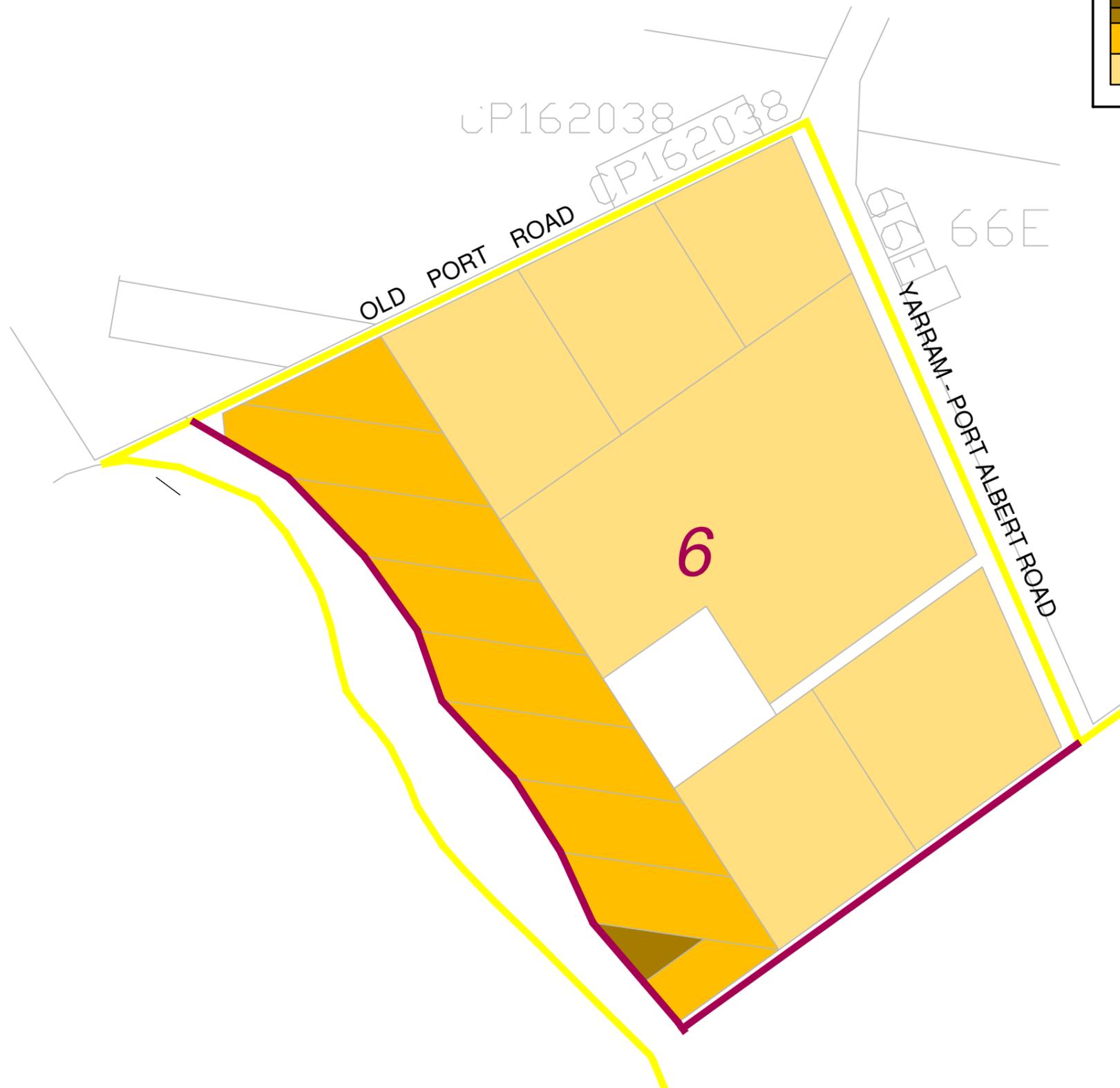


### Farming Zone Lot Areas

#### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 16 AVERAGE: 53661.3m<sup>2</sup>

LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	1	AVERAGE: 6840m <sup>2</sup>	6.3%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	1	AVERAGE: 12270m <sup>2</sup>	6.3%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	8	AVERAGE: 28302.5m <sup>2</sup>	50%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	4	AVERAGE: 67062.5m <sup>2</sup>	25%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	2	AVERAGE: 172400m <sup>2</sup>	12.5%



#### Notations

- Study Boundary
- Precinct Boundary

Number of Dwellings in Precinct 6: 7

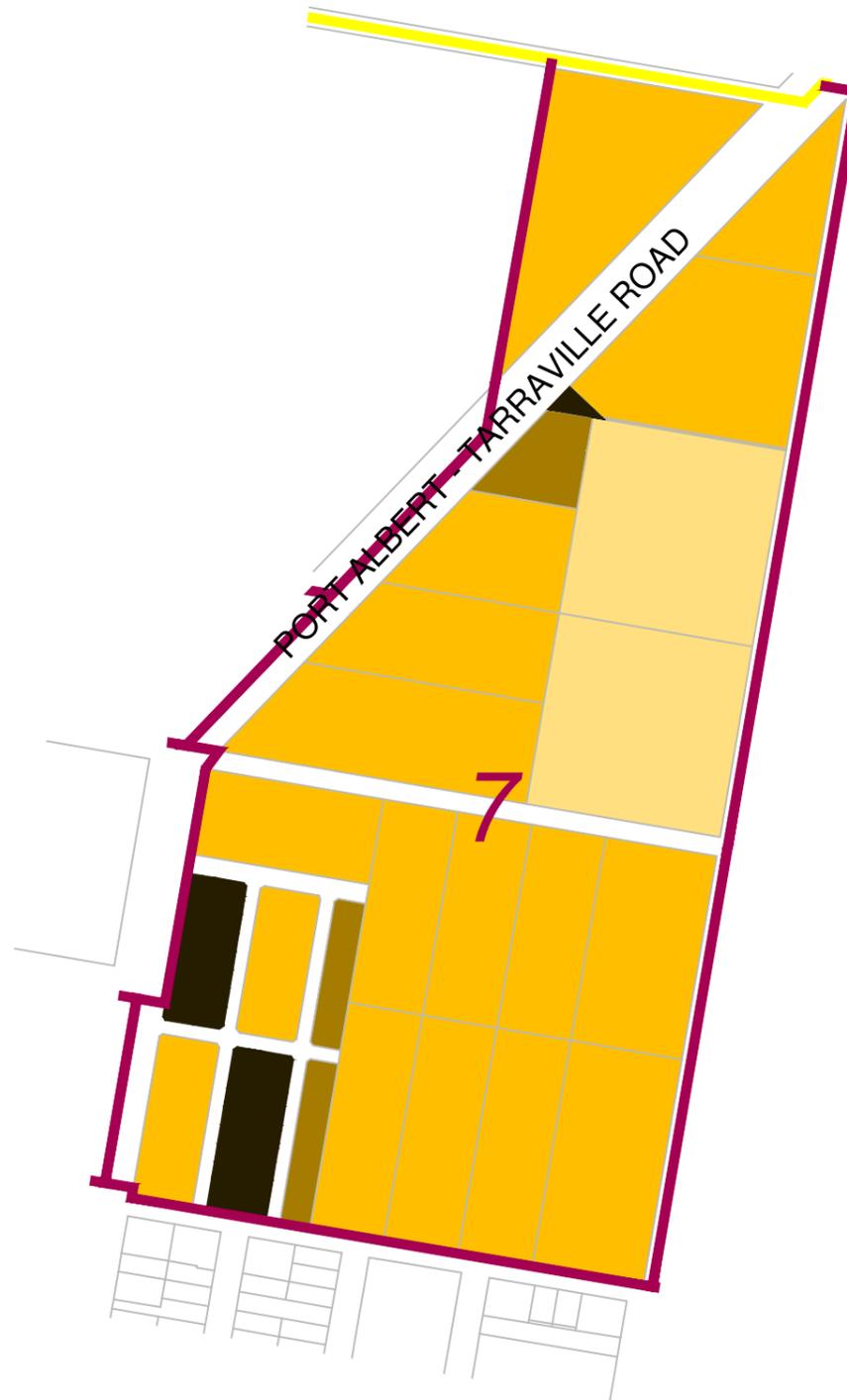


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### Shire of Wellington Port Albert Rural Residential Lifestyle Lot Review PRECINCT 6 PLAN

