

Casey South Agriculture District Small Lot Excision Policy



Version: 1

Date updated: 6 September 2016

Responsible Department: Strategic Planning and Environment

Related policies: Nil

Council policy documents change from time to time and it is recommended that you consult the electronic reference copy at www.casey.vic.gov.au/policiesstrategies to ensure that you have the current version. Alternatively you may contact Customer Service on 9705 5200.

1	Where the Policy Applies	3
2	Policy basis.....	3
3	Policy objectives	3
4	Policy	3
5	Decision guidelines.....	4
6	Definitions.....	5
7	Administrative Updates	5
	Policy references:	5

1 Where the Policy Applies

This policy applies to land which is zoned Schedule 5 to the Green Wedge Zone (GWZ) or equivalent, having a minimum subdivision lot area of 20 hectares within the City of Casey's portion of the Western Port Green Wedge.

2 Policy basis

The City of Casey's rural areas are valued because of their agricultural, economic, landscape, cultural and environmental attributes. The rural areas of the City of Casey's portion of the Western Port Green Wedge are a finite resource which must be carefully managed to avoid inappropriate development.

There is a need to maintain the viability of agricultural operations and to meet the needs of the farming community. This can involve proposals for small lot subdivision and associated land excision to provide finance in support of these needs.

Over a period of time such subdivision may reduce the productive capacity of otherwise viable farming properties and may also diminish their environmental or landscape values.

This policy provides direction on the method of controlling this type of subdivision and identifies where and in what circumstances Council will entertain the subdivision of land which is zoned within Schedule 5 to the Green Wedge Zone (GWZ) or an equivalent zone.

3 Policy objectives

- » To encourage sustainable farming and rural industries and improve the management of land.
- » To maintain the character of rural areas.
- » To conserve rural areas of environmental significance.

4 Policy

It is policy that:

- » Rural land is protected as a long term resource so that its farming, environmental and landscape values can be enjoyed by future generations.
- » Small lot excisions may only be effected by means of two sequential planning applications:
 - » Two-lot subdivision with a minimum lot size of twenty (20) hectares.
 - » Boundary realignment to create a smaller lot with a minimum size of one (1) hectare.

Such proposals will only be supported if it can be demonstrated that the proposal will improve, or have the prospect to improve, the sustainable use of the land for farming and not compromise any identified environmental or landscape values associated with the land.

- » Any smaller lot created by a boundary realignment must be located on poorer quality agricultural land where feasible, or in a location that will maximise the sustainable use of the larger balance lot for farming purposes.
- » A land capability assessment must be provided to substantiate that any proposed one hectare lots can satisfy the requirements of the Environmental Protection Authority's Guidelines for Environmental Management Code of Practice – Onsite Wastewater Management.
- » Any smaller lot created by boundary realignment shall not contain native vegetation, environmental features or farm infrastructure which will be significantly affected by buildings and works.
- » The owner must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* that states that:
 - » No further permit applications or permit amendments will be lodged for the subdivision or boundary realignment of any new lot created.
 - » Where more than one dwelling exists on any lot created, the additional dwelling(s) must be removed so that only one dwelling is present on each lot. The additional dwelling(s) must be removed from the affected lot within 12 months of the issue of the statement of compliance.

5 Decision guidelines

In considering applications to subdivide land and to realign boundaries for small lot excisions, the Responsible Authority will consider whether:

- » The proposal provides an opportunity to consolidate smaller, fragmented holdings which are under the one ownership.
- » The land has an area sufficient to comply with the minimum land subdivision provisions of Schedule 5 to the Green Wedge Zone (GWZ) or equivalent zone.
- » The smaller lot would have an area no smaller than one (1) hectare and be capable of containing a building envelope with a minimum dimension of 35 metres by 35 metres.
- » The sustainable use of land for farming would be improved and that any identified environmental, or landscape values associated with the land would not be compromised.

6 Definitions

Council	means Casey City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989
Councillors	means the individuals holding the office of a member of Casey City Council
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.

7 Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

Policy references:

- » The Farm: A Strategy for Casey's Non-urban South, (June 1998) City of Casey
- » The Farm: A Strategy for Casey's Non-urban South – Background Papers (February 1998) City of Casey