

## 7.2.1 Agricultural land overlay code

### 7.2.1.1 Application

This code applies to assessable development:

- (1) subject to the Agricultural land overlay shown on the overlay maps contained within Schedule 2; and
- (2) identified as requiring assessment against the Agricultural land overlay code by the tables of assessment in Part 5.

### 7.2.1.2 Purpose and overall outcomes

- (1) The purpose of the code is to protect agricultural land from any incompatible development that may adversely impact on its productive use by present and future generations.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) the alienation, loss or fragmentation of agricultural land is avoided, except where an overriding need exists for the *development* in terms of public benefit, where no suitable alternative *site* exists, and the loss or fragmentation of agricultural land is minimised; and
  - (b) the use of agricultural land for increased and efficient agricultural production and agricultural development is promoted.

### 7.2.1.3 Assessment benchmarks

#### Part A – Assessment benchmarks for assessable development

Table 7.2.1.3.A–Assessment benchmarks for assessable development

Performance outcomes	Acceptable outcomes
<b>For assessable development</b>	
<b>PO1</b> Loss, fragmentation, alienation or diminished capacity of agricultural land is avoided unless: (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; (c) loss or fragmentation is minimised to the extent possible.	<b>Where for a material change of use in the Rural zone</b> <b>AO1.1</b> Development (inclusive of the <i>development footprint</i> ) is not located on land identified as Agricultural land Class A or Class B or Important Agricultural Areas on the <b>Agricultural land overlay maps OM01a-b</b> unless identified in <b>Table 7.2.1.3.B</b> .  <b>AO1.2</b> The <i>development footprint</i> for development other than <i>rural activities</i> identified in <b>Table 7.2.1.3.B</b> is equal to or less than 750m <sup>2</sup> on land identified as Agricultural land Class A or Class B or Important Agricultural Areas on the <b>Agricultural land overlay maps OM01a-b</b> .  <b>Where for Reconfiguring a Lot in the Rural zone</b> <b>AO1.3</b> Reconfiguring a lot does not result in the creation of a lot with an area less than 500 hectares on land identified as Agricultural Land Class A or Class B or Important Agricultural Areas on the <b>Agricultural land overlay maps OM01a-b</b> .

Performance outcomes	Acceptable outcomes
<p><b>PO2</b>  <i>Sensitive land uses</i> in proximity to Agricultural land Class A or Class B or Important Agricultural Areas are located and designed in a manner that:</p> <ul style="list-style-type: none"> <li>(a) avoids land use conflict;</li> <li>(b) avoids the alienation of the resource;</li> <li>(c) manages impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash; and</li> <li>(d) does not adversely affect public health, safety and amenity;</li> </ul> <p>unless it is demonstrated that the area does not support Agricultural land Class A or Class B or Important Agricultural Areas as mapped.</p> <p>Note- Note where Reconfiguring a lot occurs within land identified as <i>Agricultural land Class A or Class B</i> or Important Agricultural Areas for <i>urban purposes</i> within a <i>Future urban area</i> or <i>Urban investigation area</i> and is otherwise consistent with the Planning Scheme (including Part 4 - Strategic Framework) and other relevant State planning policy, State planning regulatory provisions or State legislation a buffer to <i>sensitive land uses</i>, dedicated as public open space may be provided in accordance with a structure plan.</p>	<p><b>Where for Reconfiguring a Lot in the Rural zone or a Residential Zone Category on land that adjoins the Rural zone</b></p> <p><b>AO2</b>  Lots created for <i>sensitive land uses</i> within land identified as agricultural land Class A or Class B identified on <b>Agricultural land overlay maps OM01a-b</b> provide a public open space buffer area with a minimum width of:</p> <ul style="list-style-type: none"> <li>(a) 300 metres where open ground conditions apply; or</li> <li>(b) 50 metres minimum width where vegetated in accordance with a detailed landscape plan and maintained in accordance with a public open space management plan.</li> </ul>

**Table 7.2.1.3.B - Compatible development within Agricultural Land Class A or Class B**

- (a) *animal husbandry*;
- (b) *animal keeping*;
- (c) *cropping* including a *building*, structure or activity supporting *cropping*;
- (d) *dwelling house*;
- (e) *home based business*;
- (f) *intensive animal industry*;
- (g) *intensive horticulture*;
- (h) *landing*;
- (i) *outdoor lighting*;
- (j) *roadside stalls*;
- (k) *winery*.