Scale A3  
1 : 7500  
75 0 75 150 225  
Lengths are in metres

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### Farming Zone Lot Areas

#### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 57 AVERAGE: 8782.4m<sup>2</sup>

LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	35	AVERAGE: 656m <sup>2</sup>	61.4%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	3	AVERAGE: 6495m <sup>2</sup>	5.3%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	11	AVERAGE: 16627.3m <sup>2</sup>	19.3%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	6	AVERAGE: 31146.7m <sup>2</sup>	10.5%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	2	AVERAGE: 44185m <sup>2</sup>	3.5%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup>	0%

#### Notations

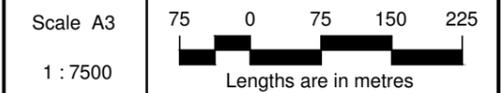
- Study Boundary
- Precinct Boundary

Number of Dwellings in Precinct 7: 3



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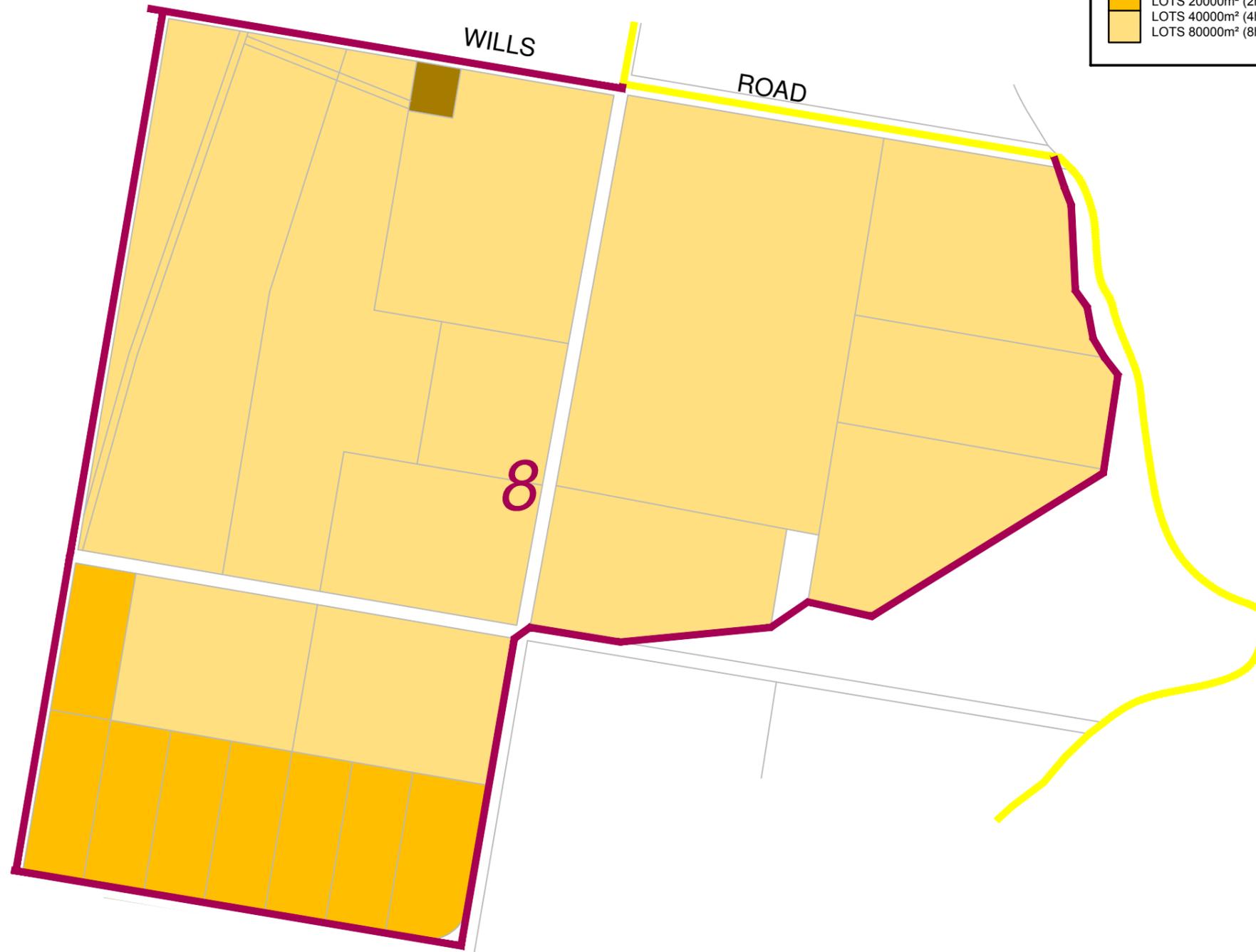


### Farming Zone Lot Areas

#### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 21 AVERAGE: 64953.4m<sup>2</sup>

	LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	1	AVERAGE: 4992m <sup>2</sup>	4.8%
	LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
	LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	8	AVERAGE: 22598.8m <sup>2</sup>	38.1%
	LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	7	AVERAGE: 61945.7m <sup>2</sup>	33.3%
	LOTS 80000m <sup>2</sup> (8ha) AND GREATER	5	AVERAGE: 148924m <sup>2</sup>	23.8%



#### Notations

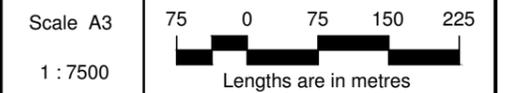
-  Study Boundary
-  Precinct Boundary

Number of Dwellings in Precinct 8: 6



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### Farming Zone Lot Areas

#### LOT MIX TABLE

TOTAL NUMBER OF LOTS : 7 AVERAGE: 38641.4m<sup>2</sup>

LOTS 500m <sup>2</sup> TO 999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 1000m <sup>2</sup> TO 2022m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 2023m <sup>2</sup> (1/2 acre) TO 4046m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 4047m <sup>2</sup> (1 acre) TO 9999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 10000m <sup>2</sup> (1ha) TO 19999m <sup>2</sup>	0	AVERAGE: 0m <sup>2</sup>	0%
LOTS 20000m <sup>2</sup> (2ha) TO 39999m <sup>2</sup>	3	AVERAGE: 28723.3m <sup>2</sup>	42.9%
LOTS 40000m <sup>2</sup> (4ha) TO 79999m <sup>2</sup>	4	AVERAGE: 46080m <sup>2</sup>	57.1%
LOTS 80000m <sup>2</sup> (8ha) AND GREATER	0	AVERAGE: 0m <sup>2</sup>	0%



#### Notations

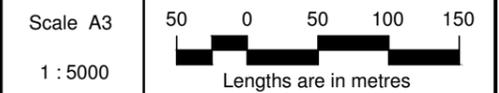
- Study Boundary
- Precinct Boundary

Number of Dwellings in Precinct 9: 3



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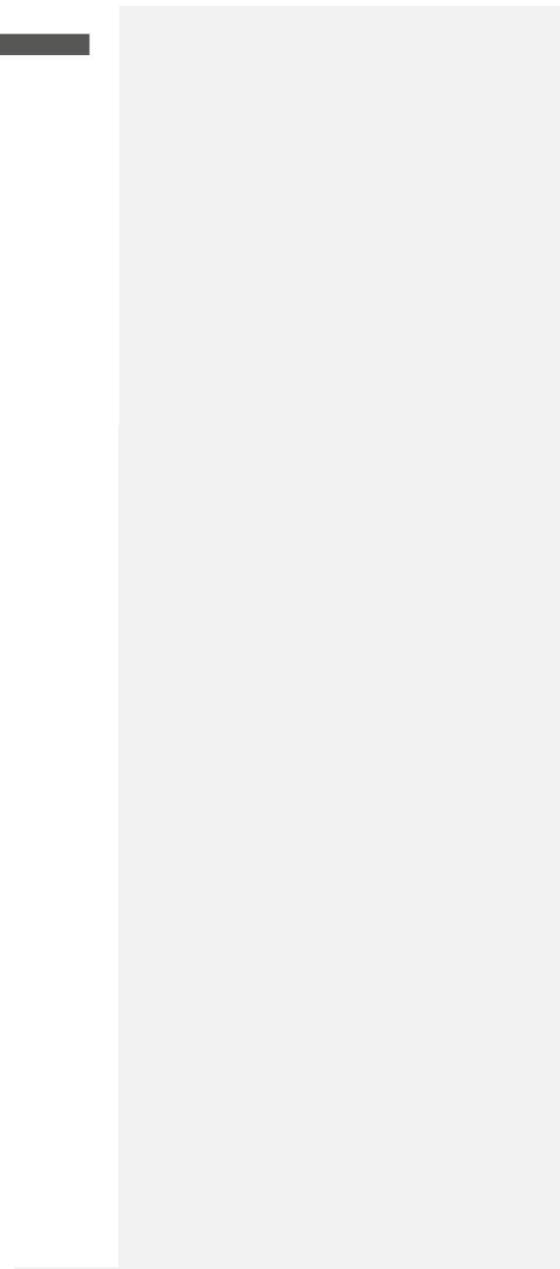
### Shire of Wellington Port Albert Rural Residential Lifestyle Lot Review PRECINCT 9 PLAN



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**APPENDIX 3    ECOLOGICAL VEGETATION CLASS**



# EVC/Bioregion Benchmark for Vegetation Quality Assessment

## Gippsland Plain bioregion

### EVC 11: Coastal Lagoon Wetland

#### Description:

Occupies the margins of coastal freshwater lagoons that have formed behind the coastal dune barrier and the adjacent hills. It has several zones dependent upon water depth and persistence of inundation. Within the lagoon itself where exposure is rare, the vegetation is dominated by graminoids whereas on the lagoon margin a tall scrub layer is common.

#### Life Forms:

Life form	#Spp	%Cover	LF code
Medium Shrub	4	15%	MS
Small Shrub	2	1%	SS
Large Herb	1	1%	LH
Medium Herb	2	5%	MH
Small or Prostrate Herb	1	1%	SH
Large Tufted Graminoid	1	5%	LTG
Large Non-tufted Graminoid	2	15%	LNG
Medium to Small Tufted Graminoid	1	5%	MTG
Medium to Tiny Non-tufted Graminoid	2	5%	MNG
Ground Fern	1	5%	GF
Scrambler or Climber	1	1%	SC
Bryophytes/Lichens	na	10%	BL
<b>Total understorey projective foliage cover</b>		<b>60%</b>	

LF Code	Species typical of at least part of EVC range	Common Name
MS	<i>Leptospermum continentale</i>	Prickly Tea-tree
MS	<i>Melaleuca squarrosa</i>	Scented Paperbark
MS	<i>Melaleuca ericifolia</i>	Swamp Paperbark
MH	<i>Gonocarpus tetragynus</i>	Common Raspwort
LTG	<i>Carex appressa</i>	Tall Sedge
MTG	<i>Triglochin procerum</i> s.l.	Water Ribbons
LNG	<i>Phragmites australis</i>	Common Reed
LNG	<i>Lepidosperma longitudinale</i>	Pithy Sword-sedge
MNG	<i>Baumea tetragona</i>	Square Twig-sedge
SC	<i>Cassytha glabella</i>	Slender Dodder-laurel

#### Recruitment:

Continuous

#### Organic Litter:

20% cover

#### Weediness:

There are no consistent weeds in this EVC.

# EVC 11: Coastal Lagoon Wetland - Gippsland Plain bioregion

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# EVC/Bioregion Benchmark for Vegetation Quality Assessment

## Gippsland Plain bioregion

### EVC 48: Heathy Woodland

#### Description:

Spans a variety of geologies but is generally associated with nutrient-poor soils including deep uniform sands (aeolian or outwash) and Tertiary sand/clay which has been altered to form quartzite gravel. Eucalypt-dominated low woodland to 10 m tall lacking a secondary tree layer and generally supporting a diverse array of narrow or ericoid-leaved shrubs except where frequent fire has reduced this to a dense cover of bracken. Geophytes and annuals can be quite common but the ground cover is normally fairly sparse.

#### Large trees:

Species	DBH(cm)	#/ha
<i>Eucalyptus</i> spp.	50 cm	15 / ha
<i>Banksia serrata</i>	40 cm	

#### Tree Canopy Cover:

%cover	Character Species	Common Name
10%	<i>Eucalyptus willisii</i>	Jimmy's Shining Peppermint
	<i>Eucalyptus obliqua</i>	Messmate Stringybark
	<i>Eucalyptus radiata</i> s.l.	Narrow-leaf Peppermint
	<i>Eucalyptus viminalis</i> ssp. <i>pryoriana</i>	Rough-barked Manna Gum
	<i>Banksia serrata</i>	Saw Banksia

#### Understorey:

Life form	#Spp	%Cover	LF code
Immature Canopy Tree		5%	IT
Medium Shrub	5	30%	MS
Small Shrub	5	20%	SS
Medium Herb	2	5%	MH
Small or Prostrate Herb	2	5%	SH
Large Tufted Graminoid	1	5%	LTG
Large Non-tufted Graminoid	1	1%	LNG
Medium to Small Tufted Graminoid	1	5%	MTG
Medium to Tiny Non-tufted Graminoid	2	5%	MNG
Ground Fern	1	5%	GF
Bryophytes/Lichens	na	10%	BL
Soil Crust	na	10%	S/C

LF Code	Species typical of at least part of EVC range	Common Name
MS	<i>Epacris impressa</i>	Common Heath
MS	<i>Leptospermum myrsinoides</i>	Heath Tea-tree
MS	<i>Leptospermum continentale</i>	Prickly Tea-tree
MS	<i>Monotoca scoparia</i>	Prickly Broom-heath
SS	<i>Amperea xiphoclada</i> var. <i>xiphoclada</i>	Broom Spurge
SS	<i>Leucopogon virgatus</i>	Common Beard-heath
SS	<i>Dillwynia glaberrima</i>	Smooth Parrot-pea
LTG	<i>Gahnia sieberiana</i>	Red-fruit Saw-sedge
MTG	<i>Xanthorrhoea minor</i> ssp. <i>lutea</i>	Small Grass-tree
MNG	<i>Hypolaena fastigiata</i>	Tassel Rope-rush
SC	<i>Cassytha glabella</i>	Slender Dodder-laurel

# EVC 48: Heathy Woodland - Gippsland Plain bioregion

**Recruitment:**

Episodic/Fire. Desirable period between disturbances is 20 years.

**Organic Litter:**

40 % cover

**Logs:**

15 m/0.1 ha.

**Weediness:**

There are no consistent weeds in this EVC.

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# EVC/Bioregion Benchmark for Vegetation Quality Assessment

## Gippsland Plain bioregion

### EVC 191: Riparian Scrub

#### Description:

A dense shrubland to 6 m tall with occasional eucalypt emergents growing on waterlogged substrates often with a peaty surface horizon. Emergent eucalypts may be occasionally present. The understorey is often species-poor and consists typically of sedges tolerant of seasonal waterlogging. Occurs along creeks and minor stream tributaries of the lowland plains.

#### Canopy Cover:

%cover	Character Species	Common Name
60%	<i>Melaleuca squarrosa</i>	Scented Paperbark
	<i>Leptospermum continentale</i>	Prickly Tea-tree

#### Understorey:

Life form	#Spp	%Cover	LF code
Medium Shrub	3	10%	MS
Small Shrub	1	1%	SS
Medium Herb	1	1%	MH
Small or Prostrate Herb	1	1%	SH
Large Tufted Graminoid	1	10%	LTG
Large Non-tufted Graminoid	1	5%	LNG
Medium to Small Tufted Graminoid	1	1%	MTG
Medium to Tiny Non-tufted Graminoid	3	15%	MNG
Ground Fern	1	5%	GF
Scrambler or Climber	2	15%	SC
Bryophytes/Lichens	na	20%	BL
<b>Total understorey projective foliage cover</b>		<b>80%</b>	

LF Code	Species typical of at least part of EVC range	Common Name
MS	<i>Coprosma quadrifida</i>	Prickly Currant-bush
MS	<i>Ozothamnus ferrugineus</i>	Tree Everlasting
MS	<i>Acacia verticillata</i>	Prickly Moses
MS	<i>Ozothamnus rosmarinifolius</i>	Rosemary Everlasting
SS	<i>Amperea xiphioclada</i> var. <i>xiphioclada</i>	Broom Spurge
MH	<i>Gonocarpus tetragynus</i>	Common Raspwort
MH	<i>Selaginella uliginosa</i>	Swamp Selaginella
LTG	<i>Gahnia sieberiana</i>	Red-fruit Saw-sedge
LNG	<i>Lepidosperma longitudinale</i>	Pithy Sword-sedge
MNG	<i>Baumea tetragona</i>	Square Twig-rush
MNG	<i>Schoenus brevifolius</i>	Zig-zag Bog-sedge
MNG	<i>Empodisma minus</i>	Spreading Rope-rush
GF	<i>Pteridium esculentum</i>	Austral Bracken
SC	<i>Gleichenia microphylla</i>	Scrambling Coral-fern
SC	<i>Billardiera scandens</i>	Common Apple-berry
SC	<i>Cassytha glabella</i>	Slender Dodder-laurel

#### Recruitment:

Continuous

#### Organic Litter:

40 % cover

#### Weediness:

There are no consistent weeds in this EVC.

# EVC 191: Riparian Scrub - Gippsland Plain bioregion

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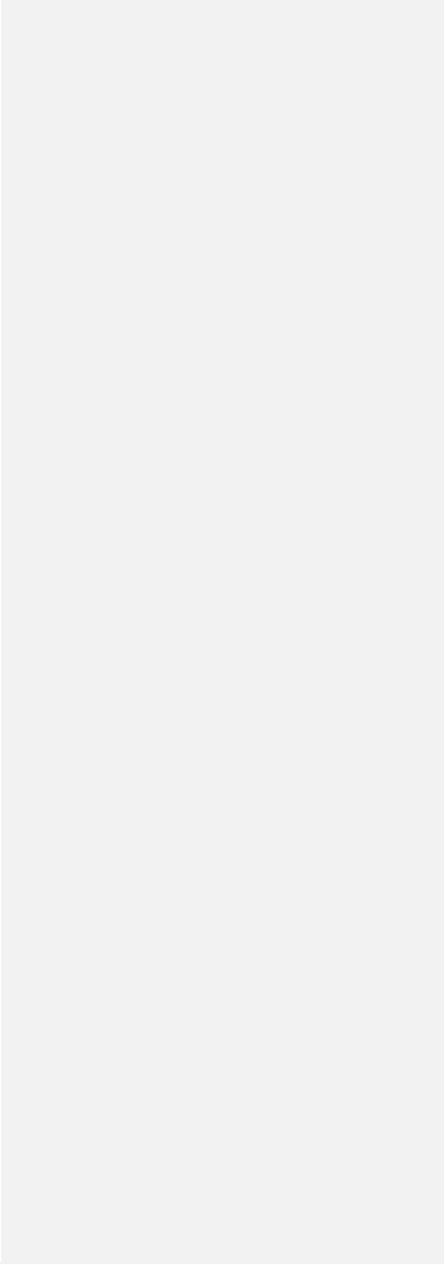
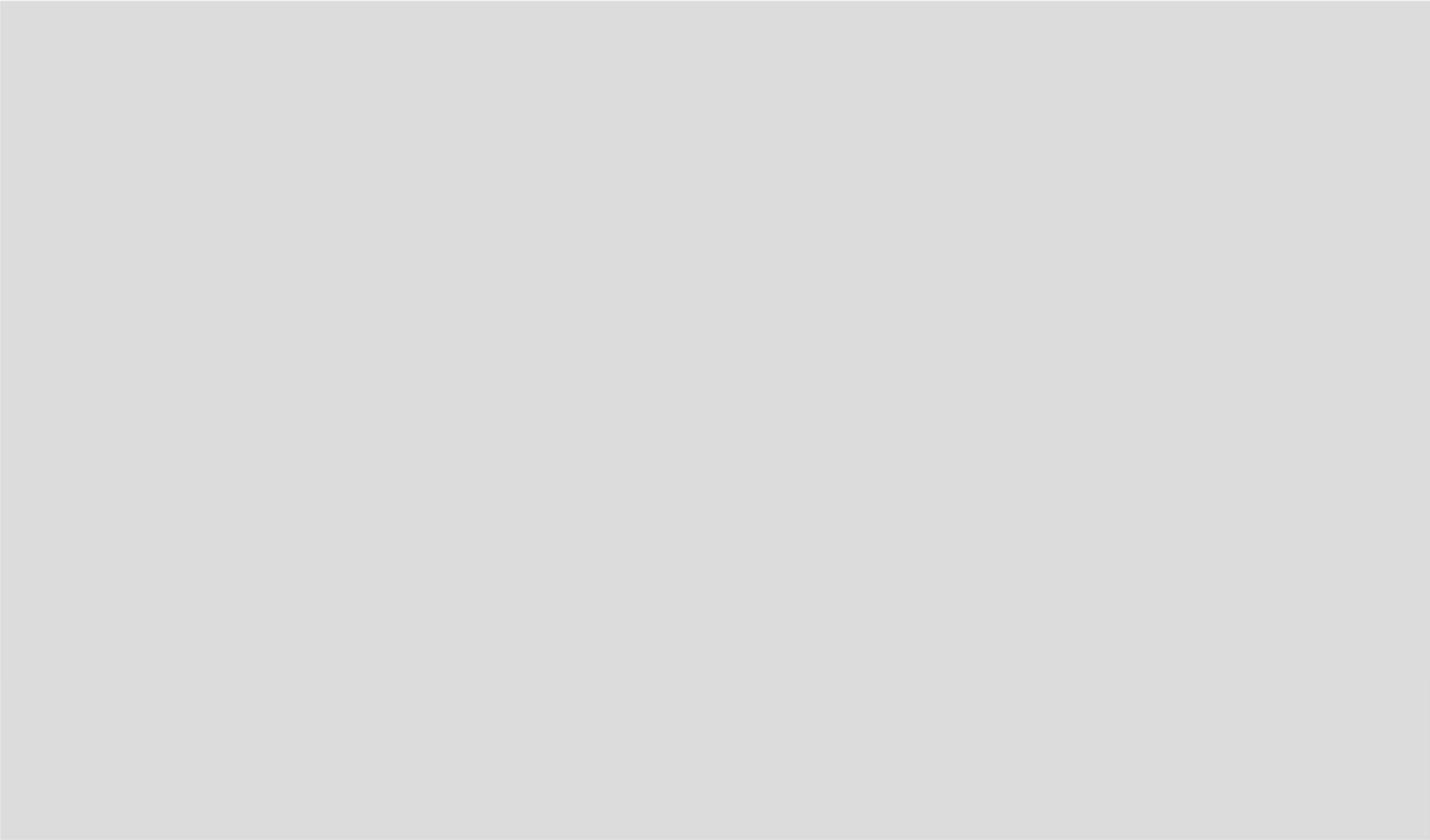
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